HOUSE OF ASSEMBLY.

Tuesday, November 30, 1954.

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

QUESTIONS.

LEVEL CROSSING SAFETY DEVICES.

Mr. O'HALLORAN—The last annual convention of the Australian Labor Party expressed concern at the number of accidents that occur at level crossings in South Australia and I was asked to make representations on this subject. I therefore ask the Minister representing the Minister of Railways whether he will take up this question with his colleague with a view to consultations with the Railways Commissioner on the practicability of installing automatic warning devices at all main level crossings in this State.

The Hon. M. McINTOSH—I will do that, and without entering upon what may happen in the future, I can say without reservation that South Australia has installed more electrical warning devices in relation to the number of crossings than any other State. Those devices comprise plant and equipment that necessitate electrical supplies and are costly, but it has been the policy of the department to install them wherever feasible. I am sure that that policy will be followed by the present Minister, but I will get a further report from him.

Mr. DUNKS—Last week I once again asked the Minister representing the Minister of Railways a question relating to the installation of automatic gates at the railway crossing on Cross Road, Unley Park. When I first asked this question the Minister said he would have an inquiry made and told me that it was a matter of priorities. I ask him now whether he can give an answer to the question before the end of the session?

The Hon. M. McINTOSH—I shall be glad to make further inquiries, but I am sure that the gates will be installed as early as possible.

TEACHERS' SUPERANNUATION.

Mr. MACGILLIVRAY—Does the Government intend to alter the present practice with respect to pensions for teachers resigning or retiring before the usual retiring age so that pension payments will commence forthwith upon retirement without teachers having to wait until their long service leave has expired?

The Hon. T. PLAYFORD—I think that this is a matter normally handled by the Department of Industry and I doubt whether the Minister of Education has had an opportunity of knowing the facts concerning it. This year an amending Public Service Bill was passed dealing with this matter. I believe that it was not necessary to alter the provisions covering teachers because they already had provisions similar to those recently granted to public servants.

SALISBURY HIGH SCHOOL.

Mr. GOLDNEY—Has the Education Department purchased land at Salisbury for the purpose of erecting a high school there and, if so, when will building commence?

The Hon. B. PATTINSON—The department has purchased 10 acres at Salisbury and in due course plans will be prepared for a high school. I will let the honourable member have further details later.

TIME LIMIT ON DRIVING.

Mr. STEPHENS—Has the Premier obtained a report in answer to the question I asked some time ago about the length of time a driver was allowed to be at the wheel of a motor vehicle?

The Hon. T. PLAYFORD—As far as I can ascertain there are no provisions in the South Australian Road Traffic Act covering this matter.

NORWOOD CYCLING ARENA NUISANCE.

Mr. TRAVERS—Just outside the boundaries of my electorate and in a thickly populated area there is a place which I believe is known as the Norwood Cycling Arena. Whenever contests are held there a public address system constitutes a serious nuisance to the residents of the district. Recently, at a house a mile and a quarter from the arena, I distinctly heard all the announcements and comments, which continued well into the late evening. No doubt private citizens have a right to take action to abate a nuisance, but the burden of action should not have to be borne by the individual citizen, and I ask the Premier whether he could investigate the matter to see whether the police have power to prevent such nuisances and if not, will he consider the desirability of amending the law to give them such powers?

The Hon. T. PLAYFORD—I will have the matter examined. I think the prevention of a public nuisance would be covered under the Police Act, but if I draw the honourable member's remarks to the notice of the committee in charge of this activity I think it will do the proper thing and abate the

nuisance. That is probably the easiest way to prevent this nuisance, but I will take the question up and see what is the appropriate way to handle it.

NEW FINDON HIGH SCHOOL.

Mr. HUTCHENS—My constituents were grateful to learn of the possibility of a new high school at Findon. As there is some concern about the date of opening, can the Minister of Education say whether progress on the temporary buildings will enable the school to be opened on the date set down for the opening of the 1955 school year and whether it is intended to erect permanent school buildings in the immediate future?

The Hon. B. PATTINSON—Plans for the new high school at Findon are now with the Public Works Committee who are taking evidence this week from the officers concerned. If the committee approves of the proposal, work can start immediately on the temporary buildings to enable them to be ready when the school opens in February, 1955. The plans include a permanent school in brick, containing all the necessary classrooms, laboratories, etc. As soon as this is approved, work will commence on the detailed drawings with a view to tenders being called in the next financial year.

KINGSCOTE SCHOOL: PURCHASE OF LAND.

Mr. BROOKMAN—Has the Minister of Education a reply to my recent question regarding the purchase of additional land adjacent to the Kingscote School?

The Hon. B. PATTINSON—Following on oral and written representations from the honourable member and further representations from the school committee and, I think, trustees of the memorial oval, I submitted this matter to Cabinet, which has agreed to the purchase of the additional land required.

WALLAROO GRAIN DISTILLERY.

Mr. McALEES—It has been reported in my district by a number of rather influential people that inquiries have been made regarding the possibility of using the grain distillery at Wallaroo. Has the Premier received any inquiries in this matter, particularly one from Sydney?

The Hon. T. PLAYFORD—I have no knowledge of any inquiry from Sydney. The inquiry that seemed to be the most promising was from a meat slaughtering firm that desired to establish a freezing works in the area; but that inquiry was held up pending a decision of the High Court on the powers of the State Government to grant a licence. When that decision has been arrived at I have no doubt the matter can be further pursued. I will inquire whether there have been any other inquiries of which I have not heard.

MORGAN-WHYALLA PIPELINE.

Mr. HEASLIP—During the past eight years South Australia has enjoyed exceptionally good seasons, and during that period much water has been reticulated to northern areas from the Morgan-Whyalla pipeline and the reservoirs it supplements. If, as appears likely, a low rainfall during one year did not replenish the reservoirs, would the pipeline be capable of replenishing the northern reservoirs and at the same time supply the requirements of the three northern industrial towns? If there is any doubt about it, can the Minister of Works say what is being done to overcome what could be a calamity to all the people in the north who depend on that water?

The Hon. M. McINTOSH—This question is important and it is not merely a matter of replying "Yes" or "No." When the scheme was originally developed it had regard to the possibility of drought. Soon after the scheme was completed we had one of the worst droughts in the history of the State and the whole of the north would have been out of water for domestic and stock purposes had it not been for the scheme. Not only did it stand up to those requirements, but the area it served was about the only part of the State not under restrictions; therefore there was a big margin of safety in the original plan. It was never conceived, however, that the scheme would, under stimulated development, provide for all time, and therefore from the time the original main was laid surveys have been made to determine what line the duplication will follow when the supply must be supplemented. Obviously it is not desirable to follow the original route, and surveys have been taken of the best possible route for the duplication in order to bring water to other areas not now served; but there is no immediate sign that the pumping capacity of the original main will not be equal to a severe drought. Indeed, it has done so in the past. Surveys will continue to be made for the duplication if and when it is required.

EARTHQUAKE DAMAGE REPAIRS.

Mr. FRANK WALSH—Has the Treasurer a reply to my recent question about the responsibility for damage resulting to State Bank homes from this year's earthquake?

The Hon. T. PLAYFORD—The General Manager of the State Bank reports:—

Referring to the above question asked by Mr. Frank Walsh, M.P., by press advertisements the bank notified borrowers under the Advances for Homes Act that applications for gratuitous assistance by the Government to repair earthquake damage must be lodged by June 15 last, after which date no further applications would be accepted. In a statement in the *Advertiser* on June 4 last an intimation was given that borrowers need only give notice by the 15th idem of their intention to apply for assistance as it was realized that damage which had appeared then may be worsened during the winter months. However, the bank could not keep the matter open indefinitely and it was felt that damage occasioned by the earthquake would have become apparent in some form or other by June 15.

INTERSTATE TRANSPORT.

Mr. WHITE—Since the decision of the Privy Council regarding the issue of permits for the transport of goods between States I believe a conference has been held between the Ministers in charge of transport in South Australia, Victoria, New South Wales and Queensland. Can the Premier say what is intended to be done to make transport companies contribute towards the upkeep of the roads over which they travel?

The Hon. T. PLAYFORD—The conference held in Sydney and attended by the Ministers of the States mentioned by the honourable member agreed mainly to introduce legislation requiring interstate transport concerns to obtain permits. These would be given as a matter of right but attached to them would be conditions governing the route to be followed, the weight of the load to be carried and the amount of the contribution to be made for the use of the roads. It was further decided that the States would pass legislation to prevent any claim for a refund of moneys which may have been collected under the previous system, by the simple expedient of making it impossible for a court to hear an application. In regard to these matters, the South Australian Government feels that it should not go in for control merely for control's sake. If there should be any abuse of the roads or any matter requiring supervision, members have my assurance that the matter will be promptly brought before Parliament, but merely to go in for a large organization of control to effect nothing but control does not warrant action being taken. At present the drivers of heavy transport vehicles on our roads are being asked to extend courtesy to other road users and the Police Commissioner has reported that they have responded to the request. Inspections are made of our roads and the weights of the vehicles using them. This State has not made heavy charges for permits and I doubt whether there will be any claims against it by any operator. Our fee has not been worked out on the basis of 3d. per ton mile, as was charged by the other States; it is merely a permit fee for the whole journey. In the main I think £5 a permit was the maximum, and frequently it was only 2s. 6d. The moneys collected for permits certainly do not belong to the road hauliers, who have passed on the charges to their customers. The Government would not view favourably action by road hauliers to appropriate the money for themselves. At present there are no claims against the Government and the roads are being controlled adequately. If it is intended to impose charges for the maintenance of roads it can be done by regulation. It would not be necessary to have legislation so at present I do not think it is necessary for the matter to come before the House this session. That will enable Parliament and the Government to see what action, if any, is necessary in the light of experience.

Mr. STOTT—Following on the Premier's statement that as a result of the Privy Council's decision the Government does not intend to introduce control for controls sake over big interstate road vehicles, will the Government introduce legislation to allow the same principle to apply to primary producers regarding the transporting of their goods intrastate?

The Hon. T. PLAYFORD—The Road and Rail Transport Act does not apply to primary producers, only to persons engaged in the business of carrying for hire or reward, so there is no need for the legislation to be amended as the member suggests.

SOUTH AUSTRALIA HOUSE, LONDON.

Mr. CORCORAN—I have a letter from three constituents of mine, Messrs. Alec McDonald, Daniel Stuckey and Allan Kaen, of Millicent, asking me to express appreciation of the help they received from South Australia House staff when in London. They want that appreciation conveyed to the Premier.

The SPEAKER—Has the honourable member a question to ask on the matter?

Mr. CORCORAN—No.

BOUNDARIES OF ASSEMBLY CHAMBER.

Mr. HAWKER—When you gave a ruling recently, Mr. Speaker, on whether a member was in the precincts of the Chamber if he was behind the bar you said that if he were within the four walls of the Chamber he had to record his vote. Do the four walls of the Chamber include the galleries?

The SPEAKER—A member being within the precincts of the Chamber and the four walls is required to vote. If within the precincts he could be seen, and if he were in any of the galleries he would be required to come to the table and exercise his vote.

The Hon. T. PLAYFORD—I point out, Sir, that if he were in the public gallery he would not be able to record his vote because he would be locked out.

The SPEAKER—I think the principle is that he could be seen by the Chair, and if he could be seen within the precincts of the Chamber, we would see that he had means of getting to the table.

The Hon. T. PLAYFORD—Would you, Mr. Speaker, consider referring to the Standing Orders Committee the question of whether a member should be called upon to vote if he is in the gallery of the House? I know from experience that in some other Parliaments the bar is regarded as the boundary of the precincts of the House, and if a person is outside the bar it is then not incumbent on him to come forward to vote. When it is necessary to arrange pairs there is sometimes a doubt until the last moment whether a certain member is present and it is very convenient if another member can leave the Chamber merely by going outside the bar of the House. On the other hand I can see no abuse arising from such an alteration in the Standing Orders.

The SPEAKER—It has been a long-standing practice to count members in the present manner, but that is not to say that the practice could not be reconsidered by the Standing Orders Committee of the House of Assembly.

BOARD FOR SCHOOL TEACHERS.

Mr. RICHES—Has the Premier obtained the report he promised on November 18 as to whether the Housing Trust would in certain circumstances waive the condition of tenancy prohibiting the tenant from accepting a school teacher as a boarder?

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

The tenancy agreement under which the South Australian Housing Trust lets houses to its tenants provides that the tenant is not to take in boarders or lodgers. The reason for this condition is to prevent overcrowding and the creation of bad housing conditions and, in the case of the normal family occupying a trust house and requiring all the space in the house, it is obvious that this condition should be enforced. Some little while ago the Director of Education approached the trust with a suggestion that, in view of the difficulty of country teachers obtaining board and lodging (particularly in places such as Port Augusta) this condition of the tenancy agreement should be waived. The trust has informed the Director that, if a tenant desires to board a teacher and can establish that this would not cause overcrowding and that the teacher would have the exclusive use of a bedroom in the house, the trust would, on application by the tenant, waive the particular condition. I understand that a notice to this effect will shortly be published in the *Education Gazette*.

PRINCIPAL LIBRARIAN, LIBRARIES DEPARTMENT.

Mr. DUNSTAN—Has the Minister of Education obtained a report following on my question on November 25 regarding the position of Principal Librarian to become vacant shortly and the calling for applications from outside the Public Service?

The Hon. B. PATTINSON—I referred the matter to the Public Service Commissioner, who reports as follows:—

There is no point in advertising positions outside of the Public Service if it is known that satisfactory applicants will be available from within the service. Section 40 (2) of the Public Service Act says that no appointment from outside the service shall be made until the Public Service Board has certified that in its opinion the person proposed to be appointed from outside the service has sufficient superiority of qualifications and aptitude for the position to be filled to justify his appointment in preference to any officer who is already employed in the Public Service. We have already spent over £2,000 this financial year in advertising positions throughout Australia and overseas, and as I have no reason to suppose that there would be an outside applicant for the position of Principal Librarian who would justify the giving of the certificate referred to above I do not consider it necessary to advertise outside of the Public Service. Mr. Dunstan is in error when he says that it is the normal principle to advertise positions in the press. In view of the requirements of the Public Service Act and regulations, it is the exception rather than the rule to advertise outside the Public Service. The present Principal Librarian will not cease duty until the middle of February, and if no suitable application is received from within the Service then there will still be time to advertise the position outside.

AUSTRALIAN PERFORMING RIGHTS ASSOCIATION.

Mr. WILLIAM JENKINS—In reply to a question from the member for Murray (Mr. White) on September 1 concerning the Australian Performing Rights Association the Premier said:—

I have decided to discuss this matter with the association and am communicating with it accordingly.

Last night at a corporation meeting at Victor Harbour approaches were made through the Muncipal Association and suggestions were put forward in relation to this matter. Has the Premier any further information on this matter?

The Hon. T. PLAYFORD—There is considerable correspondence on the matter. So far as institutes which belong to the association are concerned, an adjustment was made which they considered satisfactory and acceptable. There are a number of institutes and halls which do not come under the Institutes Association but I have been informed that an equitable arrangement will be made with those that seek it. I will make available to the member a copy of the most recent letter I have received so that if he encounters any trouble in his district he will know where applications should be lodged.

PROROGATION OF PARLIAMENT.

Mr. MACGILLIVRAY—Is the Premier in a position to inform members when this session will conclude? It was suggested in the press recently that the date would be December 9, but I have heard other rumours. I ask this question because a number of country members are greatly indebted to the management of a hotel for providing them with permanent bookings throughout the session and would like to return the courtesy by notifying the manager of that hotel when they will no longer require permanent bookings.

The Hon. T. PLAYFORD—A number of members have requested that the session should end soon. The House has been sitting since June and many members have expressed a desire for a break. At the moment there is a considerable amount of legislation on the Notice Paper. The Government has decided not to proceed with one or two Bills this session because of matters that have arisen which warrant further investigation. There are one or two Bills which have not been introduced but which the Government is desirous of having considered this session. I believe that with the co-operation of members the session could conclude next week without much business outstanding. Whether it would conclude on December 7, 8, 9 or 10 would depend upon the time taken to consider the matters before the House. Members will appreciate that Ministers have additional work when the House is in session, apart from administrative matters. It would be advisable for the session to conclude next week, if possible.

ACCOMMODATION FOR SPECIALIZED EMPLOYEES.

Mr. DUNNAGE—I have received a letter from a firm which has advertised extensively in South Australia, without success, for a specialized employee, and which can procure such an artisan from overseas if a house can be provided. Can the Premier say whether it is possible for any industry to obtain a home through the Housing Trust for a specialized employee?

The Hon. T. PLAYFORD—The normal procedure in the allocation of Housing Trust homes is that the circumstances of the tenants are considered. The trust must obviously give that prime consideration. During the war, as a result of a conference between the Commonwealth and the States, this State agreed that when a person from overseas, was to introduce a new process into industry and required accommodation, special provision might be made for him. It was also agreed that the number would be limited because for every such person who obtained a home another applicant would not get one. So far as I know we have not allotted any homes under that scheme except in respect of houses required by the Commonwealth Government for persons concerned with defence projects, particularly highly skilled scientists. If the honourable member will let me know the facts relating to the case brought to his notice, and what the skill of this particular person is so that I can be satisfied that it is a new process being introduced to this State, I will have the matter examined.

JUSTICES OF THE PEACE.

Mr. STEPHENS—Has the Minister representing the Attorney-General a reply to the question I asked last week about the employment of members of the Justices' Association on the bench?

The Hon. B. PATTINSON—I submitted the question to the Attorney-General, who has replied as follows:—

I agree with the principle that cases in the suburbs should be heard by the justices of that

district (except when heard by a magistrate). Instructions will be issued that local justices are to be called to attend court. The instructions will provide that when the justices are not available locally after reasonable effort, an approach may be made outside the district.

BETTING TAXATION.

Mr. DUNKS—In speaking to a motion moved by the member for Ridley the Premier said recently that he would be prepared to alter the present system of betting taxation and make a straight-out charge on betting if the racing clubs were in favour of his scheme, and that he would be prepared at any time to meet a deputation comprising representatives of racing clubs and racehorse owners if they wanted to accept his proposal. Has he had any request from them?

The Hon. T. PLAYFORD—I received a deputation representing metropolitan and country racing interests, and those present unanimously requested that the present system remain.

PRICE OF PIG IRON.

Mr. DAVIS—Has the Premier a reply to my recent question regarding the price of pig iron in Port Pirie?

The Hon. T. PLAYFORD—No. To get the information required involves writing to the Broken Hill Proprietary Co. Limited and awaiting its reply, which cannot be obtained as quickly as can a report from a Government department. It may be some days before a reply comes to hand, but I will advise the honourable member when it does.

LIGHTING ON TRAM CARS.

Mr. DUNSTAN—Has the Minister of Works any further information to give regarding my question about warning devices on tram cars on the Payneham tramline?

The Hon. M. McINTOSH—The general manager of the Tramways Trust reports:—

Some little time ago, in replying to a Parliamentary question, we advised that experiments were being made in respect of a suitable reflecting material for adherence to tramcars, in order to assist motorists in observing trams on public thoroughfares at night time. We have now found a material which is suitable, and available in sufficient quantities to permit of placing reflective strips on trams; the first tram has already been equipped. A vertical strip, 3in. by 3ft. long, has been placed on either side of the aprons at both ends of the tram. Tests show that these strips can be picked up by headlights at a distance of approximately 500ft. Steps are being taken to equip progressively all tramcars in our system with this material.

TREATMENT OF HABITUAL OFFENDERS.

Mr. TRAVERS—On September 2 I addressed a question to the Minister of Lands, in the absence of the Premier, concerning the Government's approach to the important problem of suitably segregating for appropriate medical treatment certain classes of convicted persons. I instanced chronic alcoholics, kleptomaniacs, and certain types of sexual offenders. Has the Premier a reply to my question?

The Hon. T. PLAYFORD—From time to time the Government gets reports on this topic, and a small Bill is being prepared to deal with one group, namely persons who have been declared habitual criminals. However, I point out that it is not possible to have an institution to accommodate every type of person breaking our laws, for there is a limit to the amount of money available to establish such institutions, but within practical limits everything possible will be done to meet these cases.

PYRITES RAILWAY SIDING.

Mr. DUNSTAN—Has the Premier obtained a reply to the question I asked about land for a railway siding for Nairne Pyrites Ltd.?

The Hon. T. PLAYFORD—I have received a report from the Railways Commissioner covering the four points raised. It states:—

(1) Yes. It was decided that the negotiations for the land, necessary for constructing the rail siding required by the company, should be carried through by the Railways Department.

(2) Yes. The only practical location of the siding passes through the said property, but the owner has been told that some arrangement will be made whereby he retains access to the existing creek.

(3) £750 was offered for the land required, approximately one acre, inclusive of disability that may be suffered through the presence of the railway. A reply of protest has been received from the owner, but no counter claim was made.

(4) It was represented to the Chief Engineer for Railways that a better site existed elsewhere and subsequent investigations sustained that contention, in that the site now decided upon is more advantageous, having regard to the joint interest of the Highways Department, the Railways Department and of Nairne Pyrites Ltd.

RAILWAY FURNITURE CRATES.

Mr. HAWKER—My question is prompted by the recent decision of the Privy Council on interstate transport. Recently one of my constituents shifted from his home in my district to New South Wales. He had some furniture to take with him and applied to the Railways Department for one of its furniture crates,

but was told that it could not be taken interstate. That meant that his furniture and luggage had to be forwarded in separate parcels and transhipped at Terowie and at Broken Hill. Will the Minister representing the Minister of Railways take up my question with his colleague in another place to see whether some reciprocal arrangement can be made with other States so that furniture crates can travel interstate?

The Hon. M. McINTOSH—I will be glad to do that and advise the honourable member of the result as early as possible. The Railways Commissioner is away at the moment, so I may not have a reply until next week.

FELIXSTOWE ROAD BUS SERVICE.

Mr. DUNSTAN—Has the Premier a reply to my question about week-end services on the Felixstowe Road bus service?

The Hon. T. PLAYFORD—The general manager of the Tramways Trust has replied as follows:—

I would inform the Premier that the licensee of the North Walkerville-Glen Osmond bus service recently advised his desire to cease operations on this route on Saturdays, Sundays and public holidays, owing to the very poor patronage on those days. We carefully checked the situation and our investigations confirmed his contention that operating expenses were not being met. This cross-country route is, in fact, a very light one over the whole week and we could not justify asking the operator to continue running at the week-ends, on the grounds that the revenue as a whole could stand the lighter patronage at the week-end. We contacted the Metropolitan Omnibus Association to see whether there was another operator available who would run the service at the week-ends, or even take over the whole service throughout the week, but none was willing to do so. The trust itself cannot justify operating this sparse service.

PRIME MINISTER'S RECORD TERM.

Mr. DUNKS—Is there any method, Mr. Speaker, by which this House could congratulate the Prime Minister, the Right Honourable R. G. Menzies, on his record term of office?

The SPEAKER—I consider that a motion on notice, moved and seconded, would be in order.

SIR WINSTON CHURCHILL: 80TH BIRTHDAY.

Mr. MACGILLIVRAY—If the Premier has not already done so will he take the necessary steps to congratulate the Prime Minister of Great Britain (The Right Honourable Sir Winston Churchill) on attaining his 80th birthday? It is unnecessary for me to mention the all-important part played by Sir Winston in the dark days of war, and it would meet the feelings of all members, irrespective of their political views, if the Premier on their behalf were to send Sir Winston congratulations and best wishes for the future.

The Hon. T. PLAYFORD—I agree with the honourable member. Indeed, I think all honourable members agree that the indomitable courage displayed by Sir Winston during the second world war was an inspiration not only to the British people but to the whole of the free world. Apart from his political party views I do not think anyone could but admire his tenacity of purpose in defending our way of life during the war years. Yesterday I took it upon myself on behalf of the Government and the people of this State to send to Sir Winston a telegram congratulating him upon his achievements and record in the interests of the British Commonwealth and the rest of the free world. That telegram, which was non-party in its terms, dealt with the wonderful service and courage that Sir Winston displayed in confronting an almost hopeless position during the last war.

EXERCISE BOOKS.

Mr. HUTCHENS (on notice)—

1. What percentage of ruled exercise books supplied to scholars in State schools are printed by the Government Printer?

2. What is the price charged to scholars for each such book?

3. What is the price charged to scholars for each similar book printed and supplied by commercial printing establishments?

The Hon. B. PATTINSON—The replies are:—

1. Head teachers of all State primary schools are required to purchase their supplies of exercise books from the Public Stores Department which obtains them from the Government Printer. Parents, however, may procure their books from any source they wish. It is the general practice to obtain them from the school. Secondary schools are not supplied with exercise books from this stock. They procure their requirements from educational booksellers and other sources. (The Government Printer does not produce exercise books of a type suitable for use in secondary schools.)

2. The prices charged to scholars for each book printed by the Government Printer are as follows:—

24 leaf ruled	5d.
48 leaf ruled	9d.

3. The prices charged by booksellers vary. Prices were obtained from three sources as follows:—

24 leaf—

Rigby	Do not supply.
Wiggs	7d. (27 leaf).
Coles	9½d.

48 leaf—

Rigby	10½d.
Wiggs	10d.
Coles	1s. 2d.

The maximum prices fixed by the Prices Branch are as follows:—

24 leaf	10d.
48 leaf	1s. 5½d.

As the percentage of children attending State primary schools is 85.7 per cent of the total number of children attending all State schools, it may be said for practical purposes that approximately 85 per cent of children attending State schools obtain exercise books printed at the Government Printing Office.

TAXICAB INVESTIGATION.

Mr. LAWN (on notice)—

1. Who were the persons whom the Prices Commissioner reminded of his statutory powers when seeking evidence in connection with the investigation into the taxi industry?

2. Is the scope of the inquiry wide enough to inquire into the transfer of taxi licences?

The Hon. T. PLAYFORD—The replies are:—

1. The oath of secrecy under which the Prices Commissioner is bound precludes divulging this information.

2. Yes.

FRUIT FLY (COMPENSATION) BILL.

Introduced by the Hon. A. W. CHRISTIAN and read a first time.

Second reading.

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

That this Bill be now read a second time.

Its object is to provide compensation for loss arising from the campaign for the eradication of fruit fly which commenced in the spring of last year in the eastern suburbs of Adelaide. On the discovery of fruit fly in the area stripping and spraying were begun and two proclamations were made. The first, made on October 1, last year, prohibited the removal of fruit from the area, and the second, made on October 8, prohibited the growing or planting of certain plants. These plants were tomatoes, peppers, egg plants, ornamental solanum, rock melon, sweet melon and cucumbers. For convenience I shall refer to these plants as "prohibited plants."

Following the practice of other years the Government proposes that compensation shall be given for loss arising from these measures, and is accordingly introducing this Bill. The Bill provides for compensation in the same way as in previous years, except with respect to prohibited plants. The early outbreak of fruit fly creates difficult questions concerning the compensation which should be given with respect to these plants. After giving the whole matter very careful consideration, the Government has decided that the proper course would be to give compensation with respect to the plants only where they were planted before October 8, 1953. It is not proposed to give compensation to any person who had intended to plant prohibited plants but was prevented from doing so by the proclamation. It is felt that such claims would be difficult to deal with, and that, in any event, the growers concerned would have had an opportunity to grow other plants the growing of which was not prohibited.

The details of the Bill are as follows—Clause 3 provides first that a person who suffers loss by reason of stripping or spraying on any land while the removal of fruit therefrom is prohibited by the proclamation made on October 1 last year shall be entitled to compensation. Compensation will be available both for the taking of fruit and for incidental damage. Second, clause 3 provides for compensation for loss arising by reason of the prohibition of removal of fruit from any land by reason of that proclamation. Third, clause 3 provides for compensation for loss arising when the person is prohibited from continuing to grow a prohibited plant which he had planted on his land before October 8, 1953, Where a prohibited plant was planted before October 8, 1953, a right to compensation will arise under the Bill in one of two ways. If the plant was destroyed by strippers before October 8, the grower will be entitled to compensation for the destruction of the plant. If strippers did not remove the plant before that date the grower will be entitled to compensation by reason of being prohibited from continuing to grow the plant. Clause 3 also provides that compensation with respect to prohibited plants shall not exceed an amount equal to the expense incurred by the person claiming the compensation in planting and tending the plants before growing the plants became unlawful.

Clause 4 lays down the times within which claims under the Bill must be lodged with the Fruit Fly Compensation Committee. Claims arising from stripping and spraying and from the prohibition of growing plants must be lodged before February 1, 1955, and claims arising from the prohibition of removing fruit by July 1, 1955.

Mr. DUNSTAN secured the adjournment of the debate.

HIDE AND LEATHER INDUSTRIES ACT SUSPENSION BILL.

Introduced by the Hon. A. W. CHRISTIAN and read a first time.

Second reading.

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

That this Bill be now read a second time.

It suspends the provisions of the Hide and Leather Industries Act, 1948, under which the Commonwealth-wide marketing scheme for hides has been conducted in recent years. The control of hides began and was carried on during the war under National Security Regulations. It depended partly on price control by the Commonwealth and when in 1948 the Commonwealth ceased to control prices the scheme was continued under joint legislation passed by the Commonwealth and all the States.

The basis of the scheme was that all hides produced in Australia became the property of the Hides and Leather Industries Board appointed by the Commonwealth. The board supplied the Australian home market with hides at the relatively low prices fixed by the price fixing authorities and the surplus hides were exported and sold at overseas prices. The total returns from all the sales were pooled. The Australian consumer of hides obtained his requirements at a low price compared with the overseas price. But as very substantial quantities of hides and leather goods were exported and sold at high prices the total returns from the pool were for a long time very satisfactory. However, the position has now changed. In 1951 the export price of heavy hides returned 61d. a pound while the equivalent local price at that time was 7d. a pound. Since then the overseas price has been steadily reduced and the Australian price was increased by 50 per cent in 1952. By August last the difference between the Australian and overseas prices of cattle hides was only a few pence a pound, although there was still some appreciable difference between the overseas and local prices of yearling and calf skins. At this stage the board after paying its own costs was barely able to return to the producers the local fixed price; and if the overseas price had continued to fall the board would have required financial assistance from the Commonwealth if the scheme was to continue. The Commonwealth refused to consider any such proposition.

Another reason why the scheme has been brought to an end is that an action challenging its legality has been brought in the High Court. Doubts about the validity of the scheme encouraged private trafficking in hides on a large scale and prevented the board from functioning satisfactorily. For these reasons the Commonwealth refused to continue the scheme after August last except for the purpose of winding it up. The Commonwealth Parliament has passed legislation which will eventually result in the operations of the board being entirely discontinued. In these circumstances there is no virtue in keeping in force State legislation enabling the board to acquire any more hides in South Australia. The Bill therefore provides that all those sections of the Act which confer on the board power to acquire any further hides will be deemed to have been suspended on August 16, 1954. When the board has finally wound up its business, it will be desirable to repeal the whole Act.

Mr. JENNINGS secured the adjournment of the debate.

AMUSEMENTS DUTY (FURTHER SUSPENSION) BILL.

The Hon. T. PLAYFORD (Premier and Treasurer), having obtained leave, introduced a Bill for an Act to suspend the levy and collection of amusements duty under the Stamp Duties Act, 1923-1953. Read a first time.

Second reading.

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

That this Bill be now read a second time.

Its object is to further suspend the levy of amusements duty under the Stamp Duties Act until July 1, 1958. Amusements duty has not been collected in the State since 1942, when the Commonwealth Government imposed entertainment tax as a war-time measure, and the collection of amusements duty by the State Government was suspended by an Act of the State Parliament passed in that year. The Commonwealth Government continued to collect entertainment tax until last year when an Act was passed by the Commonwealth Parliament bringing the levy of the tax to an end. In moving the second reading of the Bill to

abolish the tax the Commonwealth Treasurer stated that the Commonwealth Government had found the tax somewhat unsatisfactory. The yield had been small and the tax was inconvenient to the public, and to some extent fell on those least able to pay. After considering all relevant factors the Government has come to the conclusion that, in the interests of the public, amusements duty should not be reimposed until the financial position definitely requires it. There is no immediate necessity for the reimposition of the duty, and the Government therefore proposes to further suspend it until July 1, 1958. Thus the public will continue to enjoy the tax concession granted by the Commonwealth for a further three years. The Bill provides accordingly.

Mr. O'HALLORAN (Leader of the Opposition)—I offer no objection to this measure. In these days when financial measures are introduced by the various Parliaments they usually have the effect of increasing the burden on some class of taxpayer and it is refreshing to encounter lgeislation which is not so intended. I agree with the sentiments expressed by the Premier, which are really a recapitulation of the arguments advanced in the Federal Parliament for its vacation of the field of amusement tax. It is a particularly troublesome tax so far as the public is concerned, particularly in relation to small country sporting activities, some of which are conducted for charitable purposes, but are involved in difficulty in securing the necessary exemption and in conforming to the conditions laid down for such exemptions.

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

STATE BANK ACT AMENDMENT BILL.

The Hon. T. PLAYFORD (Premier and Treasurer), having obtained leave, introduced a Bill for an Act to amend the State Bank Act, 1925-1941.

Bill read a first time.

The Hon. T. PLAYFORD—I move—

That this Bill be now read a second time.

It has been introduced pursuant to the representations made to the Government by the State Bank Board. It makes some miscellaneous amendments to the Act, the most important of which relate to insurance of the properties held by the bank as securities for loans. I will deal with the amendments in the order in which they occur in the Bill. Clause 3 makes an amendment which is consequential on the alteration of the title of the Public Service Board. This board was formerly known as the Public Service Classification and Efficiency Board and is so described in the State Bank Act. Its title, however, was altered in 1948 to that of Public Service Board, and it is desirable that the State Bank Act should be amended so as to set out the new title, otherwise legal doubts as to the true interpretation of the Act may arise.

Clause 4 repeals section 20 of the principal Act which lays it down that officers of the bank shall not borrow money from the bank. This provision was inserted in the State Bank Act in 1925, apparently because the same principle was recognized in the State Advances Act of 1895, under which the old State Bank operated. The State Bank Board has asked that the provision should now be repealed. It informed the Government that so far as it could ascertain there was no other bank in Australia which was not empowered to lend money to its officers. Other officers of the public service can borrow from the bank, and there is no reason for placing a special disability of this kind on the bank's own officers. The Government has therefore decided to propose the repeal of section 20 of the principal Act.

Clause 5 makes a small alteration in the law concerning loans to primary producers under Part VIA of the principal Act. Section 76j of the Act lays it down that when an advance is made under Part VIA the borrower must pay to the bank in advance either in cash or by way of a deduction from his loan, interest for the balance of the first half yearly period of the loan. The bank has found that this provision is now of no value, and is irritating to customers. There appears to be no reason why primary producers should be singled out for this special treatment. The bank has recommended that section 76j should be amended by striking out the provisions for payment of interest in advance. Clause 5 contains the amendment necessary for this purpose.

Clause 6 deals with the insurance of lands and buildings held by the bank as securities for loans. Under the present law the bank is empowered to underwrite fire insurance on any such property, where the borrower is obliged to insure it. It is not compulsory for the bank's customers to insure with the bank, but if they choose the bank as their insurer, the bank has power to underwrite the insurance. Recent events have shown that it is desirable for the bank to have the power to underwrite not only fire insurance, but insurance against

earthquake, flood, storm and tempest and other similar risks. It is proposed by clause 7 of the Bill to give the bank power to underwrite any such insurance on property mortgaged to the bank if the mortgagor so desires. It is also necessary to extend the bank's power to underwrite insurance so that it can insure not only in cases where the borrower is bound to insure by the terms of his mortgage, but also in cases where the borrower voluntarily insures. Since the earthquake the bank has asked its existing mortgagors who are at present only bound to take out fire insurance, to voluntarily extend their insurance to earthquake, storm and tempest, and if a mortgagor desires that the bank should underwrite this insurance there is no reason why he should not do so. I would, however, stress the point that the Bill does not make it obligatory on anyone to insure with the bank. Mortgagors can always choose their own company. Clause 6 also repeals the provision requiring the premiums charged by the bank for insurance to be fixed by the Public Actuary on the basis of the average premium charged by insurance companies. This provision has been found to be unworkable in practice and is entirely unnecessary because the bank has no incentive or desire to charge premiums in excess of those which are ordinarily charged by an insurance company.

Mr. O'HALLORAN secured the adjournment of the debate.

ELECTORAL DISTRICTS (REDIVISION) BILL.

In Committee.

(Continued from November 25. Page 1556.)

Clause 6—"Redivision of Council districts."

Mr. TRAVERS—I move—

After the figure "6" to insert "(1)."

with a view to adding at the end the following subclause:—

(2) In making the redivision under this section, the commission shall provide for two Council districts in the metropolitan area, and three in the country areas.

The clause at present reads:—

The commission shall also redivide the State into five Council districts. Each Council district shall consist of two or more whole Assembly districts.

The purpose of the amendment is the same as the purpose of the Bill itself. It retains a principle which has existed for many years. Much has been said for public consumption suggesting that there was some new principle in the Bill or some departure from existing principle. It is a pity that many members opposite have been guilty of so many inaccuracies when speaking on this measure, and a short examination of the position since 1872 will show how far wrong they have been. In 1872 there were 15 metropolitan seats and 31 country.

Mr. O'Halloran—What was the population of the city and the country in those days?

Mr. TRAVERS—I do not know, but that is irrelevant because from time to time readjustments have been made and the number of seats varied. However, in the variations made a tolerance of 20 per cent was allowed so as to avoid the necessity of making frequent readjustments. In 1882 there were 16 city seats and 36 country; in 1901, 12 city seats and 30 country; in 1915, 15 city seats and 31 country; and in 1936, 13 city seats and 26 country. Let us hope that those who have been emitting unnecessary noise will take steps to have the public informed that there is no new principle in this Bill. The country, since 1872, has always had about twice as many seats as the metropolitan area. In other words, a few square miles of territory in Adelaide has had half as many seats as the hundreds of square miles in the country. That principle has existed although Labor Governments have held office at various times. I commend the amendment to the Government and I am sure it will commend itself to the Opposition. The amendment will retain the situation in the Legislative Council as it has been for the last 38 years, with two Council districts for the metropolitan area and three for the country. Prior to that there was only one metropolitan district, and three country districts.

The Hon. T. PLAYFORD (Premier and Treasurer)—I have no objection to the amendment. It gives effect to the intention of the Bill and if I had thought when the Bill was being framed that the commission would not follow the formula the honourable member has laid down I would have inserted a provision similar to the amendment.

Mr. O'HALLORAN—Mr. Travers will have to put forward better arguments before the Opposition will accept the amendment. He said that it would retain what he was pleased to call a principle, but members on this side of the House do not recognize that type of principle. We believe in something closer to the fundamental principles of British justice and democracy. Of course, it was obvious that Mr. Travers was the spokesman for the Government when the Premier readily accepted his amendment. The Government was so concerned with maintaining the *status quo* of Assembly

electorates that it forgot to hog-tie the Electoral Commission in the redistribution of the Legislative Council districts. I was pleased that Mr. Travers said that various Labor Governments had been "in office," for Labor has never been in power in the State, but every Labor Government has sought to amend the electoral system in order to bring about a more just distribution of voting strength. The enrolment for the Legislative Council Central District No. 1 in 1947 was 48,735; in 1950, 50,057; in 1953, 52,296; and in 1954, 50,856. The number diminished substantially in 1954, probably because the population of the city itself dropped and because there has been no election for this district for some years and many people eligible for enrolment may not have taken the trouble to enrol.

The following table shows the enrolments in the remaining Legislative Council districts:—

	1947.	1950.	1953.	1954.
Central No. 2	44,915	48,279	52,747	53,131
Southern	23,778	24,724	25,367	25,323
Midland	18,591	18,789	18,494	18,070
Northern	19,828	20,068	19,854	19,365
State total	155,847	161,917	168,758	166,745

It will be seen that between 1947 and 1950 there was a fairly substantial increase in enrolments in Central No. 2 district, a smaller increase in the Central No. 1 district, a small increase in the Southern district, and a reducton in the Northern and Midland districts.

Although the number of Legislative Council electors is increasing in the metropolitan area it is diminishing in the country. The following table shows the relative enrolments in the metropolitan and country areas:—

District.	1947.	1950.	1953.	1954.
Metropolitan area	93,650	98,336	105,043	103,987
Country	62,197	63,581	63,715	62,758
Totals	155,847	161,917	168,758	166,745
Percentage metropolitan	60	60	62	62
Percentage country	40	40	38	38
Representation ratio	2·26	2·32	2·47	2·48

The Government should be willing to trust Legislative Council electors to do the right thing because that Chamber is elected on a property franchise by electors numbering only one-third of those entitled to a vote for the House of Assembly. Further, the Government should allow the Legislative Council districts to be divided into reasonably equal electorates; yet the honourable member for Torrens wishes to perpetuate an injustice that has existed for so long.

Mr. DUNSTAN—I oppose the amendment, which seeks to perpetuate what the honourable member for Torrens (Mr. Travers) chooses to call a principle: that not only shall there be a House elected by a minority vote, which shall have absolute power of veto over the wishes of most South Australians, but further that that House shall have its majority elected by a minority of a minority. Members opposite may call that a principle, but to me such a proposal is completely lacking in principle. In an attempt to justify his amendment Mr. Travers chose to indulge in a certain amount of historical research. When considering the history of electorates in this State or in other countries it is wise to be accurate and to inform the Committee of facts rather than fancy. Mr. Travers said that in 1872 there were 15 metropolitan and 31 country seats, but if the honourable member will study the Statistical Record of the Legislature (1836-1940) he will find that in 1872 this House comprised 36 members, 12 representing 12,469 metropolitan electors and 24 representing 20,648 country electors. In other words, allowing a slight margin for the geographical difficulties in remote areas, there was substantially the principle of one vote one value throughout the State. Then followed a redistribution and an election under the new set-up in 1875. In 1876 the House comprised 46 members and throughout most of the State the quota varied only from 680 to 1,000, the only exception being Wallaroo, with a quota of about 1,300. There was still a fairly substantial equality of voting power throughout the State. Mr. Travers was

correct in saying that in 1902 there was a redistribution. Sixteen members represented 63,497 metropolitan electors and 30 represented 85,680 country electors. Thus for the first time was written into our Constitution this so-called principle which gave the country vote some advantage over the metropolitan vote.

Mr. O'Halloran—But then the country had more electors than the metropolitan area.

Mr. DUNSTAN—Yes, but the quota was such that metropolitan electors were at a disadvantage compared with country electors. It did not, however, have its full effect because under the then existing multi-member electorates the minority voice in the country could be heard much more distinctly than today. What was the result? Whereas for years previously the development of country areas had marched hand in hand with the development of the metropolitan area, from 1902 to 1915, 13 years after the adoption of the so-called principle which we are told must lead to the greater development of country areas, the metropolitan area doubled its voting population, completely outstripping country areas in that respect. That is the complete opposite of the argument advanced by members opposite in favour of this so-called principle. When this House was established there was substantial equality of voting values throughout the State, but under the existing system the city of Adelaide is becoming a great wen, a great aggregation of people with more and more costs being charged to the State for the maintenance of their services, while the country is losing its natural increase year after year. Mr. Quirke's district is an example. The natural increase there is coming to the city because of the lack of proper decentralization. That will always be the result under the present system. The root of the troubles of the State can be found in our electoral system. Statistics show the position. The unbalanced development of South Australia began with the writing into the Constitution of the things which members opposite advocate. The majority of people in the State have in recent years voted against the present system. There was an independent investigation of the order made by the Department of Political Science at the University of Adelaide —one of those who made it was an executive member of the L.C.L. so it is clearly fair, and I will set forth the figures.

Members opposite say we cannot take any notice of the figures cast in the last elections because in some districts there was no straight-out contest between Labor and Liberal. It is said there was a Communist candidate against the Labor member at Port Adelaide, but it is forgotten that there was a Communist candidate against the Premier. There is nothing statistical in any way to support that argument. The obvious way to get the true position is to take the voting figures in the electorates where candidates of the two Parties were opposed. There were Labor candidates in safe Liberal seats, but few Liberal candidates in safe Labor seats. In straight out contests 83,554 votes were cast for Liberal candidates and 86,850 for Labor candidates. For the other seats where either Labor or Liberal candidates were opposed by Communists or Independents we can take the Senate vote and correct it by using the percentage swing in favour of the State Government in the seats where there were contests between the two Parties at the State elections. If that is done in places where seats were contested there was a swing of one per cent in favour of the State Government. Where there were no contests between the two Parties and we apply the percentage swing, we get 115,336 votes for Labor and 83,968 for Liberal candidates. In other words, 56 per cent of the voters in South Australia wanted a Labor Government and only 42 per cent a Liberal Government. The figures cannot be contested. It is useless for members opposite to say the State is well governed. On that matter we could have a debate for weeks. I know what people in my district think about that matter. I know what the people in some of the districts held by members opposite think and the result will be shown at the next elections. We should not determine what is good for the State in this matter. The people should decide it. We talk about democracy and in a democracy the people should rule. The people have had their voice and a Government has been elected, but there is a cuckoo in the nest and a Labor Government is not in office. The working of the boundaries in such a way that the people cannot choose the Government they want is shameful and throughout the civilized world the State is getting a bad name in regard to fair government. People overseas are beginning to know the position here and the complete lack of principle shown in the electoral rigging in South Australia.

Mr. TRAVERS—I am pleased to have been able to give Mr. Dunstan the opportunity to deliver a speech that he had obviously prepared for another occasion, but which he did

not deliver then. That was when he found it apparently acceptable to him to use some objectionable language. The honourable member left us hurriedly. Apparently he did not stop running until he reached a journalist's office, where he delivered his speech. We would have been glad to hear it on the occasion for which he had prepared it. Any other time the honourable member runs away I will provide an opportunity for him to get his speech over at a later date. I want to completely nail a suggestion he made today. It was made for the second time. The sooner we get things straight the better. If we have debates in this House on a proper principle, and in accordance with the rules of logic and dignity, the public will put us in the position we select for ourselves. I have always understood that Parliamentary debates should be conducted on merits, avoiding personal accusations, particularly demonstrably false personal accusations, such as the one about what I said in regard to the 1872 Act. If we avoid that sort of thing and conduct debates logically and with dignity the public will keep the Parliamentary institution upon the pedestal where it should be, and it will have the respect it should have. On the other hand, if general statements are false and we get down into the gutter, that is where the public will, properly, keep us. It was said that my statement about the 1872 Act was incorrect.

Mr. Dunstan—You did not mention the 1872 Act. You said there were 15 city members and 31 others in 1872.

Mr. TRAVERS—I will repeat what I said. I will show that what I said was true. I invite every member to read Act No. 27 of 1872 from beginning to end. If that is done it will put an end to the type of statement to which I am now replying. I said that in 1872 there were 46 seats, 15 city and 31 country. I traced the position from 1872 to the present. I will set out the districts mentioned in the first schedule to the 1872 Act. I will give the number of members elected for the various districts, and members can work out for themselves whether they were city or country districts. If we are to debate not on facts but on generalities, and according to the rules of Billingsgate, I prefer to be out of it. If any of my statements are shown to be inaccurate I will withdraw them, but I will substantiate any statements of mine that are right, and that is what I am doing now. The schedule to the 1872 Act shows that the district of East Adelaide had two members; West Adelaide, 2; North Adelaide, 1; Wallaroo, 3; Port Adelaide, 2; West Torrens, 2; Yatala, 2; Gumeracha, 2; East Torrens, 2; Sturt, 2; Noarlunga, 2; Mount Barker, 2; Onkaparinga, 2; Encounter Bay, 2; Barossa, 2; Light, 3; Victoria, 3; Albert, 2; Burra, 2; Stanley, 2; Wooroora, 2; and Flinders, 2. That makes a total of 46 members, 15 being city members in city seats and 31 country members in country seats. That is the assertion I made which evoked a display of physical exercises in the waving of arms and the elocutionary effort attendant thereon, and also the accusation that what I said was not correct. What I said was correct and I repeat it. I ask every member who is interested in the Act to examine it. If the member for Norwood (Mr. Dunstan) has anything more to say on it perhaps he might say it here instead of running to a newspaper office, as he did on the last occasion.

Mr. DUNSTAN—The member for Torrens (Mr. Travers) seems to have overlooked the fact that an Act may be on the Statute Book but not take effect until some time later. He also apparently overlooked that I referred to an 1875 Redistribution and reviewed the seats and the quota in them. If members will examine Parliamentary Paper 74 of the 1940 volume they will see that the Seventh Parliament was assembled on January 19, 1872, and dissolved on January 14, 1875. It comprised 18 2-member districts or a total of 36 members in this House in 1872. I understood Mr. Travers to say that there were 46 members of this House in 1872.

Mr. Travers—I said there were 46 seats then.

Mr. DUNSTAN—An Act was passed in 1872 to provide for a re-distribution, but it did not take effect until 1875. It provided 31 districts to the country and 15 districts to the city upon a quota basis which gave substantial electoral equality to the voters in each area. Mr. Travers would have us overlook that because he would prefer us to talk all the time about areas and not people.

Mr. Travers—I do not care what you talk about so long as you do not make mis-statements.

Mr. DUNSTAN—I have made no mis-statements. The Opposition is concerned with people. This Bill proposes to take account of shifts in population. If we are going to do this let us do so and not speak of areas. What I have done throughout is to show how people elected members to Parliament and the value their votes had at the ballot box. Under the 1875 system, as well as under the

previous system, there was substantial electoral equality although, as I pointed out, at the 1875 elections the people of Wallaroo were somehow placed at a disadvantage compared with the remainder of the State. The first time anything effective about giving substantial advantage to people in rural areas was written into our Constitution was in 1902. I have also shown what the result of that was.

The CHAIRMAN—I would like honourable members to confine their remarks now to the actual clause. I have permitted a certain amount of latitude but I do not intend to permit any more latitude in that direction because I consider, after examining the matter, that both honourable members have been debating clause 5 which they will have an opportunity of debating when it is reconsidered.

Mr. JENNINGS—I join in the gratitude expressed by the member for Torrens (Mr. Travers) that the member for Norwood (Mr. Dunstan) had an opportunity to finish the speech he started to make on another occasion. I deprecate his remark that on that occasion the member for Norwood ran out of the House. He did no such thing. What he did was to stand up for something he said. He was put out of the House by a vote of the House in which the member for Torrens did not participate because he was not there. It ill-becomes Mr. Travers to speak in the offensive way he did about Mr. Dunstan. Mr. Travers made arrogant accusations of inaccuracy about members on this side of the House. I point out that one of the greatest inaccuracies made by Mr. Travers was that the Opposition claimed that a new principle was being introduced by this legislation. We do not agree that any principle is being established. We believe that the unprincipled action taken in 1936 is being perpetuated and that is why we opposed the second reading and why we oppose this amendment. The amendment places a further restriction on the Commission and ensures that the hateful system of pitting country areas against city areas will be continued in respect of the Legislative Council districts. Under the terms of the Bill as originally drawn up, perhaps by an oversight, the Commission would have had some authority to draw up some Legislative Council districts containing half country areas and half city area, and both city and country areas would have been represented in the one council district. This amendment ensures that the iniquitous system of always having the metropolitan area and rural areas divided against each other will be perpetuated.

Mr. Travers also spoke of the system of 15 metropolitan members and 31 country members and he referred on another occasion to there being 13 metropolitan members and 26 country members. The Opposition is not concerned with that. We claim that all systems from 1902 were introduced by Liberal Governments. We have never claimed that Liberal Governments as far back as 1902 were any good but we believe from this legislation, that they are rapidly getting worse in regard to what they will do to democracy. Mr. Travers said that on occasions we have had Labor Governments which did not interfere with the electoral laws. We had Labor Governments in office but it was not possible, because of the vicious system of electing the Legislative Council, to get decent legislation through the Upper House. There is nothing in this legislation affecting the eligibility of voters for the Legislative Council. We would still have a non-representative House, but if this amendment is carried we will not only have a non-representative Upper House but a gerrymandered Upper House where, as Mr. Dunstan said, not even the minority will rule but a minority of the minority.

The Committee divided on the amendment to insert "(1)" after "6".

Ayes (17).—Messrs. Brookman, Christian, Geoffrey Clarke, Goldney, Hawker, Heaslip, Hincks, Sir George Jenkins, Messrs. McIntosh, Michael, Pattinson, Pearson, Playford, Shannon, Teusner, Travers (teller), and White.

Noes (15).—Messrs. John Clark, Corcoran, Davis, Dunstan, Fletcher, Hutchens, Jennings, Lawn, Macgillivray, McAlees, O'Halloran (teller), Quirke, Riches, Stephens, and Frank Walsh.

Pairs.—Ayes—Messrs. Dunnage and William Jenkins. Noes—Messrs. Tapping and Fred Walsh.

Majority of 2 for the Ayes.

Amendment thus carried.

Mr. TRAVERS—I move to add the following subclause—

(2) In making the redivision under this section, the commission shall provide for two Council districts in the metropolitan area, and three in the country areas.

Mr. LAWN—Obviously, it was not the Government's intention to restrict the commission in redistributing the Legislative Council districts. The Premier said he did not think it was necessary to direct the commission as laid

down in the amendment. In clause 5 the commission is directed to redistribute the boundaries of the House of Assembly districts so that there shall be a certain number of seats representing the metropolitan area and a certain number representing the country, but there was no such direction in regard to Legislative Council districts. Clause 6 gives a free hand to the commission to divide the State into five Legislative Council districts, except that there must be in each of such districts at least two Assembly districts. There was no direction to the commission to divide the Assembly metropolitan districts into two Council districts, and the country electorates into three Council districts. Why should country districts in the Legislative Council have a representation ratio of four to one as compared to the metropolitan districts? The Government has stated that in the House of Assembly the ratio of country and metropolitan seats should be two to one, yet it proposes a ratio of four to one for the Legislative Council.

Amendment carried; clause as amended passed.

Clauses 7 to 11 passed.

Clause 5—''Redistribution''—to which Mr. O'Halloran had moved the following amendments:—

In subclause (2) to delete ''twenty'' and insert ''five''; to delete ''the same principle, *mutatis mutandis,* shall apply to''; and after ''areas'' to insert ''shall be regarded as being approximately equal to each other if no such district contains a number of electors more than 20 per cent above or below the average of the respective numbers of electors in all such districts.''

Consideration resumed.

The Hon. T. PLAYFORD—In general principle I agree that it is undesirable to have wide divergencies in electoral districts because in the course of a few years before redivision takes place there will inevitably be a growing tendency for the enrolments to drift further apart. My reason for reporting progress last week was to ascertain the merits and demerits of the Leader's amendment. I find that precedent is against it. Indeed, earlier this session the Leader in introducing his Bill provided almost the same terms as those contained in this Bill. His Bill prescribed a 20 per cent tolerance, and the Commonwealth Electoral Act also provides for it. I believe that the commission in any case will follow the instructions given in the Bill and keep as close as possible to the quotas provided; but if there is some special reason for diverging from them, the weight of evidence of other electoral laws is that the commission should be given the right of exercising a 20 per cent tolerance. Because I do not think the Leader's amendment would have any real effect on what would be done in any case and because of the other reasons I have stated, I do not support the amendment.

Mr. O'HALLORAN (Leader of the Opposition)—When the Premier began to speak on my amendment I thought I had made a convert and that I had managed to guide his footsteps at least to a small extent into the pathway leading to electoral justice; but when he made his excuses I found that he was just as far away as ever from that desirable point to which I had hoped to guide him. He said that the principles of his Bill follow the pattern of my Bill which is still on the files and which, although it did not receive any support from the Government members, has not, at least up to the present, been opposed by them. If, however, his Bill had followed the principles of my Bill I would not be debating this issue, because every member on this side would be unanimously acclaiming the introduction into South Australia for the first time this century of a democratic electoral principle.

My Bill provided for two electoral zones and included special provision for a particular area. I do not apologize for that because I know more about that area than some of those wiseacres who have criticized me for departing from the principle of one vote one value in providing for that area. My Bill, however, provided for a tolerance of 20 per cent in respect of those districts which would comprise the southern zone. That tolerance was to apply to both the metropolitan and the country areas because, fundamentally, my Bill implemented the principle of one vote one value and was in conformity in that respect with the Commonwealth Electoral Act. It is unnecessary to alter the Commonwealth Electoral Act because the principle of democratic rule is contained in the Commonwealth Constitution under which the House of Representatives must comprise a certain number of members and the Senate half that number. Further, the Constitution provides for equality of representation between electorates in the House of Representatives, except in the case of Tasmania. The Senate, which was created as a States' House with the object of protecting the interests of the sovereign States, comprises an equal number of representatives from each State. It was left to the Commonwealth Parliament merely to determine the number

of representatives each State should have. The provision of a 20 per cent tolerance in the Commonwealth Electoral Act, as in the case of my Bill, is intended to be a permanent feature, the same as the Electoral Commission to effect automatic redistributions of districts when disparities of voting strengths occur.

Clause 5 of the Government's Bill, however, perpetuates the existing electoral injustice in this State; indeed, it goes further and provides a tolerance of 20 per cent above or below in the metropolitan area. I do not object to that tolerance for the country area—indeed, in my amendment I propose to continue it—but I vehemently object to its being permitted in the metropolitan area where there is no sound reason for it. The only reason for a tolerance of 20 per cent is that it may be used by the Government to perpetrate a gerrymander within a gerrymander; therefore, the percentage of tolerance in the metropolitan area should be reduced from 20 per cent to 5 per cent. The average metropolitan enrolment at present is a little over 22,000, and a tolerance of 20 per cent could result in electorates with as many as 27,000 and as few as 17,000 electors with a possible variation of almost 10,000. That cannot be justified on any basis of logic or justice; therefore, the Committee should support my amendment.

Mr. TRAVERS—It has been suggested that there is something democratic in the Leader's amendment which is apparently, by implication, lacking in the Bill. Much has been said in this debate about what happens in the Commonwealth arena, and it would be as well for members to know precisely the provisions of the Commonwealth Constitution and the Commonwealth Electoral Act on this subject. Section 29 of the Commonwealth Constitution Act states:—

Until the Parliament of the Commonwealth otherwise provides the Parliament of any State may make laws for determining the divisions in each State for which members of the House of Representatives may be chosen, and the number of members to be chosen for each division. A division shall not be formed out of parts of different States. In the absence of other provisions, each State shall be one electorate.

Therefore, the Commonwealth Constitution originally provided that each State should be one electorate. Section 26 gave the number of representatives each State should have. Therefore it is not correct to say as the Leader of the Opposition did, that the Constitution deals with the matter. The Commonwealth Parliament dealt with this subject in 1902. Since then there have been a number of Labor Governments, but the principle still remains. How like this Bill is the Commonwealth provision, and how like the Bill introduced by the Leader of the Opposition. Section 16 of the Commonwealth Electoral Act, 1902, says:—

In making any distribution of States into divisions the commissioners shall give due consideration to (*a*) community or diversity of interests; (*b*) means of communication; (*c*) physical features; (*d*) existing boundaries of divisions; and (*e*) boundaries of State electorates, and subject thereto the quota of electors shall be the basis for the distribution and the commissioners may adopt a margin of allowance, to be used whenever necessary, but in no case shall such quota be departed from to a greater extent than one-fifth more or one-fifth less.

That section has been accepted by all Governments and Parties since the institution of the Commonwealth. It provides for a margin of tolerance and the opening words of the section are "In making any distribution." There is no mention of distribution in the city or country. That has been the accepted electoral principle. It has been indelibly included in the Commonwealth Constitution, accepted by the Labor Party, accepted by Mr. O'Halloran on August 24 this year when he introduced his Bill, and accepted by all Commonwealth Labor Governments, so one can only conclude that the present clamour to alter the position is a definite bid by the Labor Party to do a little gerrymandering.

Mr. DUNSTAN—the honourable member is correct in his remarks about Commonwealth legislation in that it provides for what the Commissioners shall do. Section 24 (2) provides that the number of members for the State shall be decided on a quota basis, with a tolerance of one-fifth. The basic difference between Mr. O'Halloran's Bill and the one is before us is that in the former the 20 per cent is spread over the whole of the State, with geographical difficulties taken into account, which is different from a 20 per cent tolerance for the metropolitan area. The Bill does not provide for the same things as the Federal Electoral Act does. It does not try to arrive at approximately equal electorates, as suggested by the Premier. According to the Bill the Commission is not to get equal districts and then depart from them if necessary within the tolerance. It has to decide on districts taking into account a 20 per cent margin either way, and in doing that it must retain existing boundaries. Boundaries are not merely to be considered as in other legislation. As far

as possible existing boundaries are to be retained. If a district can be written down to 8,800 less electors than the next district by retaining the existing boundaries that is to be done. That is the instruction to the commission, and we are vitally opposed to it. The Bill does not do what members opposite say it seeks to do. The amendment will affect the districts represented by the Minister of Education, Mr. Dunnage, Mr. Travers and myself. I would be happy to be affected by it. Under the amendment the districts held by Mr. Travers and by me will remain as they are. We are below the quota and the instructions are that we are not to go up to it. In this Bill our electorates are to be written back by as much as 8,800 compared with some others, with present boundaries retained as far as possible. That is the difference between it and Mr. O'Halloran's proposal. I cannot see how people will be so foolish as to not see it. They are seeing it and the effect will be felt at the next State elections.

Mr. SHANNON—I am surprised that a man with a good legal training cannot understand what the clause says. There is to be a tolerance of 20 per cent. A tolerance provides an upper limit. Mr. Dunstan is free with his charges about gerrymandering when members on this side of the House speak, but he admitted that he favoured the Leader of the Opposition's proposal in connection with his electorate.

Mr. Dunstan—I said I would be happy to be affected by it.

Mr. SHANNON—Yes. We have a clear indication now that this lily-white is prepared to accept help—

Mr. Dunstan—To make my electorate equal to other electorates.

Mr. SHANNON—The honourable member is free with his charges against members on this side, but he is quite willing to have the amendment accepted in order to make is own seat a little safer.

Mr. Dunstan—On the contrary, it would not be as safe.

Mr. SHANNON—The honourable member is using words in such a way that he is contradicting himself sentence by sentence.

Mr. Dunstan—No I'm not.

Mr. SHANNON—The honourable member said he favoured the amendment because it would be beneficial to his electorate.

Mr. Dunstan—I did not say "beneficial," and it would not be beneficial.

The CHAIRMAN—Members should discuss this matter in a quiet way.

Mr. SHANNON—Yes, Mr. Chairman. I think all members heard what the honourable member said and they know what he meant. If I am wrong Mr. Dunstan can correct me, but I think he said that the Bill instructs the commissioners not to take action in regard to an electoral boundary if it falls within the required limits. But surely if those instructions are given to the commission we would find it there in plain English.

Mr. Dunstan—Read Clause 7 (1) (*b*).

Mr. SHANNON—I will read 5(2)—

For the purposes of this Act Assembly districts within the metropolitan area shall be regarded as being approximately equal to each other if no such district contains a number of electors more than 20 per cent above or below the average of the respective numbers of electors in all such districts.

I see no instruction whatever in that. I suggest that what is likely to happen when the Commission gets to work is the very thing that is being clamoured for by the Opposition. I have no quarrel with what the Leader of the Opposition has suggested—community of interest; means of communications; physical features and existing boundaries. That is a reasonable approach and it is well understood by all electoral authorities throughout the Commonwealth, but to suggest, as Mr. Dunstan does, that this Bill instructs the Commissioners not to alter any boundary where the numbers happen to fall within the limits prescribed by the Bill would render the task of the Commission impossible. Let us imagine that it has to consider a relatively small district sandwiched between two larger districts. It might be physically impossible not to add a little from either of the big districts to the central district in order to average it out. Consider the Port Adelaide area, taking the generic term as applying from Hindmarsh through to the Port, as an obvious example. It is densely settled and if the Commissioners were instructed to retain an electoral boundary in Thebarton or Hindmarsh without alteration, it would be very difficult for the Commission, if it were instructed as suggested, because it so happens that districts like this fall within the tolerance of that 20 per cent either way. If the Commission is instructed that they must not be touched for that reason what a nice job it will have to determine what to do.

Mr. Jennings—The honourable member is arguing with himself.

Mr. SHANNON—I am trying to convince the member for Norwood (Mr. Dunstan) that what he suggests could not be put into the Bill without rendering the inquiry abortive.

Mr. Travers—The main thing is that it is not in the Bill.

Mr. SHANNON—I am pointing out why it could not be in it. The member for Norwood is jumping at shadows. Possibly he thinks it is good electoral stuff, but I believe in a straighout approach to this problem. Everybody knows what we on this side believe in and they know what the Opposition believes in, namely, one vote one value; they make no bones about it, just as I make no bones about it that I do not believe in it. That is not the proper approach to our problem. I simply rose because the member for Norwood seems to have got off the rails and I thought we had better put him back for once.

Mr. FRANK WALSH—I would not have so much objection to the 20 per cent tolerance if this Bill contained a provision that if the numbers were found to warrant it the metropolitan area could be divided into, say, 18 electorates without affecting the country representation. There would be some merit in that. On the figures of the last census there will be a redistribution of Federal districts and it appears that Western Australia and South Australia will gain seats at the expense of New South Wales. In the Federal division of Kingston there are probably 54,000 to 55,000 people today. Had the Federal Parliament carried out its obligations there should have been a redistribution before the last elections, but because the census was shortly to be taken it was decided to wait for it, and I have no complaint about that. If we assume a quota of about 22,000 we can see that Adelaide would be the only metropolitan district not to reach its quota. Unley, with 18,000 electors according to the last Federal roll, would come within the 20 per cent tolerance. We can assume that Port Adelaide, Glenelg and Goodwood would exceed the quota and I believe Prospect, Semaphore and Hindmarsh would also. The broad principle in the Bill is to divide the metropolitan area into 13 single electorates irrespective of where the population is. I know that Glenelg already exceeds the quota and I want to know what is to be done with the primary-producing section of that electorate which is to the south of Seacombe Road, out as far as Reynella, where there is no diversity of interest. To the north of Seacombe Road it is wholly residential. Alexandra is probably the only country electorate which is adjacent. Can we dispose of the surplus there? If something has to be taken from Glenelg to reduce the numbers I have no doubt that the subdivision of Brighton and Glenelg would constitute a quota of 22,000 so it would seem that Plympton and Keswick subdivisions must be taken away. Is Adelaide electorate to be extended into that area? It would scarcely be called a natural boundary; I believe a more natural boundary would be to take in Mile End, which is almost recognized as part and parcel of Adelaide. Whether we are going to take that into consideration has still to be considered, but I cannot agree with the retention of the 20 per cent tolerance either way because the Bill does not contain any provision for a movement of population into the metropolitan area. There is no authority for a further review of the matter by any constitutional body other than Parliament, which may desire to introduce legislation to amend the Electoral Act.

In 1938 this Government said that there would be 13 metropolitan and 26 country districts, and if it had been provided that when certain quotas were reached because of an influx from the country the divisions could have been changed, we probably would have 18 metropolitan members now, and we would still have retained the 26 country members. It is not too late for the Government to consider this and enact a provision similar to that contained in the Commonwealth Act that when a quota exceeds the tolerance of 20 per cent there shall be redistribution. I am opposed to the Bill, but support the amendment. I do not desire to deprive the country of representation. However, country districts are not fairly represented because the population of southern districts is greater than that of northern districts, and are entitled to greater representation. If 22,000 is the quota decided upon, Adelaide is the only electorate that would not come within the 20 per cent tolerance below that figure. Port Adelaide, Glenelg and Goodwood would exceed the tolerance of 20 per cent above; they would be the only districts affected by the upper limit, and the commission would have to decide where the extra population should be absorbed. I remind the Government that it is not too late to offer as an alternative that when the 20 per cent tolerance is exceeded there should be an automatic redistribution of electorates.

Mr. JENNINGS (Prospect)—It was worthwhile listening to 10 minutes' unintelligible gabble by the honourable member for Onkaparinga (Mr. Shannon) to hear his final admission that he did not believe in the principle of one vote one value. I support the amendment because in the metropolitan area a discrepancy of five per cent above or below the

average would be quite sufficient, and nobody has endeavoured to claim that it would not be possible to draw up boundaries with that tolerance. I recognize that it is a different thing in country areas. Honourable members opposite referred to the 20 per cent tolerance contained in the Leader's Bill, but it is obvious that in that Bill no distinction was made between the country and metropolitan areas, and for that reason it was necessary to include a tolerance of that percentage in the country because of geographical features. However, the percentage in this Bill applies just as much to the metropolitan area as to the country, even though they are two separate zones. The wording of clause 5 (2) of this Bill is entirely different from that in the Leader's Bill. It provides:—

For the purpose of this Act Assembly districts within the metropolitan area shall be regarded as being approximately equal to each other if no such district contains a number of electors more than twenty per cent above or below the average.

This provision is nothing more or less than a mutilation of the English language to serve this grotesque gerrymander. It is an open invitation to the commission to preserve the disparity between the electorates in the metropolitan area, and it is reinforced by clause 7 (2), which provides:—

(2) The commission shall also, so far as is compatible with the provisions of section 5 of this Act, and with subsection (1) of this section, endeavour to create Assembly districts, each of which—

(*a*) is of convenient shape and has reasonable means of access between the main centres of population therein; and

(*b*) retains as far as possible, boundaries of existing districts and subdivisions.

Under the provision the Commission, under a definite instruction, has to retain as far as possible the existing boundaries, yet it is invited in a previous clause to establish a tolerance of 20 per cent above or below. With that tolerance there could be a difference of 8,800 between various electorates in the city whereas the tolerance under the amendment would be only 2,200. The Bill does not depart from the principle of two country members to every one from the city which gives a value to a country vote compared with the city of three and a third to one. It will not remedy any defects, and it cannot have any purpose other than to save a couple of Government seats. If the amendment is defeated I will have no hesitation in saying that it shows quite conclusively that the whole measure is a sham and a mockery.

The Committee divided on Mr. O'Halloran's amendment to delete "twenty" from subclause (2).

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

Noes (17).—Messrs. Brookman, Christian, Geoffrey Clarke, Goldney, Hawker, Heaslip, Hincks, Sir George Jenkins, Messrs. McIntosh, Michael, Pattinson, Pearson, Playford (teller), Shannon, Teusner, Travers and White.

Pairs.—Ayes—Messrs. Tapping and Fred Walsh. Noes—Messrs. Dunnage and William Jenkins.

Majority of 1 for the Noes.

Amendment thus negatived.

Clause 5 and title passed.

Bill reported with amendments and Committee's report adopted.

On the motion for the third reading—

Mr. O'HALLORAN (Leader of the Opposition)—I oppose the third reading. When addressing myself to the second reading I said I was opposed to the subject matter in the Bill and would oppose the second reading. I said that if my opposition were ineffective I would seek to improve the Bill in Committee. I sought to do that but failed and I have no recourse now but to express again my disapproval of the measure and to ask the House to reject the third reading. I do not intend to go lengthily into the arguments that have already been canvassed during the debate, but I do want to pinpoint some of the wrong deductions drawn by some members who supported the measure, firstly, in respect of their alleged comparisons with the legislation I introduced earlier in the session and secondly, with the provisions of the Federal Constitution. In order that there shall be no ambiguity about the provisions in the Federal Constitution I shall quote the relevant section because I am sure that some, if not all, members who glibly spoke of the similarity of the provisions in this Bill with the provisions in the Federal Constitution had either not read the Federal Constitution or had read it so long ago that they had forgotten its contents. Section 24 of Part III.—"The House of Representatives"—states:—

The House of Representatives shall be composed of members directly chosen by the people of the Commonwealth, and the number of such members shall be, as near as practicable, twice the number of the Senators.

There is no suggestion in this Bill that this House shall consist of a number of members directly chosen by the people of South Australia. Two-thirds of the members of this Parliament are to be chosen by a small percentage of the people and the remaining third by a large percentage. Section 24 continues:—

The number of members chosen in the several States shall be in proportion to the respective numbers of their people, and shall, until the Parliament otherwise provides, be determined, whenever necessary, in the following manner:—(1) a quota shall be ascertained by dividing the number of the people of the Commonwealth, as shown by the latest statistics of the Commonwealth, by twice the number of the Senators: (2) the number of members to be chosen in each State shall be determined by dividing the number of the people of the State, as shown by the latest statistics of the Commonwealth, by the quota; and if on such division there is a remainder greater than one-half of the quota, one more member shall be chosen in the State. But notwithstanding anything in this section, five members at least shall be chosen in each original State.

There is direct proportional representation of the number of people in their respective States. There is nothing in this Bill about the people being proportionately represented. In my Bill there was a suggestion that after the boundaries had been divided in accordance with the just principles I sought to establish, we would adopt the principle of proportional representation in order to introduce for the first time real democracy in South Australia. The provisions of the Federal Constitution do allow for a reasonable equality of representation. Parliament has gone on to provide in the Federal electoral laws for a tolerance of 20 per cent above or below in order to give effect to the principles as expressed in the Federal Constitution. In this Bill expression is not given to any such principle. We are not making any effort to enable the people of South Australia to choose their Parliament. We are making it extremely difficult for them to change the personnel of Parliament and so change the Government whenever they want. That is something which tramples on the rights of the people in a self-governing part of the British Commonwealth. We criticize the unfortunate people behind the Iron Curtain who are the victims of the pernicious cult of Communism, but we pride ourselves that the people of our respective British countries have the right to determine their Governments. In other words, we pride ourselves that the principle of self-determination shall reign. Down the years, and particularly in recent years, the Mother Country, which formerly had the custody of large numbers of people in various parts of what was known as the Empire but is now referred to as the Commonwealth, has been ceding self-government to those respective people and giving to them what the majority of this Parliament is not prepared to give to the free and enlightened electors of South Australia. This Act will go down in history as one of the worst Acts ever passed by a Parliament of the British Commonwealth and I oppose the third reading.

Mr. DUNSTAN—I, too, oppose the third reading. I do not wish to delay the House long, but I cannot allow this stage of the Bill to pass without once again iterating my opposition to this pernicious measure. In so doing I want to answer one or two of the charges that have been made during the debate about the views of members of my Party. One of the excuses that has, on occasion, been advanced by members in this House to this type of legislation is *tu quoque*—"if you were in the position to do it, you would do the same." That is easily capable of proof because one needs only examine history to see what the Labor Party did when in office in this State and to ascertain whether in fact it attempted to maintain for itself an electoral advantage against the wishes of the people. In the 1924 Gunn Government, the Hon. W. J. Denny, the then Attorney-General, introduced a Bill into this House providing for proportional representation upon an equality of electorates throughout the State. That Bill passed this House and was only defeated in the Upper House. Again, when Labor was returned to office, the Hon. W. J. Denny in 1930 introduced a Bill to give proportional representation to the people based upon the Federal electorates—that is, electorates determined upon a quota basis. It did not pass this House with a Constitutional majority although it had a majority in this House. That is what Labor tried to do in the past and that is what Labor will do when it regains the Treasury benches in this Parliament despite this pernicious gerrymander.

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

Mr. DUNSTAN—Much has been said on the subject of the provision within the Bill for a 20 per cent margin, and in addition to the points already made by members on this side I emphasize also there is no likeness between the provisions of this Bill and those of the Federal Electoral Act, in that the latter takes in the whole State, whereas this provision will relate to divisions of the metropolitan area.

Some honourable members seem to overlook the fact that under the Federal Act the provision is a permanent feature of our electoral laws, and there must be a redistribution after a census; and therefore to give them a tolerance, even taking it for the whole State, is very different from giving a tolerance which, as the Premier has said this afternoon, will certainly very shortly be exceeded because of the change of population when there is no provision within this Act to see that these redistributions are to continue. Consequently, this Bill has been very carefully designed to see that in fact the present position is only interfered with to the extent that it will advantage the present seats held by the Government. That is the only purpose of the Bill. We have been chided with some selfish interest in this. The selfish interest, if there is any in honourable members on this side, is a selfish interest for the wishes of the people and nothing more.

I said earlier that I was happy to have my electorate interfered with in order to make it even with other electorates. Electorally that would not be of advantage to me in fighting an election, as any honourable member looking at my district and the surrounding districts will easily see. But I am happy to have my electorate built up to the stage that the people in it have an equal voice with the remainder of the people in the State. If, as a result, the people in my electorate do not want my services, then that would be better than that they should have an electorate where an equal representation of the people is ruled out and where they do not have, in effect, a just voice in this Parliament. We on this side are concerned to get the wishes of the people regardless of the Party elected, because we are out to see that the voice of the people shall prevail. This Bill is deliberately designed, as honourable members opposite freely admit, to see that that shall not happen in this State. They do not think it should happen because they know better than the people what is good for them. That is a complete and utter denial of any democratic principle. Honourable members opposite say they do not believe in the principle of one vote one value.

Mr. Shannon—The honourable member's Leader said the same thing earlier this session.

Mr. DUNSTAN—No, he did not. Mr. Shannon said this afternoon that he did not think the man in the city should have a vote of the same value as a man in the country, and in effect if that meant minority Government it was just too bad. However, a minority elected the present Government, which contends it knows what is good for the people. According to the member for Alexandra, the people in the country apparently carry the State on their backs and therefore should have an effective voice in this Parliament and a greater voice than those in industrial areas. Surely that is not a principle of democracy, and surely honourable members cannot contend to this House and anyone else that it is. Are those on the land the only people to produce wealth? Of course they are not. Are they the only people to man our armies and defend us and pay the taxes which this Parliament disburses? Of course they are not. As Colonel Rainsborough said in the days of Charles I when this principle was fought, "The poorest he that is in England has a life to live as the greatest he." Every human in this country should have an equal say in this Parliament, because he is equally worthy in the sight of his Creator. He is a human being and on no other basis should we give a voice to the people in this Parliament.

Mr. Travers—Why didn't you tell your Leader this when he was introducing these two essentials?

Mr. DUNSTAN—For the simple reason that if the honourable member had listened to the explanation of the Bill he would have found out that was precisely what the Leader was introducing. He introduced the same principles as are set forth in the English Act in its instructions to the Boundaries Commission as to the representation of the people—that there should be no departure from the principle of one vote one value except when there were geographical and administrative difficulties, and that a substantial equality of votes should be maintained; that is what was maintained in the Leader of the Opposition's Bill and what does not appear in this Bill. The plain alternative with which the Government will face the people of South Australia at the next elections is not a matter of Government policy or Opposition policy as to our economy—it is a choice of democracy or dictatorship. There is no other choice for the people when they go to the ballot boxes on these two things and vote for democracy in which we hope, and in which honourable members opposite tell the people they believe. If they believe in democracy they will not vote for members who vote for this measure.

Mr. JOHN CLARK (Gawler)—There has been much tumult and shouting on this Bill, and with my colleagues on this side I must

admit that we realized we were doomed to failure in our opposition to this Bill even before we started. But we have to fight because we are fighting for a principle we believe in. It has become increasingly obvious that we must fail in our opposition to the Bill. Despite what has been said about us, we have made our position clear as to our principles, and as to the lack of principles shown by Government supporters during the course of their meagre remarks on this Bill. We have made it clear not only within the walls of this Chamber, but within the wider confines of the State. I hope and pray that this Bill will not have driven a further wedge between city and country. One of the most deplorable issues which could exist in such a State as South Australia is that abominable division of country and city areas.

Mr. Quirke—Does not the Bill defend it?

Mr. JOHN CLARK—Yes, and it makes the Bill even more obnoxious and deplorable than it would be otherwise. I hope members will not think I am adopting a superior attitude when I say I am deeply ashamed to be associated with such an iniquitous Bill.

Mr. Travers—Do you oppose its provisions?

Mr. JOHN CLARK—I oppose everything that has to do with the Bill. There is not one good thing in it. This afternoon we had a particularly obnoxious remark from the honourable member in regard to the people who in this democracy dared to listen to speakers in the Botanic Park. There are people who listen to addresses in the park who are as good as or better than anyone in this Chamber, and if the honourable member would like to hear some home truths expressed in homely language I advise him to go there one Sunday afternoon and get an earful.

Mr. Shannon—He would get more than an earful. He would get a headache.

Mr. JOHN CLARK—We have just heard another objectionable remark following the normal form of the honourable member. That type of remark is becoming increasingly common in this Chamber, and has nothing whatever to do with the case under discussion. It was simply meant to be objectionable. I am ashamed to be associated with this Bill. Normally in any British Parliament a Bill may be opposed and its opponents must abide by the wishes of the majority. That is democracy as we know it, but I cannot, in company with other honourable members who believe as I do, admit that this is a normal British Parliament. To describe it rather ambiguously, it is a legal illegally elected Parliament. Frankly, I am sad and ashamed with this Bill for three reasons. Firstly, I believe in Parliamentary Government and I expect that most honourable members would say they agreed with me. It would be nice to be agreed with by everybody. I believe that such a Bill as this, which we know is considered by the majority of the public as being wrong, must bring this Parliament into contempt throughout the State. Once contempt of Parliament becomes general it breeds the very things we want to suppress, such as disregard for law and order and, ultimately, atheistic Communism. There is no doubt that when Parliament falls into contempt the State is in a sad way.

Secondly, I oppose the Bill because I do not believe in single electorates. This Bill perpetuates single electorates and I have always believed that the only fair and just way to elect a Parliament and to give every minority representation is proportional representation. Thirdly, I am disturbed and ashamed of the Bill because it is undemocratic. I know that members opposite do not agree that the Bill strikes at the very core of democracy, but I shall quote some of the noblest and truest words in the English language that were uttered during struggle and turmoil in America, but they now belong not only to America but to the ages. They were uttered when the undemocratic behaviour of our British forefathers caused us to lose the United States of America as part of the British Empire. What a tragedy that was to the whole world! We may have avoided two great wars if the United States and the British Commonwealth were still in the same empire. These few words contain the spirit of democracy, which is completely lacking in the Bill, They are:—

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights; that among these are life, liberty, and the pursuit of happiness. That to secure these rights, Governments are instituted among men, deriving their just powers from consent of the governed. That whenever any form of government becomes destructive of these ends, it is the right of the people to alter or abolish it, and to institute new government, laying its foundations on such principles and organizing its powers in such form as to them shall seem most likely to effect their safety and happiness.

If there is any truth in these words, and I think we all believe there is, this Government and this Bill stand condemned in the eyes of all British people.

Mr. Brookman—Is this Government destroying those rights of life, liberty, and the pursuit of happiness?

Mr. JOHN CLARK—If the honourable member compares every section of that quotation with the actions of the Government of which he is so proud he will find it fares badly. It will be a sad day for South Australia if a Bill which continues a system that is completely foreign to the British way of life is passed through what is supposed to be a British Parliament.

The House divided on the third reading:—

Ayes (17).—Messrs. Brookman, Christian, Geoffrey Clarke, Dunks, Goldney, Hawker, Heaslip, Hincks, McIntosh, Michael, Pattinson, Pearson, Playford (teller), Shannon, Teusner, Travers, and White.

Noes (15).—Messrs. John Clark, Corcoran, Davis, Dunstan, Fletcher, Hutchens, Jennings, Macgillivray, McAlees, O'Halloran (teller), Quirke, Riches, Stephens, Stott and Frank Walsh.

Pairs—Ayes—Sir George Jenkins, Messrs. W. W. Jenkins, and Dunnage. Noes—Messrs. Tapping, Fred Walsh, and Lawn.

Majority of 2 for the Ayes.

Third reading thus carried.

Bill passed.

COMMONWEALTH WATER AGREEMENT RATIFICATION ACT REPEAL BILL.

Returned from the Legislative Council without amendment.

BUILDING CONTRACTS (DEPOSITS) ACT AMENDMENT BILL.

Returned from the Legislative Council without amendment.

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

Adjourned debate on second reading.

(Continued from November 23. Page 1468.)

Mr. O'HALLORAN (Leader of the Opposition)—The Bill extends the operation of the Act for another year, but that is the only acceptable provision in it. I shall deal with the relaxation clauses later, but I entirely disagree with them and shall vote against them in Committee. Tasmania and Western Australia have extended rent and eviction controls for another year. I understand that Queensland, New South Wales and Victoria have no time limit to their legislation; in other words, in those three great States the legislation will continue until their Parliaments repeal it in the interests of the people. Present circumstances in South Australia do not support the proposed relaxations in this measure. In the *Advertiser* of November 24 a long statement from the National Development Department was published showing how the number of homes built in South Australia fell off during the current 12 months. The number of dwellings completed in 1952-53 was 8,998, but the number completed in 1953-54 was 7,621, a reduction of 1,377. Again, in June, 1953, there were 6,520 dwellings under construction, whereas in June, 1954, there were only 5,865, a reduction of 655. That shows an overall reduction in the number of houses completed and in the course of completion of nearly 2,000 during this 12-month period, which proves conclusively that no relaxation of conditions relating to ordinary dwellinghouses should be contemplated at this stage.

There are reasons why this reduction in private home building has manifested itself during this period. Firstly, last year substantial alterations were made to the landlord and tenant legislation; secondly, the relaxation of controls over the use of building materials has meant a diversion of materials from home building to other types of building not formerly permitted under the building control legislation. Indeed, I have found more people in real difficulties over housing during the past six months than in any other period since the worst effects of the housing shortage were encountered, which indicates to me that there is still a serious lag to be overtaken before we can contemplate a complete relaxation of these controls and allow this legislation to lapse. For these reasons the clause extending the operation of this legislation for 12 months should be passed.

I can find no reasons, however, to justify the proposed relaxations. Although in his second reading explanation the Minister spent some time on the details of the various clauses, he furnished no substantial reasons for these relaxations. Under the existing legislation the owner of a dwellinghouse who has owned the premises for two years or more is required to give 12 months' notice in order to avoid having to prove hardship, and it is now proposed to reduce the term to six months. Prior to last year's Act the term of ownership in this case was five years and the term of notice nine months, but last year's Act reduced the term of ownership to two years. Further, it was proposed last year to retain nine months as the term of notice. I sought to

amend the Bill to provide for four years' ownership and 12 months' notice, and after considerable argument, although the Premier refused to increase the period of ownership, he was prepared to increase the term of the notice from nine months to 12 months. That was only 12 months ago, and there is no justification today to reduce the term of notice in one fell swoop from 12 to six months. Had the Government suggested we return to the nine months originally suggested last year it might have been easier to accept this amendment because, after all, many worthy people, who could not be evicted under the ordinary provisions of the Act because the owner would be unable to prove the necessary hardship to secure an eviction order, would be detrimentally affected by this clause. Indeed, as time goes on, with the reduction of the period of ownership provided in last year's legislation the number of those people will progressively increase week by week and month by month. For those reasons I intend to oppose this provision of the Bill.

There is another provision regarding business premises which I do not like. Last year Parliament removed the restrictions on the rents and tenancies of business premises, but it gave a breathing space by providing that a court granting an eviction order should impose a stay of proceedings of six months so that the tenant could secure other premises in which to continue his business. The relaxation provided in that legislation was responsible for substantial increases in the rents of business premises in Adelaide—increases altogether out of proportion to what would have been permissible under a fair and equitable system of rent fixation. Further, many worthy people had extreme difficulty in securing premises in which to carry on their businesses after the period of six months had expired; indeed, some failed to do so. I have had many interviews with professional and business people who were subject to extreme hardship under this provision. The Bill proposes that the provision for a six months' stay of proceedings shall be removed and that in future the ordinary legal relationships between landlord and tenant shall apply regarding business premises. If a landlord desires to evict a tenant he may do so on securing an order from the court, the duration of which shall be determined by the court.

Another provision that I find difficult to understand relates to tenants who are occupiers of houses owned by their employers; it gives the employer the right to evict such tenant but does not free the house from rent control. I am at a loss to understand what this amendment means. As I read it, even though a man remains in the employ of an employer he may be evicted from the premises, but the rent cannot be increased; therefore, it is argued, the employer cannot benefit from the eviction of one employee by granting the tenancy to another. My impression, however, is that this would pave the way for favouritism to be expressed by employers between employees. Of course, if that is only intended to apply to an employee leaving his employment there can be no objection to it, but I think the existing legislation already provides for that.

I have already pointed out that a relaxation passed last year had the effect of increasing the rental of business premises, of creating difficulties regarding such premises, and of forcing tenants of dwellinghouses to make agreements for three years in order to secure a three year tenancy at a rental stipulated in the agreement. That provision for a three years' term is to be reduced to two years in this Bill, and the result will be that if rents continue to increase—and in view of the housing shortage and the failure of building to keep pace with former records that seems likely—there will be an opportunity for landlords to increase rents more frequently, that is every two years instead of every three years, in relation to this type of tenancy.

In Western Australia when there was a temporary relaxation of this type of control brought about by the action of the Legislative Council, which created a suspension that operated for some time, the result was that increases of up to 73 per cent were made in some rents. In some cases the overall increases in rents averaged about 49 per cent. Those figures were derived from a survey published in the *Kalgoorlie Miner*, an influential and independent Western Australian newspaper. Over 30 per cent of the tenants of flats received notice of rent increases, and the average increase in flat rents was 56 per cent. The effect of that was felt early this year when a number of members of the Western Australian Legislative Council, some of whom had held their seats for more than 20 years, were defeated at the elections. Despite a restricted property franchise the Labor Party nearly secured a majority in the Upper House, which shows how public opinion was outraged by the hardships imposed on large numbers of people by the suspension of the landlord and tenant legislation in that State. I suggest that hardship will be imposed on many people in South Australia if we agree to all the proposals for the

relaxation of the conditions which are provided in this Bill. I could refer to the difficulties that have occurred because the Housing Trust is the rent fixing authority, but we have canvassed that matter before. I have said, and members on this side have supported me, that rent fixation should be a permanent feature of our law and that there should be an independent body, not the largest landlord in the State, fixing the rents. In saying that I do not disparage in any way the work of the trust, which has rendered an excellent service in the building of both purchase and rental homes. I do not think it should be the authority to advise the Government on the fixation of rents for Government-owned houses, but I shall deal with that matter on a more appropriate occasion. I support the second reading because I want the legislation continued for another 12 months at least, but in Committee I will oppose some of its provisions.

Mr. DUNKS (Mitcham)—I will not vote against the second reading, but if, in Committee, further relief is not given to property owners, I may have to vote against the third reading. With other members I had hoped that at the end of next year the legislation would be discontinued. It, however, seems that once again we are doomed to disappointment because provision has been made for two year leases, which again would make us hope that at the end of two years the legislation would end, but there have been no promises in that regard. I took part in a discussion when a motion was carried to the effect that the legislation should not be introduced this year. I suggest that the Government should have taken notice of what happened outside Parliament and decided that at the end of the coming year the legislation would be discontinued. I do not say that I am not pleased with some of the relief given, but it is mostly in connection with the repossession of property. I am more concerned with people who own property and let it in order to get an income. For years those people have been in a difficult position. Recently the Premier said outside Parliament that our Parliament was legislating on behalf of every section of the community. Is this legislation for every section? The people we used to call landlords, and I think the word was coined in the good old days when an Englishman's home was his castle and he could do with it as he liked, should under this legislation be classed as land slaves because they are being explointed in the interests of another section of the community. I will point out one or two anomalies that present themselves when we compare the income of property owners with the income of other sections of the public. The Premier referred to what happened when we altered the legislation last year. He said:—

As regards new houses, the 1953 Act has not been in operation long enough for many houses built for letting to be completed. However, it would appear that, apart from houses built by the Housing Trust, very few houses are being built for letting. The high cost of building probably accounts for this and, whilst a great deal of private house building is being carried out, almost all the houses are being built for owner-occupiers and not for letting. As regards houses not let between September 1, 1939, and December 3, 1953, no cases of lettings have been reported. There are, however, instances of dwellings having been let on written leases for three years or more. Invariably, these lettings for three years have resulted in increases on the former rents. These increases range from moderate to extensive and lead to the conclusion that the result of freeing all lettings of dwellings from control would be to bring about substantial increases in rents.

This was an experiment to encourage people who had not let a house since 1939 to divide and let it. If the Government intends to follow the principle it might say that any house that has not been let since 1946 is covered. Then any house not let in the last eight years would be subject to the provisions in the Bill. I am concerned about the owner of property. It was proved to the committee of inquiry in 1951 that he is not making from the letting of his houses as much as he could get from the smallest return on Government bonds. He has had much trouble, housed unsatisfactory tenants, had his property misused and not been able to repair it, yet whilst all this has been happening he has not got a 2½ per cent return on the capital investment. More relief should be given to these people. They have been singled out discriminately. It is obvious that they are being deprived of an income to which they are legitimately entitled. When I have brought this matter up before I have been told that it is a way of keeping down the cost of living, but should one section of the community be penalized to keep down the cost of living of another section? We brag about British justice. The Premier said we are fair to all sections, including property owners, but do members opposite think so? Does the honourable the Premier believe so? I do not suggest that we should immediately repeal the legislation. I am happy for it to continue for another 12 months only but there should be

another committee of inquiry. In 1951 a committee was set up, on a notice of motion moved by myself, and no-one was more surprised than I when it was appointed. It decided to allow an increase of 22½ per cent on the 1939 rents and to permit owners of property to charge up the increased rates and extra repair costs. I was surprised at the appointment of the committee because members, even those behind the Government, have difficulty in having a matter like that agreed to. It was a concession to a private member to get such a motion accepted because it affected legislation which the Government introduced year by year.

So long as the unfair law lasts there will be no inducement to invest in property. It is all very well to say, "If you have a new house you can write your own ticket in regard to the rent." It is suggested that an arrangement be made with the tenant, but if the tenant is asked for a certain rent and he does not accept there is no arrangement. Any man who builds a moderately sized house today to let to a tenant should be inside the big walls of the institution of Parkside. It is impossible to get an economic return on the money expended. Before the war and the restrictions it was usual for a gross amount on the value of the property to be received in the way of rent. I shall refer to that later. When I talk about inducements to build and to let I remind members that it is not only the rich people who own houses, but many of the people represented by members opposite have in years gone by saved enough money to buy houses for letting. Today they are suffering because the rents are so small that they cannot get an economic income. We should remember that we are not legislating against the money barons but to some extent against the hard workers who have saved enough money to buy houses for letting. Many women over 60 and men over 65 have purchased a home to live in and another property to rent. Because of this, they are unable to obtain the old age pension or get an economic rent to enable them to have enough to live on even though they are living free of rent in their own homes. I suggest to the Minister in charge of the House this evening that he might recommend to the Premier that some relief be given to these people. Paragraph 71 of the committee's report contains the following:—

> The effect of applying that increase to gross rents on 1939 standards will not necessarily result in Housing Trust fixations increasing by a uniform figure in respect of houses with the same rent. If our recommendation is adopted, the trust's or the court's duty upon fixation will be to take as the basis the fair annual rent of premises in accordance with the standard prevailing in August, 1939, and to increase it by 22½ per cent.

If the rent of a house had, in the meantime, been raised by 2s. 6d. a week, the increase was 22½ per cent less that amount. Honourable members can see the difficulties that property owners were up against if they had had an increase prior to 1951, as it would be deducted from the 22½ per cent increase. It is nearly four years since that examination was made and I maintain it is time for another inquiry and for that 22½ per cent to be increased to about 40 per cent.

Mr. Macgillivray—Wouldn't that increase the inflationary spiral?

Mr. DUNKS—It would, but should the spiral be kept down by a section of the people who have been thrifty and bought property?

Mr. Macgillivray—You have never given any alternative, although the Independents have always said definitely "No."

Mr. DUNKS—I want members to consider what has happened in other directions with people who are making money out of their investments, industry or their avocations. In 1939, when this base rental was established, the basic wage was £3 3s., but today it is £11 11s.

Mr. Macgillivray—That was based on the costs of food, clothing and housing.

Mr. DUNKS—The cost of food and clothing has been allowed to go up, and some of it has been decontrolled. I will not labour the figures, but I will show the proportions. In 1939 members of Parliament received £360 a year, and today receive £1,425. Would it have been a fair thing to say that we could not pay this amount because we had to pin everything down? The wheatgrowers, as the Minister said, helped the country by providing cheap wheat years ago.

The Hon. M. McIntosh—They were getting 3s. a bushel when the world market price was £1.

Mr. DUNKS—I know that, but today the home consumption price is about 14s. a bushel. Can anyone tell me that they are struggling like the poor old property owners? I have eyes to see and ears to listen, and I see these gentlemen driving about in their beautiful motor cars, but I do not find many property owners who let houses to others in the metropolitan area having such a good time as those on the land. I do not object to the farmers doing this. The price of wool in 1939 was 7d. a pound. A month ago I was told by a man who should know that good wool was bringing

60d. a pound. I was told afterwards that figure was a little high, but it was within 4d. or 5d. of the correct amount.

Mr. Hawker—But you must take into consideration that property owners are allowed extra costs, whereas the 60d. a pound includes the extra costs.

Mr. DUNKS—A woolgrower is not confined to costs. The highest bidder is the purchaser.

Mr. Hawker—But it costs a great deal more for him to produce than the property owner.

The Hon. M. McIntosh—Certain superphosphates, for instance, trace elements, have gone up in price by six times since before the war.

The SPEAKER—Order! I do not think the details of the agricultural industry are relevant to this matter.

Mr. DUNKS—The woolgrower is allowed to sell without any restriction. He sells and if he gets 60d. a pound for first quality wool and 50d. for that which is not so good, that is his business.

Mr. Pearson—When wool was 8d. a pound, he did not get any help from the property owner.

The Hon. M. McIntosh—And many property owners have sold houses for six or seven times what they paid for them.

Mr. DUNKS—If the Minister advocates that if the property owner is not satisfied he should sell his house, the natural corollary is that the letting of houses in South Australia will be a socialistic or Communistic venture, because look where you will, the Housing Trust are the only people building houses to let, and it determines the rents a private landlord can charge.

Mr. Pearson—Not on new buildings.

Mr. DUNKS—The trust fixes rents on old buildings, and only lunatics would build new buildings to let because immediately the housing position is overtaken, as it surely will be, the houses they build and for which they can get a good rent will only show a return of two per cent.

Mr. Pearson—Where will the Housing Trust be then?

Mr. DUNKS—In the box seat, because it pays no income tax. A person renting a trust home has to sign an agreement that he will not take any boarders.

The Hon. M. McIntosh—That helps the property owners.

Mr. DUNKS—Property owners can put that clause in an agreement, but the law of the land says that it is not legal. My point is that the biggest property owner in South Australia fixes the rents charged by everybody else. In the business in which I am interested, if I did not have to pay any income tax I could put everyone else out of business within three or four years because I could reduce my prices to such an extent that they could not live. That is what is happening to private property owners in South Australia. The trust is pushing them out of business, and as it does it puts up its rents. A house owned by a private landlord that would accommodate as many people as could be accommodated in a trust home can bring only 30s. rent, whereas the trust home brings £3 5s.

Mr. Macgillivray—Who passed these obnoxious laws?

Mr. DUNKS—This House of Parliament.

Mr. Macgillivray—Who introduced the laws?

Mr. DUNKS—The honourable member knows that. To substantiate what I have said I refer members to a paragraph in the committee's report:—

> Application of Act to premises owned by the Housing Trust.—The Act does not apply to premises let by the Housing Trust. It has been suggested that this exemption should be rescinded and that the trust should be subject to the same restrictions both as to the scale of rents charged by it and as to recovery of premises owned by it as to private owners.

That paragraph contains a point I have missed, that the trust can repossess without going to court, whereas the private landlord has to take legal action and if the hardships of the tenant are greater than his, the tenant remains. I will now refer to values in 1939. This matter is referred to on page 12 of the report, which gives us some idea of what the committee decided was a fair and reasonable gross rent for the tenant to expect on his capital value. Paragraph 56 of its report states:—

> In times approximately normal a common, if not the usual method of assessing the value of a rented dwellinghouse as an investment was to take the fair annual rent that it could command and capitalize that figure. A gross annual rent of 10 per cent of the capital value was usually sought from houses of fair standard. Those of poor standard and aged houses were expected to yield more than 10 per cent per annum and some investors were disinclined to handle good and sometimes even fair classes of houses. It must be remembered that during much of the period when the above conditions prevailed interest rates on first mortgages were generally high. Seven and a half per cent was a common rate and landlords, not unnaturally, expected to receive a net return approximating that rate from properties owned by them. The interest rate on current first mortgages is now between 3¾ per cent and 4½ per cent.

I remind members that the mortgage rate fixed by the Commonwealth Government under regulation is 5 per cent today. Paragraph 57 of the report states:—

It was advocated before us that present day capital values should constitute the basis of fixing a fair rent; that is to say the process should be reversed and instead of rent determining capital values, it should now be fixed by reference to it. It was conceded by some that 10 per cent per annum of today's capital value would be excessive but that 7 per cent to 8 per cent would be reasonable.

I cannot follow that, because if 10 per cent was good enough in the days when a pound was worth almost a pound, today when the pound is only worth about 7s. 6d. surely we could expect a 10 per cent gross on present-day values? In 1939 the average four or five-roomed house was worth about £1,000 and at 10 per cent on its capital value the rent would have been £1 10s. 9d., out of which the owner of the property paid for rates and taxes and repairs to the building. What remained represented his profit. If he made 5 per cent net he thought he was well off. I have seen instances of similar houses today selling for £3,000, but for the purposes of my contention I will suggest that such a house would be worth £2,000. If I could buy those houses at £2,000 today I would not consider them an economic proposition under rent control.

Mr. Quirke—Would you buy them in spite of the Landlord and Tenant (Control of Rents) Act?

Mr. DUNKS—I would hope that with a Liberal Government remaining in power it would not be long before the restrictions were lifted. I feel that the Minister of Lands, who is the only Minister present at the moment, is sympathetic and I hope he will pass my comments on to the Treasurer and possibly break down the complex that the property owner must be used to keep down the cost of living in South Australia. Ten per cent on a house valued at £2,000 would be £200 or approximately £3 10s. a week. Can any member refer to any house that was let at £1 10s. 9d. in 1939 which today is let at £3 10s. a week?

Mr. Davis—Where is the worker going to get the money to pay that rental?

Mr. DUNKS—The worker is supposed to be working 40 hours a week, but is he? In many instances he is working 48 hours a week, 40 hours at ordinary rates and eight hours at overtime rates. At the week-end he is undertaking private jobs which his employer should be doing. There are hundreds—and one might well say thousands—of workers who are netting between £20 and £30 a week. I have pointed out that even on the basic wage they should be paying a greater rent than they are today. I would suggest that with overtime, double time, and outside work at the week-end, the worker could afford to pay a rental of £4 or £5 a week. It is time we closely examined this legislation and encouraged people to build homes to house people. The Housing Trust was originally intended to provide for the man on the very low wage, but today unless a person can assure the trust that he earns an economic salary that will enable him to pay a rent of £3 or £3 5s. a week he has not a hope in life of getting a trust home. It is time that we, as Liberals, reconsidered the position and encouraged the private person to return to the house-building field. If we fail I can only hope that the members of another place, who are elected under a different franchise on a property qualification, will examine the matter and not merely reflect the opinion of this House but stand up to their responsibilities and tell this House that it is time we did something for the thrifty people—the people who helped house others when times were bad, particularly during the depression. I hope my remarks will have some effect when the Bill goes into Committee.

Mr. HUTCHENS (Hindmarsh)—I support the second reading. I have listened to Mr. Dunks with great interest. For five years I have heard him speaking in the same strain but never before have I heard him use such effective pleading for the property owners, nor have I ever heard him less factual. He suggested that there has been no increase in the rents of properties, but I know of a house situated at 37 Port Road, Bowden, which was let in 1939 for 18s. a week. It was recently inherited by a person who is not a British subject and the rent is now £5 a week. It is a substandard home.

Mr. William Jenkins—Is it furnished?

Mr. HUTCHENS—It is unfurnished. The landlady does all she can to avoid accepting the rent of that property because she will have more hope of getting the tenants out if she can establish as a fact that the rent is not paid. She has made it known that she can get an additional £2 a week from New Australians. The present tenants have a sick child and if they were evicted would have nowhere to live. The husband has to work overtime to provide a home for his wife and sick child. He is on a poor income of about £14 a week. That state of affairs has resulted from the relaxation of the principal Act last year. Many unfortunate persons have applications before the Housing

Trust, but if they are not ex-service personnel and their applications have been lodged since 1950 they are not considered under the policy of the trust in providing permanent accommodation. I am not attacking the trust because it has performed a good service to the State, and I have been extremely grateful to it for the way applications from my constituents have been considered. I believe that every application is considered on its merits and that allocations are made fairly and squarely.

Since the relaxation of building materials control there has been an increased demand for materials for bigger establishments and consequently a great difficulty in supplying homes. Mr. Dunks made one or two peculiar statements. He referred to two elderly people who had saved to buy homes, but could not get the pension. I know that to be wrong, because some of my constituents receive the pension and have two properties. The Act had been amended recently to make that possible. I have before me a report tabled in this House in 1940 which proves conclusively that the housing position for many has not improved to any great extent. It shows that the number of substandard houses in the municipality of Hindmarsh was 993 and explains where they are situated; and yet many of them still remain. In 1937 two substandard houses were bought at Brompton for £150 and just prior to their sale recently the rents were increased from 25s. to £2 3s. a week. The properties were sold for £1,200, and yet we hear the cry from the member for Mitcham about the poor property owner.

Mr. O'Halloran—The rent created the value.

Mr. HUTCHENS—Precisely, and yet we hear the talk about the suffering of the property owner. I agree that they have not been able to make all the money they would have made but for control. If it were wise to relax or abolish controls it should be done, but it would be most unwise at this stage to relax controls. It would be a sin because of the shortage of dwellings in the metropolitan area. I think the honourable member is considering the question of suffering from the wrong perspective. It may be considered a suffering by some if a person is denied the right to exploit his fellow men, but not a suffering if an individual who went away to fight for his country and had no chance to accumulate enough money to buy a home returns after the war and is denied a roof over his head and is pushed around from pillar to post when trying to rear young Australians. I submit that their suffering is far greater than that of any property owner, and it is these people we have to protect if we are to retain the standard of living we desire and give them a chance to live like human beings. Only today a woman from Semaphore explained to me that she and her husband had tried to make a home on a farm, but it was bought by a big landholder and they had to return to the city. For nearly a month they have been sleeping in a ramshackle motor car because they could not get a home, and yet it is said that we should make it more easy for the property owner to exploit such people. I feel there is only one good point in the Bill and that is it is to continue for another 12 months. I trust that the House will see that there is no relaxation and that in the interests of humanity the present legislation will continue for at least another year.

Mr. BROOKMAN (Alexandra)—Rent control legislation is 14 years old. On every occasion such a measure comes before us we should ask ourselves just what is its effect. It would be helpful if in this regard we could get a lead from the Premier. In his second reading speech he said that very few houses were being built for letting and he ascribed this to the high cost of building materials. Undoubtedly, this has something to do with it, but I do not think it is the real reason, but rather it is the lack of confidence in the business of letting. If people had confidence to undertake it as an enterprise, I believe that quite a number would undertake this as an objective. Houses are not being built to let because of the lack of incentive and the apparent lack of confidence in the future of letting. In view of what has happened over the last 10 years one can hardly blame them. I have not had time to check this, but I believe that France has had rent controls ever since World War I.

Mr. Davis—You are a long way from home.

Mr. BROOKMAN—I do not see that it makes any difference if we are, but France imposed rent controls in a time of emergency when they may have been justified, but no Government has been strong enough or lasted long enough to remove them. The effect of rent controls on the building of business and other premises has been a depressing one, and after several decades of rent control it is difficult to get accommodation in big cities in France such as Paris. Services and conveniences in buildings there are poor. That is what is liable to happen in any community where rent control

is continued for long. Therefore, we should keep in mind that this legislation should be eventually abolished. Over the last few years the Government has relaxed many provisions; for instance, controls do not now apply to business premises. That was a big step forward last year though tenants of business premises were given six months' grace, but under this Bill that will be abolished.

New dwellings and those that have not been let since 1939 are free, as also are houses that have been let by lease for three years or more. The Bill extends the operation of the Act for a further year and reduces that period of lease for three years to two in order to be free of control. When a shop and a house combined is under lease for 12 months or more it is free of control. If the lessee has, without consent, converted to a dwelling premises let as a shop and dwelling the owner can give notice to quit if he wants to use it as a shop. After ownership of two years a landlord will be able to give six months' notice to quit, if he wishes to occupy the house himself, or if he wants it for his son, daughter, or employee. If a house is sub-let without the consent of the landlord he will be able to evict the tenant on six months' notice without the hardship provision applying. Realizing the evils that accrue from the continuation of rent control, I would welcome a statement by the Premier on the future of the Act. It is difficult for members to get a comprehensive view of the position throughout the State. I should like to get some idea of how many people are being protected by the Act. We certainly should protect people in dire need, but at the same time we should see that we protect only such people. We should not upset the balance of landlord and tenant relationships, and we do not want the evils that would follow from the suppression of private enterprise by continuing this legislation for long.

Mr. DAVIS (Port Pirie)—I support the second reading, but I did not intend speaking until I heard the members for Mitcham and Alexandra. This is like some other Bills that we have had before us this session: it is class legislation. The member for Alexandra (Mr. Brookman) said that the Act protected the needy, but I would like to know what section does this. I believe it protects the wealthy. The member for Mitcham (Mr. Dunks) said that a man today should have to pay £5 a week rent for a house because this would be the equivalent of about £1 10s. in 1939. I would like him to have to live on the basic wage and pay £5 a week rent.

Mr. William Jenkins—How many do that?

Mr. DAVIS—That was the suggestion made by Mr. Dunks, and I know the honourable member would agree with him. All members opposite have no sympathy for the man on the basic wage. They would like to see a return to serfdom. Every time the member for Mitcham (Mr. Dunks) speaks he attacks the workers. This evening he again attacked them, claiming that they were not doing a fair day's work, but his remarks in that connection have no bearing on the Bill before the House. Mr. Dunks seemed to think that a tenant should pay rent in accordance with the present-day capital value of his house, but present-day values are unrealistically high. Mr. Dunks wishes to deny the worker the benefits of his improved standard of living. Together with other Government members he agreed with the policy of the Arbitration Court when it froze the basic wage, but immediately the pockets of landlords are affected he attacks this legislation. I see no clause in this Bill that would protect the wage earners of this State.

Mr. O'Halloran—Only clause 8, which extends the operation of the legislation for 12 months.

Mr. DAVIS—Yes, but the rest of the Bill provides for relaxations that will operate against the welfare of the workers, and probably the Government will eventually abolish rent control altogether. Is it fair that the rent payable for a house which originally cost £400 to build, but which today would bring £2,000, should be increased merely because of its increased capital value? I congratulate the Housing Trust on its splendid work in providing homes for wage earners. Indeed, if it were not for the Playford Government's socialistic policy through the trust, thousands of workers would today be without homes. Has Mr. Dunks ever tried living on a skilled worker's wage, meeting present-day living costs, and paying £5 a week rent? Members opposite who have spoken on this Bill know that the money they receive as members is only pin money compared with their incomes outside this House.

The SPEAKER—The honourable member must not reflect on other members.

Mr. DAVIS—But they reflected on the people I represent.

The SPEAKER—Members must not reflect on one another.

Mr. DAVIS—If I am not to be allowed to reply to attacks on the wage earner—

The Hon. M. McIntosh—Surely you have enough vocabulary to reply in Parliamentary language.

Mr. DAVIS—Much of the language used this session has not been Parliamentary.

Mr. William Jenkins—It has not been used on this side.

Mr. DAVIS—Nor on this side either. I have a perfect right to express my opinion in this House the same as any other member. In its present form the Bill is unjust and will take away from the workers of this State something to which they are entitled.

Mr. GEOFFREY CLARKE (Burnside)—The member for Port Pirie (Mr. Davis) said that members on this side like to attack the rights of workers, but I refute that statement and ask him whether, when the lead bonus is increased in Port Pirie and Broken Hill, the owners of homes in those towns receive higher rents? Surely the honourable member would not deny to those who provide the service of housing the rights that are granted to the suppliers of labour in markets where the supply of labour is most profitable. I support this Bill, which should provide some relaxation for landlords from the long-standing hardship that has been inflicted on this worthy class of people. I support with less enthusiasm clause 8, but nevertheless I support it for the time being only. The imposition of rent control has created many hardships on a most worthy section of the community. People who, by thrift, have in the past put their savings into a cottage property as a security against their old age, have been sadly disillusioned under what Mr. Davis has been pleased to call this socialistic legislation. We have heard in this House suggestions that British justice should be practised in the things we do, and I suggest that the fundamental principle "The Englishman's home is his castle" should be restored, and the only way in which that can be done is gradually to repeal this legislation, which deals so harshly with property owners. The legislation was necessary during wartime. There is still a shortage of rental houses, and Mr. Dunks this evening gave some cogent reasons for that shortage. The provisions in this Bill are steps in the right direction towards the gradual abolition of rent control, and I support them in the hope that controls may be completely removed in a year or so. There have been signs of some speeding up in the gradual easing of controls and this year some irksome restrictions are to be removed. This Bill should remedy some injustices, particularly in cases where a near racket has been practised by tenants who have sublet houses without the approval of the landlord and without in any way making up to the landlord for the extra service which he has provided by reason of the subtenacy and for which the tenant has received rent from the subtenants. I am pleased to see that it will be possible to reconvert dwellings into business premises. I agree that premises should be recoverable where a tenant has had occupation of a house as an employee and has left the employment of the owner of the house. It is unethical for an employee to insist on the protection of the Act when perhaps by some deliberate and improper act on his part he has forfeited his right to employment.

Mr. O'Halloran—Are you sure that is all it does?

Mr. GEOFFREY CLARKE—That is my impression. The clause makes it possible to recover the house occupied by an employee as a condition of his employment after he has left the service of his employer. The shortening of giving notice in other cases is desirable. I think it is a step in the right direction that where tenant and landlord can come together in agreement over a lease of not less than two years it should be outside control. The provision that landlord and tenant may come together and agree on a rent where the lease is made for one year, and where part of the premises are business premises, is most proper in the circumstances because the addition of the business premises to a house gives to the tenant a very great advantage in as much as he has proximity to his employment. If he carries on a service industry he can give a better service to his customers, and in turn he gets an additional emolument. I have an amendment on the file which will remedy what appear to be harsh effects under the legislation. I have one or two minor amendments to move to clause 5, which I think will be readily agreed to. I support the Bill, which does remove some harsh effects of the legislation, but I have not much enthusiasm for clause 8.

Mr. FRANK WALSH (Goodwood)—I support the second reading. I cannot agree with Mr. Geoffrey Clarke's suggestion that where a shop has been converted into living accommodation the owner should have the right to repossess. I know some of these places. The people who had them as shops could not make a living and were pleased to let them to tenants in order to get an income. I regret that last session the Government saw fit to relax control of shop rents. I thought from the Notice Paper that tonight the House

would discuss the Local Government Act Amendment Bill. I did not expect this measure to be discussed, so I regret that any information I give tonight is not as up-to-date as I would like it to be. Shop owners are giving a service as owners but not as shopkeepers.

Earlier this year I referred to Gay's Arcade. When the arcade was held on lease by McKee & Tassie the aggregate rent received was £67 16s. a week. Later there was a change of lessor and now Mr. J. R. Skipper, 18 Coromandel Place, Adelaide, has the lease for the next 20 years. There was an increase in the rents to £175 17s. 6d. a week. That figure may now be greater because the intention was to increase the rents. A number of shopkeepers in the arcade paid from £2 5s. to £2 15s. a week, but as from February last the rents were increased to not less than £6 a week. A Mr. Edwards, a boot repairer, has paid £6 a week rent as from February 1 last. He has been informed by the lessor that the rent will be £10 a week when certain alterations are made. The rent of these premises was fixed by the trust in 1949 at £2 15s. Although his business is under price control, his rent has increased vastly since the cessation of controls on the premises. I do not consider Gays Arcade to be a major shopping centre. However, people who have rendered service for many years will be forced out of business because their rents have been pushed up. I had hoped that some provision would be made in this Bill for the fixing of shop rents. It has always been recognized that when a person works up a business he should receive an equity in goodwill, but since the relaxation of rent controls goodwill has ceased to exist. I know of a man who has been in a butchering business for 25 years. When the premises in which he carried on business were sold without his knowledge, he was given six months to vacate. He did not get any goodwill, and the purchaser bought the shop to conduct another butchering business. This sort of thing applies to practically all mixed businesses today.

When I mentioned rent control of shops before, the Premier informed me that there was no need to be alarmed at the increase because of the large number of new shops being erected in the suburbs, but that is wrong. The proposals in this Bill are not in the interests of the community. It is not long ago that deputation after deputation waited on members individually, and on the Premier, in connection with professional chambers. Recently major alterations were carried out to a building in Currie Street and a legal firm that had carried on business there for many years had to vacate, thereby losing goodwill. That sort of thing has gone on in many cases and the small man has had to suffer.

The member for Mitcham (Mr. Dunks) said that the average rental in 1939 for a house worth about £1,000 was £1 10s. 9d. a week, and pointed out that the same house would be worth £4,000 today, yet the rent from it would be only £3 10s. This is a fantastic comparison because when this legislation was before the House last year it contained a formula for fixing rents. This provided that proper maintenance must be carried out, but I wonder how many properties have been kept up to a proper standard. The majority of them have been positively neglected. In 1939 the basic wage was 13s. a day but today it is £11 11s. a week. The member for Mitcham (Mr. Dunks) referred to men in industry who are working overtime and at week-ends. Does he suggest that that is a justification for their being required to pay higher rents? My experience is that the Housing Trust stipulates that overtime earnings cannot be considered in assessing a person's ability to pay rent because it is not known when his overtime will cease. The trust assesses a man's ability to pay on his fixed weekly income and it is fantastic for the member to suggest that overtime should be taken into consideration.

Probably the homes to which the member referred as being of a reasonable standard in 1939 were those the Housing Trust was then building. They were not elaborate nor were their rooms of any size. The rents would have been about 12s. or 13s. a week. Under the trust's averaging system of rents the same homes today are bringing 27s. 6d. a week. Some of the trust's timber framed homes are being let at £3 5s. a week which is almost the amount the member for Mitcham suggested as being a fair rental. I will refer to timber framed homes at a later stage when the House is considering another measure. I believe it was once a recognized maxim that a fair rent should not exceed more than one day's wage. I intend to oppose most of the clauses contained in this Bill. I believe it is most desirable that rent controls should continue and I support the second reading.

Mr. SHANNON (Onkaparinga)—I have addressed myself on many occasions to this type of legislation. It is a good sign that the Government is gradually getting out of what, in my opinion, is an undesirable feature of controls. It has created much hardship to that

worthy body of people in our community who have provided accommodation for others. In some instances hardship has been thrust upon them by their parents who have left them properties from which they derive a source of income—in some cases their entire income. These people have been pegged for many years as to their actual net income and many have not been able to afford to keep their properties in good repair because of that pegging. It is provided that dwellinghouses shall be exempt from this law when there is a written lease having a tenancy of two years or more, and for shops a written lease of one year or more. This is a step in the right direction and one which I believe will disclose, as the new provisions become known, that no great hardship will result. There is a sure safeguard against unnecessarily high rents because of the operations of the South Australian Housing Trust whose rents are based on its own costs, which are reasonable compared with those of the private builder. It will always be a good measuring stick for those seeking homes. I am not unmindful that there is a lag in home building, and I believe one of the reasons has been the very restrictions we have placed upon property owners. Had they known they could invest their money in property by building homes and receiving a reasonable return in the way of rent, more would have been built. Obviously today no investor would embark upon building homes on a rental basis, knowing full well that the return would not pay even for the upkeep of the property. I believe the Government has disclosed in these amendments its ultimate intention of getting out of this particular type of legislation, and I applaud it. Shortening the period of notice from 12 to six months is another good sign. All we are doing is to permit the rightful owner to gain possession of his property for his own use within six months rather than his waiting 12 months. The Bill is an indication that we are not likely to see any more such legislation. I hope we shall not have to consider it again in 12 months.

Mr. Riches—It will be a wonderful election issue.

Mr. SHANNON—The honourable member can make what capital he cares to out of my statement. All we are doing is to deny certain really worthwhile citizens, who have some real stake in the country in the way of property, their just dues. It is the type of legislation which takes from one section and gives to another, without any justification for it. If labour were oversupplied and men could not get jobs and wages were low, then I would possibly agree that something of this kind was necessary.

Mr. Riches—You have not heard that wages are pegged!

Mr. SHANNON—They are pegged at a reasonably high rate compared with the rents home owners receive—22½ per cent above the rate ruling in 1939. On the other hand the wage earners who enjoy the use of these homes are enjoying the basic wage which has been increased about four times—from about £3 a week to £11 11s. Very few people are working for the basic wage today. There is much truth in what Mr. Dunks said, that the 40 hour week has enabled those in industry to earn much overtime money. I am not complaining about that. It is an obvious outcome of the prosperous state of affairs. It enables them to receive much more than the basic wage. I am living 14 miles by road from Adelaide and I have people coming to my home seeking to do extra work over the week-ends.

Mr. Riches—Just for the sheer joy of working?

Mr. SHANNON—For the sheer joy of getting extra money. I do not condem them, but applaud them. In some cases they are anxious to get extra money to buy a home. Others use their week-end time to attend races or some other form of sport. The former are the type of individual who frequently form the backbone of society when times get tough. They are not afraid to work. These are factors which apply to persons who have their labour or skill to sell. Then there are other people who have passed the age where such an opportunity is available, and also women who cannot find useful employment. Frequently a father decides that a daughter should be provided for by leaving her a house or a couple of cottages. The return of that type of person is pegged on the basis of the 1939 rental returns, plus 22½ per cent. These are factors which make me feel a little confident that the Government is moving along the road toward dropping this legislation entirely. I hope it is. As to whether it will be an election issue, I am not concerned. It may be justice, but bad politics.

Mr. Riches—Justice is never bad politics.

Mr. SHANNON—I submit there is no justice in taking money from one set of pockets and putting it into another when we know that the pockets from which the money is taken are depleted and it is put into pockets which are not so depleted, but comfortably filled. For

the most part, the people enjoying the privilege of cheap rents are also enjoying high wages.

Mr. Riches—Rubbish!

Mr. SHANNON—It may be from the honourable member's point of view, but he does not know the cases that I know. Many people in industry are enjoying cheap rentals at the expense of a section of society not in a position to give them that grant in aid. If there is any justification for keeping rents down the proper way to do it is for all the people to take their proper share in meeting the burden. The Housing Trust erects many homes every year, which is a steadying influence on the rent structure.

Mr. Macgillivray—Can the Housing Trust satisfy the needs of the people?

Mr. SHANNON—I believe that many of the applications on the trust's files will lapse. They were genuine applications in the first place, but many have been with the trust for years. I am sure that hundreds of applicants now have houses or have left the State. Probably the figures given to us about the number of applications are inflated. If we are to continue making houses available at cheap rents every citizen should share the burden and the Government should bring down a scheme to subsidize rents, though I don't think that is necessary. I hope the Government will not further extend the operations of the Act next year. We could then see whether any serious troubles have arisen and deal with them on a more equitable basis.

Mr. QUIRKE (Stanley)—I support the Bill, but as always it is a qualified support. We erect monuments in various towns to great men, but I think one day a monument will be erected to the people who owned and let houses during the war and long after and who contributed greatly to the well-being of the State at their own expense. This legislation was justified and there would have been dire tribulation had it not been introduced.

Mr. Riches—Don't you know that that dire tribulation exists today?

Mr. QUIRKE—I do not deny that, and that is why I support the Bill, but I am pleased that every year the provisions of the Act are being relaxed. I support the member for Onkaparinga (Mr. Shannon), who said that one section of the community should not have to stand the stress and strain of providing houses for their fellow men. That is completely unjust. If this legislation is necessary everyone in the community should bear the burden. Greatly to the credit of the people who own houses, there has been no revolt against rent control. If a person letting a house requires a tradesman for one week to repair it it would cost him perhaps one-third of a year's income. Most tradesmen charge £1 an hour for repairs to a house. If a man employed a tradesman for five days it would cost him £40, though the rent for that house may be only about 35s. a week. How can anyone justify that injustice to the owner? I am pleased to say that as the years have passed the provisions of the legislation have been whittled down and that eventually it will go into oblivion. It is not by pillorying the landlord that we shall solve the housing problem of this State.

The Housing Trust has to recoup its expenditure by charging an economic rent, but the private owner has to apply to the trust in order to obtain what is supposed to be an economic rent, though it is out of all proportion to the amount needed to meet all charges. Nobody with any idea of democratic justice could support that sort of thing. We have to do it for the time being, but instead of pursuing a gradual process of whittling away we should attack the major problem and see a small section of the community is not driven to distraction in an effort to get sympathetic justice. Knowing all those things I support the Bill. In Committee I will move an amendment which I trust will give some tangible recognition to the rights of a minority that has suffered for too long.

Mr. RICHES (Stuart)—I am firmly convinced that the section of the community that has been long suffering has been that section which because of changed circumstances finds it more difficult to purchase a home today than at any time previously. Until it is possible to house all our people it is our duty to continue this legislation. It is not true to say that we are catching up with the housing lag because statistics show that fewer houses were built last year than in any previous year. The Housing Trust today is only coping with applications made in 1949, yet some members would throw those applicants to the wolves and force them to bid for a home in the highest market.

Mr. Quirke—Is that any reason for victimizing house owners?

Mr. RICHES—They have not been victimized, because the 1939 rents were fixed by landlords in a market over which they had complete control, and the legislation has always provided for increases in those rents on the 1939 basis.

Mr. Quirke—Have rents risen proportionately to other incomes?

Mr. RICHES—I cannot follow the honourable member's arguments. Does he argue that rents should be fixed on the basis of tenants' incomes? If so, the industrious man who works overtime should pay a higher rent; yet the fact that a man is willing to render a service to the community by working overtime should not mean that he is penalized. Over and over again I have heard it said that, merely because industrious workers are earning comparatively high wages, the property owners should get their cut; but this legislation provides that the owner or the tenant may approach the Housing Trust for an adjustment of rent. That is a fair and equitable principle.

Mr. Dunks—The 1951 report states that the property owner can make only 2½ per cent on his capital.

Mr. RICHES—Rents have increased 22½ per cent on the 1939 bases, and the 1939 rents represented a fair return on capital investment then.

Mr. Quirke—But wages have risen by as much as 300 per cent since 1939.

Mr. RICHES—The houses were built before 1939, and the only charges on them that have increased have been maintenance charges. I know of nothing that is causing greater concern to South Australians generally than this matter of rents. I hope that Parliament will not consider lightly the relaxation of rent control because I do not know of any section requiring more control than landlords. Although I do not say that all landlords are bad, I can quote many cases of exorbitant rents that do not comply with the law, yet the tenants refrain from doing anything about them for fear of eviction. Throughout the State there are more people requiring houses than there was at any time during the war; we have not caught up with the housing lag.

I appreciate the efforts of the Housing Trust, but even with the assistance of the trust we are not keeping up with the demand caused by the natural increase of population and immigration; therefore the time is not yet ripe for the complete relaxation of rent and eviction controls. If the fond wishes of the member for Onkaparinga (Mr. Shannon) were realized and this legislation were repealed next year, it would be one of the most disastrous things that could happen in this State. The Government has considered the needs of these landlords who have been hard hit. I realize that some landlords do not like to go to the Housing Trust even though they are not receiving what they consider an adequate rental; they are looking forward to the repeal of this legislation. Although I have every sympathy for such people, I consider that they should state a case to the authority that has been set up in this matter. I know many landlords who could not be trusted without control. I support the continuation of the legislation for another 12 months.

Bill read a second time.

Mr. GEOFFREY CLARKE moved:—

That it be an instruction to the Committee of the Whole House that it have power to consider new clauses relating to the recovery of possession of dwellinghouses in certain cases.

Motion carried.

In Committee.

Clauses 1 and 2 passed.

Clause 3—"Exemptions from Act."

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

That paragraph (*d*) be deleted.

I think the provision will give the landlord in certain circumstances an opportunity to increase rents every two years instead of every three years. There is a duress being applied to tenants under existing conditions. It is possible for the duress to be increased and I ask that the paragraph be deleted.

The Hon. T. PLAYFORD (Premier and Treasurer)—Last year we provided that leases of three years would be outside the scope of the Act. Parliament legislated in the interests of two parties that have common rights at law. I said then that this year an attempt would be made to get rid of some of the provisions of the legislation so that we could return to normal relations between landlord and tenant. The paragraph carries into effect the policy accepted by Parliament last year.

Mr. O'Halloran—Extends it.

The Hon. T. PLAYFORD—No. Last year we said a lease of three years would provide protection. Under the Bill the period of two years provides the same protection. Last year protection was given to 1956 and the Bill provides for a similar protection. If possible we should get away from this legislation but if we repeal it overnight there will be many hardships because of the shortage of houses. Now many people cannot get possession of property that rightly belongs to them. Under these circumstances I ask the Leader not to press his amendment. However, if he continues to do so and will not listen to reason, I ask the Committee not to accept his views.

Mr. FRANK WALSH—Undoubtedly the Treasurer would prefer the Leader not to insist on his amendment. Parliament will meet again next year and will be asked again to continue this legislation until 1956. We did not agree in principle with the three-year period, so we cannot agree to two years now. The Treasurer said it would be consistent with the attitude of the Government last session to carry on this legislation for another two years. He admitted there is still a shortage of homes for rental, but how can the position be improved? I do not know whether sufficient houses will be erected at the new satellite town to house the people. I would not like to forecast, but that seems to be where the largest number of rental homes will be erected. I do not know what industries will be established there, but I hope that the residents will not all have to travel to the metropolitan area to earn sufficient money to pay their rents. The Leader will insist on the amendment, and I think it is reasonable to request the Govern- to carry on this legislation for a further three years.

Mr. HUTCHENS—I support the amendment because I feel that it would be dangerous to pass the clause as printed. Since the relaxation of the Act many people have been exploited. A number of property owners who have obtained possession of premises have refused to let them except on certain terms. The proposed legislation will be to the detriment of the State, and I therefore support the amendment.

Mr. MACGILLIVRAY—I have listened with a great deal of interest and patience to the arguments of both major parties on this very important matter, and it seems that they both tacitly admit that they have not the answer to the problem. The Premier said that what we are doing as a Parliament is depriving some sections of the people from natural rights of law to protect what property belongs to them, and that is an admitted fact. On the other hand, the Labor Party says it is all very well to talk about property owners and their rights, but if rent has to be increased how will the workers pay the extra. That again is a difficult problem because, if rents are increased, the basic wage will have to be increased to meet them. One State lifted rent control and immediately the basic wage had to be increased because it could be proved conclusively that the worker had to have extra wages to meet the increased cost of living under the formula provided by the C series index. A major problem of the Commonwealth is inflation. The Commonwealth Government has brought forward a number of methods to stop it, but without a great deal of success.

Mr. O'Halloran—Can you offer a solution?

Mr. MACGILLIVRAY—Yes. My only difficulty is that I am speaking to two major parties with closed minds, and they will do everything except admit that there is something fundamentally wrong with the system that has practically stopped house building by everyone except a Goverment instrumentality. Our financial system is not being used as it should be.

The CHAIRMAN—Does the honourable member think that this clause, which provides for certain exemptions from the Act, has anything to do with finance?

Mr. MACGILLIVRAY—I am certain it has. There would be no need for exemptions unless there were restrictions and the restrictions arise from the fact that we have been legislating to provide for two classes of people with equal rights—the landlord and the tenant. Mr. Shannon said that if something were to be done for persons who could not afford rents it should be the responsibility of the whole community and not only the house-owner.

The CHAIRMAN—I remind the honourable member that the member for Onkaparinga was speaking on the second reading. The honourable member should confine his remarks to clause 3 which provides for exemptions from the Act and not for rents or anything else.

Mr. MACGILLIVRAY—There would be no need for exemptions under this Act if the Act itself were not wrong. If the Act is just it should apply to everyone. It is because of the injustice inherent in it that exemptions are to be provided. Mr. Shannon rightly pointed out that if help is to be given to the tenants it should not be solely at the expense of those who own houses for renting. We should subsidize housing the same as other commodities are subsidized. During the war the Commonwealth subsidized potatoes and onions and today practically every secondary industry receives assistance. Why should not the wage-earner be subsidized in the cost of housing? The Commonwealth has subsidized the cost of tea because it is a common beverage particularly to the working classes. The Prime Minister now suggests that tea will no longer be subsidized, but the net result will be that the people least able to pay the increased price must bear the entire burden at present. The community as a whole would share the subsidy.

If tea can be subsidized so can housing and anything else. The Commonwealth could subsidize any item in the regimen with the idea of bringing down the basic wage and when the basic wage is brought down there could not be any inflationary spiral. This Act is only one of many which bolster a financial system that will not work.

Mr. Davis—Do you realize that if the basic wage is broken down too far, many persons who are purchasing homes today will be in great difficulties.

Mr. MACGILLIVRAY—I suggest that they should be subsidized. If young people have purchased homes at £3,000 or £4,000 and are able to meet their commitments on the present basic wage, if the basic wage is broken down their payments should be adjusted. All these things can be done if we realize that money does not exist apart from figures in a ledger. I point out the invidious position the Committee is in in deciding this subject. If it accepts the Government's Bill it does not solve the problem and if it accepts the Leader of the Opposition's amendment it is still no further ahead.

Progress reported; Committee to sit again.

ADJOURNMENT.

At 11 p.m. the House adjourned until Wednesday, December 1, at 2 p.m.