HOUSE OF ASSEMBLY.

Wednesday, November 23, 1955.

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

APPROPRIATION (GRASSHOPPER DESTRUCTION) BILL.

His Excellency the Governor, by message, recommended the House to make appropriation of the sum set forth in the accompanying Supplementary Estimates of Expenditure by the Government during the year ending June 30, 1956.

WOODLANDS PARK TO TONSLEY RAILWAY BILL.

His Excellency the Governor, by message, recommended to the House the appropriation of such amounts from the Loan Fund as were required for the purposes mentioned in the Bill.

LAND AGENTS BILL.

His Excellency the Governor, by message, recommended to the House the appropriation of such amounts of the general revenue of the State as were required for the purposes mentioned in clause 72 of the Bill.

PERSONAL EXPLANATION—MARRYATVILLE SCHOOL.

Mr. DUNSTAN—I ask leave to make a personal explanation.

Leave granted.

Mr. DUNSTAN—A statement attributed to me appeared in the *Sunday Advertiser* of November 20 with reference to a proposal to demolish some homes in my district in Dankel Avenue and Shipster's Road, Kensington. The following appeared:—

He said he had tried in vain to persuade the department not to demolish homes in Dankel Avenue and Shipster's Road, Kensington, for a new Marryatville infant school.

I regret that that was published because I did not say that, nor does it represent the position at all. I did not approach the department on that particular point; I approached the Minister on another point entirely. I have taken this matter up with the reporter concerned and ascertained that the error arose in the sub-editing of a statement he submitted, which unfortunately altered the purport of my remarks.

QUESTIONS.

STATE ELECTION.

Mr. GEOFFREY CLARKE—I ask the Premier whether there was any particular significance in his passing reference at Port Pirie yesterday to the part the press may play in a coming event to be held in March next?

The Hon. T. PLAYFORD—I have no doubt that the honourable member refers to the next State election. I do not know what part the press will play in that, though I hope it will be very wise in that connection. If the honourable member wants to know whether it has been decided to hold the elections in March, I inform him that no such decision has been made.

TONSLEY SPUR RAILWAY LINE.

Mr. FRANK WALSH—I have received a letter dated November 23, 1955, from the Minister of Railways, which states:—

As you are aware, the Public Works Committee has now recommended the adoption of alternative route known as route No. 4 for the new rail spur line to Tonsley. The new route involves the demolition of only one home and I think you will agree is an excellent compromise at a slightly increased cost, and also avoids the partition of many existing homes and gardens. You may inform the resident of the house involved that I am taking all possible steps to see that a suitable home will be available for her before she is asked to move out. The necessary Bill will be introduced into Parliament to cover this action today and I have, as a courtesy, also notified the Marion council regarding the matter.

In reply to my queston of September 6 on the matter the Minister of Works representing the Minister of Railways, said:—

Should compulsory acquisition be necessary the affected person may dispose of the whole of his interest if he wishes to do so, and naturally the Commissioner will view the individual problems as reasonably as is possible.

Can the Premier say whether it is the Government's intention to abide by that reply in regard to route No. 4?

The Hon. T. PLAYFORD—The Government is bound by certain laws that lay down the terms under which compulsory acquisition may take place, the method of determining the price to be paid for the property, and so forth. The Government has found from experience that where the severance of a property is involved the persons who fix the price consider it to be a grave inconvenience and usually place a fairly heavy amount against it. Therefore from a policy point of view the Government does not

normally require severance when it wishes to acquire a building block. It would rather acquire the whole block than only a portion, which would leave the owner with a part with little residual value to him. Therefore, where a building block would be involved the policy of the Government would be to treat for the purchase of the whole block rather than a portion.

HOUSING FINANCE.

Mr. QUIRKE—From time to time in this House I have evidenced my concern in relation to finance being made available for the building of houses, and I am deeply concerned about the sense of frustration among young people today because of their inability to obtain the necessary finance to build homes. Yesterday's *News* contained the following report under the heading "New Bill on Housing Commended":—

> The recent Bill introduced in Victoria by the Premier, Mr. Bolte, to assist young couples, was a great advantage to home purchasing, Mr. Hylton H. Hayes said today. Mr. Hayes is president of the Real Estate Institute of S.A. Under this Bill, young couples will be required to raise only £150 on a £3,000 home, and £225 on a £4,500 home, Mr. Hayes said.

Those conditions are extremely good, especially compared with those operating in this State. I ask the Treasurer, if it is possible to provide such conditions in Victoria, why is it not possible in South Australia?

The Hon. T. PLAYFORD—It would be possible to provide the same conditions for loans in this State; Victoria would not have a monopoly of such legislation, for we could pass similar legislation this afternoon.

Mr Macgillivray—Why don't you?

The Hon. T. PLAYFORD—Through the Loan Council a limited sum is available to every State, and if we give greater advantages to some people it means less advantages all round because the sum will be spread over a smaller field. Victoria received a share of loan money not quite as adequate as South Australia's, but even with the amount we are providing for home building and even under the £1,750 maximum provided by our legislation we still have more applications than we can finance. If we increased the amount we would automatically eliminate many applicants from consideration, and I think the member for Stanley would regard that as a retrograde step to give a great advantage to one at the expense of another.

Mr. Riches—Do you suggest that many people in Victoria will not be able to get anything?

The Hon. T. PLAYFORD—I go further. I say that the legislation referred to will be of interest only as a legislative enactment and nothing more. I know the financial position in Victoria as I know the position here. Victoria has not, at present, the money to provide the finance for homes on the scale mentioned, unless the number of houses financed under the scheme will be so small as to be negligible. If the Victorian Government or anyone else desires to contradict that statement I shall still be here tomorrow to hear about it. In South Australia we are trying to spread the money available to finance housing over as many persons as possible rather than to give a big benefit to one person and to eliminate others from consideration.

Mr. QUIRKE—The Premier said that £1,750 was the maximum advance under the Advances for Homes Act in South Australia. That would mean that an applicant for a home would have to provide £1,250 towards a £3,000 home. It is not probable that many young people have that amount and it is highly improbable that they will have it in the near future. As there are many young couples with young children requiring homes who would gladly undertake the building of their own homes if finance were available, will the Premier ascertain whether they should have a priority in securing advances?

The Hon. T. PLAYFORD—The Housing Trust affords a considerable amount of relief by providing second mortgages to applicants who are able to provide reasonable deposits. When an applicant is a returned soldier, the trust provides sufficient finance for house purchase even where the applicant has not been able to receive approval from the War Service Homes Commission to have the money paid over to the trust. At all times there is a delay in receiving money from the War Service Homes Commission. The Government is endeavouring to meet the housing situation to the best of its ability, but the proportion of people desiring to buy homes in South Australia is much higher than in any other State. In some States there are no facilities for home purchase, and only rental schemes are provided. Within the limits of our financial resources we are providing homes for persons willing to shoulder the responsibility of home ownership, which we believe to be desirable.

Mr. MACGILLIVRAY—The Premier referred to returned soldiers. Will the Premier check on the suggestion that although the Commonwealth Government has provided £30,000,000

for home building, only £2,500,000 has been expended?

The Hon. T. PLAYFORD—An amount of £30,000,000 was made available from the Loan Council to the respective States under the Commonwealth-State Housing Agreement. The Commonwealth Government is entitled to a share of the money raised by the Loan Council and its share has been allocated to meet its obligations under the agreement. Each State, with the exception of Tasmania which does not operate under the scheme, has received its proportion of the £30,000,000.

Mr. Macgillivray—Has that money been spent?

The Hon. T. PLAYFORD—I cannot speak for all States but I know that in Western Australia no further contracts are being let because they have overspent their proportion. Apart from the money we have received under the agreement, a private loan has been obtained from the Savings Bank. Every State Housing Minister with whom I have conferred has expressed the view that the money available is insufficient. There is certainly no truth in the suggestion that only £2,500,000 has been spent.

SULPHURIC ACID SUPPLIES.

Mr. TEUSNER—From an inspection of the Port Pirie uranium treatment plant yesterday it is apparent that a considerable quantity of sulphuric acid is necessary for the treatment of uranium concentrates there. Further, this chemical is of vital necessity for the production of superphosphate in this State. Can the Treasurer say whether the sulphuric acid being made from Nairne pyrites and also from other sources in this State is sufficient to meet South Australia's total requirements for these two purposes, or is its import still necessary?

The Hon. T. PLAYFORD—It is not now necessary to import sulphuric acid; as far as I know, the overall supply is sufficient to meet our requirements, although I believe there is still some shortage in regard to Eyre Peninsula and that last year superphosphate had to be taken to the peninsula from the mainland. Overall, however, the sulphuric acid required for the production of uranium is not being taken at the expense of superphosphate production.

DIRTY WATER AT SALISBURY.

Mr. JOHN CLARK—I have recently been approached by a number of residents of Salisbury and district with complaints about the dirtiness of their water supply. The residents realize that this may have been due earlier to the winter rains, but they inform me that the position has continued for many weeks and that, if a glass of water is allowed to stand, much sediment forms. Has the Minister of Works a report on this matter, and if not, will he obtain one?

The Hon. M. McINTOSH—Speaking generally, every person in the metropolitan area who receives water from a reservoir should receive water of the same quality; therefore the condition mentioned must be local. Indeed, very often the main fault has been found, on analysis, to be in an internal piping system that has corroded. If the member for Gawler will let me know the streets involved—

Mr. John Clark—It is pretty general.

The Hon. M. McINTOSH—Then it is general only because residents are getting such a flow of water, owing to extra pressures, that the encrustations of rust in the pipes are being cleared out. They are getting an iron tonic that would cost them 3s. 6d. a bottle at a chemist's shop.

OIL REFINERY.

Mr. RICHES—My question follows on an answer given by the Treasurer to a question last week by the member for Port Adelaide concerning negotiations that are taking place to establish an oil refinery at Port Adelaide. I understand that a site has been selected and that the Premier anticipates some development within the month. Can he indicate what effect, if any, the establishment of an oil refinery will have upon the production and use of Leigh Creek coal delivered at Port Adelaide or elsewhere?

The Hon. T. PLAYFORD—An oil refinery would undoubtedly provide, apart from refined oils, a fairly heavy tonnage of residual oil suitable for gas production and for electricity production at the Osborne A and B stations. If the Government's plans go according to schedule, it is proposed that the entire supply of Leigh Creek coal will be effectively used at Port Augusta, which will involve less rail cartage. There are no present plans to curtail the activities of Leigh Creek.

LARGS NORTH AND OSBORNE SEWERAGE.

Mr. TAPPING—Recently I asked the Minister of Works a question concerning the sewering of LeFevre Peninsula, particularly Largs North and Osborne. His reply was that

because only 368 houses were in the area it was not economic to install a sewerage system there. I forwarded that question and answer to the Port Adelaide council and have been informed that the Minister's information was incorrect. In a letter from the City Valuator of Port Adelaide the following appears:—

There are approximately 1,750 allotments in this area and at present there are approximately 1,240 homes thereon. Of this number approximately 500 are Housing Trust temporary homes. As well as the homes in the area, there is the Taperoo Education Department school which is being sewered at the moment, and a Roman Catholic school which could benefit from the sewer. Of the 12 principal industries in the areas only four are sewered. The remaining eight industries employ approximately 750 people.

In view of the disparity in the figures supplied by the Minister and what I claim are the real figures, will he reconsider the question of providing sewerage to that area?

The Hon. M. McINTOSH—I do not think that, on analysis, there would be any disparity in the figures because the letter refers to temporary homes, which I did not mention. I think they are served by septic tanks. I will investigate the points mentioned, and bring down a more detailed reply. I have yet to find anything wrong with information tendered to this House by the Engineer-in-Chief, Mr. Dridan.

SALT FOR URANIUM PLANT.

Mr. FRED WALSH—During our visit to the uranium treatment plant at Port Pirie yesterday, we were informed that about four or five tons of salt a day are used in the treatment process, and that it is carried privately by truck from its source to the plant. Will the Premier review that situation with a view to having it transported by rail?

The Hon. T. PLAYFORD—I believe the salt comes from a district not served by railways. I will have the matter examined and advise the honourable member in due course.

WALLAROO WATERSIDE WORKERS.

Mr. McALEES—I understand that a ship has been lying at anchor at Ardrossan since November 17, waiting for a cargo of grain not yet in the silos. Hundreds of waterside workers at Wallaroo are unemployed and receiving only attendance money. Had that ship come to Wallaroo where there are hundreds of thousands of bags of wheat it could have been loaded and on its way to New Zealand by now. Will the Premier investigate the matter with a view to providing some means of relief for the unemployed waterside workers at Wallaroo?

The Hon. T. PLAYFORD—I will have the matter examined and advise the honourable member in due course.

HAMPSTEAD PRIMARY SCHOOL.

Mr. JENNINGS—Will the Minister of Education obtain a report as to whether or not the new Hampstead primary school will be sufficiently completed for use at the beginning of the next school year, as he indicated when he wrote me on the subject some months ago?

The Hon. B. PATTINSON—I shall do so as soon as I can get reliable estimates from the contractor.

TEMPORARY HOMES FOR MOUNT GAMBIER.

Mr. FLETCHER—On occasions I have asked the Premier questions concerning the erection of temporary homes at Mount Gambier, but he has been opposed to the suggestion. I have received further requests for such homes and have forwarded them to the Premier. In view of those requests does he not consider it advisable to build temporary homes at Mount Gambier?

The Hon. T. PLAYFORD—The temporary homes scheme was entered into at a time when many people were living in distressed conditions and when ample money was provided by the Loan Council but we could not get the labour or materials to build permanent houses. We were able to import certain hardboards and materials of that type and with them erected some temporary homes, which I believe have been most useful. The position has now changed and we are able to use all the money available to us in permanent housing. The honourable member will appreciate that such housing over a period of years is much the sounder undertaking.

SOLDIER SETTLERS' LIABILITIES.

Mr. MACGILLIVRAY—The Premier will remember that from time to time I have brought up the matter of the liabilities of soldier settlers in irrigation areas, and, according to his own statement at a returned soldiers' conference early this year, there will be a good deal of satisfaction to everybody concerned when the settlers know the financial liabilities for which they are responsible. On October 18 I asked the Premier a question on notice about this matter and set out various aspects of the problem. He replied

that the Commonwealth Government was making certain inquiries about the stabilization of the dried fruits industry, etc., and that as soon as further information was available he would be glad to pass it on. We are now approaching the end of this session and if he is not in a position to reply to the question today will he bring down an authoritative statement tomorrow so that members will know how far the matter has gone?

The Hon. T. PLAYFORD—On my last visit to Canberra I took up the question, and two or three associated questions, with the Federal Minister, Mr. Kent Hughes, and I am pleased to be able to tell the honourable member that the Minister is coming to South Australia this week to discuss these matters with our Minister of Irrigation.

Mr. MACGILLIVRAY—Will the Minister provide members representing irrigation areas with copies of the conclusions that may be arrived at during those discussions?

The Hon. C. S. HINCKS—I will provide what information I can obtain from Mr. Kent Hughes.

LEIGH CREEK COAL FREIGHT RATE.

Mr. O'HALLORAN—It has been strongly rumoured in the northern areas, particularly in Quorn, that the Commonwealth Railways Department proposes to increase the freight rate on coal brought from Leigh Creek to Port Augusta for use in the power house there. Can the Premier say whether there is any foundation for the rumour and, if so, has he a statement to make on the possible effect on the production of electricity at Port Augusta?

The Hon. T. PLAYFORD—Some representations have been made on behalf of the Commonwealth Government to this State over a period for a drastic revision of the freight rate for Leigh Creek coal. I have taken up the matter personally with the Prime Minister and pointed out that any material alteration in Leigh Creek coal charges would alter the whole set-up so far as electricity supplies in this State are concerned, and probably be very disastrous to development at both Leigh Creek and Port Augusta. I approached the Prime Minister last week pointing out that the field was opened under a direct agreement with the Commonwealth Government that there would be a stable rate for the cartage of the coal because the economics of the field directly depended on it. The Prime Minister advised me that he would take up the matter promptly with the new Commonwealth Minister in charge of railways (Senator Paltridge), and advise me on the matter this week. Incidentally, some important contracts are held up pending a decision on this matter, because the Electricity Trust takes the view, I think correctly, that its function is to provide electricity to consumers at a reasonable price, and that it could not enter into a proposition where charges could materially alter from day to day. I will advise the honourable member as soon as I get further information on the matter.

MARRYATVILLE SCHOOL.

Mr. GEOFFREY CLARKE—Following on the personal explanation by the member for Norwood (Mr. Dunstan), and the publicity given in the week-end press to statements about the Marryatville school, would the Minister of Education make a statement to clear up some of the misunderstanding that has arisen about this matter?

The Hon. B. PATTINSON—Because of the inaccurate and misleading statements that have appeared, and also because Mr. Dunstan courteously sent me a message late this morning that he proposed to make a personal explanation, I prepared a statement in anticipation of a question. I was pleased to hear Mr. Dunstan's personal explanation because the statements attributed to him, in my opinion, did him and his electorate a great disservice. As the member for Burnside will remember, he and the committee of the Marryatville primary school (which faces Kensington Road) requested me by correspondence, discussions and deputations to purchase for additional playing space for the school children two acres of land adjacent to the rear of the school grounds which formed part of the garden of a private householder living on the corner of Godfrey Terrace and Tusmore Avenue, Leabrook. From reports by the Director and the Deputy Director of Education, and my own personal observations of the children playing at recess time, I was satisfied that this school with a present enrolment of just over 600 had existing playground space more generous than that in a number of other metropolitan schools with greater enrolments. A creek (Second Creek) runs through the two acres of land which is irregular in levels. The Architect-in-Chief advised that it would cost over £3,500 to fill in and level it. However, I inspected it with the honourable member and was favourably disposed to its purchase, but the owner refused to sell, stating that he required it

for future use by himself and his two sons. I was advised that the Government could acquire it compulsorily only at prohibitive cost.

Subsequently the owner subdivided his land into several small building allotments and arranged to sell them by public auction. He offered me the two acres, consisting of 11 allotments, for about £17,500. With £3,500 for filling and levelling, the total cost would have been £21,000, and I declined the offer. However, at the request of the committee, I submitted the proposal to Cabinet, which, in my opinion, rightly rejected it. Last Saturday 10 of the 11 blocks realized £14,580 at auction. The twelfth and largest block was passed in at the reserve of £1,500, but the auctioneers expect to sell it soon by private treaty. Therefore, the total sale price will be £16,000. With £3,500 for filling and grading, the total cost will be nearly £20,000. In my opinion, with the greatest respect to the school committee, £10,000 an acre for a suburban school playground is a prohibitive price. In the meantime a census of the children attending the school revealed that nearly two-thirds lived on the north side of Kensington Road in the electorate of Norwood represented by Mr. Dunstan. It was recommended to me that the steady growth of the school population, particularly from the northern side of Kensington Road, would justify the contruction in the future of a separate infant department on land owned by the department in Shipster's Road and that initial steps should be taken to prepare preliminary plans for this proposed school.

From personal inspections in company with the Director and the Deputy Director and from independent advice I was satisfied that a modern school with adequate facilities and amenities could be erected on this site without encroaching on adjoining properties. However, by their public statements, the school committee and Mr. Dunstan appear to strenuously oppose the proposal. As they presumably represent public opinion in the Kensington district, and as I am already committed to a heavy building programme of more urgent works, I have simply deleted this work from my proposed programme. However, in view of Mr. Dunstan's personal explanation and anticipating that further representations may now be made to me, I shall be prepared to reconsider my decision as soon as I am able to provide the residents of Kensington with a modern and commodious infant school, with all the facilities and amenities that are required, on the land owned by the Education Department without in any way encroaching on any neighbouring property.

Mr. DUNSTAN—My information is that the area that the school committee asked the Education Department to purchase did not cover the whole 11 blocks, the prices of which the Minister has quoted, but only part thereof. Did the Minister seek a price other than that of the Architect-in-Chief for filling, for filling for other schools in my district has been done cheaply by private contractors? Further, did the Minister inform the school committee, either directly or through the member for Burnside, that the proposal to erect an infant school at Kensington would include the compulsory acquisition of adjoining properties and the demolition of houses thereon? My information from the school committee was that that was part of the proposal. If that is incorrect, will the Minister please correct me?

The Hon. B. PATTINSON—I shall be pleased to comply with that request and correct the honourable member again as I have done in the past and hope to do in the future. The request by the committee was for the purchase of two acres. Secondly, I obtained advice additional to that of the Architect-in-Chief, and it was to the effect that it would cost much more than £3,529 as estimated by the Architect-in-Chief. Thirdly, I did not write a letter to the member for Burnside stating that I was considering the compulsory acquisition of eight houses. In fact, I have never considered the compulsory acquisition of either eight houses or one house, and have repeatedly stated that, if the electors of Norwood or Kensington desire a modern infant school with these facilities and amenities, there is ample room for one on land the Education Department has owned for many years.

KAROONDA WATER SCHEME.

Mr. STOTT—A water supply for Karoonda was promised, and I believe the opening date was set at November 18. I understand there has been some hold up in regard to the motor, and local residents are most concerned because the summer is almost here. The scheme was promised over 12 months ago, but it has been delayed because of the breakdown of equipment, and I ask the Minister of Works whether he will see whether a temporary motor can be installed so that residents will get water by Christmas?

The Hon. M. McINTOSH—This matter has not come under my immediate notice, and I take it there has not been any major breakdown, but I will follow up the question.

WHEAT HANDLING LICENCES.

Mr. BROOKMAN—In his reply to me last Thursday, the Minister of Agriculture stated a case for the right of the bulk handling company to handle bagged wheat. I did not contest that, but I asked why the company should have the exclusive rights. The Minister, too, in his second reading explanation of the legislation, said that he was against the company having the exclusive rights. Later it was amended in another place to further safeguard the established receivers of bagged wheat. I have read section 33 more than once, and I ask the Minister now where he reads into it that other receivers were to operate only until the bulk handling company was ready. This is a matter of considerable importance. In New South Wales, which has a Labor Government, in the last few years there has been an average of over 5,000,000 bushels of wheat a year handled in bags by licensed receivers, who have nothing to do with the bulk handling company.

The Hon. A. W. CHRISTIAN—New South Wales has not yet a complete system of bulk handling to cater for all receivals, and it has mills in certain country centres that receive bagged wheat (and pay a premium on it) so that they may have it for gristing. Under our bulk handling legislation the Wheat Board controls the issue of licences to receivers. On my representations the board has seen fit not to issue further licences to the merchants who receive bagged wheat at Ardrossan because it recognizes that if we duplicate or overlap the receival of grain at that centre, or at any other centre where bulk installations are established, it will mean a double charge to the wheatgrower for the wheat handled. I believe the wheat industry would not be able to carry a double charge because at Ardrossan, or at any other centres, if there were any receival of bagged wheat it would only be an overflow portion of wheat delivered that could not be immediately accommodated in the bin. It would have to be transferred into the bin before being shipped away either to the terminal port or wherever it may be required, so on the grounds of economy and service I believe it is right that where our legislation provides for it the bulk handling company should be empowered to receive wheat at those places where it is licensed to receive it by the Wheat Board and where common sense dictates that it should receive it.

PRICE OF SUPERPHOSPHATE.

Mr. WHITE—Recently the price of superphosphate was increased by 10s. a ton and some farmers believe that this has been brought about by the use of sulphuric acid which is being made from pyrites deposits at Nairne. Can the Premier say why the price has been increased?

The Hon. T. PLAYFORD—I think two or three items were involved. There have been some increases in salaries which so far the superphosphate companies have borne, and some of the increase was the result of the use of local pyrites and the sulphuric acid now being made at Port Pirie. However, with the restriction on our overseas funds it is essential that we manufacture sulphuric acid from our own resources because if further import restrictions are imposed we shall get back to the position that we will not have sufficient supplies of superphosphate. I believe the South Australian prices are the lowest in Australia, except for one other State, but I will get the figures for the honourable member and let him know precisely the reasons for the price adjustment.

BANKING BY SEMI-GOVERNMENTAL INSTITUTIONS.

Mr. QUIRKE—I have been informed that the Savings Bank of South Australia, in its outside banking, deals with the Bank of New South Wales and that the Electricity Trust deals with the Bank of Adelaide. Of course, those two institutions are free to choose their bankers, but there must be some reason why they do not bank with the State Bank of South Australia. Can the Premier give any explanation?

The Hon. T. PLAYFORD—The Electricity Trust banks with the Bank of Adelaide because, when the Government took over the business from the Adelaide Electric Supply Company Limited, it gave Parliament an assurance that outside persons or companies would not be adversely affected by the acquisition. The Government scrupulously honoured those promises: it employed all persons previously employed by the company in positions not less favourable than those they previously enjoyed; it took over all the debentures of the company and gave debenture holders the right to have their obligations

fulfilled; and it did not take away its account from the Bank of Adelaide where it had previously been. The Savings Bank is governed, under its Act, by a board of governors, who have a duty to conduct the bank in the interests not only of South Australia but also of depositors. I believe that from its liquid funds sums are made available to various banks including the State Bank; the board does not bank the whole of its liquid funds with one institution. Those funds must be available on call, and consequently bear a low rate of interest. I believe that all reputable banks get a share of that business, and that that is the general practice of savings banks throughout the world, and of the Commonwealth Bank.

EGG PRICES.

Mr. TAPPING—A letter I have received from a poultry farmer at Osborne states:—

I am sending some receipts, showing the prices I am getting for eggs sent in to the South Australian Egg Board. As you can see it works out to about 2s. 6d. per dozen. This is below the prices being received by established poultry farmers. Besides feeding laying stock, we also have a large number of young chickens as replacement stock. This makes feeding and rearing impossible. . . . The subsidy the Egg Board speaks of is nothing to the poultry farmer.

If I give the Minister of Agriculture the necessary details, will he investigate this case?

The Hon. A. W. CHRISTIAN—I shall be glad to do that.

BUSH CHURCH AID SOCIETY GRANT.

Mr. RICHES—I do not wish this question to be construed as a criticism of the grant recently made to the Elizabethan Trust. Indeed, I commend the Government for that grant. Earlier this year, however, a grant of £500 was promised to the Bush Church Aid flying doctor service, and in spite of requests to the contrary made by me to the Treasury, the cheque for that grant was sent to another organization. When we inquired we were told that was done because there was no line on the Estimates under which the money could be paid to the Bush Church Aid Society. That cheque was sent back to the Government and a line was placed on the Supplementary Estimates submitted late last financial year. As I can find no line on the recent Estimates for the grant of £5,000 to the Elizabethan Trust, can the Treasurer say under what provision that grant is made? If under an excess warrant, why could not the grant to the Bush Church Aid Society have been made similarly? Will the Treasurer, in the light of the amount granted to the Elizabethan Trust, review the amount granted to the Bush Church Aid Society, because surely there is a disproportion between the grants that would not be endorsed by the people?

The Hon. T. PLAYFORD—The grant proposed for the Elizabethan Trust will this year be paid by excess warrant, but in future years it will be placed on the Estimates. The decision was made after the Estimates had been drawn up earlier this year. The amount that may be paid under excess warrant is limited by Parliament. The limits, which were fixed many years ago and are today very low compared with the level of the State's expenditure, are £400,000 on the total amount, and £100,000 on any new line. It sometimes happens that we are short of appropriations under the excess warrant which we can apply for a certain purpose, and it is then necessary to obtain Parliamentary approval before the expenditure can be made. Incidentally, Supplementary Estimates will be introduced today because we find the amount being spent on grasshopper control is more than can be conveniently handled under the Governor's appropriation warrant.

MILK ZONING.

Mr. DUNSTAN—Does the Minister of Agriculture know that recently a letter was sent by the General Secretary of the Master Retail Milk Vendors' Association, not only to members of that association but to vendors who are not members of the association, requiring them to attend a meeting for the election of a block zoning committee and the arranging and consolidation of block zoning, and requiring them to bring to the meeting or forward to the association a written statement setting out the streets served and the average daily quantities delivered in each street by the members and non-members? Will the Minister take this matter up with the Milk Board and the Metropolitan County Board to see that this undesirable move on the part of the association does not lead to any dummying up of licences under the block zoning scheme?

The Hon. A. W. CHRISTIAN—I am not aware of the letter referred to, but the arrangement of the zones is a matter entirely within the jurisdiction of the Milk Board. I assume that the retail vendors are meeting with the object of working out a plan for submission to the board. They certainly have no jurisdiction in determining the boundaries of proposed zones.

PROCEDURE AT STATE FUNCTIONS.

Mr. QUIRKE—I believe that local government and its representatives should be upheld at all functions in which local government personnel appear. Recently there have been instances where mayors and chairmen of district councils have been ignored. Yesterday, at the function at Port Pirie, there was a grievous example of this. The first citizen of Port Pirie—the mayor—was at the function, but during the two speeches was not referred to. That was a grave discourtesy. Will the Premier take necessary action to ensure that such offences against local government do not occur again?

The Hon. T. PLAYFORD—This matter is governed by a table of precedence approved by the Queen for State functions. Yesterday was a State function and the table of precedence automatically applied. The mayor of Port Pirie was present yesterday, but he could not have been addressed at that function unless every Minister and a number of other dignitaries senior in precedence had also been addressed. Only 10 minutes was available and had reference been made to all the dignitaries present five minutes of that time would have been so taken up. Moreover, it was desired to keep the function informal and such procedure would have been unwarranted.

Mr. RICHES—This question of precedence has been discussed many times at Municipal Association meetings and although personally I could not care less about the order of precedence I know it has caused a lot of heart-burning amongst people associated with local government ever since the Royal Visit. On many occasions the Right Honourable the Lord Mayor has been addressed without there being reference to any Minister of the Crown or other dignitary present, and I agree that it could have been done yesterday. Is the Premier prepared to discuss this question with the Municipal Association in view of the reports received by them from the City of London and other cities in Australia?

The Hon. T. PLAYFORD—This table of precedence is one of the most difficult tables we have to deal with, and frequently because of the occasion the table must be altered. For example, if there is a function in the Town Hall, the Lord Mayor, because he is in his own premises, must assume a totally different position from what would be the case if he were in another building and not at a local government function. Yesterday's function had nothing to do with local government. We had high officials from other countries present and I would have been at a loss to know where the Consul-General for U.S.A., for instance, came in. We tried to seat persons where we thought they should be seated. The Chief Secretary was careful in his statement to express appreciation to the corporation and people of Port Pirie for their assistance. There was no discourtesy to the honourable member who is the mayor of Port Pirie. The question could be raised, why was not attention drawn to the fact that the Minister of Works, or any other Minister, was there? You, Mr. Speaker, were there and no indication was made of your presence, yet you are higher in precedence than any member of local government.

NATIONAL PARK ACT AMENDMENT BILL.

Returned from the Legislative Council without amendment.

HIGHWAYS ACT AMENDMENT BILL.

Returned from the Legislative Council without amendment.

LAND SETTLEMENT ACT AMENDMENT BILL.

Returned from the Legislative Council without amendment.

PLACES OF PUBLIC ENTERTAINMENT ACT AMENDMENT BILL.

Received from the Legislative Council and read a first time.

WEEDS BILL.

Second reading.

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

That this Bill be now read a second time.

I do not intend to take this Bill beyond the second reading stage on this occasion. It is an important measure and has come down too late in the session for members to give it due consideration. It contains a number of new provisions and possibly some controversial matter; therefore I feel everybody interested in the subject should have the opportunity to peruse its contents. The problem of noxious weeds has grown in magnitude considerably since the end of the last war. As a matter of fact, weeds got out of hand during that war because of the grave shortage of manpower. Little attention was given to controlling the serious menace. We now have large areas overgrown with weeds that are

useless as fodder, but take up valuable land and crowd out pastures that provide fodder. They are also a serious menace to crops.

It is felt that there should be a new approach to the problem. I know, and every member will endorse it, that fundamentally it comes down to good land husbandry, and unless a farmer is prepared to apply himself constantly and assiduously to the eradication or control of noxious weeds, legislation will not help in any way. We can only attempt to improve existing machinery, which has failed to a marked degree to recreate interest in the control of noxious weeds. That is why by some alteration to the existing set-up we hope to stimulate greater interest in this matter. Some years ago a new measure was circulated by my predecessor amongst councils, but in the main they did not agree with the proposals. It was then proposed to completely centralize control and remove the obligation from councils. I thoroughly approved the councils' decision.

In this matter, as in many others which come within the jurisdiction of councils, we should not diminish their authority or power. We should try to aid them in their very difficult task. I am strongly in favour of decentralizing functions of government, and the control of weeds and other pests is fundamentally a matter of local concern and jurisdiction. This Bill strengthens the hands of councils and aids them by providing expert advice and funds. In this way we hope to improve the control and ultimately bring about the eradication of noxious weeds.

The Bill repeals the Noxious Weeds Act, 1931-1939, and enacts other provisions relating to the destruction and control of noxious and other weeds. In general, the Bill continues the method now provided by the Noxious Weeds Act under which the primary duty of securing the destruction of noxious weeds is placed upon councils but, in addition, there is a number of other provisions intended to bring about the more effective control of weeds. It is proposed by Part II of the Bill to establish a committee to be called the Weeds Advisory Committee. The members of the committee are to be appointed by the Minister and the committee is to have the general duty of advising the Minister upon matters arising from the administration of the Act. In addition, it is proposed that the committee shall have some administrative duties, such as acting as an appellate tribunal to which landholders may appeal against notices of councils requiring them to destroy weeds.

Clause 8 provides that the Minister may appoint what are termed authorized officers who will have authority to act throughout the State. They will be the type of officer we have at present, known as weeds adviser. I think we have five now. Clause 9 enables councils to appoint authorized officers for their particular areas. An authorized officer is under Clause 10 given power to enter and inspect land whilst Clause 11 requires him to inform the council of any breach of the Bill which comes to his knowledge. Clause 12 provides that, as regards the part of the State situated outside local government areas, the Minister is to have the powers given by the Bill to councils. Clause 13 provides that the Governor may by regulation declare any plant to be a dangerous weed. Any such declaration is to operate throughout the whole State. Some years ago water hyacinth became prevalent in the Murray River districts and, by getting to work on it immediately, it was completely eradicated. Wherever and whenever dangerous weeds appear we hope there will be a concentrated effort by councils and landholders, as well as the Government, to eradicate them.

Mr. Macgillivray—Water hyacinth was always dangerous.

The Hon. A. W. CHRISTIAN—Of course, but I merely cited that as an example of what the procedure to eradicate dangerous weeds will be. Clause 14 provides that any plant may be declared a noxious weed either for the whole or any part of the State. As will be shown later, a stricter measure of control is proposed for dangerous weeds than is proposed for noxious weeds. Both classes of weeds are, for the purpose of the Bill, described as proclaimed weeds.

Clause 15 imposes on councils the duty of enforcing the provisions of the Bill whilst clause 16 specifically places on every council the duty of destroying all proclaimed weeds upon land vested in it or under its control and upon all public and Crown lands and public streets and roads in the council's area. Clause 16 also provides that a council may, without the consent of the ratepayers, impose a special rate on weed infested land. This provision is, of course, similar to one already in the Noxious Weeds Act. Clause 17, however, partly breaks new ground and authorizes the Minister to pay, out of money voted by Parliament, subsidies to councils upon the amounts expended by the councils under clause 16. At present, the power to pay subsidies is limited to payments for the destruction of

weeds on stock reserves and roads of a width of three chains or more. Clause 18 is similar to an existing section of the Act and provides that, in case of default by a council in enforcing the provisions of the Bill, the Minister may enforce those provisions within the council's area.

Clause 19 provides that every owner or occupier of land is to destroy all dangerous weeds on his land and is to destroy or control all noxious weeds on his land. By control is meant, under the definition in clause 5, to take measures to prevent the propagation and spread of the weed. It will be noted that the existing duty to destroy weeds on the adjoining roads is removed from the landholder. By clause 16 this duty will be placed on the council. Clause 20 provides that the council may serve notice in writing on a landholder requiring him to take such action as is specified in the notice to destroy or control proclaimed weeds on his land. From this requisition, the landholder may appeal to the Weeds Advisory Committee which may allow or refuse the appeal or may amend the notice given by the council. Clause 21 provides that a council may declare a period during which simultaneous destruction of proclaimed weeds by landholders is to be carried out. This provision is similar in principle to the provisions of the Vermin Act relating to simultaneous vermin destruction months. The sanctions for clauses 20 and 21 are provided in clauses 22 to 24.

Clause 22 makes it an offence to fail to comply with the requirements of the Bill or any notice as to destruction of weeds whilst clauses 23 and 24 enable an authorized officer to destroy weeds on default by the landholder and to recover the cost of so doing. It is realized that instances can occur where the duty imposed by the Bill on a landholder may be impossible or extremely difficult of performance either in whole or in part and clause 25 therefore provides that the Minister may exempt any landholder from any such duty, either in whole or in part, but subject to such conditions as the Minister thinks fit to impose. It is provided that an exemption under this clause can only be granted by the Minister on the recommendation of the committee.

Clause 26 provides that, for the purpose of preventing the spread of any proclaimed weed, the Minister may prohibit the movement of any animals, substances or matter of any kind from any specified part of the State to any other specified part of the State. Clause 27 provides that, if the Minister is of opinion that for the purpose of preventing the spread of proclaimed weeds, it is desirable that trees upon any land should not be destroyed or injured, he may serve notice on the landholder accordingly. After considering any representations made by the landholder the Minister may make an order forbidding the destruction of trees on the land. Clause 28 makes it an offence to remove any vehicle, implement, etc., from any farm to any road without having taken reasonable precautions to ensure that the vehicle, etc., is free from seeds or viable portions of any proclaimed weeds. Clause 29 makes it an offence to bring into the State any proclaimed weed or its seed. Clause 30 provides that if an authorized officer discovers any seeds of dangerous weeds he is to seize and destroy them and that he may destroy any noxious weeds found by him.

Clause 31 provides that the Minister may provide technical advice to councils relating to the destruction or control of proclaimed weeds. The remaining clauses are machinery provisions dealing with such matters as the service of notices, hindering authorized officers in the course of their duty, the making of regulations, evidentiary provisions, and so on which are substantially similar to provisions of the present Act. Clause 38 differs from the existing law and provides that the time for laying a complaint for an offence against the Bill shall be 12 months after the commission of the offence instead of the six months provided by the Justices Act.

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

ROAD TRAFFIC ACT AMENDMENT BILL (GOVERNMENT VEHICLES).

Returned from the Legislative Council without amendment.

ROAD TRAFFIC ACT AMENDMENT BILL (GENERAL).

Second reading.

The Hon. M. McIntosh, for the Hon. T. PLAYFORD (Premier and Treasurer)—I move—

That this Bill be now read a second time.

I do not think the general principles involved need much discussion, and I take it that members will concentrate on it more in Committee than on the second reading. It contains a number of amendments of the Road Traffic Act. Most of them deal with rules of the road and general duties of motorists and have been

inquired into and recommended by the State Traffic Committee. The others deal with registration of vehicles and the concessions in registration fees. I will explain the clauses of the Bill in their order.

Clause 4 deals with the definition of "commercial motor vehicle." At present this definition lays it down that motor vehicles "of the type commonly called buckboard" are included in the term "commercial motor vehicle." Since that definition was inserted in the Act the word "buckboard" has been almost entirely superseded by the term "utility" and the Government's legal advisers have raised the question whether there are any vehicles now commonly called "buckboards." The definition is of importance because it affects the amount of the registration fee. Therefore it is desirable that there should be no doubt as to its meaning, and it is proposed to alter the word "buckboard" to "utility."

Clause 5 deals with the rights of farmers to drive unregistered tractors and farm implements on roads. At present a farmer can drive an unregistered farm tractor on roads within 15 miles of his farm for purposes set out in subsection (5) of section 7 of the Road Traffic Act. One of the purposes is to take the tractor to a workshop for repairs. Representations have been made to the Government that some farms are situated more than 15 miles from workshops where repairs to tractors can be efficiently carried out, and for this reason the Government has agreed to propose an extension of the distance for which unregistered tractors may be driven. The Bill provides, therefore, that the specified distance shall be increased from 15 to 25 miles. It also allowes unregistered tractors to be driven beyond this distance if there is no suitable repair shop within 25 miles. Clause 5 also alters the provision of section 7 of the principal Act which enables farm implements or machines, which would normally require to be registered as trailers, to be driven without registration by unregistered farm tractors on roads within 15 miles of the farm. It is proposed to extend this distance to 25 miles and to provide that an unregistered farm implement may be driven within the permitted distance either by farm tractor or by any registered motor vehicle.

Mr. O'Halloran—Would those unregistered vehicles be covered by insurance?

The Hon. M. McINTOSH—I think that if they were permitted by the law to be driven they would not be regarded as unregistered within the meaning of the Act.

Mr. O'Halloran—Even if they are permitted on the road without being registered they should be covered because someone may be injured as a result of an accident.

The Hon. M. McINTOSH—I see the point, and I will follow it up, but I point out that we are not breaking any new ground under this amendment, but merely extending the distance from 15 to 25 miles. Clause 6 provides that permits to drive vehicles in country areas pending registration need not necessarily be affixed to the windscreen of a vehicle but may be affixed in any place prescribed for the fixing of an ordinary registration disc. Clause 7 deals with a difficulty which has been experienced by manufacturers of agricultural machines. Some of these machines are trailers within the meaning of the Road Traffic Act and cannot be drawn on roads without registration. Manufacturers, however, in the course of delivering agricultural machines to purchasers often find it necessary to move them along roads for short distances on their own wheels. It would be a considerable hardship if every such machine had to be registered for one short journey, and the manufacturers have asked the Government to grant them an exemption from the duty to register these machines. The Government has agreed to give some relief in this matter. However, as it is necessary for the proper administration of the Act that there should be some identifying mark on the rear of these machines, it has been decided that the most satisfactory method of granting a concession is to enable the manufacturers to obtain limited traders' plates, which cost £2 a pair, without the necessity of taking out general traders' plates, which cost £16 a pair. These limited traders' plates could be attached to any agricultural machines which are being drawn on roads in the course of delivery to purchasers, and will exempt them from having to be registered.

Clause 8 deals with the compulsory disqualification of motor drivers for offences against the Road Traffic Act. Under the present law, if a driver is convicted of a second or subsequent offence of exceeding the speed limit or driving without due care or failing to give way, and such conviction is recorded within ten years of a previous conviction for the same offence, it is obligatory for the court to order that the driver be disqualified for a period. Upon representations made to the Government by the Automobile Association the State

Traffic Committee considered the question whether convictions 10 years old should operate to the detriment of a motorist. The committee recommended that the period should be reduced to three years, which is more in line with what Parliament has provided in other Acts. The Bill makes an amendment to carry this recommendation into effect. It will mean that these convictions will after three years cease to count against a motorist for the purpose of compulsory disqualification, but may still be taken into account by the court, if it thinks fit, in the exercise of its discretionary power to order disqualification.

Clause 9 alters the law as to rear lights on motor vehicles. The rules in the Act on this subject were drafted in the early days of motoring and do not suit modern conditions. They are based on the assumption that a motor vehicle has only one rear lamp which is used for the dual purpose of illuminating the rear number plate with a white light, and showing a red warning light to the rear. Nowadays, however, most vehicles do not use the same lamp for both these purposes, and there is no reason for compelling them to do so. It is therefore proposed to take away the present obligation to have a single dual-purpose rear lamp. In addition, it is provided that the number plate must be illuminated so that the figures and letters are distinguishable at a distance of at least sixty feet. The present figure is forty feet, but it is proposed to alter it to sixty in accordance with recommendations made by the Commonwealth Committee on Uniform Vehicle Standards.

Another amendment made by clause 9 deals with front lights on motor cycles. The present law provides that these lights must illuminate the front number plate. Nowadays there are many motor cycles and motor scooters which have small wheels and the front number plate fixed in a position well below the headlamp. On these vehicles the front light cannot be directed so as to illuminate the number plate and it is proposed to abolish the requirement that the front headlamp on motor cycles should illuminate the number plate.

Clause 10 deals with the law relating to rear vision mirrors. Under the present law the general rule is that every motor vehicle must carry a rear vision mirror, but there are three exceptions. The first is that motor cycles are exempt. The second is that a motor vehicle drawing a trailer need not have such a mirror. The third is that a vehicle need not have a mirror if owing to the mode of its construction or the load carried it is not practicable to have one. It is proposed in the Bill to remove all of these exceptions, and to provide that every vehicle other than a trailer must have a rear vision mirror.

Clauses 11 to 18 make a number of amendments to Part IV of the Act which deals with the width of tyres and maximum loads. These amendments have been recommended by the Commissioner of Highways and have been inquired into and recommended by the Traffic Committee.

Clause 11 amends the interpretation section of Part IV. It inserts a definition of axle, the object of which is to make it clear that in a case where an axle has two spindles at each end with wheels on each spindle, or where there are tandem axles within forty inches of each other, the whole of each such system of spindles or axles will be regarded as a single axle for the purpose of computing the permissible axle load. It has been proved that tandem wheels on spindles or axles close together do almost as much damage to the road as an ordinary single axle with two wheels on it, and should be subject to the same maximum axle load.

Another alteration of the law made by Clause 11 provides that a semi-trailer will not be treated as a separate non-mechanical vehicle as the law now provides, but will be regarded as part of an articulated motor vehicle. This will mean, in practice, that the axle load for a semi-trailer will be the same as for a motor vehicle, *i.e.*, eight tons, instead of six tons which is the limit for a non-mechanical vehicle. This is considered equitable as the tractor portion of an articulated vehicle is nowadays regarded as an integral part of a motor vehicle.

Clause 12 provides that it will be an offence if a motor vehicle carries more than sixteen tons on any two axles thereof. At present the law prescribes a limit of eight tons per axle, but does not make it possible to lay a charge against a man that the total load on two axles exceeded 16 tons. Sometimes it is not possible to weigh the axle load on each axle separately. In such a case all that can be ascertained is the total load on two axles. In order to facilitate the enforcement of the Act it is desirable that it should be possible to lay a single charge in respect of the overload on two axles, and Clause 12 will enable this to be done. It does not alter the permissible load on any one axle.

Clause 13 deals with the exemptions which are sometimes required to enable vehicles to carry heavy pieces of machinery and other loads in excess of those permitted by the Act.

At present a person desiring to carry an excess load must obtain permission from the town or district clerk of every municipality and district through which he proposes to travel. This rule has been found to be rather unsatisfactory. In the first place it gives the Commissioner of Highways no control as to whether heavy loads shall be taken over the roads maintained by him and, secondly, it gives a good deal of trouble to members of the public who sometimes have to get the approval of a number of local government officers. It is proposed in Clause 13 to lay down a rule that the Commissioner of Highways will be the authority to give consent for the conveyance of loads above the legal maximum, but before giving his consent he must consult with the appropriate road authorities. Thus members of the public will only have to deal with one officer and, at the same time, the interests of the local governing bodies will be safeguarded.

Clauses 14 and 16 of the Bill deal with the duty to weigh vehicles. At present the owner or person in charge of a vehicle can be required by an authorized officer to take the vehicle to a weighbridge or weighing apparatus for the purpose of weighing the vehicle or its load. The Act, however, places limits on the distance which a person can be compelled to go in order to have a vehicle weighed. If the vehicle is being driven on a road when the direction for weighing is given it can only be compelled to go to a weighbridge within one mile of it. In other cases an owner can be compelled to take the vehicle to weighing apparatus within two miles. These limits were originally fixed many years ago for horse-drawn vehicles, and in recent years have proved much too restrictive. It is proposed to alter the distances in question to five miles.

Clause 15 deals with the power of an authorized officer to require a person in charge of a vehicle to stop and to give his name and address and the name and address of the owner of the vehicle. The present rules, which are set out in section 99 of the Road Traffic Act, have led to some difficulty in practice. At present the direction to stop has to be given to the person in charge of the vehicle, who is not necessarily the driver. If there are two persons sitting in the driver's seat of the vehicle it may be impossible for an authorized officer to know who is really in charge of the vehicle at the time. It is preferable, therefore, that the law should provide that the direction to stop shall be given to the driver.

Another amendment made by this clause deals with the duty to answer questions asked by a member of the police or some other authorized person for the purpose of ascertaining the name and address of the owner of a motor vehicle. Under the present law such questions can only be directed to the person who is in charge of the vehicle. As I previously mentioned, it is in some cases difficult to determine who is in charge of a vehicle, and it is desirable that authorized persons should be able to direct their questions to the driver of the vehicle as well as the person apparently in charge of it. The amendment will permit this to be done. Amendments for this purpose are included in clause 15.

Clauses 17 and 18 raise the general maximum penalties prescribed by Part IV of the Act. The penalty for breach of any regulations under that part is raised from £10 to £50. The penalties for offences against the actual provisions of Part IV are also raised. The maximum for a first offence is raised from £10 to £50, and for a second offence from £20 to £100. These increases are justified by the decreased purchasing power of money and by the increasing seriousness of the offences involving overloading of vehicles.

Clause 19 contains amendments of the law relating to the duties of road users at railway crossings. These amendments were asked for by the Railways Commissioner and inquired into and recommended by the Traffic Committee. The first amendment in clause 19 provides that when a vehicle has stopped at a railway crossing in obedience to a mechanical signal, it may proceed to cross while the signal is still working, if so directed by an employee of the Railways Commissioner. The Railways Commissioner points out that occasionally signals are working when there is no train coming and in these circumstances an employee is sent out to direct the traffic across the level crossing.

The next amendment made by clause 19 is to require vehicles approaching railway crossings to slow down to not more than 20 miles an hour for the last 100 yards before reaching the crossing. This amendment is prompted by the number of crossing accidents, some of them serious, which have taken place in recent years both in South Australia and in other States. Some accidents have occurred because the vehicles approached the crossing at such a speed that they were unable to stop in time even where the driver saw the train coming. It is considered that if motorists got into the habit of slowing down before

reaching level crossings there would be an appreciable reduction in the number of accidents.

Another provision of clause 19 provides that omnibuses, and vehicles carrying inflammable gases, or explosives must in all cases stop before proceeding over a level crossing, whether there is a stop sign or not. The word "omnibus" is defined so as to include all passenger vehicles with accommodation for more than eight persons, and also any other vehicle which at the relevant time is carrying more than eight persons. This amendment is also prompted by the serious level crossing accidents which have occurred in recent years.

Clause 20 contains provisions to provide for the control of traffic on what is commonly called the Emerson intersection, that is, the place where the Brighton railway line crosses the intersection of South Road and Cross Road. The road traffic problem at this intersection has been made much more difficult by the duplication of the Brighton railway line. There is, however, good reason to believe that the engineers of the Railways Department have devised satisfactory methods of dealing with it. The proposed arrangements include road alterations to facilitate left hand turns by vehicles and the installation of automatic boom-gates to keep traffic away from the railway lines when the trains are passing. In addition, a special system of traffic lights will be installed to ensure that no congestion of road traffic occurs on or near the railway line, and that the traffic will be quickly cleared when the boom-gates are about to close. The traffic lights, in addition to showing green, amber, and red signals, will show directional arrows for the purpose of sorting out the traffic. When a green signal is shown with an arrow pointing to the left or right, traffic will be permitted to enter the intersection only for the purpose of turning in the direction indicated. When the green signal is shown with a vertical arrow, the traffic entering the intersection must proceed straight through. The road at the approaches to the intersection will be divided into traffic lanes so as to separate the streams of traffic, that is, those turning to the right or left, or going straight on. The light signals with the various arrows will be shown in succession so as to prevent congestion within the intersection and will be properly timed in relation to the closing of the boom-gates. From the legal aspect, it is necessary to provide by law that the arrows marked on the green lights will be binding on motorists, and that a motorist who does not obey the indication given by the arrow will be guilty of an offence. Clause 20 provides for this.

Clause 21 deals with the effect of stop signs at railway level crossings. It provides that where there is a stop sign at a crossing vehicles and pedestrians must stop more than ten and not more than 40 feet from the railway line. At present the traffic is obliged to stop at least 30ft. from the railway line which, in some cases, has been found to be too far. Drivers and pedestrians at this distance from the line are often unable to see what is coming. The proposed new rule will get rid of this difficulty, and is in line with the recommendations of the Uniform Traffic Code Committee.

Clause 22 empowers municipal and district councils to establish pedestrian crossings by appropriate markings on roads. Before marking a crossing a council must apply for the approval of the Highways Commissioner. If the commissioner refuses approval the council may appeal to the Minister of Roads who will finally decide the matter after obtaining such information and advice as he deems necessary. The system of approvals is proposed because it is desirable that there should be some overall control of the establishment of pedestrian crossings in order to secure uniform policy and to prevent the unnecessary multiplication of crossings. The crossings will have to be marked in the manner to be prescribed by regulations which will, no doubt, adopt the commonly accepted methods of oblique yellow lines. Pedestrians on a crossing will have the right of way against vehicles and animals approaching the crossing, and the duty to give the right of way is expressed in language similar to that which sets out the ordinary duty of motorists to give way to traffic on the right. In addition to placing duties on motorists, the clause imposes on pedestrians the obligation not to remain within the limits of a pedestrian crossing longer than is necessary for the purpose of passing over the crossing with reasonable despatch.

Clause 23 provides a speed limit of 15 miles an hour for vehicles passing school buses which are taking up or setting down children. It also alters the wording of the notices which the law requires to be placed near school playgrounds and children's playgrounds where a special speed limit is in force. The object of this alteration is to adopt the type of notice approved by the Standards Association of Australia.

Clause 24 provides that it shall be an offence to open a door of a vehicle or alight from a

vehicle on to a road so as to cause danger or impede the passage of traffic. It might be thought that this is a somewhat trivial matter; but the attention of the Government has been drawn to the fact that conduct of this kind has in recent years been responsible for at least three deaths and it is common knowledge that quite a lot of inconvenience to traffic is caused in this way. For this reason the State Traffic Committee recommended the creation of a specific offence to deal with such conduct.

Clause 25 extends the provisions of the principal Act dealing with the securing of loads on vehicles. The present provisions on this subject apply only to loads which project beyond the limits of the vehicle. They do not place any obligation on a driver to ensure that a load which does not project from the vehicle shall be firmly stacked and secured so that it will not fall off and create dangerous situations or damage the roads. The police have in recent months reported a number of cases in which large pieces of stone have fallen from trucks on to road surfaces but it has been difficult to detect the specific offenders. The police, however, know that the reason why the stones have been falling on to the roads is that the tail boards of the trucks are not fastened. In order to prevent such happenings it is necessary to make it an offence to carry a load without taking precautions to prevent it falling off. The proposed new provisions require that every load, whether projecting or not, shall be properly arranged, fastened and confined so as to remain on the vehicle. In addition, all projections likely to cause injury or damage are forbidden.

Clauses 26 and 28 have to be read together. Their joint effect is to make two amendments of the principal Act. The first deals with the duty of the owner of a motor lorry to paint his name and address on the vehicle. In the past, buckboards weighing not more than 32cwt. have been exempt from this obligation. In recent years, however, buckboards have increased in weight and it is proposed to raise the exemption from 32cwt. to 35cwt. In addition, it is proposed to extend the exemption to all commercial vehicles up to 35cwt., whether they are, strictly speaking, buckboards or not. This will avoid the need for drawing fine distinctions between one class of vehicle and another. Secondly, it is proposed by these amendments to provide that a trailer which forms part of an articulated vehicle will not be regarded as a separate vehicle for the purpose of the provisions which prescribe speed limits based on weights of vehicles. In other words, the whole of an articulated vehicle will be treated as one vehicle for the purpose of computing the permissible speed based on the weight of the vehicle in accordance with section 174 of the Act. This is in accordance with the commonly accepted idea that the trailer portion of an articulated vehicle is not a separate vehicle.

Clause 27 alters the permissible maximum speed of heavy vehicles. At present these are laid down by section 174 of the Road Traffic Act and there are two scales of speeds, one for commercial motor vehicles drawing trailers and the others for commercial vehicles not drawing trailers. There are three speeds in each scale but there is no distinction between speeds in built-up areas and speeds outside such areas. Both scales apply only to vehicles exceeding three tons. The scale applicable to vehicles with trailers prescribes speeds varying according to the weight of the vehicle from 30 to 20 miles an hour. The scale applicable to vehicles without trailers prescribes speeds between 25 and 35 miles an hour. As the ordinary articulated vehicle is at present deemed to be a vehicle with a trailer it is on the lower scale of speeds and if the aggregate weight of the vehicle and its load exceeds 11 tons, as is usually the case, it must proceed at a speed not exceeding 20 miles an hour.

These speeds have been reviewed in the light of information obtained by the Government from the Road Traffic Committee, and carriers, and also with regard to recommendations made by the Commonwealth Uniform Road Traffic Code Committee. The main criticism of the present speeds is that an ordinary freight carrying vehicle which with its load weighs 11 tons or more is not built to drive for long distances at a speed not exceeding 20 miles an hour. Moreover, it is confusing to have two scales of speed with minor differences according to whether the vehicle has a trailer or not, especially as the articulated vehicle is treated as a vehicle with a trailer. The proposals of the Government are to have two scales of speeds—one for built-up areas and the other for open roads. Each scale will prescribe speeds varying only according to the total weight of the vehicle, its trailers (if any) and of the loads in the vehicle and trailers. The scales proposed for roads outside built-up areas is as follows:—For vehicles from 3 to 7 tons, 40 miles an hour, for vehicles from 7 to 15 tons, 30 miles an hour, for vehicles over 15 tons, 20 miles an hour.

Inside built-up areas the proposed speeds are 30 miles an hour for vehicles up to 7 tons, and 20 miles an hour for vehicles over 7 tons. Perhaps the most important change in the new speed is that the permissible speed of vehicles weighing from 7 to 11 tons outside built-up areas is increased from 25 to 30 miles an hour, and that of vehicles weighing from 11 to 15 tons, from 20 to 30 miles an hour. Clause 29 increases the general penalty for offences against Part VII of the Act which deals with the protection of roads. The general penalty at present is a fine not exceeding £20. In view of the prevalence of these offences and their serious consequences it is proposed to increase the general penalty to £50.

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

SUPERANNUATION ACT AMENDMENT BILL.

His Excellency the Governor recommended to the House the appropriation of such amounts of the general revenue of the State as were required for the purposes mentioned in the Bill.

Bill introduced by the Hon. T. Playford and read a first time.

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

That this Bill be now read a second time.

It makes some amendments of the Superannuation Act dealing with administrative matters, and provides some concessions to pensioners. Clauses 3, 4 and 5 are administrative provisions affecting the board. The principal Act provides that a member of the board loses his seat automatically if he absents himself without leave of the Governor from three consecutive meetings or five meetings in any year. This provision was passed at a time when public servants received only two weeks' annual leave. Under the present arrangements for leave, however, it is quite possible for a member of the board to be absent from three meetings while taking annual leave in the usual way. There is, of course, no virtue nowadays in a provision which requires the leave of the Governor to be obtained in order that a member may take his ordinary annual leave. The principal Act also provides for the automatic forfeiture of a seat on the board for incapacity. Experience has shown that provisions of this kind, which were common in the past, are unsatisfactory. It is a difficult matter to decide whether a vacancy has occurred by reason of incapacity, and still more difficult to say when it occurred. It is proposed in this Bill to repeal the provisions for automatic loss of an office by reason of absence from meetings or incapacity, and to provide instead that the Governor shall have power to dismiss a member of the board from office for neglect of duty or mental or physical incapacity to perform his duties. A provision is also inserted to facilitate the giving of notice of meetings to members.

Clause 6 deals with the number of units of pension for which a public servant may subscribe. Under the present Act employees in receipt of a salary up to £260—these are, of course, new appointees—have the option to contribute for units in excess of those prescribed in the normal scale of units. In view of the increases in salary and alterations in the scale of units it is now desirable to make this concession apply to officers in receipt of salary up to £350. This is done by clause 6.

Clause 7 extends the time for making an election under certain provisions of last year's Act. By that Act an officer in receipt of salary exceeding £1,470 a year was given the option to elect to contribute for units of pension in excess of twenty; and if the officer was more than fifty years old on February 1, 1955, he was entitled to contribute for half of his new units at the rate of contribution for age 50. The section provided that elections had to be made before June 1, 1955. It was thought when the Bill was introduced last year that by June 1, 1955, the marginal increases to Government employees would have all been settled and that officers would have plenty of time to make their election. However, it happened that some railway officers had their salaries raised by awards made on May 19, 1955, and June 2, 1955, and the increases operated from February 13. These increases were in a few cases sufficient to entitle the officers to take additional units. But none of them made their elections before June 1. Those who were governed by the award made on June 2 obviously could never have done so; and those who were governed by the award made on May 19 had only 12 days in which to ascertain their position and obtain the necessary papers and send them in. It is not surprising that they failed to do so. An application has been made to the Government to extend the time for making these elections, and in the special circumstances the Government considers is just that further time should be granted. All the other officers in Government employment whose salaries were increased as a result of the margins cases had

an opportunity of making an election before 1st June, and it would be rather unjust that a small number of officers whose salary claims were dealt with more tardily than the others should be denied the same privilege.

Clause 8 is a consequential amendment. Clause 9 deals with the rights of contributors who, in the past, have elected not to contribute or have been exempted from contributing for units of pension which they might have taken. Under the present law, if a contributor has foregone the units open to him, the board may give special approval for all or any of those units to be taken. There are many contributors to the fund who have elected not to take all the units available to them, and the board receives frequent requests from such contributors to be permitted to take up additional units. As the result of the alteration in the value of the unit and in the scale of units which may be taken up, some questions arise as to the number of units which these contributors may now be permitted to contribute for. For example, supposing that a contributor gave up his right to 10 units at a time when the units were £26 ought he now be permitted to take up 10 units of £45 10s.? Or if a contributor omitted to take up units at a time when he could take one unit for every £52 of his salary, is it just that he should now be permitted to take up the same number of units, when the scale of units is on the basis of one unit for every £70 or more of his salary? This question has arisen in a number of cases which the board has dealt with by administrative decisions as allowed by last year's Act. The principle on which the board acts in these cases is now clearly defined, and it is desirable that it should be stated in the Act. It is that a contributor will not necessarily be allowed in future to take up the full number of units which he has foregone in the past, but the board will allow contributors who are subscribing for less than the number of units allowed by the present scale to take up at any time units not exceeding the number allowed by that scale, provide that the contributor pays the rate of contributions appropriate to his present age, and satisfies the board as to his state of health. Clause 9 contains a section which embodies this principle.

Clause 10 deals with a minor point in connection with the reserve units of pension. Under the present Act employees of the Government are permitted to contribute for reserve units of pension, that is to say, units of pension which are above the number appropriate to their salary for the time being, but which they will ultimately become entitled to. When the reserve units are converted to actual units the Act provides for any actuarial surplus of the contributions for the reserve units to be refunded to the contributor. However, in cases where the contributions for reserve units have been paid for less than five years the actuarial surplus is very small and not worth the trouble of making the complicated calculations which are necessary to determine them. It is proposed to provide in the Bill that the refunds in respect of reserve units will not be made unless the reserve units have been contributed for for at least five years.

Clauses 11 and 12 deal with the pensions payable to widows of deceased contributors or deceased pensioners. The Act provides that where the widow was not the first wife of the contributor or pensioner, her pension will be reduced below the normal widow's pension by 1¼ per cent for each year in excess of five years by which her age was less than that of her husband. This reduced rate of pension for second wives, though it has some justification, has always been unpopular and there have been persistent requests for its removal. The Government has investigated the cost of granting this request and finds that it can be done without increasing contributions and has accordingly decided to alter the law so that the reduction in the pension of widows who were second wives will no longer be made.

Clauses 13 and 14 provide that the Superannuation Board may pay the amount of children's allowances due to orphans to the Public Trustee upon trust to use it for the support and education of orphans, and that the Public Trustee will have power to accept the money and carry out the trust. The board has in the past been able to make arrangements in this connection by consent of all parties, but it is desirable that the board should have the statutory power enabling it to make these payments to the Public Trustee wherever circumstances warrant it.

Clause 15 deals with a problem which has given the board some difficulty in administration. Under the Act the board frequently grants invalid pensions to persons whose incapacities are only temporary, and quite a number of pensioners are restored to health at relatively early ages. The board, however, cannot cancel a pension unless the pensioner is able to perform the duties of the office

which he previously held. It frequently happens that a pensioner who is restored to health is not able to perform the same work as he performed before his breakdown, but is able to perform other work which is available and suitable to his state of health and abilities. But, owing to the principle laid down in the Act, the pensioner is entitled to continue on pension unless he is able to perform the work which he was doing before the incapacity occurred. To deal with such cases it is proposed to alter the Act so that a pensioner who is restored to health can be offered any work suitable to his state of health and abilities, and if the work offered to him carries at least three quarters of his previous salary then his pension may be cancelled. I should mention that the board has always taken a very sympathetic attitude towards invalid pensioners and is never anxious to cancel a pension unless it is quite clear the pensioner has recovered. But from time to time the board finds that pensioners who have recovered obtain private work or even set up their own businesses and, at the same time, try to retain their pensions. The board feels that it should have adequate power to deal with these cases.

Clause 16 is an administrative matter only. It provides that when a contributor retires or dies without having paid all his contributions any arrears of contributions can be deducted from the money due to the pensioner. In practice the board has been acting on this principle, but there is some doubt about whether it is wholly consistent with the Act and it is desired to make it quite clear that the board has this power. Members will see that this Bill is very similar to a measure introduced in this Chamber a few minutes ago in that it does not involve big questions of principle, but this is a Committee Bill dealing with a number of unassociated matters. I suggest that to facilitate the passage of this measure, which provides for benefits to pensioners, it be permitted to go into Committee without a long discussion on the second reading.

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

POLICE REGULATION ACT AMENDMENT BILL.

Second reading.

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

That this Bill be now read a second time.

It makes provision for the appointment of a Deputy Commissioner of Police. Under the Police Regulation Act, 1952 (which incorporated the previous law on this matter), there is provision for a person to carry out the work of the Commissioner of Police during temporary absences of the Commissioner, but no provision for a permanent Deputy Commissioner. Section 9 of the Act lays it down that in the case of the absence of the Commissioner of Police the senior superintendent, or such other person as may be appointed by the Governor, may exercise and perform all the duties and functions of the Commissioner. This section is open to the criticism that it requires a person who has the status neither of a Commissioner nor of a Deputy Commissioner to do the work of the Commissioner from time to time, and to exercise full control and management of the Police Force.

It has been represented to the Government that the appointment of a permanent Deputy Commissioner is necessary for two reasons. The first is to ensure that the person who represents the Commissioner and manages the force in his absence will have adequate status for that purpose. The second is that owing to the increase of the size and work of the Police Force it is necessary that there should be an officer of high rank to act as a permanent assistant to the Commissioner and to relieve him of some portion of the administrative work for which he is responsible. The Government has given this matter full consideration and is of opinion that there is a strong case for the creation of the proposed office. The Bill creates the office and prescribes for the Deputy Commissioner the same retiring age and pension rights as those of the Commissioner.

Mr. O'HALLORAN (Leader of the Opposition)—I shall not delay the second reading by speaking at length, but I ask the Premier to give me some consideration in respect of amendments that I propose to move and not to finalize the second reading until tomorrow so that I will have the opportunity to move the motion of instruction of which I gave notice this afternoon. I desire at this stage to indicate my complete approval of the Bill. I think it is wise because, during the unfortunate prolonged illness of the Commissioner of Police, another officer has had to act in his stead for long periods, and that could happen again. I understand that the officer who acted gave excellent service, but he must have been hampered by the fact that he did not possess the powers of the Commissioner. The measure provides that the Deputy Commissioner will

have his length of service extended to the age of 65 years, which is the age at which the Commissioner retires. Service in the Police Force ordinarily terminates at 60 years, but some 14 or 15 years ago we decided that it was proper that the term of the then Commissioner should be extended, so we inserted in the Act a provision that his retiring age would be 65 years, and I think it is proper that the retiring age of the Deputy Commissioner should be the same.

There is a point that may have been overlooked—the right of appeal. Prior to the passing of the Police Regulation Act of 1952 commissioned officers of the Police Force had the right to appeal to the Police Appeal Tribunal, but in the drafting of that Act they apparently lost that right. The 1952 Act provides that the right of appeal is limited to officers of the Police Force who are appointed by the Commissioner, and commissioned officers are appointed by the Governor in Executive Council. In Committee I propose to move to provide them with a right of appeal. It is incongruous that all officers of every grade in the police force up to that of sergeant have that right, but inspectors of various classes, because they are appointed by the Governor in Executive Council, are denied it. I am not suggesting, of course, that they should have the right to appeal against a decision of the Governor in Council. I do not think that would be entertained for a moment, or that it would be proper; but I suggest that the Commissioner, or whoever recommends these officers for promotion or appointment, should give due notice so that they might have the opportunity to lodge an appeal and to have it considered by the Appeal Board before the matter finally goes to the Governor in Council for determination. These are briefly the lines upon which I propose to move to amend this Bill, which is eminently worthy of favourable consideration.

Mr. TRAVERS (Torrens)—I support the second reading with reservations, and I hope they can be resolved by the Premier, or, if not, by the amendments referred to by the Leader of the Opposition.

The SPEAKER—This is a one-clause Bill dealing with the appointment of a deputy Commissioner of Police; therefore the remarks of members must apply only to that subject.

Mr. TRAVERS—I am aware of that, Mr. Speaker. The general idea of the Bill is excellent but I am not happy about the way what is desired is to be achieved. It is open to the suggestion that what is rightly the prerogative of the senior superintendent of police may be taken from him under the Bill. Section 9 of the Police Regulation Act, 1952, says:—

> When the Commissioner is absent from duty by reason of illness or for any other cause or is performing duties outside the State the senior superintendent of police or such other person as may be appointed by the Governor may exercise and perform all the powers, authorities, duties and functions conferred or imposed upon the Commissioner by this or any other Act or by common law.

It is true that a Deputy Commissioner, or one who performs the duties of a Deputy Commissioner, ought to be appointed, but it is equally true that the senior superintendent of police is the person who in the normal course of events is appointed to the position. Under the Act he has "a leg and a half" in. The Bill has omitted any reference to the senior superintendent of police. New section 9 does not give him "a leg and a half" in but leaves it open to bring in someone lower down the list, and the senior superintendent of police would have no right of appeal. New section 9 says:—

> The Governor may from time to time appoint a deputy Commissioner of Police who shall assist the Commissioner generally in the superintendence of the police force.

The section should limit the appointee to one of the members of the police force. A Deputy Commissioner should not be imported. The right of the senior superintendent of police should be strictly preserved and he should be the one who, in the normal course of events, becomes the Deputy Commissioner. I would strongly oppose the matter if I thought there was an intention to interfere with his expectations. Superintendent Walsh, the present senior superintendent, has had for many years to carry out the duties appertaining to the office of deputy Commissioner, even to the extent of going to other States to represent the Commissioner. If there should be any thought that he, or the senior superintendent of police for the time being, shall not be appointed Deputy Commissioner the Bill should be amended to provide for that. I shall look forward with interest to learning the position and whether the words were deliberately deleted from the new section, and the exact nature of the amendment proposed by the Leader of the Opposition.

The Hon. T. PLAYFORD (Premier and Treasurer)—Several members, particularly the Leader of the Opposition, have raised questions and I ask leave to continue my remarks.

Leave granted; debate adjourned.

NOXIOUS TRADES ACT AMENDMENT BILL.

Second reading.

The Hon. C. S. HINCKS (Minister of Lands)—I move—

That this Bill be now read a second time.

The Noxious Trades Act provides for the regulation of noxious trades. The general scheme of the Act is that all noxious trades must be annually licensed by local boards of health. Before premises can be licensed they must comply with the regulations. Noxious trades areas are proclaimed and trades established after the commencement of the Act are required to be set up in a noxious trades area. Any noxious trade existing outside a noxious trades area at the time the Act came into operation is entitled to be licensed if the premises comply with the regulations but, after a lapse of five years, the Minister may direct that a further licence is not to be issued for the premises and, in such event, compensation may be ordered to be paid by the Supreme Court based upon the cost of removing the business to a noxious trades area. If a local board of health refuses an application for a licence there is a right of appeal to the Central Board of Health. There have been several recent appeals to the Central Board of Health and, in the main, this Bill is intended to correct certain deficiencies in the Act revealed by these appeals.

As before mentioned, section 9 of the Act provides that if a noxious trade was, at the time the Act came into operation, carried on in any premises which are not situated in a noxious trades area, the person carrying on the trade is entitled to a licence in respect of those premises if they comply with the regulations. This right is subject to section 10 which enables the Minister to withhold a licence after the lapse of five years. There has been some doubt as to whether the effect of section 9 is that the licence must be confined to the actual building existing at the time the Act came into force and that, therefore an extension of an existing building could not be licensed outside a noxious trades area. It is considered that section 9 should not be restricted in this manner and clause 2 therefore provides that where licensed premises outside a noxious trades area existed at the time the Act came into force the licence can be extended to include further premises erected on land occupied with the original premises. As before mentioned, section 10 enables the Minister, after the lapse of five years, to declare that a further licence is not to be granted to persons situated outside a noxious trades area in which event certain compensation is payable to the licensee. Clause 3 is complementary to clause 2 and provides that if new buildings are erected and licensed after the Act comes into force, no compensation is to be payable in respect of those new buildings. Obviously, compensation under section 10 should be confined to premises existing at the time the Act comes into operation and, if a licensee chooses to extend his premises, he should not be entitled to compensation in respect of the extension.

As before mentioned, if a local board refuses an application for a licence there is a right of appeal to the Central Board. Some time must elapse during the hearing of the appeal and, if the application were for the renewal of a licence, it must almost inevitably follow that for some time during the hearing of the appeal the premises are not licensed and the owner is technically guilty of an offence if he continues to carry on business. Clause 4 therefore provides that if the local board refuses to renew a licence and there is an appeal to the Central Board, the premises are deemed to be licensed until such time as the Central Board either allows or dismisses the appeal. The clause also deals with another matter. It has occurred, on an appeal, that the Central Board has found that the premises do not comply with the regulations and therefore cannot be licensed but the Central Board has been of opinion that the premises could be made to conform with the regulations. It is therefore provided that, in those circumstances, the Central Board may order that the premises are to be deemed to be licensed for the time fixed by the Central Board in order to give the licensee time to make his premises conform with the regulations.

Mr. FRANK WALSH (Goodwood)—This Bill is intended to clarify the position which has arisen as a result of the passing of the Noxious Trades Act some years ago. It is remedial in the sense that it seeks to correct certain deficiencies that have become obvious in the matter of granting licences to persons carrying on noxious trades. In itself, the Bill raises no great issue of principle. Clause 2 amends section 9 by adding at the end of subsection (2) of that section words which will make it clear that licences may be granted in respect of additional premises erected after the Act has been declared to apply to the area

concerned. As the Act now stands, a licence may only be granted in respect of premises already erected at the time the Act is so declared. It is important to note that the subsection involved refers (1) to noxious trades conducted in areas which, after the application of the Act, are declared not to be noxious trades areas, and (2) to noxious trades of a kind not permitted in a particular noxious trades area. Licences issued in respect of premises in which noxious trades are conducted within the meaning of this subsection are, in accordance with the provisions of section 10 (1), revocable after five years (following the application of the Act to the area); and if this provision has any meaning at all it must be that when the Act is applied to any part of the State, and noxious trades areas are defined therein, such noxious trades as are being conducted in non-noxious trades areas shall, as soon as practicable, be removed therefrom. On the face of it, therefore, there does not appear to be any good reason why licences should be granted in respect of additional premises erected in non-noxious trades areas after the Act has been declared to apply to any given part of the State. However, it may be that the minimum period of five years has turned out to be too short in the general scheme of zoning that was intended to be implemented by the Act; or there may be some other reason, not clearly indicated by the Minister in introducing the Bill, justifying the licensing of additions to premises in areas in which the carrying on of noxious trades was originally intended to be only temporary. There is another minor criticism that can be directed at the drafting of the clause itself, which appears to refer to the erection of premises on land already occupied by other premises. If the land is already so occupied, how can other premises be erected on it?

Clause 3, adding a new subsection (3a) after subsection (3) of section 10, is in the nature of a consequential amendment. It provides that a person shall not have any claim for compensation in respect of premises erected after the application of the Act and licensed in accordance with the provisions of section 9, as amended by clause 2. I interpret it to mean that if a person is prepared to take the risk of expanding his premises in an area from which he knows he will ultimately have to remove his trade (when his licence is revoked), he will not be able to claim compensation in accordance with the provisions of subsection (3) of the section in respect of such expansion. If clause 2 is accepted, clause 3 must be accepted also.

Clause 4 provides (1) that, pending an appeal—that is, until an appeal has been decided—a licence shall be deemed to be operative and (2) that the Central Board of Health may authorize a local board to license premises not conforming to the regulations if it is satisfied that the licensee will make them conform thereto. The only criticism of this latter provision is that some reference should be made to a minimum time in which the licensee shall do whatever may be necessary to render his premises suitable in accordance with the regulations. In addition in the more settled areas councils have permitted the establishment of noisy trades and I do not know whether they come within the provisions of this Bill. Generally speaking, however, I believe that the Act needs tightening up in the manner suggested and in those circumstances I support the second reading.

Bill read a second time and take through its remaining stages without amendment.

WOODLANDS PARK TO TONSLEY RAILWAY.

The SPEAKER laid on the table the second report of the Public Works Standing Committee on the Woodlands Park to Tonsley Railway together with minutes of evidence.

Ordered that report be printed.

ELECTORAL ACT AMENDMENT BILL.

In Committee.

(Continued from November 16. Page 1646.)

Clause 14—''Publication of matter''—which Mr. Dunstan had moved to amend by deleting new sections 155b and 155c.

Mr. DUNSTAN—I ask leave to withdraw my amendment with a view to moving other amendments.

Leave granted; amendment withdrawn.

Mr. DUNSTAN—I now move—

In line 4 of new section 155b (1) to delete ''sixty'' and to insert ''one hundred and twenty''.

Sixty square inches seems to be much too small an area to be seen from any distance and, in fact, it cannot properly be described as a poster. The Commonwealth law in this respect is honoured more in the breach than in the observance for, of course, many posters more than 60 square inches in area are displayed.

The Hon. T. Playford—What is the full effect of the amendment?

Mr. DUNSTAN—I propose further to move to amend subsection (4) by striking out "whatsoever" in the definition of "electoral poster" with a view to inserting "other than canvas or calico." The definition would then read:—

"Electoral poster" means any material other than canvas or calico on which any electoral matter is written drawn or depicted.

This amendment would allow the use of ordinary streamers which are used now in the course of elections. The Premier was good enough to point out that abuses could arise in the use of hoardings, but of course commercial companies do not allow canvas or calico to be posted over their hoardings, and even if they did the cost would be prohibitive.

The Hon. T. Playford—But your amendment would allow that to happen.

Mr. DUNSTAN—Yes, if anyone were so foolish, but what it does allow is the ordinary kind of calico streamer which is put up on private property. I think most electoral candidates do it, and it a cheap and effective means of bringing to the public notice matters of electoral importance. It is inexpensive and can attract the attention of electors far more than a small handbill. It can be done quite cheaply on private property although, of course, the permission of the council would have to be obtained if it objected in any way. I cannot see any objections to the amendment. The Commonwealth Government's original objection to the use of canvas or calico was their short supply, but that is not the case now. If canvas or calico could be used it would not be necessary to use hoardings, to which the Premier objected.

The Hon. T. PLAYFORD—Calico is not expensive and it would not be difficult to paste it on hoardings, so my objection remains. The use of calico or canvas would defeat the whole purpose of the clause, but I have no objection to increasing the size of bills from 60 to 120 square inches.

Mr. FLETCHER—I have used the same streamers at every election since I have been a member, and I do not think they infringe the Act. They merely say where I will be speaking or where my headquarters will be on the day of the election. I do not think Mr. Dunstan would use streamers for political propaganda.

The Hon. T. PLAYFORD—The purpose of the clause is to bring our electoral laws into conformity with those of the Commonwealth so as to obviate confusion.

Mr. FRANK WALSH—Does the limitation on the size of electoral posters apply to newspaper advertisements?

The Hon. T. PLAYFORD—Yes, it applies to all electoral notices.

Amendment carried.

Mr. DUNSTAN—Since the Premier has accepted that amendment I will not press the other.

Clause as amended passed.

Title passed. Bill read a third time and passed.

LIBRARIES (SUBSIDIES) BILL.

Adjourned debate on second reading.

(Continued from November 17. Page 1692.)

Mr. RICHES (Stuart)—I hope the Government will defer consideration of this Bill so that the House will not be forced to vote against it. It is not acceptable to most country members, and if it were deferred it could be recast later. It will not achieve what many members who support free libraries hoped it would. Secondly, it will not do what the Premier said it would and, thirdly, it will not do many things that those who have spoken in favour of it say it will. Furthermore, I do not think it is capable of being given any practical application in country districts. I invite members to study carefully its wording, particularly as the Premier admitted that in its present form it may not meet the situation he outlined and an amendment may be necessary to achieve what he said was the real desire of the Government. I claim that that was an admission that the Bill does not in its present form achieve even what the Government said could be achieved. Therefore, further consideration is desirable and I urge that steps be taken to afford an opportunity for such consideration. Nothing in the Bill suggests that free libraries will be established anywhere. Those who have inquired into and reported on the measure and those who have actually associated themselves with libraries in South Australia recognize the great need there is for free libraries throughout the State to make the present lending service more readily available. This measure does not in any way assist toward that end. I notice that Mr. Pearson does not favour free lending libraries and admits that the Bill does not provide for them.

Mr. Pearson—I did not say that. I did not say that because they were free they were no good.

Mr. RICHES—The honourable member said he thought that the people would value the libraries more if they paid for them.

Mr. Pearson—I did not condemn free libraries.

Mr. RICHES—The honourable member quoted from a pamphlet which would indicate that the fact that they were free was an inducement to laziness, crime and irresponsibility.

Mr. Pearson.—I did not say that either.

Mr. RICHES—The honourable member said there was a desire to get something for nothing. He was speaking on the point raised that the library should be free and said that it was in keeping with the general desire to get something for nothing, and that that led to crime, irresponsibility and laziness and undermined individualism.

Mr. Pearson—I did not say that. I wish the honourable member would quote me accurately.

Mr. RICHES—The honourable member said on page 1688 of *Hansard*:—

We have a valuable institution which apparently breeds irresponsibility by letting out its books free to an irresponsible public according to some members opposite.

Mr. Pearson—That is a statement by the member for Norwood.

The Hon. T. Playford—Why don't you read the stuff before you start to quote it?

Mr. RICHES—I am quoting the member for Flinders. On page 1686 he said:—

The large majority of people seem to suffer little or no personality damage through indulging in the human pastime of hoping to get something for nothing, but that generally ends in undermining the individualism and self-respect of the community.

The honourable member also said,—

In others, people succumb only to the extent of acquiring a general disposition to be irresponsible or lazy, the reasons for which they never seem quite able to understand; they know they are constantly hoping that somehow, somewhere, some time a ship will come into port.

Mr. Pearson—Is that any condemnation of free libraries?

Mr. RICHES—You quoted it against free libraries.

Mr. Pearson—You left six lines out of the quotation.

Mr. RICHES—The honourable member said:—

Somebody has placed in my hands a well-composed statement on this matter which suggests that constantly thinking about something for nothing has all sorts of results, and in some cases leads to crime and in others to pure laziness. In others, people succumb only to the extent of acquiring a general disposition to be irresponsible or lazy, the reasons for which they never seem quite able to understand; they know they are constantly hoping that somehow, somewhere, sometime a ship will come into port.

I suggest that those who have been hoping that somehow, somewhere, and sometime free libraries may be established in South Australia are sick of waiting for their ship to come into port, and they are not going to see anything of that ship as a result of this legislation, because it is not designed to provide free libraries. Nowhere is it suggested, nor did the Premier suggest it when he introduced the measure. It was the fond hope in the minds of those who had approached the Government that it would meet the request of the people for free libraries. Therefore, I suggest that the Bill could well be deferred and further consideration given to the case presented. I suggest that consideration should be adjourned, as was another Bill, until December 8. I pay a tribute to what the Institutes Association has done in the country in establishing and maintaining libraries under great difficulties. If the *Advertiser* is correct in its assessment of public opinion in relation to this matter, it would have us believe that the people will expect local councils to take over institutes if this legislation is carried. The following was included in that paper's leading articles today:—

Every council in town and country can now set up its own library—in most cases it will mean taking over the local institute library—and try to make it suit the needs of the municipality.

I do not think that was mentioned by the Premier, although he said some arrangements could be made. This is not provided for in the Bill, and it is a good thing. If there are any places where the council can get its hands on sufficient money to take advantage of this Bill, it will have to take over the institute library. The Premier made it clear that the Government would not subsidize both the institute and the council, so that where an institute is established and the community wants to take advantage of this legislation, the council will have to take over the institute, otherwise it will not be entitled to receive any subsidy, or, alternatively, the institute will lose its subsidy. Much more thought should be given to this matter before the House is asked to vote for legislation which will encourage councils to take over institutes in country centres. In some cases it might be desirable, whereas in

others there will be strong resistance to it. In the first place, many towns have institutes which are subscribed to, owned and controlled by people living in the town, whereas the council concerned is representative of a number of towns, and to ask the people governing these institutes to hand over their control to a district council which might be located in some other town is something I feel in the majority of cases the townspeople will not be prepared to do. Unless that happens, the council cannot qualify for any subsidy under this legislation.

Another point is the serious limitation the Bill places on the subsidy which might be granted. It sets out that a library has to be housed in a building which is under the direct control of the council. In the second place the council has to find the money, maintain and manage the library and provide all the furniture and fittings necessary. The council may then apply to the Premier for a subsidy, which is limited to the amount which the council, out of ratepayers' funds, can grant to the library. There is no suggestion that any other moneys raised locally will be subsidized. The only obligation on the Government is to subsidize pound for pound the amount voted by the council from its rates revenue. As one with some experience in local government affairs, I express the opinion that one could number the councils in South Australia on the fingers of one hand which could avail themselves to any extent of the subsidy which is subject to those limitations. In tonight's *News* there will be found a very strong case that the local governing bodies all over Australia are seeking greater Government assistance to carry out the accepted duties of local government. Under the present system of finance, money is not available to any council to provide buildings, furniture and fittings and then some of the money out of its normal resources to finance a library. This Bill needs further consideration and should be postponed. Firstly, it interferes with the working of the Institutes Association; secondly, free libraries could not be established under it; thirdly, I know of no country council that could avail itself of its provisions. One or two big metropolitan councils may have a building available, but it must be furnished and the services of a librarian obtained and paid for. Further consultations should take place between the Government and the people who have been actively working towards free libraries for so many years. If the Treasurer presses for a vote on the Bill I will oppose it, but I hope he will not do so.

Mr. WILLIAM JENKINS (Stirling)—I support the Bill although I agree with other members that it does not go all the way towards providing free libraries. Indeed, I do not think that in our present financial position we are capable of providing free libraries, and the Bill is a step in the right direction. I cannot agree with members opposite when they oppose the Bill, because it is something at which we have aimed. I believe the Bill will give country councils the opportunity to establish or take over the care, control and management of at least some libraries.

For instance, a few months ago a district council in my district took over an institute library because the institute committee found itself embarrassed financially. I should think a subsidy is being paid by the Institutes Association, but if that council is eligible for a subsidy under this Bill, the subsidy will be increased from 14s. in the pound to a pound for pound basis. I base my estimate on the fact that the Victor Harbour library, which is run by a committee, has about 230 subscribers at £1 each and receives a subsidy of about £150. Recently that committee discussed whether it would hand over the library to the council, but decided against it. At that time, however, they had no foreknowledge of this Bill. The members of that committee refute the claim made by the member for Norwood (Mr. Dunstan) last week that there is only one South Australian institute library (Glenelg) paying its way, for the Victor Harbour institute library has shown a profit for a number of years, probably for the same reason as that at Glenelg—the tourist traffic. The people in the town, however, are prepared to pay for a decent library. Until this year the subscription was £1 a member, but this year it was increased to 30s., and there have been no complaints. That library has a good range of books and an exchange system that gives subscribers much new reading matter periodically. Free libraries will probably not meet with the same reception as the existing institute library system, because I believe free libraries do not provide for fiction.

The secretary of the Victor Harbour institute library committee recently visited Victoria where he was appalled at the lack of interest in and patronage of free libraries. He said he was agreeably surprised to see the activities of local libraries compared with those in Victoria. He is very happy about the position of the local library. Some of our district councils will be able to take over, without

much trouble, the care, control and management of certain libraries. For instance, at Strathalbyn, the building in which the institute library is housed is owned and rented free by the Strathalbyn Corporation to the institute library. That is one library that could well be taken over, and I believe a full subsidy would be paid under the Bill. The district councils in my district could probably establish one central library to serve four or five towns rather than set up unnecessary and uneconomic smaller libraries in the various centres. This Bill has much merit and should be given a trial. The legislation could be amended from year to year with the ultimate aim of providing a free library system.

Mr. MACGILLIVRAY (Chaffey)—I have been surprised at the irrelevant tenor of the debate, which has centred on the subject of free libraries, whereas the Bill does not mention that subject. It merely authorizes the Treasurer to subsidize the costs of certain libraries. I do not know that free libraries are desirable, although I have not given much thought to the question as this is the first time since coming into this House that I have been faced with it. Frankly, however, I do not think a free libraries system is practicable in such a sparsely populated State as South Australia. Like all other members I have received a letter from the President of the Libraries Association of Australia (South Australian Branch) which states *inter alia*:—

> This branch notes with pleasure the introduction of a Bill for Government subsidies to local libraries. But in so doing it regrets that the Act does not recognize that adequate library service can be given only by
>
> (*a*) Free libraries which are financed by local rates and Government subsidies.

I suggest there is a confusion of thought between that argument and the statement by the member for Stuart (Mr. Riches) that councils would not be able to finance libraries in accordance with the legislation, because the association suggests that councils would be able to finance free libraries, I take it, on a fifty-fifty basis with the Government. The letter further states that an adequate library service can be given only when administered by trained librarians, but I doubt very much if even five country councils would be able to pay the salary of a trained librarian.

Mr. John Clark—The idea would be to have a central library organization under a trained librarian who would catalogue and distribute the books, so that the local librarian would not have those duties.

Mr. MACGILLIVRAY—I do not agree. The Bill provides for the subsidizing of councils, and the association says that trained librarians should be employed. I do not know exactly what the letter means, but I can only deal with its contents, and I assume that, if there were not a trained librarian in charge, the Government could refuse to subsidize a country library.

The Hon. T. Playford—That is not only the wording of the letter; it is also the opinion of the Libraries Board.

Mr. MACGILLIVRAY—I do not question anybody's intentions; I merely say that the whole free library scheme is entirely impracticable in South Australia. It is all very well to quote the scheme operating in the United States of America, but I have been informed that free libraries with trained librarians do not exist there in towns having less than 50,000 people. How many towns in South Australia are of that size? Would the member for Gawler (Mr. John Clark) whose status in the education world is considered second to none in South Australia, suggest that the hamlets dotted all over the State should be immediately supplied with free libraries under a trained librarian as the letter suggests? I believe we should be content to take one step at a time and avail ourselves of a library system half the cost of which will be provided by the Government. South Australians have a true sense of the value of libraries, and I know of no centre in my district that has not a library. The costs are borne by the people. When I am able to tell these bodies that the Government will subsidize them on a pound for pound basis they will think all their Christmases have come at once. At the present time the community pays the entire cost.

I have a criticism of the Bill. I think that as a State progresses it should absorb, as far as possible, all existing practices. The Institutes Association has played a major part in the intellectual development of the State. At one time it was responsible not only for libraries, but for providing several other educational avenues for the people. Under this Bill the association may be overlooked. No-one has a higher regard for the services of councils than I, but we must admit that there are certain matters they are not specifically intended to control. A council could well delegate its powers and responsibilities in respect of libraries to bodies more closely associated with this aspect of our community life.

Mr. Riches—There is no provision for that in the Bill.

Mr. MACGILLIVRAY—My proposed amendment is designed for that purpose. I agree that someone should be responsible for the control and management of libraries and that a council would be the logical authority, but it should have power to delegate that responsibility to the Institutes Association or, as in my district, to community centres which not only look after libraries, but arrange lectures and undertake the intellectual advancement of the people.

Mr. Riches—Under your amendment what would the Government subsidize—the amount the council makes available?

Mr. MACGILLIVRAY—Yes. In his second reading speech the Premier said that two bodies could not be subsidized—the council and the Institutes Association.

The Hon. T. Playford—We won't subsidize our own subsidy.

Mr. MACGILLIVRAY—The Bill proposes that libraries controlled by councils are to be subsidized. I suggest the council have power to delegate its control and the subsidy be paid to the body managing the library. Old-established bodies—particularly the Institutes Association—should not be discarded without consideration being given to the wonderful services they have rendered. The Government should recognize their efforts. Community centres have taken over many of our social activities. They have grown up since the war and returned servicemen play a major part in their activities. They should be enabled to receive benefits under the Bill.

Mr. Riches—Your amendment only provides that the Government will subsidize a council's contribution—not money-raising efforts.

Mr. MACGILLIVRAY—That is so. I hope the honourable member—who is mayor of Port Augusta—has a live sense of his responsibilities and a deep interest in the educational welfare of his people. He is either entirely confused about my amendment or carried away by political ideology. It might be a good thing if the Labor Party could agree upon free libraries, but I remind it that nothing is free nowadays. The letter I referred to earlier reveals confusion of thought because it suggests the establishment of free libraries paid for 50 per cent by the council and 50 per cent by the Government: in other words, paid for 50 per cent by the ratepayers and 50 per cent by the taxpayers, but everyone is both ratepayer and taxpayer. I support the second reading and hope that my amendment will be accepted.

Mr. DAVIS (Port Pirie)—I oppose the Bill. I have been astounded at some of the arguments advanced by those supporting the measure and was surprised to hear the mayor of one town suggesting that a municipality or district council could accept the responsibility of paying 50 per cent of the cost of a library. Like other members, I am in a position to speak on behalf of a municipality and can realize what would happen in my district if the municipality were asked to find 50 per cent of the expenses of running a library in Port Pirie. At the present time my council is not able to undertake all the necessary work in the town. The Premier no doubt realizes that after riding over the roads of Port Pirie yesterday. No decent library can be maintained without a librarian whose salary would be about £1,000 a year. What council could afford that? If a council has no building to house a library it would have to spend several thousands in erecting a building. Councils cannot afford it. In tonight's *News* it is reported that many councils in other States are seeking greater grants from the Commonwealth and State Governments. It would cost a council thousands to meet the requirements of this Bill. Apart from providing a building and furniture the services of a librarian and, possibly, a manager would be necessary. I hope the Government will afford all councils an opportunity of discussing and considering this matter. I have discussed it with my town clerk and members of the council but they will not accept the legislation in its present form.

Everybody should have an opportunity of obtaining books from libraries which should be provided free of charge by the Government. After all, libraries are only part of our educational system. No matter what the education of a child may be when he leaves high school or college, it is only the foundation of learning. It is only when he reaches manhood that he has an opportunity of building on that foundation. The Bill should receive further consideration before we are asked to vote on it.

(*Sitting suspended from* 6 *to* 7.30 *p.m.*)

Mr. DAVIS—Mr. Pearson said that someone was always willing to accept something for nothing, but if the giving of something for nothing is in the interests of the public we should do it. He said that people become lazy when they get things for nothing. He also said he did not favour free libraries, but he contradicted that when Mr. Riches was

speaking. According to *Hansard* he said people accepted things for nothing and he did not favour it; therefore he must be opposed to the provision of free libraries. The Opposition believes that free libraries should be provided in both the city and the country. Mr. Macgillivray said there must be a responsible body to control libraries, but we already have them in the form of committees. There is one at Port Pirie that is working very satisfactorily. Under the Bill it will not be subsidized. It is wrong to ask the council to find half the money required for the conduct of a library. Most councils are today in financial difficulties and cannot do as the Bill proposes. The Government should defer consideration of the Bill to enable members to consider it more thoroughly. The Institutes Association is opposed to it because it does not go far enough. If we are not willing to take heed of that association, of whom will we take notice? I oppose the Bill and hope the Premier will defer its consideration.

Mr. QUIRKE (Stanley)—I support the Bill and cannot see why anyone should oppose it. It does not provide free libraries. In fact, it does not do much at all. At present in both the city and country there are 220 libraries run by the Institutes Association. For the year ended 1954-55 subsidies to institutes amounted to £8,540. I have a complete list of all subsidized libraries under the Institutes Association. The subsidies vary from £2 1s. 3d. to about £400. The subsidy in Clare is £156 13s. 7d. Apparently the people in that town appreciate the library. For years a good building with furniture and fittings has been provided. The library is full of books and is a going concern, but this Bill will not assist it in any way. If the council took over the library and contributed £50 there is no guarantee that another £50 would come from the Government. There would be no advantage to the Clare Council in taking over the library; in fact, there is no need to do it. There are districts, however, where there is no library and the Bill provides that if the local council thinks fit it can establish one and then get a subsidy approved by the Libraries Board. That is better than getting nothing. The Bill should not be rejected because no free libraries are to be established. If only one council wanted to take action under the Bill the opportunity is provided. I do not think many councils in these times would be willing to do as the Bill proposes because it means the expenditure of much money. There is not much money in the hands of councils for this purpose, but if there were in two or three instances the Bill should be supported.

If the Clare Council took over the institute library, and I do not think for a moment that it would, it would lose £156 because the Bill does not provide for that money being paid in addition to the grant from the Government. The £156 would then have to be made up. No institute library of any size will benefit from the legislation. The list shows that there are places where subsidies of £2, £3 and £5 have been received and if the councils took over those libraries and properly administered them they might become better libraries. Actually the Bill represents a smack in the face for the Institutes Association. If there is an intention to promote libraries, why not assist the present system? Many of the libraries in smaller places could benefit from a direct increase in contributions to them, but under the Bill they will get nothing unless the libraries are taken over by the councils. Are we to presume that the Institutes Association is not doing its job and that the administration of the libraries is to be transferred to councils? Although I cannot see any great merit in the Bill, and the Institutes Association is being badly served by it, I will support it because it can do good where there is no large library at present, or the possibility of establishing one. The list shows towns where there are three or four institutes in one council area. Most of them are small, but they are probably representative of the people in the district and their libraries would probably not have a good selection of books. If a district council had four small libraries in its area which one would it take over? How would a district council distribute books over a wide area? Many problems arise.

This Bill represents a rebuff to the Institutes Association, and I do not appreciate it because the association, in many cases under extreme difficulties, has given admirable service to the State. Many voluntary workers have given remarkable service, and I should have thought that if there were to be an increase in the money made available for libraries an established organization of the magnitude of the Institutes Association with over 220 libraries would have been given a bigger advance so as to ease the burden particularly on the small libraries with comparatively few members. It is those libraries that need help,

not necessarily those in the bigger towns where the number of subscribers is much greater. This Bill will not help the smaller libraries.

Mr. John Clark—Why don't you oppose the Bill?

Mr. QUIRKE—It is deficient in many respects, but there is a chance that it will achieve something somewhere, and for that reason I will not oppose it. It may do something in helping to establish new libraries in some areas.

Mr. WHITE (Murray)—I have studied the Bill thoroughly and at one stage I did not feel inclined to support it, but I believe it has some merit. Libraries provide facilities for learning and they assist adult education. Working people may enlarge their knowledge considerably from libraries, and the libraries that will be assisted under the Bill will be particularly suited for this purpose because a substantial portion of the books will have to be educational. The main purpose of the Bill is to provide financial assistance to councils that are prepared to undertake the responsibility of establishing libraries. Most of our larger country towns have libraries that are subsidized by the Institutes Association, but many new districts have come into existence through recent land development, and they should have libraries. Again, other districts dropped into the doldrums in the depression, but as a result of improved agricultural methods they have come into their own, but have no libraries. If local councils establish libraries in those places they will be given Government assistance.

We must also remember that some towns had libraries, but for some reason they became financially unsound and the committees in charge found it difficult to supply many new books. As a result they could not increase the number of subscribers and the committees had to close the libraries. The local council will be able to take over such a library and rejuvenate it, and that is the real value of the Bill. I pay a tribute to the splendid work that has been done by the Institutes Association. It has been my pleasure to be associated with institutes in three districts, and I know that the facilities the Institutes Association has provided have been appreciated by many people. I agree with the member for Stanley (Mr. Quirke) that the proper way to assist our country libraries would be by providing more money to the association so that it could pass on bigger subsidies to the organizations under its control. It does not seem feasible to have two libraries in any one town, both being subsidized from a Government source. However, I am prepared to give this legislation a trial, for it may be a means of establishing libraries in districts where they do not exist now.

Mr. CORCORAN (Victoria)—I support the suggestion made by the members for Stuart and Port Pirie that because the measure does not provide all that is desired and is not an urgent matter it should be deferred. Clause 2 states:—

(1) If satisfied that any municipal council or district council will, in premises under the care, control or management of the council, maintain and manage a library and that the council has provided or will provide, the furniture and fittings necessary for the library, the Treasurer, subject to this Act, may in any financial year pay to the council towards the cost of maintaining and managing the library an amount not exceeding the amount paid by the council during that financial year towards the said cost.

(2) No amount shall be paid by the Treasurer under this section except after consideration of a report upon the matter by The Libraries Board of South Australia.

(3) The payment by the Treasurer may be made subject to such, if any, conditions and restrictions as are recommended by the Libraries Board of South Australia and are thought fit by the Treasurer.

(4) No payment shall be made by the Treasurer unless he is satisfied—

There is nothing definite about those provisions. Members have received a communication from the Library Association of Australia (South Australian Branch), which must be recognized as an authority on libraries. The association states that it notes with pleasure the introduction of a Bill for Government subsidies to local libraries, but in so doing it regrets that the Act does not recognize that adequate library service can be given by the various means it stipulates. The association claims that adequate library services can only be given by free libraries financed by local rates and Government subsidies. Of course, when the association talks about free libraries it should remember that the people have to pay for them. Even if those who borrow books get them free of charge, they pay in another capacity as taxpayers. What many members are concerned about is that books should be available to people who want to read good literature. It would be hard to calculate the benefits to people who patronize libraries with good books. The association also stresses that libraries should be administered by trained librarians. The member for Chaffey (Mr. Macgillivray) made much of this point,

but surely it is not intended that trained librarians should be sent to every humble country town.

The Libraries Association also regrets that no provision is made for regional library services, which are particularly necessary in a State such as South Australia where the population is sparsely scattered over large areas. I am not satisfied that the Bill goes far enough, and consider there would be no harm in deferring the matter as suggested by Mr. Riches and Mr. Davis.

The Hon. T. PLAYFORD (Premier and Treasurer)—I rather regret that my friends opposite have seen fit to oppose the Bill, which after all seeks to give additional library facilities to people at present not enjoying them. It is a remarkable attitude to adopt—if you cannot get everything you want, deny what might otherwise be given. I cannot understand the propaganda created against this Bill, but I could understand when the Government announced its intention to provide additional money for libraries the central authority seeking to extend its scope of influence and take over the new activity. Every authority looks to build up its own organization, and therefore I could understand the Libraries Board wishing to extend the scope of its influence through this activity. It is so easy for the board to provide library services in the metropolitan area, and establish a couple of metropolitan regional libraries if the money were made available. Mr. Dunstan saw fit to bring some personalities into the debate and stated that the Premier was not interested in adult education, and said on another occasion that members of the Libraries Board and the Institutes Board would rather have nothing than have this measure. If we reject the Bill the Government in effect is told, "Go back and take the advice of the people who know something of this matter." That was the tone of the honourable member's speech. Three big advances have been made in library services in South Australia over the last few years. The first advance was just before Sir Richard Butler ceased to be Premier and when the then Minister of Education (now Sir Shirley Jeffries) had placed upon the Estimates £1,400 to start a free lending service to country people. The details were worked out after my Government came into office.

Mr. O'Halloran—Were there not free lending services prior to that?

The Hon. T. PLAYFORD—No. I admit it was a political action.

Mr. O'Halloran—Just before an election?

The Hon. T. PLAYFORD—If the honourable member likes to put it that way. As far as I know, it almost escaped the attention of Parliament at the time, and certainly escaped the big reformers who are now advocating reform in library services.

Mr. O'Halloran—Libraries in the country town where I live provided free books for the people as early as 1910.

The Hon. T. PLAYFORD—I think the honourable member is referring to the Institutes Association lending service, but I am speaking of the lending service from the central library. A country lending service was inaugurated by a Liberal Government, which started modestly by including £1,400 on the Estimates. The last available *Statesman's Pocket Year Book* shows that no fewer than 156,757 volumes were posted to country residents under that scheme.

Mr. Riches—Did that include the country children's library?

The Hon. T. PLAYFORD—No. This was another of the three innovations of the Government, and last year it posted to country children no fewer than 123,580 books. There is no charge for that service, and in addition the postage is paid on the books to the recipient. The third advance was the institution, through the Central Library lending service, of a practice which enabled any person to go to the library and get a book free. Last year no fewer than 214,866 books were lent and the interesting thing about it was that the library authorities of the State opposed the proposal hammer and tongs, and said they wanted it kept as a reference library. And yet Mr. Dunstan says that the Government has not been interested in library services. The fact is that the present library service is due to the fact that the Government took direct action. Let me quote from the minutes of the Library Board on this matter, as follows:—

Metropolitan lending service.—The Acting Librarian recorded that the Premier and the Minister of Education had discussed with him the possibility of providing a lending service from the main library and recommended in view of the impossibility of acquiring temporary facilities immediately and the unlikelihood of obtaining a separate building for lending purposes that discretionary lending should be allowed to the public from the main collection.

The Acting Librarian produced minutes by the Minister and the Premier showing that

the erection of a temporary structure may now be delayed indefinitely owing to building difficulties. The matter was discussed at length, but a majority of the board were unable to agree upon the advisability of lending from the main collection.

These are the people from whom we are told we should accept advice. It was because of the direct influence of the Minister of Education and the Government, including myself, that books have been made available to the public of South Australia. I discussed this matter with the Libraries Board, which wanted to take control. It wanted regional libraries with an officer from the board in charge. How many of these officers would there be? We know the experience in other countries, and that a library cannot be set up under those circumstances for a population of 50,000. Mr. Macgillivray was correct when he asked, "What about my district?" Members opposite are pretty silent on this matter. Any member who represents a country district should consider what his constituents will get out of a regional library. They know that such a library would never reach their people. However, if we can decentralize and get the councils interested in support of libraries, the position will be different. I do not have much hope for two towns which have been mentioned, namely, Port Pirie and Port Augusta. Obviously the members representing those towns were opposed to the Bill from the start. This legislation does not take away anything from the people.

Mr. Riches—The Premier knows very well that the councils are not in a position to undertake the service.

The Hon. T. PLAYFORD—I do not know that, but I know that the councils have the same powers as those in the other States and know that in the other States they have taken an interest in these matters. One member indicated what a council just over the border with the necessary rating power can do for a district. Our expenditure on social services is more or less tied down by the standards set by other States. Under our present set-up, the financial position of the State is governed to a large extent by grants made available by the Commonwealth Grants Commission which says, in effect—and there is a good deal of validity in the argument—"It is not the duty of the Commonwealth Government to put South Australia on a higher plane than that of the other States, but to bring South Australia and the other claimant States up to the level of the non-claimant States, but not to put them in a box seat. It therefore considers the standard of expenditure of the States which have to pay their own way and make that standard to apply to the States which are receiving grants.

We have heard much criticism from members opposite concerning our libraries, but let me quote from the last report of the Grants Commission which gives the comparable expenditure upon libraries, etc., of the claimant and the non-claimant States. The report includes the following expenditure on libraries for the year 1953-54:—

New South Wales £551,000 (3s. 3d. per head); Victoria, £451,000 and 3s. 9d.; Queensland, £118,000 and 1s. 10d.; South Australia, £185,000 and 4s. 8d.; Western Australian, £91,000 and 2s. 11d.; Tasmania, £94,000 and 6s. 1d.; for the six States, £1,490,000 and an average of 3s. 4d. a head.

Mr. John Clark—Everyone should be ashamed of those figures.

The Hon. T. PLAYFORD—I agree, but I bring them to the honourable member's attention so that next time he speaks on this subject he will not oppose making money available to libraries. South Australia provides the second largest amount *per capita*, and it compares favourably with the average of the non-claimant States. The Queensland expenditure *per capita* is very low.

Mr. O'Halloran—In Queensland one-third of the population is catered for by the Greater Brisbane Council, so your figures do not reflect the true position.

The Hon. T. PLAYFORD—I asked the Treasury Economist to study these figures to see whether they are truly comparable, because if they are not they are of no value. He assures me in a report that they are comparable and that the Grants Commission went into the matter thoroughly. Although South Australia is a loser under this item, the South Australian Government has never challenged the validity of the Commission's figures.

Mr. O'Halloran—The Commission has not reduced our grant because of that expenditure?

The Hon. T. PLAYFORD—The Commission assesses our grant on a comparison of expenditure in this State with that in the non-claimant States. I do not think we have suffered a loss of grant because of our expenditure on libraries because in other respects we have effected economies in administration. If we had not effected those economies the grant would certainly have been reduced on this count.

Mr. Riches—But the larger the population the lower the *per capita* cost.

The Hon. T. PLAYFORD—South Australia provides £185,000 for these services, whereas Queensland, with a larger population, provides only £118,000.

Mr. Riches—Plus the amount provided by the Greater Brisbane Council.

The Hon. T. PLAYFORD—One would have expected that the difference between 1s. 10d. and 4s. 8d. would have shown itself much more realistically. Victoria spends 3s. 9d. *per capita*, although it has a much larger population than Queensland. Be that as it may, all these expenditures are low, yet when this Government introduces a Bill to provide for increased expenditure it is opposed by some members opposite. Other members, less sure of themselves, ask the Government to withdraw the Bill so that they will not have to vote against it. The Government does not intend to withdraw the Bill; it believes it will do much good in the community.

Mr. Corcoran—It has not the blessing of the Libraries Association.

The Hon. T. PLAYFORD—I do not want to criticize any associations; I merely say the Government does not believe that the library services of this State are adequate, and it is rather shocked that the Opposition does not support its attempt to improve them. In my second reading explanation I said that I was not tied rigidly to the organizational details implicit in the Bill and that, if such provisions were too rigid, I would consider amendments. Indeed, one member has placed an amendment on the file. The Bill arises out of the desire of some people to establish a decentralized library system. We hear much lip service paid to decentralization, yet when something is done to decentralize the library system the move is opposed. Why should the library services be centralized in the metropolitan area? This Bill will confer a great benefit on the reading public. I do not agree with the leading article in this morning's *Advertiser*.

Mr. O'Halloran—I am amazed to learn that.

The Hon. T. PLAYFORD—Every honourable member may have his opinion about it, but I believe that article was based on the assumption that South Australia did not spend as much as other States on library services. Indeed, figures were quoted to show the position in Western Australia, but when one considers the number of books circulated under the free lending service of the Adelaide Public Library, the whole article falls down because it is based on the erroneous assumption that the services in this State have been starved, whereas they have been more liberally endowed than those in any other mainland State. Members have listened for a long time to talk about the inadequacy of our library services, but as soon as an attempt is made to improve them, unless the scheme suits a little coterie, there is much agitation and lobbying. Indeed, members have been lobbied more on this Bill than on any other for a long time. The member for Norwood (Mr. Dunstan) seems to be so well versed in current opinion on the topic that he has been able to quote the opinions of everybody! The Bill merely provides a more adequate service for the reading public of South Australia and can do no harm.

Mr. John Clark—The point is that it will not do much good.

The Hon. T. PLAYFORD—The Government was told the same thing when it advocated that books from the reference library be lent to the public. It was said that a catastrophe would ensue, but that move has been all to the good. This Parliament has a magnificent library of its own, and I believe that not nearly enough use is being made of it. I have no time for moves to run down our own institutions. True, distant fields may look greener on occasions, but let us at least be loyal to our own institutions and offer constructive criticism based on fact and not on hypothesis.

Bill read a second time.

In Committee.

Clause 1 passed.

Clause 2—"Power of Treasurer to subsidize libraries."

Mr. MACGILLIVRAY—I move—

After "council" second appearing in subclause (1) to insert "or other body approved by the Treasurer"; and in lines 8, 9, 11, and 13, after "council" in each line to insert "or approved body."

The Parliamentary Draftsman says that this amendment is necessary to enable a council, if it sees fit, to delegate its powers to some other organization such as the Institutes Association or a community centre. Then, if the Treasurer thinks that such a body is a fit and proper body, he may authorize the payment of the subsidy direct to it.

Mr. John Clark—Would that include institutes?

Mr. MACGILLIVRAY—Yes. That is the purpose of my amendment. I asked the Premier if institutes would come within the provisions of this Bill, and he intimated that they could not receive two subsidies—one

from the Institutes Association and another from the Government. I have a list of towns that receive assistance from the Government. In my district Berri receives about £45 a year, Cobdogla about £50 and Renmark—the largest centre, with the biggest library—about £225. Most of the opposition to this measure has come from the representatives of Port Pirie and Port Augusta. Port Augusta, with a population of 6,700, obtains a subsidy of £217. Renmark, with only 5,500 receives £225. That, surely, reveals that the people of Renmark are more intelligent and make greater use of their library and are prepared to pay for the benefits they get from it. Port Pirie, with a population of about 14,000, receives a subsidy of £278, which is only slightly more than Renmark receives, although Port Pirie has almost three times the population of that centre. Clare, a small centre, receives £156.

It is not those who talk most about libraries who are the most keenly interested in them. Frequently those who speak long and loud about libraries and express a desire to support them are not so willing if they have to pay for them. This amendment will assist existing libraries not directly controlled by councils. I hope district councils will be enabled to delegate their powers to the Institutes Association or to community centres. If, under the Institutes Association scheme, a library receives £150, but under this legislation would be entitled to £200, the Government should be able to pay the additional £50 to it through the local council. The purpose of my amendment is to retain existing facilities. Changes should be made slowly and existing practices should not be upset. The Institutes Association has been long associated with the development of this State, and community centres, particularly in the river district, are undertaking work formerly carried out by the Institutes Association.

The Hon. T. PLAYFORD—I agree with the amendment in principle, but point out that if accepted as at present drafted, district councils will be enabled to escape any obligation regarding libraries. I do not think that is intended by the honourable member and it certainly is not by the Government. The Government believes it should support libraries, and that local authorities should take an interest in them. I am prepared to accept the amendment, but will move to add the following words after the subclause:—"Provided that a subsidy shall not be paid to an approved body unless the council also contributes to the cost of the library and the subsidy shall not exceed the amount so contributed by the council." In other words, the council need not run the library, but the amount of subsidy paid by the Government will be based on the amount contributed by the council. In the member for Chaffey's district a library is being managed by an organization not under the control of the council. If the council contributes £100 to its maintenance and it is reported as being a satisfactory library, the State will contribute an additional £100. That library will also come within the scope of the free book service provided by the Bill. We believe that if a council has a financial commitment to a library it will take an interest in it and sponsor it. A council should not be enabled to stand aloof and not take any interest in a library. We must adhere to the principle that the Government subsidy is to be based on the amount contributed by a council.

Mr. RICHES—The amendment puts a completely different complexion on the legislation and removes the objection I had to it. However, the addendum suggested by the Treasurer indicates just how far the Government is prepared to help libraries in South Australia. If the Government were prepared to subsidize local effort I would support it, but when it limits its contribution to what a council is prepared to tax its ratepayers for, that is another situation. In many instances that would place an impossible burden upon councils already financially embarrassed, and I do not refer to Port Pirie and Port Augusta alone. According to this evening's *News* every local governing body in Australia is asking for re-orientation of finance. The Premier suggested that because I was not prepared to support the Bill—even after admitting that it was not drafted in accordance with his own wishes—Port Augusta was unsympathetic towards libraries. As the Premier well knows, only half the population of Port Augusta are ratepayers. What is wrong with redrafting the Bill—as the amendment does—to enable local contributions to be subsidized? If that were done country towns would get some relief. To provide that the Government will not give more than a council is prepared to take from its ratepayers places a limit on the subsidy. To suggest that library services will be extended with that limitation does not fool anyone. I am prepared to support the amendment, but the Premier's proposed addendum makes the position impossible.

It has been suggested that the Port Augusta council is not sympathetic to libraries or to assisting the cultural activity of that centre. I have tried to encourage people who enjoy such services to shoulder the responsibility of paying for them and not to rely on the general ratepayer. People generally have rallied rather well and if one examined the returns from the Port Augusta Institute he would realize that it has done a remarkably good job. Because of other activities associated with the library it provides a service for a low annual subscription. The amount of subsidy received from the Institutes Association has no relation to the amount of reading undertaken in that town, nor does it indicate the membership of the library. The member for Chaffey's figures are not relevant unless annual subscriptions throughout the State are the same. A conservative little borough like Clare could have an exclusive membership with a high subscription and could claim the same subsidy as a much larger town. The figures the Premier provided in an attempt to suggest that South Australia is doing a better job for its reading public than other States because its *per capita* contribution is higher are also not relevant. A library like the Mitchell Library in Sydney serves a tremendous public, but if such a building has to be provided for a smaller city the *per capita* cost is very great. The Premier was not on strong ground when he introduced the figures. The leading article in the *Advertiser* did not state that Western Australia has spent more money on libraries than South Australia, but that it was providing a decentralized service that we could copy with advantage. I hope that the amendment of the honourable member for Chaffey will be accepted.

The Hon. T. PLAYFORD (Premier and Treasurer)—In accepting the amendment of the honourable member for Chaffey I am only doing what I said during my second reading speech that I was prepared to do. I then said that the Government desired to make the money available, but it was not prepared to subsidize the subsidies it had already provided. I said that if councils were prepared to assist libraries, the Government would pay an amount governed by the amount given by the council, provided that the library is properly controlled. The honourable member for Stuart said that the Government should subsidize the Port Augusta library under this Bill, but it is already subsidizing it under the Institutes Association on the amount of subscriptions it obtains to the extent of £217 1s. 4d. a year. If that is subsidized again it would be, in effect, subsidizing a subsidy. We want to see the City Fathers take an interest in libraries. If they will, we will subsidize their subsidies in addition to what we are already paying.

Mr. Quirke—If there is a subsidy to a library, for instance Clare, and the corporation gives £50 to that library, would it be due for a subsidy?

The Hon. T. PLAYFORD—Yes, under the amendment I am proposing. The Renmark library has been receiving a subsidy of £225 a year, which has probably enabled it to be run very well. If the council puts in another £50, we will provide a like amount. In addition to the Government's direct contribution, the Bill provides for an exchange book service. It is well known that after a while the books are "read out," and this provision would therefore be of great advantage to libraries. Through the Institutes Association, the Government is already subsidizing libraries fairly substantially, and any library that wants to help itself can receive up to £500. In addition, this Bill provides that if the local governing authority takes an interest and pays a subsidy, the State Government will pay an equal amount but it will not subsidize its own subsidy. I cannot understand members opposite being opposed to the amendment.

Mr. STOTT—The amendment moved by the honourable member for Chaffey made the Bill worthwhile, and I have no objection to the Premier's further amendment. I cannot see why there should be any objection to the Government's providing an additional subsidy. The practical effect of these amendments is that the Libraries Association is able to get books through the Institutes Association. The Government has said that it wants some administration in this matter, and I can seen nothing wrong with that. If it can get proper administration, it is prepared to subsidize what the local governing bodies are prepared to pay, which is an excellent idea. If they are unable to do this because ratepayers are not happy about it, the subsidy will not be affected. I can see no harm in getting local government bodies alive to the fact that they owe a duty to the people to obtain proper literature. The amendments should both be accepted, because they go hand in hand. A local committee has been formed at Loxton, and it has tried to obtain better books for the increasing population, but it is hard pressed to obtain money. I do not think it should be hard for a district

council, such as that at Loxton, to provide a further £100 in order to obtain a similar amount from the Treasury.

Mr. DAVIS—I support the amendment moved by the honourable member for Chaffey, but I am utterly opposed to that moved by the Premier. The only difference between the Premier's amendment and the original Bill is that the responsibility of a council to find the building and other things is removed. I am opposed to the provisions of the Bill because councils could not afford to pay. It is all very well for Mr. Stott to say what his council could do, but he is not speaking with the authority of that council or the people of the district.

Mr. Stott—How do you know?

Mr. DAVIS—Because I know something about council matters, and I know that they are not able to pay. No council can carry out the Bill's proposals and it is untrue that members on this side oppose the Bill because it means decentralization. I hope Mr. Macgillivray's amendment will be accepted.

Mr. MACGILLIVRAY—I regret the Premier proposes to move to amend my amendment for it is unnecessary to do so. In giving his reasons he said the Government could not pay a subsidy on moneys already advanced, but that would be possible if there were an adjustment in the system. If under its scheme the Institutes Association paid a subsidy of £250 to the library at Renmark, and under the Bill the Government had to pay £300, all that would be necessary would be an adjustment and the payment of another £50. In the river districts community hotels hand back some of the profits to the towns in order to provide amenities. If a hotel gave money to a library it would have to cease doing so under the Bill, but if it wanted to circumvent the Bill instead of giving the money direct to the library it could be given to the council. If a community wants to aid a library financially why can't the Government subsidize the sum it provides? If it thinks it will be called upon to pay too much money it could set a limit. I assume that before the Premier would support any body to whom money could be granted a recommendation would come from the local council. Perhaps the provision could read, "If satisfied that any municipal council or district council or any other body recommended by the municipal or district council and approved by the Treasurer . . ." This would provide a tie-up between the council and the body to whom the money was to be granted. I hope the Premier will not persist with his proposed amendment, because it could be circumvented.

The Hon. T. PLAYFORD—Libraries have been established by the Institutes Association and are receiving subsidies on the moneys raised by them. The Government wants to do something additional and to get councils to come into the picture, in the same way as with hospitals. The hospital subsidy scheme has resulted in a chain of subsidized hospitals throughout the State that are second to none in the Commonwealth. We desire a similar system for libraries. The effect of Mr. Macgillivray's amendment would be that many councils would immediately disown all responsibility for assisting libraries.

Mr. Macgillivray—In that case there would not be any subsidy.

The Hon. T. PLAYFORD—Yes, and the people would not get any library. Under the honourable member's amendment councils could still claim a subsidy although they did not contribute.

Mr. O'HALLORAN—I agree entirely with Mr. Macgillivray's amendment, and I agree in part with the Premier's suggested addendum. However, the Premier is going too far when he suggests that the subsidy should be limited to the amount actually contributed by the council. We should not ask the Government to subsidize the same amount twice. If a subsidy has been granted to a library by the Institutes Association we should not be asked to subsidize that amount again. The Peterborough corporation is already rating up to the limit under the Local Government Act, so it would have little money available to assist libraries. I hope the Premier will agree to deleting the last two lines of his addendum. When the library subsidy scheme becomes well-known I believe many country people will co-operate in raising money for libraries. The subsidy should be based on the total amount raised for libraries.

The CHAIRMAN—Does the member for Chaffey want to obtain leave to amend his amendment?

Mr. MACGILLIVRAY—Yes. I ask leave to amend my amendment by inserting after "council" the words "or other body recommended by the municipal or district council and approved by the Treasurer."

Leave granted.

Amendment as amended carried.

Mr. MACGILLIVRAY—I now wish to move a consequential amendment. I move—

In subclause (1) after "council" third, fourth, fifth and sixth occurring to insert "or approved body."

Amendment carried.

The Hon. T. PLAYFORD moved to add the following at the end of subclause (1):—

Provided that a subsidy shall not be paid to an approved body unless a council also contributes to the cost of the library, and the subsidy shall not exceed the amount so contributed by the council.

Mr. RICHES—I move—

To strike out all words after "library."

I hope the Premier will see the logic of the Leader of the Opposition's argument. There is no valid reason why the Government should limit its support to a library to the amount that an impoverished council could make available. Some country communities have few ratepayers, and surely they should not be deprived of a library. Many councils are already rating up to the limit allowed, and the only way they could make money available for a library would be by diverting money from other channels. This question has been discussed by the Municipal Association and the northern councils were not alone in their contention that the ratepayers should not be the only persons charged with the responsibility of supporting libraries. My amendment would not defeat the Premier's purpose. A council would still have to make some contribution towards libraries in its district and take an interest in them. If the councils do that they are standing up to their obligations, but why limit Government contributions to an impoverished council for this purpose when it is conceivable that the people of the district, through their subscriptions and other means, have raised money for the purpose?

Mr. MACGILLIVRAY—The Premier's amendment can be divided into two parts. I am not so much worried about the first section, but the sting is in the tail of the amendment. The Leader of the Opposition mentioned that a district may hold a fete and get £200 or £300, but if the money were paid direct into a library fund the Government would not contribute a penny toward it. Is that how the Government intends to decentralise? Consider my district where there are three community hotels. If any one of them helped a local library the Government would not subsidize it by one penny. The amendment reverses everything I wanted and I therefore ask the Committee not to approve it. It only undoes the whole purpose of the legislation.

The Hon. T. PLAYFORD—If the honourable member looks at the clause as originally drafted he will see that the whole purpose of the Bill is to subsidise district councils to assist them in providing libraries.

Mr O'Halloran—The whole purpose is to provide the smallest possible amount.

The Hon. T. PLAYFORD—It is not. Members opposite do not like this legislation because it is progressive. The Government received many requests by deputation to subsidise councils. I went out of my way to assist the honourable member. He said that in some instances the councils did not desire to control libraries but would be interested in supporting them. If the councils will support the libraries, the Government will support them by an equal amount. The Government is already subsidising subscriptions through the Institutes Association. The library at Renmark gets a subsidy of I think £237 and it will continue provided it raises its money as in the past. If the local council is prepared to assist the library by contributing toward it the Government is prepared to go further and provide a subsidy of an equal amount and a book service. The book service will probably be the most expensive part and we will be providing more than the council. Some councils have helped libraries but other have not. It is not only a question, as the Leader of the Opposition would have members believe, of finance, because some of the poorer districts have raised more than the larger and richer districts. I accepted the amendment on management because some councils might not want to be directly concerned with management, but I am not prepared to forego the real purpose of the Bill—the subsidizing of councils.

Mr. Macgillivray—Why give the money to the councils?

The Hon. T. PLAYFORD—We have seen in this House tonight that some councils will not assist libraries.

Mr. RICHES—Country councils are intensely interested in establishing libraries and are anxious that this legislation shall not hamstring them. Why should such assistance be limited?

The Hon. T. Playford—Because this is a self-help Bill.

Mr. RICHES—It does not achieve that, because if people are prepared to raise money to establish and maintain a library, that amount will not be subsidized; the only

amount to be subsidized is that paid out of rates.

The Hon. T. Playford—Not necessarily from rates.

Mr. RICHES—Why should the ratepayer be the only one recognized in this matter and the Government limit its contribution to the amount he contributes? I know of many districts where the district council embraces many towns, each having an institute, and no matter how much money is raised by one town, it would not be entitled to assistance under this clause unless the district council, whose headquarters may be in another town, contributes to the scheme. Why should the ratepayers of Port Augusta be taxed to provide a service that will eventually also be enjoyed by railway men and others living outside the council area, all of whom would be willing to engage in self-help? I agree that the council should sponsor an application and contribute to the scheme; I merely ask the Treasurer to remove the upper limit of the Government's contribution. Unless money is diverted from some other commitment many councils will not be able to contribute much towards a library system. Why insist on the upper limitation?

The Hon. T. PLAYFORD—This money will be raised by taxation in any case. The clause merely provides that where money is spent it shall be subsidized.

Mr. Riches—You stipulate how the money shall be raised.

The Hon. T. PLAYFORD—No; councils may raise it by contributions, subscriptions or bun fights. They may raise it in any way, but they shall be responsible for an amount equal to the subsidy. If the legislation is to be effective it must be on the same lines as that applying to community hospitals. Council support is necessary because a council is a continuing authority. The purpose of the Bill is not to pay money in the way it is being paid through the Institutes Association. Not one country council has reached its maximum in the money it has received through the Institutes Association, therefore additional amounts could be obtained. The only people complaining are council authorities in this House.

Mr. DAVIS—The Premier has not answered the question raised by the member for Stuart. He insists that the Government will only subsidize the amount contributed by a council. If a person who died left money to a library the Government would not subsidize that. If I donated £100 to the library that would not be subsidized. The Government will apparently only subsidize the amount collected by the council, which must be obtained from rates.

Mr. SHANNON—It is quite obvious that the money does not have to be collected from rates. If the honourable member desired to donate £100 to the Port Pirie library and paid it through his local council, it would be subsidized.

Mr. John Clark—In other words, he must not hand it to the librarian.

Mr. SHANNON—He would give it to the council for a particular purpose and immediately the council passed that money on to the library it would be subsidized. The principle involved is no different from that operating in respect of subsidized hospitals. The member for Norwood quoted figures, but did not quote the vital figures revealing that this State is doing more in this particular field than all States except Tasmania. The Opposition is being pernickety about a measure introduced by the Government in good faith and which I believe will be of benefit in providing library facilities to country people.

Mr. MACGILLIVRAY—The Premier's amendment makes an unfair distinction. He referred to the libraries at Renmark and Berri which are subsidized and controlled by the Institutes Association, but at Barmera the library is not so controlled. Years ago we believed it could be operated better as a community venture and much money has been spent on it. It is now a better library than it was under the Institutes Association, principally because of contributions to it from the community hotel. Under this legislation the community hotel will have to change its method of contributions. It will no longer be able to assist the management of the library but, in order to circumvent this legislation, will have to make its contributions through the local council so that the library may receive a subsidy.

Mr. Shannon—Is there any harm in that?

Mr. Corcoran—Would the Auditor-General accept that as a contribution from the council?

Mr. MACGILLIVRAY—I am not used to the intrigues apparently accepted in Party political circles. If we run our library from contributions from a community hotel or from funds raised by a sporting fixture or fete, they should be acceptable for subsidy purposes. They should not have to be paid through the council. It is petty for the Government to suggest that no library can get a subsidy unless contributions are paid through the council.

The Committee divided on Mr. Riches' amendment to the Hon. T. Playford's amendment.

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

Noes (18).—Messrs. Brookman, Christian, Geoffrey Clarke, Dunnage, Goldney, Heaslip, Hincks, Jenkins, McIntosh, Michael, Millhouse, Pattinson, Pearson, Playford (teller), Shannon, Stott, Travers, and White.

Pairs.—Ayes—Messrs. Hutchens and Lawn. Noes—Mr. Hawker and Sir George Jenkins.

Majority of 3 for the Noes.

Mr. Riches' amendment thus negatived.

The Hon. T. Playford's amendment carried; clause as amended passed.

Remaining clauses (3 and 4) and title passed.

Bill read a third time and passed.

HARBORS ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from November 17. Page 1693.)

Mr. STEPHENS (Port Adelaide)—I offer no objection to this Bill, the object of which is to enable the Harbors Board to take over a certain portion of land belonging to the Federal Government and now used as a rifle range. After the land is taken over, the State Government will provide other suitable land to the Commonwealth Government. I do not think there can be any objection to the provisions of the Bill, which will help the Harbors Board in its big harbour improvement scheme. I would like to have known what land will be purchased, but perhaps it is just as well that that has not been made public, because if it had been many people would hop in to make a profit. I support the Bill.

Mr. TAPPING (Semaphore)—I support this Bill. I appreciate that, to make this exchange of properties between the State and Commonwealth Governments in order to carry out improvements, private property will have to be obtained. Sometimes it cannot be avoided and it creates hardship for somebody. On this occasion the exchange is to be made harmoniously. The rifle range has been used for many years and it will be a loss to some riflemen, but no doubt another range will be provided, so eventually the clubs will lose nothing. The reclamation will further enhance the Harbors Board scheme of development. I pay a tribute to the board's engineers who are doing a yeoman job in establishing a better harbour. It is good to see that their work is now bearing fruit. Beyond Ocean Steamers Wharf a number of additional shipping berths are being provided, and as the years go by this will develop into a grand scheme. Although I agree that the proposed reclamation is essential, will the Minister consider, when it takes place, providing recreation grounds? The Housing Trust, particularly at Elizabeth, has provided them. Because of the lack of foresight on the part of metropolitan councils we have insufficient playing areas. I make an appeal to the Minister for playing areas which the council, sporting bodies and the National Fitness Council will appreciate.

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

WORKMEN'S COMPENSATION ACT AMENDMENT BILL.

In Committee.

(Continued from November 15. Page 1594.)

Clauses 2 to 4 inclusive passed.

Clause 5—"Compensation where workman dies leaving dependants."

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

To delete "hundred" and insert "thousand," to delete "three" and insert "four", and to insert after "and" where second occurring "(*a*1) by striking out the words 'two hundred and fifty' in the said paragraph of the said subsection thereof and."

The clause proposes to increase by £100 per annum the amount of compensation where the workman dies leaving dependants. The Opposition feels that the proposed amount is unrealistic in relation to the loss sustained by the widow and family. It will be said in opposition to our proposal that the amount provided in the clause is greater than that paid in some other States, but we should not be guided by legislation in other States, or merely bring our amount up to the average of the amounts they pay. We should have regard to humane principles and provide greater compensation than is proposed. If my amendment is carried section 16 (1) will read:—

Where a workman dies as a result of his injury and leaves dependants wholly dependent upon his earnings the amount of compensation shall, subject to the limits prescribed in this section, be a sum equal to his earnings

in the employment of the same employer during the four years next preceding the injury, plus £80 for each dependent child, provided that the amount of compensation payable under this section shall be—

(*a*) not less than £500, plus £80 for each dependent child, and

(*b*) not more than £4,000, plus £80 for each dependent child.

The maximum amount payable will be £4,000, plus £80 for each dependent child. I shall make the vote on my first amendment the test vote.

The Hon. T. PLAYFORD (Premier and Treasurer)—As far as I can follow, the effect of these amendments is to increase the maximum amount of compensation payable on the death of a workman from the present figure of £2,250 to £4,000. The Bill, as introduced, proposed an increase to £2,350. This amendment would, of course, raise the amount payable in this State far above the amounts prescribed in the legislation of the Commonwealth and the other States. The amounts payable under other legislation in Australia are at present:—Commonwealth £2,350, Victoria £2,240, New South Wales £2,500, Queensland £2,500, Tasmania £2,240, and Western Australia £2,500. It will be seen that nowhere is the figure anything like the £4,000 proposed. The Leader of the Opposition said that we should break new ground and not take any notice of what has been done in this matter in other States, but we must consider what is a reasonable amount. The maximum provided in the other States and in the Commonwealth varies between £2,240 and £2,500, and that is a guide to what is an appropriate amount. Furthermore, the advisory committee recommended a sum that was in accordance with the standards provided by the other States.

Mr. Lawn—What is the maximum amount fixed by the Commonwealth legislation?

The Hon. T. PLAYFORD—£2,350, which is the amount provided by the Bill. In addition, often weekly payments are made prior to death, and they are not deducted from the £2,350. The Leader of the Opposition did not show why we should depart from the advisory committee's recommendation and I hope the Committee will not accept the amendment.

Mr. LAWN—I support the amendment. Why should a widow who loses her husband as a result of an accident at work receive less than a widow who loses her husband as a result of a motor accident? In other States sometimes a widow receives between £20,000 and £30,000 if her husband is killed in a motor accident, so why should a widow get only a little over £2,000 if her husband is killed at work? The Government's proposal is to fix the amount at £2,350, plus £80 for each dependent child. I am forced to the one conclusion that the Government is out to protect the employing class. If it is fair and equitable in the one instance, it must be in the other. In a sparsely populated State like Western Australia the amount is £2,500. When speaking on an Address in Reply debate or presenting his Budget the Premier likes to tell us that the production per head of population in South Australia is greater than in any other State, but he will not agree that if one of our workmen is killed his widow should receive an amount in acordance with that greater production per head. Surely their dependants should be entitled to an amount in some way comparable to the increased rate of production. At the behest of big business the Premier is prepared to agree to an amount of only £2,350. I wholeheartedly support Mr. O'Halloran's amendment, although I consider even the amount he suggests is not sufficient. In fixing compensation in motor accident cases the court takes into account the expected life of the workman and fixes the compensation accordingly, and that is why we see reports of awards amounting to £20,000 or even £30,000 to be paid to the widow. The same principle should be applied in awarding compensation under this legislation. If a young man is killed at 25 years and he could have been expected to live until 65 in normal circumstances, his widow should receive an amount equal to his earning capacity for that period.

The Committee divided on the amendment.

Ayes (14).—Messrs. John Clark, Corcoran, Davis, Dunstan, Fletcher, Jennings, Lawn, Macgillivray, McAlees, O'Halloran (teller), Quirke, Stephens, Frank Walsh, and Fred Walsh.

Noes (17).—Messrs. Brookman, Christian, Geoffrey Clarke, Dunnage, Goldney, Heaslip, Hincks, Jenkins, McIntosh, Millhouse, Pattinson, Pearson, Playford, Shannon, Stott, Travers, and White.

Pairs.—Ayes—Messrs. Hutchens, Riches, and Tapping. Noes—Mr. Hawker, Sir George Jenkins, and Mr. Michael.

Majority of 3 for the Noes.

Amendment thus negatived.

Mr. O'HALLORAN—In view of the defeat of that amendment I do not propose to persevere with my further amendments to this clause.

Clause passed.

Clause 6 passed.

Clause 7—"Compensation for incapacity."

Mr. O'HALLORAN—I move—

After "amended" to insert "by striking out the words 'three-quarters of' in the fourth line of subsection (1) thereof; and".

At present section 18 provides that, where total or partial incapacity for work results from an injury received at work, the amount of compensation shall be a weekly payment during the incapacity not exceeding a sum equal to three-quarters of the average weekly earnings of the workman during the previous 12 months if the workman has been so long employed, but if not then for any less period during which he has been in the employment of the same employer, plus certain other amounts for a dependent wife and children. My amendment provides that instead of three-quarters of his average weekly earnings, the worker shall receive the full amount, but he shall not receive any payment in respect of dependants. It is fundamentally just that the Committee should accept this proposal. I know of no logical reason why a workman injured in his employment should be worse off, because, after all, his obligations are greater as a result of the accident.

The Hon. T. PLAYFORD—A report I have received on the amendments to clause 7 states:—

These amendments are for the purpose of increasing the amounts of compensation for incapacity. They increase the maximum amount payable for incapacity from £2,500 to £4,000, and remove the limit of £12 16s. on the weekly payment. The amendments provide that weekly payments will be at the full rate of the worker's average weekly earnings, that is to say, up to £35 a week. These amendments can be criticized on the same ground as the previous amendments, namely, that they would prescribe for South Australia standards of compensation far in advance of the general level throughout Australia and greatly increase the costs of workmen's compensation. It is admitted that under the Commonwealth and Queensland Acts there is no limit on the weekly payment except that it must not exceed the average weekly earnings; and in New South Wales the weekly payments can be continued for life without any limit on the total amount. But in every State other than New South Wales a definite limit comparable with that of South Australia has been retained on the maximum total amount of compensation, and even in New South Wales the limit of £12 16s. 0d. a week is retained.

The Bill introduced by the Government proposed an increase in the maximum total amount of compensation for incapacity from £2,500 to £2,600—a figure justified by the standard adopted in most other States. In considering the fairness or otherwise of this amount it must be remembered that the worker can in many cases receive this amount in full and in addition a considerable sum for weekly payments in respect of any period of total incapacity, as well as his medical and hospital expenses.

Mr. O'Halloran—He receives that in other States.

The Hon. T. PLAYFORD—I do not suggest that he doesn't. The amounts provided in the Act are on a general level with other States. There are slight fluctuations between States, but this Bill incorporates the advisory committee's proposals. I hope the Committee will not accept the amendments.

Mr. FRED WALSH—I support the amendment. I have never been able to understand why there should be a limitation on the payments for incapacity—partial or otherwise. I believe that an employee who is injured at his work is not being compensated unless he receives what he loses because of the injury sustained during the course of his employment. Apart from the fact that he does not receive his full earnings he is confronted with considerable incidental expenses as a result of his injury and these should be taken into consideration. The limitation of £12 16s. might apply in some instances where a person has sufficient children to increase his compensation receipts, but the man on a higher salary suffers. There should be no discrimination and the only way to avoid it is by eliminating the limitation. In three sections of the industry with which I have been associated for many years, agreements provide for these matters. Relating to accident pay they state:—

Employees meeting with an accident during working hours shall, if totally incapacitated, receive full wages until their weekly employment is determined under clause 1. . . .

Clause 1 states that a person shall be entitled to his full wages for each week he is employed, but the provision does not apply to casual labour. The accident clause continues:—

but if not so totally incapacitated shall receive full wages for such reasonable period not exceeding six calendar months as his doctor shall fix by certificate, provided that the employer has the right to appoint a doctor to examine the condition of the injured man and check such certificates.

If an employer is of opinion that a man is fit for work he can, at his expense, have him examined and if the doctor considers the man is fit for employment he has to return to work. If this provision is good enough for employers, I fail to see why it should not be accepted in the Act. In my industry the employers carry

the extra responsibility over and above that provided by the Workmen's Compensation Act. It is true that over the years the Act has been improved and that has lightened the burden of employers. In accordance with the provisions of our Act it could easily mean that a person on a certain salary, plus an amount for his wife, could receive only the amount allowed for one child and receive nothing for any other children he may have. We cannot claim that our legislation is fair or just until the Leader's amendment is embodied in the Act. The Premier charges us with referring to parts of legislation in other States to support our views and ignoring other parts, but in this respect he may be similarly charged. It is no argument to suggest that because these amounts are not paid in any other State they should not be paid here.

Mr. O'Halloran—They are paid in Queensland and the Commonwealth.

Mr. FRED WALSH—Yes, and while there is a limitation of £12 16s. in New South Wales, there is no limitation on the period during which the amount is paid. If that is analysed it could mean that over a long period it represents a considerable advantage on what applies in this State.

Mr. DAVIS—I support the amendment, and I cannot understand why the Government has decided not to alter the provision relating to the payment of three-quarters of a man's wages when he is incapacitated. Most working men have committed themselves to the payment of large weekly sums, and if they are away from work for any length of time they run into debt. Although the Act provides that a man can receive three-quarters of his wages while he is away from his work because of incapacity, plus an amount for his wife and children, he can only receive £12 16s. a week, irrespective of whether he has one child or six. I hope the Committee will realize that we are only asking for something just for the workers, and that they should be fully compensated by being paid full wages.

The Committee divided on the amendment:—

Ayes (14).—Messrs. John Clark, Corcoran, Davis, Dunstan, Fletcher, Jennings, Lawn, Macgillivray, McAlees, O'Halloran (teller), Quirke, Stephens, Frank Walsh, and Fred Walsh.

Noes (17).—Messrs. Brookman, Christian, Geoffrey Clarke, Dunnage, Goldney, Heaslip, Hincks, Jenkins, McIntosh, Millhouse, Pattinson, Pearson, Playford (teller), Shannon, Stott, Travers, and White.

Pairs.—Ayes—Messrs. Hutchins, Riches, and Tapping. Noes—Mr. Hawker, Sir George Jenkins, and Mr. Michael.

Majority of 3 for the Noes.

Amendment thus negatived.

Mr. O'HALLORAN—I move to insert:—

and (*f*) by adding at the end of the said subsection thereof the words: Provided that a special magistrate may, on application by a workman, authorize the payment of such further weekly payments for such further period as he may deem to be fair and reasonable after having considered all relevant circumstances of the case.

I propose to disregard the other amendments to this clause. When opposing the last amendment the Premier said that New South Wales, where there is a wage limit of £12 16s. a week, provided that payments may continue indefinitely in connection with total incapacity. I do not suggest indefinite payments, but that in proper cases at the discretion of a special magistrate the payments may be continued for a further period than is proposed in the legislation.

The Hon. T. PLAYFORD—The Bill proposes to increase the over-all compensation for total incapacity from £2,500 to £2,600. I think the Leader of the Opposition wants to provide that a special magistrate may award more than £2,600 if he thinks it proper to do so. In connection with this matter in two identical cases there may be different results. One case could be heard at, say, Brown's Well, and the other at, say, Oodnadatta, and the decisions may be different because of the different views of the special magistrates.

Mr. Lawn—That happens under every law.

The Hon. T. PLAYFORD—Yes, but maximums are provided. In this case, although a maximum is fixed, the Leader of the Opposition wants it possible for it to be exceeded. Such a thing would place the law in the hands of special magistrates.

Mr. Geoffrey Clarke—The insurance companies would not be able to provide for it.

The Hon. T. PLAYFORD—I do not accept that. They would take care that they were adequately covered. Where there was an undefined risk the insurer would have to pay for something that would seldom occur. There may be only a dozen cases in a year and to meet those possible cases premiums on all policies would be increased considerably.

Mr. LAWN—I support the amendment. The Premier said that if the amendment were carried the premiums on all policies would be increased. I remind him that the employers in this State are saving 13s. a week for

each employee, whereas that does not apply in New South Wales. Employees in New South Wales receive the cost of living adjustments, but the Government in South Australia enables employers to get cheap labour. Any increases in insurance premiums as a result of the amendment would not amount to anything like 13s. a week for each employee. This Government wants to give vested interests everything and the workers nothing. The only way the workers can get adequate workmen's compensation is by a change of Government.

Some members supporting the Government have in the past referred to the irresponsible coalminers of New South Wales, to use their words, but if they were totally incapacitated as a result of an accident at work they would receive in 10 years a sum totalling £6,656, and in 20 years £13,312. Compare that to the provision in this State! The amendment is most moderate. All we ask is that the maximum of £2,600 may be increased on the decision of a magistrate. The Premier said that the decisions of magistrates may differ, but that applies under all our laws. Perhaps the New South Wales Parliament considered that point and therefore prescribed the compensation for total incapacity. The member for Burnside (Mr. Geoffrey Clarke) interjected when the Premier was speaking that the amendment would provide a risk that could not be insured against. He cannot tell me that we cannot do something that has been done by the New South Wales Parliament. Not one insurance company in that State or South Australia has gone bankrupt.

Mr. Geoffrey Clarke—The New South Wales Insurance Department is not flourishing.

Mr. LAWN—It has not gone bankrupt.

Mr. Geoffrey Clarke—Didn't one of the New South Wales departments put off 600 men recently?

Mr. LAWN—The Federal Treasurer (Sir Arthur Fadden) said that some Commonwealth departments would sack many South Australian employees. Recently 200 men were sacked at the Chrysler aircraft production factory at Finsbury.

Mr. FRED WALSH—I support the amendment. Under the Commonwealth and the New South Wales legislation there is no limitation to payments for incapacity, but under the Victorian Act there is a tentative limit of £5,600. The Workmen's Compensation Board there has power to extend weekly payments if it thinks fit. It is a pity we have not a similar board operating here. The Victorian board is presided over by a judge of the county courts and the other members are nominated by the insurance companies, the Victorian Employers' Federation, and the Trades Hall Council. The Victorian legislation provides that where a worker is so far recovered from an injury as to be fit for employment, but only of a more limited kind, and can prove to the satisfaction of the board that he has taken all reasonable steps but failed to obtain employment of any such kind, and the failure is a consequence wholly or mainly of the injury, and nothwithstanding any other provisions of the Act or awards or determinations of the board, the board may order that his incapacity shall be continued to be treated as total incapacity for such period and subject to such provisions as it imposes; and upon the making of any such order, compensation in accordance with the Act shall be paid. That is similar to the provision desired by the Leader of the Opposition.

Mr. STEPHENS—The Premier has not told the Committee that he is rejecting the amendment because it is unjust, or that an injured employee should not receive the amount suggested. A man can be told that he has received all he is going to get and that his dependants can now starve. That is not the way to treat men who have given good service to their employers. I ask the Premier to consider this from a humane point of view. I have seen men who have been crippled for life in an accident. What is to happen to them and their families? Unless the amendment is agreed to they will not receive a reasonable amount. A few months ago the member for Burnside said to me during a debate "You do not trust the courts." He will not now trust the courts.

Mr. Geoffrey Clarke—I said that I misunderstood the honourable member, and you accepted my explanation.

Mr. STEPHENS—I ask the honourable member now if he is prepared to trust the courts. When the vote is taken I will be able to prove to the public that I am, whereas the honourable member is not. I ask members to show their Christianity by voting for the amendment. If they vote against it they will approve of men who have had an accident being allowed to walk the streets and starve and also their children to starve.

Mr. MACGILLIVRAY—I should like to know something of the legal application of the amendment. From time to time the Government tells us what a wonderful thing our courts of justice are and that no others in the world have a higher standard.

It is only lip service. It almost excludes the courts from deciding what is right and wrong. Recently we debarred the Road Transport people from the protection of the court. A magistrate should have the right to say whether an injured workman's compensation should be continued or not. I would have thought that the Government would be glad to accept this amendment because it transfers the responsibility to an impartial person. We have a social responsibility to do the right thing for injured workmen, and a court is the most satisfactory authority to determine such cases. If there is some objection on the grounds of a possible increase in insurance rates, has not the Prices Commissioner the right to control insurance premiums? Have we not accepted that principle of control in regard to third party insurance premiums? Could not that principle be accepted in this case? I support the amendment.

Mr. QUIRKE—I, too, support the amendment. Surely the only standard on which compensation payable to an incapacitated man should be assessed is the wage he received while physically fit. If that sum was necessary when he was well, surely he needs at least the same amount when he is incapacitated and requires attention. Eventually, the South Australian workman will receive his full wage while incapacitated, but we are progressing too slowly in this regard. In a modern civilized community we cannot dodge this responsibility nor should we try to.

The Committee divided on the amendment:—

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

Noes.—(16)—Messrs. Brookman, Christian, Geoffrey Clarke, Dunnage, Goldney, Heaslip, Hincks, Jenkins, McIntosh, Millhouse, Pattinson, Pearson, Playford (teller), Shannon, Travers, and White.

Pairs.—Ayes—Messrs. Hutchens, Riches, and Tapping. Noes—Mr. Hawker, Sir George Jenkins, and Mr. Michael.

Majority of 1 for the Noes.

Amendment thus negatived. Clause passed.

Clause 8—"Fixed rates of compensation for certain injuries."

Mr. O'HALLORAN—In view of the previous decision, there is no necessity for me to proceed with the amendments I have on the file.

Clause passed.

Clause 9 passed.

New clause 2a—"Right to compensation."

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

2a. Section 4 of the principal Act is amended—

(*a*) by inserting the words "is travelling" after the word "workman" in the first line of paragraph (*a*) of subsection (2) thereof; and

(*b*) by striking out all the words of the said paragraph after the word "work" in the fourth line of the said paragraph of the said subsection thereof; and

(*c*) by adding at the end of the said paragraph of the said subsection thereof the words: Provided that any injury incurred by the workman while so travelling is not incurred during or after any substantial interruption of or substantial deviation from his journey for a purpose unconnected with his employment.

Section 4 of the Act would then read:—

(1) If in any employment personal injury by accident arising out of and in the course of the employment is caused to a workman, his employer shall, subject as hereinafter mentioned, be liable to pay compensation in accordance with this Act.

(2) An accident shall be deemed to arise out of and in the course of the employment of a workman if it occurs—

(*a*) while the workman is travelling in the course of a daily or other periodical journey of the workman between his place of abode and his place of employment (whether such journey is to or from work): Provided that any injury incurred by the workman while so travelling is not incurred during or after any substantial interruption of or substantial deviation from his journey for a purpose unconnected with his employment.

(*b*) on a journey taken by the workman during ordinary working hours between his place of employment and a trade technical or other training school which he is required by law to attend, or which he attends at the request of the employer.

My amendment is designed to provide that in all cases where an employee is injured travelling to and from work he shall be entitled to compensation provided certain conditions are observed. I propose to strike out the present prescribed right to compensation where the employee is travelling in the employer's vehicle or in a vehicle which has been arranged for by the employer. My proposed provision is embodied in all State compensation legislation with the exception of Tasmania and Western Australia. It is contained in the Acts of the Commonwealth, Victoria, New South Wales and Queensland. I

cannot see any reason why it should not be included in all compensation legislation, and particularly in our own. Members will realize that the hazard of travelling to and from work is becoming increasingly great as our metropolitan area, and the industries concentrated therein, spreads. Longer and more arduous daily journeys are necessary. One could understand opposition to a provision of this nature in the old days when a workman could walk quietly down a lane to his place of employment, but today he encounters considerable traffic hazards during his journeys. I cannot see why he should not be compensated for injuries he receives during those journeys because after all they are a necessary part of his daily employment.

I recall the case of a waterside worker who had almost reached his place of employment when he met with an accident which unfortunately proved fatal. Had he been a few yards on the other side of the road his widow would have received full compensation. Last New Year's Eve a man was killed as he alighted from a train at the destination station for his place of employment. His widow and five young children were not compensated. I could instance many similar cases in recent months in which the present provision of the Act was inadequate to cover injured workmen or their widows and families. This proposal is desirable and necessary.

The Hon. T. PLAYFORD—This is not the first time that we have considered this matter. It was also considered by the special Workmen's Compensation Committee that was set up to inquire into matters of compensation. The report of that committee contained the following:—

This question was again considered by the committee, and Mr. O'Connor strongly urged that we should adopt the principle which is widely though not universally adopted in the other States and New Zealand, that is, to give compensation for injuries received to and from work whether in an employer's vehicle or not. The majority of the committee are still of the opinion that it is wrong in principle to make the employer responsible for events over which he has no control whatever, and are not prepared to recommend any extension of the law on this topic.

A workman on the job is under the control of the employer, and compensation is paid irrespective of whether there is any negligence on the part of the employee, yet accidents could arise from direct negligence or failure to obey an instruction. If there is negligence on the part of the employer, not only must workmen's compensation be paid, but also a claim can be made under the Common Law. When going to and from work an employee is not under the control of the employer, although when he is in a vehicle provided by the employer the provisions of the Act apply. An accident could very easily result from direct negligence of some third party who has nothing to do with the employer, so surely the obligation should be on the person who is negligent. Injury could arise from a brawl in which the workman became involved. As far as I can see, the amendment provides that if a man is going to work on a normal route from which he has not deviated, the employer is liable for the payment of compensation if the employee receives any injury.

Mr. O'Halloran—A brawl would involve a deviation.

The Hon. T. PLAYFORD—It would not; deviation means a change of direction. The Parliamentary Draftsman reported on this matter as follows:—

The circumstances in which a workman might suffer on his journey to or from work fall into three clauses. The first is where the injury is caused by the workman himself. In such a case it is hardly fair to place the liability on the employer. Secondly, there are the cases where the injury is caused by some person other than the employer or the workman. In this case justice requires that that other person and not the employer should be held liable. The third possible case is where the injury is not the fault of anyone. In this case, if the workman is financially embarrassed as a result of the injury, it seems proper that he should obtain help under the provisions of the Social Services Regulations.

In the other States, where employers are liable for injuries received by workmen on journeys to and from work, there have been some extraordinary cases in which compensation has been payable for injuries arising from quarrels between the workman and other people, over matters which have nothing whatever to do with the workman's employment.

Mr. O'Halloran—That could happen now in a vehicle provided by the employer.

The Hon. T. PLAYFORD—When the employee is nominally under the control of the employer there are some grounds for compensation to apply, but in the instance I have pointed out the people would not be under the control of the employer in any way and the injury could arise out of circumstances that had nothing to do with their employment, yet the Leader and his devoted followers would immediately transfer all the obligation on to the employer. I hope that the Committee will not accept the amendment.

[*Midnight.*]

Mr. LAWN—I support the amendment. The Premier said that where an employee is under the control of the employer there are some grounds for the payment of compensation—in other words, he was grudgingly admitting that there is any necessity for compensation. He opposed the amendment because an employer is not responsible for the employee when he is on his way to and from work. In other words, he was suggesting that the employer is responsible for all accidents that happen while the employee is at work. Although many of them are caused by the negligence of the employer, he is not responsible for all accidents. To suggest that we need to legislate only for the negligence of an employer is nonsense. A man goes to work to earn enough money to buy enough food to give him strength to enable him to go to work again to make profits for the employer. The shareholders of General Motors-Holdens received £10,000,000 for doing nothing, but the workers got only enough to feed themselves to enable them to go to work.

Our workmen are making the greatest production per head of any State in the Commonwealth, and they are loyal workers and citizens, so much so that not one Communist is associated with the trade union movement here. Victoria, whence the Joshuaites are coming to help the Liberal Party, has provided that compensation is payable in respect of injuries received whilst travelling to and from work, and that applies to New South Wales and Commonwealth employees also. Our employees give faithful service and produce more per head of population than workers elsewhere in Australia, yet the Government says the employers should not be responsible for their employees when travelling to and from work. In the morning, in in many instances, when an employee is not on the job when the whistle goes he is sacked. The employer requires him to travel to and from his place of work in the same way as he is required to work 40 hours a week. I support the appeal made recently by Mr. Jennings and I invite members opposite, especially as this session is now drawing to a close and we will have elections next year, to be able to say that they gave something to the employees during these last three years. Figures I have obtained from the library show that in June, 1953, the total number of employees on salaries and wages covered for compensation whilst going to and from work was 2,474,998, and those not covered 572,941. This means that 81.3 per cent were covered and 18.7 per cent not covered. In the latter percentage are the South Australian workers.

Mr. Jennings—Didn't the Premier support uniformity the other day?

Mr. LAWN—Yes, and here is a case where he could achieve a measure of uniformity. I am associated with the Vehicle Builders Union. Some of its members work at Parafield on aircraft production and are covered when travelling to and from work, but other members of the union who work at Finsbury on the same type of work are not covered. Are we here to legislate in the interests of one section only or to do the greatest good for the greatest number?

Mr. JOHN CLARK—I support the new clause because it directly concerns many of the workmen I represent. Gawler was once a great industrial town and it still has many tradesmen, but because industries are not there they have to travel to and from their place of employment without being covered for compensation. Many people living at Gawler work for the Commonwealth Government at the Long Range Weapons Establishment at Salisbury, and others work for private firms in the same area. Those who work for the Commonwealth are covered while travelling to and from employment, but those who work only a few chains away in private employment are not. All employees should be covered. All employees are covered by New South Wales, Queensland, Victorian and Commonwealth legislation, but South Australia is different.

We have been told that an employer should not be responsible for events over which he has no control, but employers are liable for accidents that occur at work, though they have little control over the circumstances; indeed, they do their best to prevent accidents. Most people are forced to travel in order to get to their work. There is little work for tradesmen in Gawler, so most of them have to travel some distance to get to their work. If they are conveyed by their employer he is responsible if they are injured in an accident. One objection raised this afternoon was that a man may be injured in a brawl. It seems to me that if workmen were being conveyed on an employer's conveyance they would be covered if they were injured in a brawl, but we do not suggest in our amendment that that should apply, nor do we suggest that a man

in a drunken condition should be covered if he were injured.

The Hon. T. Playford—Your amendment does not exclude that.

Mr. JOHN CLARK—I hope the Premier will have another look at it. If a workman is injured when travelling to or from work he should be completely covered, and that is all we ask. Surely if that is right in principle in other States it is right here.

Mr. FRED WALSH—I support the amendment. We on this side of the House will never cease striving for this provision until it is incorporated in the Act. The Premier has sometimes claimed that he is as strong an advocate for the worker as we on this side of the House are, but that is not borne out by the facts. He said that the majority of the advisory committee still believe it is wrong in principle for the employer to be responsible for events over which he has no control, but I cannot understand that in view of the fact that three States, the Commonwealth and New Zealand have accepted the principle. I hope the advisory committee will reconsider its attitude. Repeated instances have been given to the House of workmen being injured in travelling to or from work. During the second reading debate I said a man who was employed at Birkenhead was killed in a road accident only 200 yards from his place of employment five minutes before starting time, but his widow received no compensation.

Last year a man returning from his employment at Finsbury was killed. His dependants received no compensation, but if he had been employed by the Commonwealth Department at the Finsbury works they would have received compensation. There should be no such discrimination between workers. If one is entitled, surely all are. It is a responsibility of industry. If an employer is called upon to pay an increased insurance premium to meet increased compensation payments, the extra cost is added to the price of his commodity. There is sufficient safeguard in the amendment, but if the Government wants to include further safeguards similar to those in the other States, particularly in Victoria, we have no objection, so long as the general principle is accepted. Until such time as it is included in our legislation, the Labor Party will fight for it.

Mr. FLETCHER—I have always favoured this type of provision, and I agree with the Leader of the Opposition that risks to workmen today are far greater than they were many years ago. Previously I mentioned a case where a group of men were travelling home from work and a limb from a tree fell and one was killed. His widow and family received no compensation. I do not think that any honest employer would begrudge paying an extra insurance premium to cover his employees. Not a large amount would be involved. I support the new clause.

The Committee divided on the new clause.

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

Noes (16).—Messrs. Brookman, Christian, Geoffrey Clarke, Dunnage, Goldney, Heaslip, Hincks, Jenkins, McIntosh, Millhouse, Pattinson, Pearson, Playford (teller), Shannon, Travers, and White.

Pairs.—Ayes—Messrs. Hutchens, McAlees, and Tapping. Noes—Messrs. Hawker, Michael, and Sir George Jenkins.

Majority of 1 for the Noes.

New clause thus negatived.

New clause 10—"Alternative remedies."

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

10. Section 69 of the principal Act is amended—
  (*a*) by striking out paragraph (*a*) of subsection (2) thereof; and
  (*b*) by striking out the word "six" wherever occurring in paragraph (*b*) of the said subsection thereof and inserting in lieu thereof the word "twelve".

The new clause is unrelated to any of the contentious provisions of the Act. The Opposition thinks its inclusion is necessary to enable workmen properly to exercise their rights under the present legislation. Section 69 of the Act provides:—

(4) A workman shall not commence or continue any proceedings against his employer for damages independently of this Act in respect of any injury by accident.

(2) Where a workman has received compensation under this Act in respect of an accident he shall not bring an action against the employer for damages in respect of the same accident.

  (*a*) except within 12 months after he received compensation, or if more than one payment of compensation was made, within 12 months after he received the first such payment;
  (*b*) unless within six months after he received compensation, or if more than one payment of compensation was made, within six months after he received the first such payment, he gave the employer written notice of his intention to bring action.

Section 69 provides that the employee must do two things if he desires to claim for damages from the employer; firstly, within six months of his receiving the first compensation payment as a result of injury, he must give the employer notice that he intends to claim for damages; secondly, within 12 months he must proceed with that claim. Many trade union officials have pointed out that as a result of certain types of accident considerable time must elapse before a claim for damages may be made under this section. An employee may be told by a medical man that his incapacity will disappear, and with confidence in that medical opinion he may permit six months to elapse, only to find later that the injuries are permanent and he has lost the benefits to which he would have been entitled under the Act. My amendment simply means that the injured employee would have 12 months within which to claim for damages and would proceed with his claim in the usual way.

The Hon. T. PLAYFORD—Two questions are involved in this matter. The first concerns the time within which an action for damages must be taken at common law. The second concerns the time within which notice is required to be given. I believe the general limitation at common law is six years, which is far too long, and Parliament will probably have to consider it at some future time. The Leader wishes to remove the period of obligation and to alter the period in which notice may be given. I think action should be taken within a year, because that is quite long enough to have an accident hanging over your head, particularly where compensation has been paid. The effect of the amendments, however, would be to make the period six years, and I do not think that is reasonable. Indeed, I know of no case that would justify such a long period.

The Leader is on better grounds on the second question, for I believe that in certain cases the giving of notice is not practicable within six months. I do not agree, however, that it would be reasonable to alter the six months to 12 months as a general rule, but I consider it would be reasonable for a magistrate to have the right to decide in suitable cases. Therefore I would suggest that in preference to enacting a general rule, as proposed by the Leader of the Opposition, to the effect that the time for notice is to be extended from six months to 12 months, it would be better to provide that the court should have power, for reasonable cause, to extend the time for giving notice. That is a reasonable provision. I realize that it is not possible for the Leader to prepare an amendment along these lines tonight, but provided there is no undue delay on the matter tomorrow, I will move that progress be reported at this stage so that he may have an amendment drawn up tomorrow morning.

Mr. O'HALLORAN—The Opposition accepts that and promises there will be no debate on the matter.

Progress reported; Committee to sit again.

ADJOURNMENT.

At 12.40 a.m. on Thursday, November 24, the House adjourned until 2 p.m. the same day.