HOUSE OF ASSEMBLY.

Wednesday, October 12, 1955.

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

QUESTION.

MURRAY RIVER FLOOD.

Mr. WHITE—Has the Minister of Works any further information to give in reply to the question I asked last week about making military forces available to assist in fighting the expected River Murray flood?

The Hon. M. McINTOSH—The honourable member mentioned that military forces were brought in perhaps too late on the last occasion and were not properly advised on where the most danger lay. I replied that as far as the Government banks were concerned everything that could be done had been done, but that if anything necessary had not been done we would seek the advice and assistance of the people in the area. I think the honourable member's remarks applied not so much to Government banks and settlements as to private banks. Then I forwarded his question to the Engineer-in-Chief for report, with this memorandum:—

To the Engineer-in-Chief for report on present position and prospects, with an indication as to how and when and where military forces may best be utilised if their services are available.

I shall read the replies from the Engineer for Irrigation and Drainage and the Engineer-in-Chief, because the matter is one of great concern to many people and they are entitled to know what the position is. The Engineer for Irrigation and Drainage stated:—

The remarks of Mr. White, M.P., obviously refer to privately controlled swamp areas because as stated by the honourable the Minister in his reply, the military forces were not employed on any Government banks during the 1952 high river. If these forces are to be available during the coming flow it would be most desirable for their officers at least to go up early and learn the geography of the place and access roads. Murray Bridge is central to the areas concerned and as there is a crossing at this point, it would give access to both sides of the river. Whilst I know of no reason to expect trouble at any of the banks, the possibility cannot be over-ruled and it is as likely to occur in one as in another. Consequently, if help is needed it should be available at the danger spot on call and in quick time. Another point is that inexperienced men can do actual harm unless they are properly directed and it would be wise to have a conference between ourselves and the officers who will be in charge; also concerning the equipment which they would take with them. Another important point is that the men, if available, should be reserved for the banks controlled by the department and not taken to other situations. If they are required in a hurry and otherwise engaged, it would be extremely embarrassing. Therefore, if help is to be provided for both the privately owned and Government controlled banks, they should be separate units.

The Engineer-in-Chief added this supplementary report:—

The attention of the honourable the Minister is invited to the above report of the Engineer for Irrigation and Drainage concerning the suggestion to make use of army personnel in connection with the forthcoming flood in the lower end of the River Murray. I concur with the opinions expressed by Mr. Ide. Settlers on the Lower River irrigation areas have prepared a roster to provide for regular patrolling of the protecting embankments during the flood and these settlers would, if the necessity arose, do everything within their power to cope with any emergency. For example, in 1952 a serious situation developed at Mypolonga and seventy settlers were at work within an hour. While it is not anticipated that any serious trouble will develop there is always a possibility, particularly if banking-up of the river level is caused by adverse winds. If an emergency did arise it would be of great value if a number of men could be called upon at short notice to assist in meeting the emergency. It would not be practicable to have large numbers of men encamped in every area, but Murray Bridge is a central point and as mentioned by Mr. Ide is particularly suitable because of the assistance of a bridge at this point. While it is not possible to state exactly the number of men required to meet any emergency, I would say that fifty army personnel camped at Murray Bridge and provided with suitable transport and other equipment would provide a very satisfactory reserve force to cope with an emergency. It would, of course, be important for those in charge of the men to be fully familiar with the roads and means of access to the various embankments.

In the meantime I conferred with the Premier, and he will take up the question with the military forces to see whether that scheme is feasible.

DEMOLITION OF DWELLING-HOUSES CONTROL BILL.

Mr. O'HALLORAN (Leader of the Opposition), having obtained leave, introduced a Bill for an Act to control the demolition of dwelling houses. Read a first time.

INDUSTRIAL CODE AMENDMENT BILL (GENERAL).

Second reading.

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

That this Bill be now read a second time.

It contains a number of amendments to the Industrial Code, some of which were included in the more comprehensive Bill I introduced last session. That Bill was defeated by three votes at the second reading, but the present Bill includes nothing of a contentious nature, its provisions being mainly of a practical nature, and I feel confident that no objection will be taken to it. I am not abandoning the premises I sought to establish in my Bill last session; I still think the amendments in that Bill are necessary, but as it was debated and defeated, no further purpose can be achieved by pursuing the matter further. The practical amendments in this Bill are the result of requests made from time to time by the trades union movement as a result of their experience in the administration of the Industrial Code. Those requests have been considered by an advisory committee, which unanimously agreed that I should introduce this Bill.

Clause 3 seeks to amend section 63 by reducing the minimum number of employees required to form an association for registration with the Industrial Court from 20 to 15. In some instances it has been found difficult to secure the prescribed 20 employees in an industry or branch of an industry, whereas it may be possible to organize 15. Certain industries, such as, for example, the typewriter mechanic industry, do not embrace large numbers of employees, but their specialized work warrants their being specifically classified for the purpose of prescribing wages and conditions of employment. In the meantime, persons following occupations in which there are fewer than 20 employees have to be included in industrial organizations with which they may not have very much in common. That is a very desirable amendment so that employees working in highly specialized occupations where there may be less than 20 members should have their approach to the court facilitated by the reduction embodied in the Bill.

Clause 4 deals with representation on industrial boards. Section 146 provides for the appointment to such boards of persons not actually engaged in the relevant industry. The words used are "does not hold the beforementioned qualifications." The intention, of course, is that, as far as employees' representatives are concerned, accredited representatives of registered industrial associations should be appointed, such as, for example, secretaries and other officials of unions; but it is possible for the President of the Court, who has the responsibility of making such appointments, to select representatives of non-operative organizations—a procedure not consistent with what the trade union movement regards as the spirit of the provisions in section 146. I understand that on one occasion the President appointed a representative of the Pharmaceutical Society, a society of University students not registered with the Industrial Court, in preference to the secretary of the union of which practising pharmaceutical employees were members. Section 146 permits of one representative of employers and one of employees being persons not actively engaged in the industry, and I seek to provide that the employees' representative not engaged in the industry shall be the representative of the industrial organization covering the employees in the calling for which the wages board is established.

The amendment seeks to make it clear that the representative not actually engaged in the relevant occupation shall be a *bona fide* representative of an industrial association registered with the State Industrial Court or of a branch of an association which is registered under the Commonwealth Arbitration Act.

Clause 5 provides that the wages limit for the purpose of fixing wages and conditions shall be raised from £20 to £33 per week. From time to time the maximum prescribed in section 167 of the Code has been varied to accord with the changing value of money. In 1936 it was £10. In 1948 it was raised to £15, and in 1951 it was raised to £20. Changes since 1951, including the two-and-a-half margin adjustments authorized by the Federal Arbitration Court last year, warrant a further increase. Some employees were actually prevented from receiving their full marginal increase under the Federal Arbitration Court's ruling because the Industrial Code in this State still limited industrial boards to employees earning not more than £20 per week. There is no great significance in suggesting £33 per week as the maximum, except that it would be, for the time being, at any rate, a safe maximum; but I would point out that the maximum earnings prescribed in the Workmen's Compensation Act are £33 per week.

Clause 6 is merely a consequential amendment to section 176, making the corresponding alteration in that section relating to the minimum number of employees to form an association for registration with the Industrial

Court. Clause 7 seeks to give industrial boards the same power as the Industrial Court now has, namely, that of making determinations retrospective. At present a board's determination must be submitted to the Minister of Industry and then gazetted, and it can only come into operation a fortnight after gazettal. In one instance, because of these formalities, a determination did not come into operation for some weeks after it should have, to the detriment of the employees concerned. They should have become entitled to increased wages during the Christmas period, but, because the court was in recess and the *Government Gazette* not printed, they had to wait until well into January.

The Industrial Court may date back any of its awards, and this privilege has been conferred upon other wage and salary fixing bodies, such as the Public Service Board. The clause does not make it mandatory for a board to make its determination retrospective—it merely gives a board the power, if it considers it ''right, fair and honest'' to do so, to fix a date for the operation of its determination such date not being before the day on which the board first takes cognizance of the matter which ultimately becomes the subject of its determination.

Wages boards are an essential feature of our industrial legislation and carry out the greater part of the work of fixing wages and conditions under our Industrial Code, and they should have as much power to make their awards retrospective as the court has; but whereas the court can make its awards retrospective for any period it considers fair and just, the Bill limits the retrospectivity of an award made by the board to the time when the matter was first submitted to it. My suggestion has a further advantage in that occasionally the representatives of employers unduly delay the hearing of applications, and if a board had power to make an award retrospective it would discourage such action.

Clause 8 provides that where machinery is being operated in a factory at least two persons shall be present. It sometimes happens that one employee only is on duty operating machinery of one kind or another and in the event of an accident the absence of other persons might result in death or in greater injuries than would otherwise be the case. Although I have made inquiries from various organizations whose members might be concerned in a matter such as this, I know of no actual case which had such an unfortunate consequence. No doubt most employers arrange for more than one person to be in attendance where machinery is being operated, but we should not wait until a tragedy occurs before taking necessary steps to safeguard the position. This provision is well worthy of member's support. The clause provides a penalty of £20 for non-observance. That amount is consistent with the penalties fixed in other sections of the Code. The Bill provides for no drastic alteration of the fabric of the Industrial Code.

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

METROPOLITAN TAXICAB BILL.

Adjourned debate on second reading.

(Continued from October 5. Page 985.)

Mr. GEOFFREY CLARKE (Burnside)—I oppose this Bill. Members will recall that last year when a Bill with somewhat similar machinery provisions was introduced I opposed the suggestion that there should be a single licensing authority—the Adelaide City Council then being suggested. I do not oppose this Bill on the ground that I think the Commissioner of Police is incompetent to undertake this work. I share with other members the highest regard for the police force from the Commissioner down, but if it were suggested that the Chamber of Commerce or the Betting Control Board should be the authority to licence taxicabs I would oppose it on the same ground—that I do not think they are the most suitable authorities to do so. The essence of this Bill, apart from its machinery, is the issue of licences to fit and proper persons to drive taxicabs. The licences are to be issued by the Commissioner of Police. The functions of the police are threefold. They are (1) to maintain law and order, (2) to prevent and detect crime, and (3) to aid the public in times of emergency. On these grounds we may say that South Australia has every reason to be proud of its police force. The licencing of taxicabs is the function of local government bodies who should understand the needs of their districts.

Mr. O'Halloran—They made a poor effort in the metropolitan area.

Mr. GEOFFREY CLARKE—I admit that there have been criticisms levelled at the method of registering taxicabs, and instances have been brought to public notice of alleged racketeering and trading in licences, which, to say the least, have not been savoury. No good purpose can be served in denying that such charges—how true they are I am not in

a position to say—have been made. There are moves on foot now to remedy the position and it should make a very satisfactory contribution to solving what has been a vexatious problem. It seems that the moves are satisfactory and perhaps much superior to anything that has already been put forward as a solution of a difficult problem. They are well on the way to completion and will set up an advisory board comprising representatives of interested parties. I feel strongly that municipalities should accept a major responsibility in this matter. There is a genuine and full measure of co-operation between the local government bodies as a whole and the Adelaide City Council, which has the machinery and the technical equipment necessary to deal with the licensing of taxicabs. The formation of the advisory board is substantially near completion. Already four representatives of the Municipal Association have been named and appointed. The Commissioner Police—and this meets part of the point raised by Mr. Jennings—has been invited to become a member of the panel and it would be most appropriate if he were to accept the position. I understand no official reply has yet been given to the invitation. The City Council will, I am sure, next Monday appoint four representatives to the panel. It is also expected that when the panel meets it will invite representatives of taxi owners to sit on the board. I would suggest that there be representatives of both owner-drivers and taxi companies.

Recommendations to the board will be made through the metropolitan councils and licences will be issued to meet the requirements of their districts. This co-operation should be encouraged. Local government powers should be expanded and not circumscribed or reduced, as they would be if the licensing of taxicabs were taken out of their hands. We should reject the Bill on the grounds that I have stated briefly. I feel that it is not the function of the police to attend to these administrative duties. Theirs is a much wider function. This is a matter which affects local government authorities who know the conditions and needs of their districts. From my point of view they give expression to the doctrine that local government must be local, that the authorities must govern within their municipalities, and that we should place power in their hands rather than take it from them.

Mr. DUNSTAN (Norwood)—I am somewhat amazed at the opposition to this Bill because the Government appointed a committee under the chairmanship of Judge Paine to investigate the matter of licensing taxicabs. Its terms of reference were not as wide as I should have liked, but they did contain the precise proposal set out by Mr. Geoffrey Clarke, and the committee reported most strongly against it, for very clear reasons. It said:—

As under existing law each council has full control of this matter within its district, the only method by which a common working policy and system could be attained throughout the metropolitan area would be by universal agreement of all metropolitan councils. Apart from the difficulty of securing this measure of agreement, it is doubtful whether, if such agreement were attained, a common system could be enforced as the law stands at present.

As a lawyer I know that it is more than doubtful whether the system could be enforced as the law stands. According to the Government, it is not intended to alter the present law. How could such a system of controlling the licensing of taxicabs be enforced? There would be a multiplicity of local by-laws, and if an offence occurred in one area the council concerned would have to bring the prosecution apparently after it had consulted the advisory board. The extreme difficulty of bringing an effective prosecution and effectively policing the policy of the advisory board would make the system cumbersome and impossible.

Mr. O'Halloran—What would be considered an offence in one district may not be an offence in another.

Mr. DUNSTAN—Yes. There may not be a similar policy in the whole area. Who would say that the recommendations of the advisory board would be adopted by all metropolitan councils? People who know anything about the working of councils cannot be under any misapprehension about getting complete agreement amongst them. It is almost impossible to get it. The committee under the chairmanship of Judge Paine clearly reported that the only satisfactory method of controlling taxicabs was by having one central co-ordinating authority. It pointed out that in all other States where they had investigated the control of taxicabs a central licensing authority existed. The only practical way to deal with the matter is to have an overall authority for the metropolitan area, and that is what the Bill proposes. The committee reported in favour of one central authority, and to give effect to that recommendation the Government introduced a Bill last session, but because of the committee's restricted terms of reference it reported in favour of the Adelaide City Council and against

some hotchpotch of representatives of metropolitan councils which, it said, was an impracticable proposal. However, members knew of many instances of improper practices that resulted from the City Council's control over taxis. Members on both sides of the House were of the opinion that control by the Adelaide City Council was most undesirable, and it is clear why.

Under the City Council's by-laws it is an offence, for which licences may be cancelled, to lease them. I know of many taxi owners who have been forced, for financial reasons, to let someone else run their taxis for a week or so. Those people were accused of leasing their taxis and their licences were taken from them. The licences of some returned soldiers have been cancelled and I took up several cases with the Premier. These men received no compensation for having their licences cancelled, but we have the extraordinary situation of the wholesale leasing of licences by companies being permitted. Yellow Cabs Ltd. is the outstanding example of this. It decided it could not afford to pay its drivers the amount that the Arbitration Court awarded so it sold its cabs to drivers under a hire-purchase system and leased its licences to them for a payment of £8 a week. It also took into its fleet cabs that were owned by drivers, who had to pay £3 10s. a week to the company for the use of its switchboard and services. Obviously, the drivers buying their cabs under hire-purchase were paying £4 10s. a week for their licences. This practice was reported to the City Council, but it took no notice of it. It allowed this sort of thing to go on, whereas the licences of the small men doing the same thing on a much less objectionable scale were taken from them. Yellow Cabs Ltd. was allowed to break the by-law wholesale. No prosecutions were launched against it and the company was allowed to retain its licences. In other words, it was handed something by the City Council which it could farm out at a profit upon no equitable basis at all. That is still being allowed today.

I have in my possession the sworn statements of members of the Yellow Cab taxi drivers who have had to operate under these conditions, and it is clear that Yellow Cabs Ltd. is being allowed to break the City Council by-laws with the full knowledge of the council. If that is the way the Adelaide City Council is administering its by-laws it is not a fit and proper authority to license taxis in the metropolitan area.

Mr. Jennings—It is not in any case.

Mr. DUNSTAN—That is so, but from the way it is handling the matter it is clear it is not the proper authority. It is discriminating in favour of certain people, people who are sometimes not un-connected with members of the city council. That is not the sort of thing we should allow here. We should have an independent authority to control taxis. Last year the Labor Party suggested it should be the Transport Control Board, but it has no jurisdiction in the metropolitan area and certain members are opposed to the activities of the board elsewhere. Last year the member for Chaffey suggested the Commissioner of Police as the authority. The Commissioner of Police in Brisbane controls taxis there, but the member for Burnside (Mr. Geoffrey Clarke) said he would not be the appropriate authority here. He said the Commissioner's duties were to trace and detect crime, maintain law and order, and assist the public, but because he has those duties the Labor Party believes him to be the proper authority to control taxis. If he is the licensing authority he will be tracing and detecting the pirating that is going on at present and therefore tracing and detecting crime. Further, he will be maintaining law and order, and frequent complaints about lack of law and order in the taxi industry were made to the committee, and he would also be assisting the public. I am indebted to the member for Burnside for pointing out so clearly why the Commissioner of Police should be the licensing authority. The honourable member admitted that there must be some authority other than the City Council, for he admitted that the present position was unsatisfactory, but he put forward the fantastic proposal of an advisory board. No one knows what its powers would be.

Mr. Fletcher—And that applies to the Town Planning Board.

Mr. DUNSTAN—But the position of the advisory board would be worse because the Town Planning Board will at least have some powers at law. The advisory board would have no powers whatever. It would not even be a corporate body. No one knows what the basis of its administration would be. It is proposed that it shall have four representatives of the Municipal Association, but that does not mean it would have the support of all metropolitan councils. What happened when the Tramways Trust fell into serious financial difficulties? It was evident that it was impossible to get complete agreement between metropolitan councils. It is proposed to have the Commissioner of Police on the advisory board, and the mem-

ber for Burnside said it was most appropriate that he should be a member. If so, why is he not the appropriate person to be the sole licensing authority? Apparently the honourable member thinks the Commissioner should sit on an advisory board, but not be the licensing authority. I cannot see his reasoning there. Presumably, unspecified and unknown taxicab owners are to be appointed to the advisory board in some unspecified manner, and such appointees may even include a director of the Yellow Cabs (S.A.) Ltd. We do not know how and whom the board is to advise. Who will take any notice of its advice? I do not think that the pirates mentioned in the Paine committee's report will take any notice of it because its decisions will have no force. It will merely be able to suggest that metropolitan councils make certain by-laws, but that does not ensure that such by-laws will be made or agreed to by Parliament. Mr. Clarke said the Adelaide City Council would have the machinery with which to undertake the work of the advisory board, but it has not. It has powers to make by-laws only in respect of the city of Adelaide. Other metropolitan councils might authorize the inspectors of the City Council to act in their districts, but who will foot the bill and how will the work be carried out?

Mr. Lawn—The City Council inspectors are a bright lot!

Mr. DUNSTAN—Yes, and part of the criticism of the Adelaide City Council's administration of taxicab licensing has been of the way the inspectors have done their job.

Mr. Lawn—Some have recently been before the court.

Mr. DUNSTAN—Yes. There was a remarkable case in which Yellow Cabs terminated the hire purchase agreement with one of its drivers and demanded that the plates be returned. He refused, saying that they were the Adelaide City Council's plates. The council asked him on a number of occasions to return the plates to the company, but he refused, saying he was the licensee. The company then wrote to him and said that, although they could not demand the plates back, they must be returned because the council had revoked the licence. Neither the council nor the company, however, would take the plates away from him, and that sort of thing is going on all the time, the inspectors being well aware of the position in respect of Yellow Cabs. Despite these facts, however, Mr. Clarke suggests that the City Council has the machinery with which this advisory board could administer taxicab licensing in the metropolitan area. The whole scheme is vague and unsatisfactory. The Paine committee did not have power, under its terms of reference, to recommend that the licensing authority be the Commissioner of Police, but obviously, had it had wider powers it would have recommended an authority other than the City Council, and the Commissioner of Police is the proper authority. Therefore, I can see no valid case against the Bill. The Paine committee's report is clear and we should act upon it. It favours one centralized licensing authority, and the House, by its action on the Government's Bill last year, showed that it was in favour of such a scheme. In those circumstances the only possible licensing authority is the Commissioner of Police, and I therefore commend this Bill to members.

Mr. MILLHOUSE secured the adjournment of the debate.

STEELWORKS FOR SOUTH AUSTRALIA.

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

(For wording of motion see page 686.)

(Continued from October 5. Page 998.)

Mr. LAWN (Adelaide)—I support the motion. Usually when I rise to support a Bill or a motion of the Leader of the Opposition I prepare a case in support of it and address myself accordingly, but having heard previous speakers on this motion, I consider it would be more appropriate at this stage of the debate to review their remarks than attempt new matter. Practically all previous speakers (including Government members who claimed that they opposed the motion) have said everything there is to be said in support of it. In 1953 this House carried the following resolution:—

> That this House believes in the desirability of establishing a steelworks in the vicinity of Whyalla.

Therefore, this debate started on the basis that this House had previously agreed unanimously that steel works should be established at or near Whyalla. The Leader of the Opposition (Mr. O'Halloran) made certain claims, none of which have been refuted by any subsequent speaker. He said that in 1937 there was an understanding between the Broken Hill Proprietary Company and the Government of the day that a steelworks would be established at Whyalla within a reasonable time, and quoted Sir Richard Butler, in explaining the 1937 legislation, as having said:—

I have only one regret and that is that our old friend, the late Mr. J. C. Fitzgerald, is not alive to see the realization of one of his dreams. Hardly a session went by when he did not make some reference to the necessity of iron and steel being manufactured in South Australia.

That is a clear indication of an undertaking given by the B.H.P. Company in 1937. In 1937 Sir Richard Butler also said:—

Ultimately we can look for the establishment of steelworks.

He pointed out that the Bill provided for an investigation by the Public Works Committee. That, surely, is a clear indication that he believed we could ultimately expect steelworks to be established at Whyalla. Either he meant that or he was fooling the Parliament and I do not believe he was doing the latter. The member for Onkaparinga (Mr. Shannon) said:—

There is much confusion of thought amongst members opposite. They have been reading what was said 20 years ago when certain privileges were granted to the company. The honourable member harks back to what was said by some people in their enthusiasm at that time, but which they now know to be impracticable.

Obviously, he believed that the promises made by representatives of the company at that time were as a result of their enthusiasm. In his opinion they were enthusiastic about establishing steelworks in South Australian in 1937.

Mr. O'Halloran—Their enthusiasm sprang from the fact that they expected to get a firm hold of the iron ore leases.

Mr. LAWN—That is so. Mr. Shannon said that he does not believe in repudiation and charged us with advocating it, but he endeavoured to justify the company's repudiation of its 1937 promises by the claim they were made through enthusiasm. He admits, in effect, that the company has dishonourably repudiated its agreement with the people of South Australia despite the fact that, to use his own words, "certain privileges were granted to them." The Public Works Committee investigated a proposal to provide a water supply for Whyalla and made the following recommendation:—

The provision of a water scheme to improve the water supply to the northern water district and the lands extending north of that district as far as Port Augusta and to furnish a supply of water to Whyalla for the purpose of enabling the Broken Hill Proprietary Co. Ltd. to establish and operate steel and other plants.

It is obvious that that committee believed the company would establish a steelworks and other plant at Whyalla. During Sir Richard Butler's speech in 1937 Sir George Jenkins interjected:—

If we carry out our part of the undertaking, the company should carry out its part.

That is further proof of the Leader's claim that in 1937 Parliament believed the company would establish a steelworks. During his speech the member for Torrens (Mr. Travers) directed a tirade of abuse at the Opposition. He was effectively answered by the member for Prospect, who quoted the words of the Minister of Education on another matter relating to anyone who indulged in abuse. When the Leader told Mr. Travers he was lying he stopped speaking and stood in thought before asking for leave to continue his remarks. That leave was granted, but as yet he has not exercised his right to continue. Evidently he has nothing to contribute to the debate other than the abuse he has already levelled. I listened most attentively to the remarks of Mr. Millhouse. I thought I was in a court of law because he addressed this House as though it were a court.

Mr. John Clark—As though we were in the dock.

Mr. LAWN—That is an impression that could have been gathered. His contribution might have been worthy in a court, but he was addressing Parliament where laws are made, altered or repealed. Parliament is not concerned with interpreting laws. He quoted from a number of law books and I interjected and asked if he knew of the Bible, from which he might quote with profit, but apparently he did not hear my interjection. Verse 15 of Chapter 13 of *Genesis* reads:—

For all the land which thou seest, to thee will I give it and to thy seed for ever.

It is clear that the Lord intended the land to belong to the people. Verse 16 of *Psalm* 115 states:—

The heaven, even the heavens, are the Lord's, but the earth hath he given to children of men.

That is a clear indication that the earth was given to the children of men and not to the B.H.P. Company or vested interests. It was given to the people and under our form of government it should be administered by the Parliament of South Australia for and on behalf of the people of this State. Verse 9 of *Ecclesiastes* 5 reads:—

Moreover, the profit of the earth is for all. The king himself is served by the field.

It is obvious that the profits to be derived from the minerals of the earth were not intended by the Lord for vested interests, but for the people. All should profit from the minerals at Iron Knob and thereabouts and the only way they can is for the State to take back the leases as is suggested by this motion and to see that they are worked for all the people. Incidentally, that last quotation clearly explains why

Christians are Socialists. We believe that the profits from the earth should be shared among all people and not leased, given or sold for a miserly sum to private individuals. Mr. Millhouse's speech can be summed up by the following quotation from his remarks:—

A little legal training in these debates is a great help. . . . I do not think Mr. Dunstan, Mr. Travers, or any other member with legal training could possibly disagree with what I have said. There is one other point with which no lawyer could disagree, and that is where you have an Act of Parliament it is not competent to go behind the working of that Act to see what was said or not said in the debates taking place when the Act was passing through Parliament; nor is it competent to look at the evidence given before the expert committee. The only thing you can look at in interpreting an Act of Parliament is the Act itself.

As I said before, the honourable member would have done a good job if addressing a court of law, but he forgot that this is the Parliament of a sovereign State debating a motion for an alteration to the law.

Mr. Dunstan—It is pertinent to decide why the original legislation was enacted.

Mr. LAWN—Yes. Before discussing any amending Bill members look at the second reading explanation and then read the report of the debate that took place when the measure was first introduced. It is proper for us to inform our minds of the position that existed when the investigation was made by the Public Works Committee and when certain privileges were granted to the company. Mr. Millhouse said it was competent in 1937 for Parliament to repudiate the work of the Lord by granting leases to the company, but he says that now it is not competent for us to repudiate that act and return the leases to the people. Other Government members have had far more Parliamentary experience than Mr. Millhouse, including, Mr. Hawker, and on these matters I would be more guided by his views than by those of Mr. Millhouse. I am speaking of the legal aspect of the matter. Mr. Hawker said:—

Although I oppose the motion, I do not do so because its terms imply compulsory acquisition and repudiation, as I think sufficient precedent for such action exists in the Electricity Trust of South Australia Act (1946) and the Land Settlement legislation of 1944 and 1948.

He then quoted from law books, making special reference to the case of *Pye* v. *Minister of Lands of New South Wales,* which went to the Privy Council, and then said ''These precedents are sufficient legal warrant for carrying into effect the terms of the motion.'' Obviously, if we accept Mr. Hawker's view there is no legal obstacle to accepting the motion. The debate has shown that Government members hold different views about the motion, although all say they will oppose it. They are consistent in their opposition, but inconsistent in their reasons for it. Mr. Shannon said:—

Are we as Parliamentarians in favour of passing over the prerogative of policy-making to public servants, or do we think policy should be framed by the people elected to this Parliament?

He also said, ''It is in this place that we decide policy.''

Mr. Shannon—That sounds good to me.

Mr. LAWN—The honourable member said that in reply to an interjection and perhaps he did not realize what he was saying.

Mr. Shannon—Yes I did, and I stand by it.

Mr. LAWN—Mr. Shannon told Mr. Millhouse that he did not care whether it was a Supreme Court judge or Mr. Dickinson who told us what to do, because Parliament decided policy. Mr. Shannon showed that he was out of step with his leader when he said he did not think steelworks would be established at Whyalla and that it would not be in the interests of South Australia to establish them.

Mr. Jennings—How did the honourable member vote in 1953?

Mr. LAWN—The vote then was unanimous. Then Mr. Shannon was in favour of steelworks near Whyalla, but he holds a different view now. He has not told us why he has changed his opinion. In opening Parliament this session His Excellency the Lieutenant-Governor said:—

Its reply to the resolution passed in Parliament and to the Government's repeated requests to complete the Whyalla development programme as outlined by the company in 1937 is not acceptable to my Ministers. They have no intention of asking Parliament to repudiate the company's indenture; but on the other hand, they are not prepared to acquiesce in the present unsatisfactory position.

The ''Its'' refers to the B.H.P. Company. This showed that the Government was not happy about the position and desired steelworks to be established. During the Address in Reply debate the Premier indicated the position of the Government when he said it did not know which way to go in the matter. Mr. Shannon believes it will not be in the best interests of South Australia to have steelworks established at Whyalla.

Mr. Shannon—I am sure it would increase the price of steel.

Mr. LAWN—I remind the honourable member that in this debate the Premier said ''I wholeheartedly approve of steelworks being

established at Whyalla.'' I am quoting these things to show that Government members are not working together as a team of cricketers or footballers but like a lot of rabbits running everywhere. Having carried out their master's instructions and said they oppose the Bill they forgot what else he said and made all sorts of statements. The Premier said:—

I agree that the company has been extremely tardy in its development at Whyalla and I believe that if Parliament had known, when the Indenture Bill was before the House, that the company would be so long in giving effect to the desires of this State it would have been more precise in setting out the terms of the agreement.

Mr. Pearson then interjected, ''We were not holding strong cards at that time,'' and the Premier replied:—

That is so, but on the other hand we were giving away substantial benefits.

That is a clear indication again of support for the view expressed by Mr. O'Halloran. The Premier also said, ''We have a strong case for a steel industry.'' He could not have been more definitely in support of Mr. O'Halloran's view. If the company will not carry out its 1937 undertaking, let us take back the leases and work them in another way. We all know that the Premier says one thing in the afternoon and something different at night. Yesterday he condemned the Commonwealth Government in no uncertain manner and slated Mr. Menzies, but next December or thereabouts when there is a Federal election he will be running around the State kissing in Menzies' pocket and asking the people to return the Menzies Government. Mr. Shannon said:—

Much has been said in this debate about compulsory acquisition and the injustice being meted out by this Government to certain worthy citizens whose homes, it is said, will be taken away so that a railway line may serve a big industry at Tonsley.

When I heard him say that I thought that if we substituted ''Broken Hill Proprietary Company'' for ''worthy citizens'' and made other alterations it would make interesting reading. Then we would have had something like this:—

Much has been said in this debate about compulsory acquisition and the injustice being meted out by the Opposition to the Broken Hill Proprietary Company whose leases it is said will be taken away so that steelworks may serve the people of South Australia.

What is wrong with that? It is all very fine for the State to take the backyards of people at Ascot Park, but it is a crying shame for the people to take back from the B.H.P. Company that which belongs to the people—their own leases and their own mineral! When speaking on the Address in Reply the Premier said:—

If an industry is to be established at Whyalla two things are fairly evident. The first is if an industry is to be amortized over a relatively reasonable period it must be established in the near future.

I have already stated that the Leader of the Opposition said a certain undertaking was given in 1937. The member for Burra (Mr. Hawker) made it clear that it was competent for Parliament to support this motion, for he said there were sufficient reasons for carrying it. The member for Onkaparinga (Mr. Shannon) justified the motion, but attempted to say that the company gave no undertaking to construct a steelworks in its 1937 Indenture Act. He also said that Parliament granted certain privileges to the company in 1937. The Premier said that Parliament gave away substantial benefits to the company, and he also said that there was a strong case for the establishment of a steel industry in South Australia. I conclude by repeating the statement by the Leader of the Opposition, ''The time has arrived when undoubtedly a stand must be taken.''

Mr. QUIRKE (Stanley)—I am sympathetic towards some parts of the motion, but not towards others. I say, in accordance with my convictions about the natural resources of a country, that had I been a member in 1937 I would have opposed the Indenture Act, even if that meant an industry would not be established at Whyalla, but I believe an industry would have been established even if the company had not been granted extremely valuable leases. The natural assets of a country, in this case vast iron ore deposits, should not be placed in the hands of one organization to the exclusion of everyone else. That was the original mistake. The Premier said:—

It seems to me the best solution of our problems lies in the discovery of iron ore deposits and the invitation of outside interests to establish a steel industry at Whyalla.

What the Premier is up against is that the most valuable deposits that can be worked on the open cut or quarry system are outside his control; therefore, he has to look underground for equally rich deposits, but which are more difficult and expensive to mine. In spite of what has been said against the motion I believe the time has arrived when the company should be prepared to use a proportion of low grade ore in conjunction with high grade ore. That would conserve the high grade deposits,

and I think that is what the Premier had in mind. However, I do not agree that the use of some low grade ore would result in a vast increase in the price of steel, neither do I agree with the astronomical figures that have been quoted as the cost of establishing a steelworks at Whyalla. The costs of establishing steel industries in Pakistan by European interests were nowhere near the figures quoted, though the output of those mills will be greater than our own.

I believe that overseas interests would be prepared to establish steelworks here if sufficient ore were made available to them, and I think they could produce steel at a price to compete with the B.H.P. Company. The company should not sit down on the terms of its Indenture Act. It should make ore available to other interests, but I will not vote in favour of the State's acquiring the company's leases. That would be anathema to me. Mistakes may have been made in 1937, but we must abide by them. However, every pressure of competition should be brought to bear on the company to honour something that was not included in the Indenture Act. The Premier has made it clear that he is not prepared to support a motion such as this. He will not depart from the provisions of the Indenture Act, and I agree with him, but that does not relieve the company of a responsibility it has to South Australia and to the Commonwealth.

Mr. O'Halloran—What steps would you take to get the company to stand up to its responsibility?

Mr. QUIRKE—I shall move an amendment to the motion. By having our steel industry located at only one site Australia is in a precarious position. The annihilation of that industry would be a death blow. Recently at Mallala many people saw a jet-propelled aircraft that had been built to carry atomic weapons. Other nations have such aircraft, and when we realize that a Canberra jet plane can fly to America and back in 13 hours it is clear that, with our limited defences, an air attack could destroy our steel industry in a matter of seconds. Instead of having our steel industry concentrated around one place in the interests of one organization and its shareholders the company should consider the security of the country, particularly in view of what has been done for it by this State. The motion proposes the appointment of a joint committee of both Houses to advise Parliament on the future use and disposal of all iron ore on Eyre Peninsula. Would the Joint Committee be set up at the time of or after the acquisition? If after, the scheme would be unworkable, and I intend to move an amendment to strike out—

In view of the failure of the Broken Hill Proprietary Company Limited to establish such steelworks in a reasonable time in accordance with undertakings given in consideration of being granted leases of areas containing high-grade iron ore on Eyre Peninsula, and in view of the necessity of developing the low-grade ore deposits elsewhere on Eyre Peninsula in conjunction with the high-grade ore contained in those areas for the economic operation of such steelworks and in order to ensure an adequate and continuous supply of ore thereto, the said leases should be terminated, the mining, transport and crushing plant operated by the Broken Hill Proprietary Company Limited in association with such leases should be acquired by the State and;

to insert in lieu thereof "and the Commonwealth"; and to strike out "with equal representation of the Government and the Opposition." The motion would then state:—

That, in the opinion of this House, in view of the urgency of the need for the establishment of a steelworks at or near Whyalla in the interests of the people of South Australia and the Commonwealth, a joint committee of both Houses should be appointed to advise the Parliament on the future use and disposal of all iron ore on Eyre Peninsula so that all interests may be fully considered and fairly served in the distribution of same.

In view of the Premier's statement in this debate all members should agree with the amended motion. The joint committee, working in the interests of the State, would bring down recommendations concerning how our ore deposits should be handled, and the company would then know the wishes of Parliament and find it extremely difficult to contravene them. Because of the threat of overseas competition the company would be in an untenable position. The original Indenture Act was a fatal mistake; it alienated our iron ore deposits and placed them in the hands of one organization to the exclusion of all competition. Mr. O'Halloran should consider my amendment because the joint committee could hear any evidence, including that of the Premier, who has a wide knowledge on this subject. It could then report to the House and members would be in a position to adjudicate on that report.

I cannot support any proposal of acquisition, even though a mistake was made. I must admit that under extreme conditions no Parliament can be bound by the acts of a preceding Parliament, but such extreme conditions do not apply today and the problem can be solved without acquisition. Parliament is all-powerful

and can make and unmake agreements, but in this case that cannot be done without to a great extent breaking an agreement, and that would reflect against us throughout the world. How could we expect to get an overseas company to establish a steelworks here if there were no sanctity in our contracts?

Mr. O'Halloran—Then how are we to give effect to the report of your proposed committee?

Mr. QUIRKE—We have not had a report and I would not like Parliament to accept the responsibility of any action before receiving it. I now move the amendment I indicated earlier.

Mr. FLETCHER (Mount Gambier)—The continued use by the B.H.P. Co. of the best iron ore is serious, and it should be persuaded to use a proportion of lower grade ore. Early in my Parliamentary career members visited Whyalla, and saw the wonderful iron ore deposits at Iron Knob and Iron Baron. During a picnic lunch one of the company's directors, in reply to a question, said that the cost of mining our iron ore compared favourably with the cost of mining iron ore anywhere else in the world because it was at surface level and was quarried rather than mined. In South Australia we have seen many fine gifts of nature wasted. In the early years much of our natural forest resources was wasted because no consideration was given to replanting; consequently Australia today depends mainly on overseas timber, whereas had a wiser policy been pursued that could have been prevented. In my district are substantial deposits of building stone. For many years we have been fortunate in being able to quarry the stone at surface level, and a first-class article has been produced, but now the best surface deposits are being worked out and the stone is dipping underground. This means that deposits worked in the future may be covered by an overburden of up to six feet.

The same principle applies in respect of iron ore deposits, and future generations will have to pay much more for steel than we do today, because by that time the ore will have to be mined and not quarried. Mr. Quirke's amendment has much merit. We cannot be true to ourselves, the B.H.P. Company, or any other company we bring here if we are not true to the Indenture Agreement. During the war the company played an important part and I would like to see it induced to work some of the lower-grade deposits as well as the rich deposits being worked at present. Australia should not have to import steel. We have rich iron ore and steel deposits and should not have to pay through the nose for the imported article.

Mr. MACGILLIVRAY secured the adjournment of the debate.

HIRE-PURCHASE AGREEMENTS ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from September 21. Page 848.)

Mr. HUTCHENS (Hindmarsh)—I support this Bill, which, in view of the many statements made by responsible people lately, is even more desirable now than it was 12 months ago. The measure only applies to household goods, personal effects and clothing. From comments during the debate it appears that some members believe the Bill is more far-reaching. I do not oppose the principle of hire-purchase, but believe it is necessary to have some brake on the reckless spending that accrues from the system of time payment operating today. I admit that time payment makes it possible for many people to secure things they need but people should refrain from foolish spending in accordance with want and not need. Hire-purchase creates reckless spending and makes goods more costly. In introducing this Bill the Leader said:—

> Without some steadying influence, hire-purchase could assume such proportions in the general economic scheme of things as to interfere with the normal and desirable development of the country and even bring about a depression. There is at least some connection between the diversion of credit to hire-purchase and the drying-up of loan funds for public purposes, and increasing interest rates register the pressure that is being exerted by competitive avenues of credit, of which hire-purchase is obviously an important one. For the individual, also, hire-purchase, although a good servant, is a bad master. It is undesirable that any person should commit himself too deeply to future periodical payments which, however confident he may feel at the time of his ability to meet them, are really beyond his financial capacity. In this regard, I hope that the Bill, if passed, will act as a gentle brake on the natural optimism of the individual.

It is interesting to note that recently, when speaking on economic affairs and the financial conditions of the future, the Premier said:—

> This year will be a difficult one for the State finances, but that will, I trust, be a passing phase. The community at large must, in the interests of progress and development, adjust itself in certain ways, particularly so as to avoid overspending both externally and internally.

The Leader and the Premier expressed, in effect, entirely the same sentiments. The

greatest degree of over-spending is surely spending money on something that provides nothing substantial for the spending. This Bill is designed to prevent the imposition of high interest charges under hire-purchase agreements. People frequently enter into agreements today without knowing what interest rates they are being charged. Because of the persuasiveness of smart salesmen they are led to believe they are making a wise purchase, particularly as they have an extended period in which to pay, but they are frequently paying far more than the real value. The seriousness of the situation has concerned the Federal Treasurer and the Prime Minister and the latter has pleaded with the people to refrain from hire-purchase agreements in the interests of the nation. He appealed to suppliers of goods under hire-purchase to limit their sales and to make it more difficult for persons to enter into agreements. Some of them have intimated that in future they will demand a 15 per cent deposit on goods. I congratulate the *Advertiser* on the publication of a cartoon which clearly illustrated how that barrier could be overcome. It showed a hire-purchase firm with a credit department. A salesman was directing a potential purchaser to the credit department where he could obtain the 15 per cent deposit necessary on the article he desired to buy. If this Bill is not passed the present situation will continue and people will still enter the present hire-purchase trap.

Clause 4 sets out the vital parts of this Bill. It makes it necessary for a written copy of the agreement to be supplied to the purchaser and the cash price of the goods and the value of the deposit paid by the purchaser to be clearly stated on it. We realize that there must be additional charges in respect of hire-purchase and the clause provides for accommodation charges and insurance but makes it necessary for the seller to show the interest rate charged. This will enable a purchaser to know what he is bound to pay and is fair to both parties. It will not affect the legitimate trader who is providing a service to the community, but will deter those traders who are bringing the system into disrepute because of high interest rates.

Another important provision is that both the purchaser and his spouse must sign the agreement or a statutory declaration must be provided by the purchaser to the effect that he or she is not married or is separated by order of the court from his or her spouse. Some objection has been raised to this provision, but under it both parties will give more consideration to entering into an agreement if they are both forced to accept responsibility. A husband will not be able to disclaim responsibility for an agreement his wife enters into. Under the proposal, if he has a scrap of manliness he will accept the responsibility he enters into with his wife. I am amazed that opposition should be raised by people who believe in the bicameral system of Government. They say it is all right for legislation for the benefit of State, but why not have it when it comes to a man and his wife entering into a hire purchase agreement? There should be no objection to a man and his wife discussing the matter before making a purchase. The Bill is desirable and I commend it to members.

Mr. JENNINGS (Prospect)—This matter has been fairly fully debated and I do not intend to speak at length, but since the Premier spoke on the Bill there have been some rather startling developments in the field of hire purchase through Commonwealth Government-inspired action. Mr. O'Halloran made it clear that it is not the intention of the Labor Party to try to restrict hire purchase business. All we want to do is to protect the purchaser, which is an important aspect of hire purchase. The Premier said the proposal would curb hire purchase trading, and consequently he opposed it. Shortly after that time the Commonwealth Prime Minister, who is a member of the same political Party as the Premier, called into conference executives of the hire purchase firms and asked them to curb their trading in the interest of the nation's economy. We see an amazing inconsistency on the part of the two Liberal leaders. One opposes this Bill ostensibly on the grounds that it curbs hire purchase trading, and the other calls a conference and pleads with the executives of hire purchase firms to curb their trading in the interests of the nation. Both the Prime Minister and the Premier are not so much at variance on this matter, but the Premier had to find an excuse for opposing the Bill. He really opposed it because it prevents to some slight extent hire purchase firms from exploiting purchasers. The Bill seeks to protect them, and that is why it does not suit the interests of the Government Party.

We heard a remarkable argument about this Bill being a violation of the sanctity of marriage because it requires both the husband and wife to be signatories to a hire purchase agreement. I cannot believe the argument was put forward seriously. I represent about 25,000 people, and not one week passes without

either a husband or a wife approaching me about some hire purchase business that one has entered into without the knowledge of the other, and has got into trouble in consequence. There is no desire to keep this matter hush-hush. Recently in this House I referred to a case where a wife signed an agreement for the purchase of goods but immediately thought better of it and told her husband when he got home from work. Both of them approached me for advice. They realized the purchase was made in haste. I do not think any married couple would take exception to getting the partner's signature to an agreement. The Premier's argument was only an excuse for opposing the Bill. He believes that it will act in a restrictive way against the people whom he serves in this House. The Bill does not attempt to fix an interest rate. It makes it clear, however, that there shall be a sliding scale of payments so that the purchaser will know what he is paying instead of having to pay a flat rate of interest as under the present nefarious system. Under it, at the last instalment payment the purchaser still has to pay interest on the whole amount borrowed, although 99 per cent of it has been repaid. The Bill does not go as far as hire purchase legislation in other States but it is an attempt to bring sanity to a system that is now getting out of hand in Australia.

Mr. TAPPING (Semaphore)—I support the Bill and regret that, although many Labor members have spoken in support of it, only one Government member, the Premier, has spoken in opposition to it. It seems that other Government members have no sound argument to rebut the arguments of members on this side. That is most regrettable from the point of view of our Parliamentary system. The Bill contains two major points. One is that the husband and wife shall agree in connection with a contract for hire purchase business. The other sets out a formula to appear on the contract so that the purchasers will know what has to be paid during the period of the contract, and that should be acceptable to all members. It has been said by one Opposition member that if a married couple buy a house from the State Bank both must sign the contract. We ask for the same procedure to apply in connection with hire purchase business. For about 95 per cent of married couples in this State this may not be necessary but we must protect the weak, and I am convinced that about 5 per cent of the community needs protection.

Often a wife is prone to enter into any kind of contract. I have had experience of high pressure salesmen selling anything to anybody. I have had approaches from at least two men who worked for hire purchase companies and who said they were sometimes embarrassed because they had to persist in making the account greater and greater so that the husband and wife could not afford to pay it and repossession took place. We find commitments carried to such an extent sometimes that eventually the breaking point comes. It is all right whilst we have prosperity and the husband is working continuously, but he may fall ill; the income of the home is depleted, and then the trouble starts. The company making the finance available for the hire purchase can repossess, so it is safeguarded, but the purchaser loses the goods and the money paid in. It is the duty of Parliament to see that these things do not happen. Sometimes when the wife has committed the family to such an extent the husband has recourse to the divorce court, and the home is broken up. As Mr. Hutchens said, team work between the husband and wife is needed in connection with hire-purchase business. We must help the weak. In his opposition to the Bill the Premier said he did not believe in the contract being signed by the husband and wife and that there was no need to intrudc into a family's affairs in that way. I pointed out earlier that it is necessary for the marriage partners to work together, and that is all we want.

Mr. Fred Walsh—He did not say he would support the Bill if that were deleted.

Mr. TAPPING—No. The formula sets out the cost of the goods purchased and the periodical payments, so that the persons making the contract will know the position. I have had the displeasure of perusing some of the contracts submitted by hire-purchase firms and with my average knowledge I found it difficult to decide when the contract terminated. Here again the Labor Party has moved to make it abundantly clear that the contract will be beyond any doubt, but even that has been opposed by the Premier, who said that there was too much rigmarole. That word could never apply in this case because there is no rigmarole about a document setting out in black and white the conditions of the contract and when the term is completed. This Bill does not seek to regulate the interest rate, but to provide that it shall be made known to the purchaser. The Prime Minister of Australia realizes that hire-purchase needs some control. In the *Advertiser*

of September 29 appeared an article headed, "Sydney Hire-Purchase Corporation to Open Here." There must be good business here, for the firms are all coming here for their cut. The article set out the following:—

Consolidated Finance Corporation Ltd., Sydney, planned to extend activities to Adelaide, Wollongong and Newcastle, the chairman (Mr. B. Rainsford) said in Sydney yesterday. Resources available within the terms of the recent agreement with the Prime Minister in Canberra were adequate for present purposes, Mr. Rainsford said. The overdraft of £1.7m. had been reduced by £300,000 since June.

The reduction of the overdraft by such a large amount in three months proves beyond any doubt that this company, like the others, is making too great a profit too quickly. This legislation will provide a means of curbing excessive profits. I could quote the balance-sheets of other companies operating throughout the Commonwealth with exactly the same results. It is quite evident that some of the people taking part in hire-purchase transactions are concerned about the move by the State Labor Party, and also by the Federal Treasurer, to curtail hire-purchase. Sir Arthur Fadden claims that it is a form of inflation, and I suppose if it is overdone it must be so. I received a letter dated September 23 from David Murray & Company in which were set out extracts from letters the company had sent to Sir Arthur Fadden regarding the desire of the Federal Government to restrict hire-purchase. One of those extracts is:—

No doubt the primary view taken by your economic advisers is that hire-purchase is inflationary. At first sight it appears so, but from practical day to day experience of competing for weekly hire-purchase and time-payment instalments we are convinced that it is not. We regard as our greatest competitors, not other appliance dealers, but the liquor, tobacco, gambling and entertainment industry.

There is a vast difference between the attitude of the hire-purchase companies and that of the people concerned in the sale of liquor and gambling. Hire-purchase salesmen who must obtain business go around pitching hard luck stories to women, eventually doing business with them but tobacco sellers, bookmakers and publicans do not ask the people to do business with them. This firm must be very weak to put forward an argument of that nature.

Mr. Macgillivray—The Commonwealth Government gets a lot of revenue from those sources.

Mr. TAPPING—It would be hard to estimate the amount that goes to the Federal coffers from them, helping to pay pensions and other social benefits. Later in the letter the following extract appears:—

Curtailing instalment selling will not mean that the money is diverted into Savings Banks or Commonwealth Loans, but that the breweries, bookmakers, cinema owners and the like will get a bigger take.

People have gambled from the commencement of time, but the Savings Bank deposits have reached a high level. The arguments used by the company are very weak and show that hire-purchase is so remunerative that that firm will do anything to keep its business, and go on selling people goods that in some cases they do not require.

I agree with the Leader that "although a good servant, hire-purchase can be a bad master." Even the Premier, the only one who has opposed the Bill, agreed with that statement.

Mr. Macgillivray—Do you agree with the Prime Minister on this matter?

Mr. TAPPING—If he or the Federal Treasurer says something that agrees with Labor ideals, I will agree with them. Hire-purchase can be good, but it is bad if overdone. I admit that it is essential and is a part of our way of life. I am not too proud to admit that when I was married I had only £50 in the bank, and although this was a good sum in those days, I was bound to resort to hire-purchase to obtain household goods. People who are on the bottom rungs are able to get something for their household because of hire purchase, and this Bill does not stop them.

Mr. O'Halloran—All it does is to provide necessary protection.

Mr. TAPPING—Yes. A number of members on this side have supported the Bill, and as they have used very excellent points to which I subscribe, I will say no more except that I support the Bill.

Mr. FRANK WALSH secured the adjournment of the debate.

CONSTITUTION ACT AMENDMENT (LEGISLATIVE COUNCIL FRANCHISE) BILL.

Adjourned debate on second reading.

(Continued from August 31. Page 697.)

Mr. FRANK WALSH—I support the second reading of this Bill, which is broadly to abolish the property qualifications for voters and the age limit for candidates for the Legislative Council. It provides for a universal franchise similar to that applying to elections for the Federal Parliament. It is entirely wrong that

a candidate for the Legislative Council must be over the age of 30 when the Commonwealth Constitution provides an age limit of only 21. I believe that should be the approach here, as we have a bi-cameral system of government.

Members of this House, like those of all other Parliaments, are invited to attend naturalization ceremonies and have to explain the limited franchise operating in this State for the Legislative Council. It is now customary at the ceremony to provide enrolment cards, which are in most cases completed after the ceremony. The new citizens then know that they are entitled to vote in the House of Representatives, the Senate and the State House of Assembly. They often ask why there is a property qualification for voting for the Legislative Council when an adult franchise operates for both Federal Houses. They are asked to complete cards disclosing property qualifications, and it is difficult to tell them why that is necessary. We have encouraged these people to make their homes here and have paraded the liberties that exist in this Commonwealth of Australia, but when they find that some additional qualification is necessary to give them the right to vote for the Legislative Council it is very difficult to explain to them the reason for it. I suppose I shall be only one of a number of members who, in the course of the next few weeks, will be offering some explanation of our Constitution to large numbers of primary school children who, as the conclusion of one's remarks, often ask some pertinent questions; for example, "Why is it necessary to have an additional qualification to be eligible to vote for the Legislative Council, or to be a candidate for election?", and it is not easy to satisfy their curiosity. We should ask ourselves whether the property qualification is of more importance than citizenship, and I think the question automatically answers itself. When it comes to the question of defending this country in times of emergency those of 18 years of age and upwards are certainly eligible, and if we carry this to its logical conclusion we must see that citizenship is of paramount importance in all circumstances.

From observation one gathers the impression that, because of the age of some members in the Legislative Council, walking sticks become most fashionable; I know of instances when two have been found necessary, but whether that results in an improvement of the legislation in this State is another matter. I do not complain of the six-year term for Legislative Council members as compared with the three-year term for the House of Assembly, but from time to time—although it has not occurred for over 20 years—measures forwarded from the House of Assembly are rejected in the Legislative Council. Because of this it was necessary to provide in our Standing Orders for conferences between the two Houses. Should there be a change of Government next year—as the Opposition would desire—we can expect that the Government will submit legislation that the Legislative Council may, under the present limited franchise, reject, thereby preventing the will of the people from being put into effect. The Opposition has introduced this legislation believing that it is in the interests of the country and that it will be more easy to explain our Constitution to those new people who are so delighted to adopt this country as their new home. I commend the Bill to members and support the second reading.

Mr. STEPHENS secured the adjournment of the debate.

CONSTITUTION ACT AMENDMENT BILL (ELECTORAL BOUNDARIES).

Returned from the Legislative Council without amendment.

FRUIT FLY ACT AMENDMENT BILL.

Returned from the Legislative Council without amendment.

TOWN PLANNING ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 11. Page 1047.)

Mr. FRED WALSH (Thebarton)—I support the Bill. Although it does not contain all that I would like to see in a measure of this description, nevertheless it has considerable merit. I believe the provision for the preparation and adoption of a plan for the proper development of the metropolitan area and the control of subdivisions of land into building allotments is sound, although, one must confess, somewhat belated. I hope that the committee to be set up to deal with subdivisions will consist of men possessing reasonable knowledge of town planning. The Town Planner has been referred to in this debate and, for the edification of those who have mentioned him, I would like to quote a few extracts from a book by George A. Taylor, entitled *Town Planning for Australia*. This is what he says about the town planner:—

The mission of the town planner must be inspired by imagination. The town planner is

not an architect in the sense that he is a designer of structures. He is not an engineer in the manner of the men who throw great steel links across ravines, though he knows well where and how water can be best conserved for drinking or for ornamental purposes. He knows where a bridge should be artistically and comfortably placed across certain ways, though he may not be so concerned in the stresses and strains it needs to serve in its individual construction. He knows enough of architecture to judge how certain buildings would look, if the ground were properly planned. He is sufficiently aware of the principles and practices of surveying to know how a road would look and be useful if running in a particular direction to suit his scheme and the general character of the landscape; and he knows a very great deal about sanitation and what hygienic requirements to provide for healthful conditions of home surroundings for the men, women and children who must live in the city that will develop from his plan. The town planner must be a man of imagination; the man who looks up from his drawing board and peers into the centuries; the practical idealist with a heart for the people who must live on the site; the man whose study is not so much concrete and stone, as ideal conditions of human life; the man to give the city dwellers a fighting chance for clean bodies and clean souls.

I agree that they are the qualifications that a competent town planner should have. I understand that under the Bill all plans for subdivisions will have to be approved by the committee and the council concerned. Such approval would not be given if the committee was not satisfied that the land would not be subject to inundation by drainage or floodwaters or that it could not be effectively drained, or that the land would not be subdivided for the purposes specified or that there was not sufficient provision for shopping sites. Because of our past neglect to preserve and maintain public reserves we are now in a sorry position in the metropolitan area. Some of us can remember the beautiful estates that we once had. One at Fulham Park was owned by the Blackler family. Sir Thomas Elder had a beautiful estate at Morphettville, and perhaps the most beautiful of all was that owned by the Crozier family at Oaklands. That changed hands on a couple of occasions, but it has now been built upon by the Housing Trust. There may have been others, but those three beautiful estates would have made magnificent reserves and provided wonderful recreation areas if they had been preserved.

Some members may not like the provision that a subdivider will have to lay out roadways or arrange for the council to do the work at his expense, but this makes special appeal to me. I would like a further provision about kerbing. In the past we have seen vast areas subdivided and roads cut through them so as to provide as many housing allotments as possible, but good roads were not constructed. As a result the people who purchased or rented those homes did not have decent roads for many years. Some houses built 30 years ago still have no kerbing in front of them. That state of affairs should not be allowed to continue. I know it is the responsibility of councils to provide roads and kerbings under the Local Government Act, under which they can charge up to 10s. a foot to the property owner for roads, footpaths and kerbing, but what sort of work can be provided at that price? Through lack of finance many councils are unable to provide adequate kerbing. Many suburban councils are sorely pressed because of the extensive development in their areas. Perhaps the West Torrens council has been affected more than any other because of the vast areas in its municipality that are owned by Commonwealth or State departments. They are non-ratable properties, and the time must come when these Governments will have to consider paying some form of rating on them. In the West Torrens municipality there is the Adelaide Airport, and everyone knows the vast area it occupies. The railways have a considerable frontage in both Thebarton and West Torrens municipalities, and the Lands and Mines Departments have considerable property in the Thebarton district.

Some compensation must be given to councils if they are to do the job expected of them by their ratepayers. If they are not adequately recompensed by the Government they have to borrow money to carry out their works, but I question the moral right of any council to commit people of future generations who have no say in how money is to be borrowed or spent, for the people of the future will have to foot their share in the repayment of borrowed money. Unless what I have suggested is done we cannot expect any real beauty in the metropolitan area. From an aesthetic point of view the metropolitan area of no capital city in Australia is more lacking than that surrounding the city of Adelaide. The only way to assist councils to improve the position is as has been suggested by certain honourable members, particularly the member for Gawler, who referred to the Labor Party's policy respecting a Greater Adelaide. The provision of spaces for industrial and residential areas would be a suitable subject for consideration by the proposed committee. That is something worth while. Councils cannot be entirely relied upon

to enforce their decisions on such matters. One council may determine on a particular line of action, such as the provision of recreation grounds, and with a change of personnel after an election the original plans may be scrapped. That could not apply if this Bill were given effect to.

Mr. Shannon was rather critical of Mr. Clark's reference to a Greater Adelaide and mentioned that there was not a Greater London. That is true, but he must remember that the local boroughs there, which have similar functions to those of our councils here, have much wider powers. Apart from the provision of amenities and services, they also undertake home building, and some have even undertaken extensive operations in recent years to provide tenement buildings. I personally do not like the tenement homes, but the Housing Trust here is tending in that direction. I much prefer the individual home. The Premier said that transport facilities would have to be studied and also the question of main highways. What a pity such an authority as is now proposed was not set up some 25 or 30 years ago! Then we would have been in a better position to combat the actions of certain authorities closing some of our arterial roads. I have in mind particularly the position in the western suburbs and the closing of portion of the West Beach Road as a result of the construction of the Adelaide Airport. Plans have been made to widen the remainder by another seven feet. The road now goes only as far as the airport, whereas previously it extended to the seafront. No official protest was made, although certain people, including myself, did protest, but it was like a child crying in the wilderness. As a result the Tapley's Hill Road is also likely to be closed, although perhaps in the distant future. The Commonwealth Civil Aviation Department has plans to close the roadway in order to extend the airport runway in that direction.

Mr. Shannon referred to the Government's action in setting aside a large area near West Beach for a national reserve. We must all be pleased that this area is to be used for that purpose, but it is regrettable that the Henley and Grange Council, whose boundary joins the new reserve area, did not come into the scheme, for reasons best known to itself, possibly owing to finance. It is a pretty serious undertaking for councils to do what the Glenelg and West Torrens Councils have agreed to do and provide a certain amount of money for the development of this national reserve. I feel that the expense should not be a charge upon the local councils, but should be borne entirely by the State, because it is the State as a whole which will benefit. The people who reside in the municipalities affected will probably not use the reserve much, particularly as it is intended to provide motels and ovals. It is people from outside who will benefit most, therefore why should the ratepayers of these three councils be called upon to meet the whole expense to provide such conveniences? We should not give the Government too much credit for the provision of this area. The fact has been lost sight of by many members that it was not so generous as it might appear. Originally a considerable area at West Beach, almost adjacent to the seafront and extending from the West Beach Road to the Glenelg golf links, was purchased by the Housing Trust with the object of erecting houses. When the Commonwealth Government indicated that it might use certain adjacent land to build a runway at a later date the trust abandoned its home building programme in that area and the Government was left with the land on its hands. It was then decided to set aside the area for recreational purposes. I introduced to the Premier a deputation from the Henley and Grange Council, which asked that land be acquired to the north of West Beach Road and adjacent to the esplanade for the purpose of making a reserve, and from that meeting the proposal for a national reserve emerged.

It has been said some councils are not interested in town planning merely because their areas have been fully developed, but surely all councils are concerned with improving the present layout in order to meet present and possible future conditions. I am inclined to agree with the member for Onkaparinga (Mr. Shannon) that there should be a more definite delineation of the area to which the Town Planning Committee shall apply itself, and in this connection consideration should be given to possible future trends. I expect that the new town near Salisbury will ultimately become part of the metropolitan area because it is only nine or ten miles from the city. The member for Torrens (Mr. Travers) said that under the Bill the whole of the State could be declared the metropolitan area, but I think that, in suggesting that, he was ridiculing the Bill, a thing he usually does not do unless he has some motive. Subsequent Parliaments could consider circumstances operating at the time and alter the metropolitan area in the light of those circumstances. No-one can today forecast with

any certainty conditions 50 years hence, therefore we should be able to leave that matter safely in the hands of posterity.

I agree that reserves should be provided. Parks, gardens and tree-lined streets are a feature of the older European capitals. Before the war Berlin was one of the most beautiful cities in the world with its almost unlimited statuary, parks and gardens, and, although some of these were unfortunately destroyed by bombing during the war, many parks, gardens and artificial lakes have been built in the last few years, using much of the rubble left by the bombing. Although I was told in 1947 that it would take 30 years to remove all the rubble, much of it is being usefully used today; yet we in South Australia say it is impossible to remove a few small sandhills in some localities. Paris has many parks and gardens and members who were there during the first world war will remember the miles of tree-lined roads running from one provincial town to another. On one occasion the Germans in retreating, cut down the trees two or three feet from the ground along the length of the road but the trees have been replanted and are growing well.

Mr. Teusner—The Postmaster-General's Department cuts down our trees.

Mr. FRED WALSH—Yes, and puts them up in suburban streets to carry telephone lines. Members who have not visited London cannot conceive the excellent parks and gardens in the heart of that city. For instance, James Park, Hyde Park and Kensington Park are a few of the parks stretching for miles. Not far distant is Regent's Park, and when one reaches the outer suburbs there are such places as the commons that have never been built on. There are perhaps cricket pitches, but the areas have been preserved in their natural state. About 25 miles from the heart of the city is Epping Forest in which a person could be lost. It has been built all around, but there has been no attempt to change it from its virgin state. In ancient Rome there are large areas of parks and gardens and the same applies to many other cities.

No country had better opportunities for town planning of its cities than Australia, but that planning has been tragically neglected. It is to Melbourne's credit that it has attempted to reconstruct the suburbs and build arterial roads, but we have attempted nothing in Adelaide. The member for Onkaparinga said he would shudder to think what Colonel Light would say if he returned to Adelaide and saw the mess we had made of his plans for the city. I hope particular consideration will be given to the personnel of the committee to be appointed. I agree that the town planner should be the chairman and that there should be representatives of the local governing bodies, but there should also be representatives of the people generally. All members of the committee should have the necessary qualifications to enable them to satisfactorily perform the duties required. I have pleasure in supporting the second reading.

Mr. FRANK WALSH secured the adjournment of the debate.

ADJOURNMENT.

At 5.34 p.m. the House adjourned until Thursday, October 13, at 2 p.m.