HOUSE OF ASSEMBLY.

Wednesday, October 10, 1956.

The SPEAKER (Hon. B. H. Teusner) took the Chair at 2 p.m. and read prayers.

QUESTIONS.

LAND SETTLEMENT ON KANGAROO ISLAND.

Mr. BROOKMAN—I have heard that in connection with land settlement on Kangaroo Island no blocks will be allotted during the next season. Can the Minister of Lands say whether that is so, and can he indicate the position in regard to the allocation of blocks?

The Hon. C. S. HINCKS—It is true that we have decided on a different method of land development prior to the allotment of blocks. Kangaroo Island settlers considered that, generally speaking, we have been allotting land too early, and I have had officers investigating the position. The officers, Messrs. Hill and Roe, are there today with the Commonwealth Deputy Director of Land Settlement (Mr. Colquhoun), making inquiries. The suggestion was, and it has been approved, that from now on the new method will be—first year, fallow; second year, seeding with 2cwt. of superphosphate; third year, 2cwt.; and fourth year, 1½cwt. My officers inform me, and I agree, that this will be the means of bringing the blocks to a better state of development than previously. I make it clear that this is the wish of the settlers on Kangaroo Island so that the blocks will be much more to their advantage and enable them to carry on under much better conditions. This matter has been considered by the officers for two or three years. We have accepted the new method and are giving it a trial, but it will mean that no blocks will be allotted this year.

Mr. BROOKMAN—During the Loan Estimates debate I discussed this matter and pointed out that the Department of Agriculture held views at variance with those given by the Minister. The Department of Agriculture recommended 3cwt. of superphosphate and did not recommend fallowing, although fallowing was not discussed. I have not received a direct reply to my remarks. Will the Minister get a report on them, and at the same time point out the difference between the views held by the two departments?

The Hon. C. S. HINCKS—I will get a report but the procedure now adopted was given much consideration by probably the greatest agriculturalists in the Commonwealth. Dr. Callaghan, Dr. Strong, Mr. Hill, and I think another officer gave much consideration to the method, particularly the superphosphate dressing to this soil type on Kangaroo Island. An area in the centre of the Island was used for carrying out the experiments and I think with a great amount of success in an endeavour to expedite the settlement of soldiers there. The new procedure will mean that exactly the same amount of superphosphate will be put on the blocks as previously, only over three years instead of four. We must have a trial in order to ascertain the best method. As I believed it could be a step in the right direction I accepted the recommendation for a trial. No man on the land can say that after only one year's trial a method can be permanently adopted. There must be a trial over a period of years. We did that in connection with the previous scheme but in an endeavour to improve the position we are trying out superphosphate dressing over three years instead of four.

PORT AUGUSTA-WOOMERA ROAD.

Mr. LOVEDAY—Can the Minister representing the Minister of Roads indicate what has happened concerning the damage caused to the Port Augusta-Woomera Road during the Ampol Trial and the representations made to the Ampol Company in respect of the damage?

The Hon. B. PATTINSON—The Minister of Roads has not supplied me with information, and I do not know whether he is yet in possession of any. As soon as I hear more I shall be pleased to let the honourable member know.

RIVER MURRAY FLOOD RELIEF.

Mr. HAMBOUR—My question relates to stock fodder supplies for settlers along the upper and lower reaches of the River Murray. Will the Minister of Irrigation subsidize the cost of the fodder out of the relief fund so that the settlers will be able to buy food for their stock and carry on?

The Hon. C. S. HINCKS—Applications for such assistance should be made to Sir Kingsley Paine, who is dealing with such cases.

Mr. LAUCKE—Can the Minister of Irrigation advise the House of the procedure adopted in reimbursing victims of the flood for railage or cartage of fodder to flooded areas?

The Hon. C. S. HINCKS—It seems that this again is a question of hardship where one of the unfortunate settlers requires assistance in regard to bringing fodder to his area. I suggest that the honourable member advise the

person concerned to apply to Sir Kingsley Paine's secretary, care of the Lands Department. He will then be given a form that must be filled in by all applicants for assistance.

Mr. STOTT—During the debate on the Estimates last night I asked the Treasurer whether his Government had received a reply from the Commonwealth on the amount the Commonwealth would pay towards the rehabilitation of flooded areas. This is becoming an urgent matter because many settlers, now that the river is falling, are considering whether or not to go back. This all depends on how much money will be available for rehabilitation, what form rehabilitation is likely to take, and whether the holdings will be planted again to orchards or vines. There is much confusion among the settlers, and if the Premier has not yet heard from the Commonwealth will he take this matter up as one of urgency so that these people will know what to do?

The Hon. T. PLAYFORD—Submissions have been made to the Commonwealth and at present are in the hands of the Federal Treasury Department. I do not know whether additional information will be required. If a decision has not been arrived at by the end of this week I propose asking a senior South Australian Treasury official to go to Canberra to confer with Federal officers. These matters are usually investigated by officers of the department before being submitted to Cabinet, and we may be able to expedite the matter by assisting in the work to be undertaken by the Federal Treasury. We have secured additional information which may be of value.

The amount available for flood relief at present comprises money publicly subscribed to the Lord Mayor's Fund; £50,000 already received from the Commonwealth, and £800,000 from the State Treasury. The latter amount will be reduced by what has already been spent, or what we are committed to spend, on preventive work. This would exceed £500,000. However, the preventive measures will undoubtedly save millions of pounds worth of property, and possibly in Renmark alone as much as we have spent. We still have some funds in hand, but as the honourable member suggested, it is necessary for us to have a clear overall picture in order to be able to indicate what assistance can be given. Everything possible will be done to expedite the matter.

Mr. BYWATERS—It is imperative that people in the flood areas should know what procedure will be followed in relation to their re-establishment. I am frequently asked what will happen. I believe that most of the money for their re-establishment will have to come from the Federal Treasury. If the representations of the officer of the South Australian Treasury fail, will the Premier pursue the suggestion of inviting the Prime Minister and the Federal Treasurer to South Australia to examine the position?

The Hon. T. PLAYFORD—If any member desires it, I shall be happy to invite the Federal Ministers concerned to visit South Australia. We would appreciate such a visit, but while the Federal Parliament is sitting I feel it is extremely unlikely. The question of the work of rehabilitating the areas depends on the amount available for that purpose. If the Commonwealth provided money even on the same scale as the State, we would have a better chance of doing something. The Commonwealth has only promised assistance for hardship cases. I believe the order of preference in expending money should be, firstly, hardship cases; secondly, rehabilitation measures to get the areas into production and, thirdly, the provision of amenities and the restoration of roads, etc. I doubt whether there will be sufficient to enable the payment of full compensation for losses as such.

Mr. Bywaters—Would houses be included in "amenities"?

The Hon. T. PLAYFORD—Normally they would be dealt with in the hardship category. If a person experienced difficulty in re-establishing his home that would represent hardship.

RIVER MURRAY FLOOD.

Mr. KING—Has the Minister of Lands any further information on the likely behaviour of the River Murray in flood areas in the immediate and not so immediate future?

The Hon. C. S. HINCKS—I still receive daily reports on the river's behaviour, but in most cases they report only small drops in the river level. Members will realize that while the river remains high there is still the danger of a bank bursting and also the problem of seepage. Last week I visited the flood areas and examined the problems of dewatering and seepage. In the Renmark area, because of the money made available by the State, great activity was taking place in dealing with both problems. I was particularly pleased with the work being undertaken by the people in that area. I also visited Cobdogla, which is a particularly bad seepage area—in fact, considering its size, its seepage problem may be worse than Renmark's. Government officers and local inhabitants were working hard in combating seepage. The irrigation branch was working in

close collaboration with the settlers and seepage water was actually being pumped off a badly inundated area where there was a vine plantation. The report I received there—and my own observations substantiate it—was that much good was being achieved by dewatering and removing seepage water. I hope within a few days to get a further report and I will then report to the House.

FENCING ACT.

Mr. GEOFFREY CLARKE—Will the Minister of Education confer with the Attorney-General and ascertain whether it is desirable drastically to amend the Fencing Act or to introduce a new Act to meet modern conditions?

The Hon. B. PATTINSON—Yes.

TENNYSON BRIDGE.

Mr. COUMBE—Has the Minister representing the Minister of Roads obtained any further information following on the question I asked on September 18 regarding the completion of work on the Tennyson Bridge across the River Torrens at Walkerville?

The Hon. B. PATTINSON—The Minister of Roads has supplied the following reply:—

There has been no undue delay in the reconstruction of this bridge, the work being planned for the employment of a small bridge gang. It was decided for reasons of economy to remove, strengthen and replace the existing girders for the centre section, and, to permit the uninterrupted use of the crossing, that the new widening would be carried out in stages. This was effected most economically by the use of a small bridge gang and under these conditions progress has been satisfactory. It is anticipated that the bridge will be completed by the end of the year.

RISDON PARK SCHOOL.

Mr. DAVIS—Has the Minister of Education anything to report following on my bringing to his notice the condition of the road alongside the Risdon Park School, between Fitzgerald Street and Kingston Road, and his promise to arrange for an officer of the Architect-in-Chief's department to make an investigation?

The Hon. B. PATTINSON—Up to the present I have not received a report from the Architect-in-Chief, but following on the honourable member's second question I will immediately bring the matter under his notice. Speaking from memory, I think the Architect-in-Chief said he would send one of his officers as soon as circumstances permitted. Members heard in the debate yesterday from the Premier that the department is understaffed and it may not be possible for the Architect-in-Chief to send an officer.

Mr. Davis—One has already been there.

The Hon. B. PATTINSON—That being so, very shortly he will report to the Architect-in-Chief who will send me a reply. The day I receive it I will let the honourable member know.

FRESH WATER FROM SEA WATER.

Mr. HEASLIP—In the Western Australian *Farmers' Weekly* of September 27 there appeared the following report from California, U.S.A., under the heading "Ocean to be Fresh Water Source in Ten Years":—

San Francisco, California.—Fresh water from the ocean, which will be cheap enough for drinking and for industrial and irrigation use, will be here within 10 years. Studies made to date indicate that already, by means of one process being experimented with, fresh water can be produced from sea water at a cost of about £A44 10s. per acre-foot. Professor Howe said that cities now pay as much as £55 10s. an acre-foot of water, and as low as £13 16s., depending on their location.

Can the Premier say whether experiments have been conducted along these lines to see whether the huge quantities of salt water in Australia, and particularly in South Australia, can be converted for irrigation purposes?

The Hon. T. PLAYFORD—Paragraphs such as that quoted by the honourable member have come to my notice from time to time and inquiries have been made on the work undertaken in this direction. Fresh water can be produced from salt water at present, but the economics of the question must be considered, and although drinking water could be economically provided by this method, no method is available at present that can get within any distance of the economic cost necessary to provide water for irrigation or similar purposes. Further, such water would be costly for industrial purposes. If, however, we can effectively harness the enormous heat available in nuclear fission from uranium the whole economics of this question will be immediately altered. Indeed, I believe the report does envisage the successful harnessing of nuclear power to give the effective heat inherent in a ton of uranium, which is the equivalent of that from about 3,000,000 tons of coal. This will probably alter the cost to the public too, and it may still be easier and less costly to pump water even long distances by nuclear power than to condense salt water to fresh water. For these reasons I believe that the process referred to will not operate generally in the immediate future,

but is rather something with which we must keep in touch and on which the Government has taken active steps.

NOXIOUS WEEDS BILL.

Mr. SHANNON—I understand that the Government intends to introduce a Bill to amend the Noxious Weeds Act. As this Bill has been the cause of contention among farmers and as the session is progressing, will the Minister of Agriculture say whether the Government intends to proceed with it and, if so, how soon a copy of it will be available so that it may be thoroughly investigated by interested parties?

The Hon. G. G. PEARSON—A Weeds Bill was introduced in this Chamber by the late Hon. Arthur Christian at the end of the last session and taken to the second reading stage. That was done deliberately to outline to interested parties something of what was in the Government's mind, and it was expected that during the Parliamentary recess the interested parties would communicate with the Government and outline their views on it; but that did not eventuate and it was well into the middle of this year and after the present session had begun that we received an increasing volume of comments on it. Those comments necessarily require investigation and consideration in drafting a Bill for this session, and a careful note has been made of the objections, criticisms and the amendments desired by the various interested parties. The drafting of the Bill for this session has taken some time, but it has now reached the stage of the final draft and, subject to one modification that is now being attended to, Cabinet has approved its introduction and intends to introduce it this session.

SUPERPHOSPHATE SUPPLIES.

Mr. HARDING—I was concerned to read in a local country newspaper that a superphosphate company had supplied a short weight delivery of ten tons of superphosphate and that it later supplied an extra half ton to make up the balance. Can the Premier say whether this has occurred before and whether inquiries can be made into the matter?

The Hon. T. PLAYFORD—The companies manufacturing superphosphate in South Australia are reputable companies and I cannot imagine for a moment that short weight would be given unless there were some fault in the machinery or some other reason of that kind. I will, however, see that inquiries are made, and if the honourable member can give me further particulars and the name of the company, I am sure the management will desire to remedy the position if there is some fault in the bagging process.

OIL REFINERY FOR SOUTH AUSTRALIA.

Mr. RICHES—I was interested to read in today's *Advertiser* an advertisement inserted by the Liberal and Country League in connection with the Barker by-election. It stated that the Menzies Government had been responsible for establishing oil refineries in Australia—I have forgotten the number stated—and that a refinery might be established in South Australia shortly. Has the Premier seen that advertisement and, if so, can he say whether the Federal Government is taking any action in this regard or in any way assisting in the negotiations?

The Hon. T. PLAYFORD—I have not seen the advertisement so I am not in a position to discuss it. As far as I know, any negotiations that I have had on the establishment of a refinery in South Australia have been directly concerned with the companies and have not involved the Federal Government. However, the establishment of oil refineries does not depend entirely on discussions between the State Government and a company because ultimately, if a company is to establish here, it will do so under some form of tariff protection, and there is also the question of import licences. No negotiations that my Government has yet undertaken have got to the stage where either of those two matters have become important: other fundamental problems have not been solved. The negotiations that have taken place have been direct with companies. Whether they in turn have sounded out the Commonwealth Government on tariff matters I am not in a position to say.

CARRIETON-HAWKER MAIL SERVICE.

Mr. O'HALLORAN—Has the Premier a reply to the question I asked some time ago about an improvement to the mail service between Carrieton and Hawker?

The Hon. T. PLAYFORD—I have received the following report from the Railways Commissioner:—

The passenger train services between Adelaide and Quorn have not been altered as to timings, but the days have been altered as follows:—

Days on which trains worked up to 7/1/56—

From Adelaide—Mondays, Thursdays and Fridays.

From Quorn—Mondays, Thursdays and Fridays.

Days on which trains worked from 9/1/56—
From Adelaide—Mondays, Wednesdays and Fridays.
From Quorn—Tuesdays, Thursdays and Saturdays.

This alteration of service was desired by the residents of Quorn and was supported by some of the residents at intermediate stations who use rail transport and desire to be able to proceed to Adelaide at the week-ends, particularly when the Monday is a public holiday. With the reduction of the coal trains, the working of passenger trains in each direction on the one day became impracticable because train crews arriving at Quorn on Monday and Friday evenings had to remain in barracks until Thursday and Monday respectively. This was most objectionable to the Unions concerned, and the altered days of working not only overcame this difficulty but resulted in very substantial savings in wage payments because of the improved rosters. The reversion to the original days of working, therefore, could not be justified when the only advantage to be gained would be that the Hawker bus could leave Hawker in the morning and return the same night.

SEMAPHORE-OUTER HARBOUR RAILWAY SERVICE.

Mr. TAPPING—Has the Minister representing the Minister of Railways a reply to the question I asked on October 2 about the progress made by the diesel railcar service that has been installed on the Adelaide-Semaphore line?

The Hon. B. PATTINSON—The Minister informs me that although the Railways Commissioner is not in a position to provide a statistical comparison over a long period a comparison has been made of the ticket issues at Port line stations for the two weeks ended October 6, 1956, compared with the same two weeks last year. Analysis shows that there was an increase equivalent to 1,590 single journeys this year, compared with last year during the period under review.

SULPHURIC ACID MANUFACTURE.

Mr. BOCKELBERG—Can the Minister of Agriculture say whether steps are being taken by the Government to see that acid shipped from Port Pirie will be made available to Port Lincoln for the manufacture of superphosphate?

The Hon. G. G. PEARSON—Discussions have taken place between the various parties over quite a period on the manufacture of acid at Port Lincoln. As a private member I took this matter up with the manager of the company at Port Lincoln some two years ago and subsequently. The latest information I have, which I think is up to date, is that the company is already taking steps to build an acid plant at Port Lincoln utilizing, as a source of its acid, imported sulphur. The company apparently feels this is the most economic way to provide itself with supplies of sulphuric acid for that division. When I was in Port Lincoln at the weekend I noticed that the foundations and superstructure of the new works had already been laid down and that progress was being made. I presume, in the absence of further information, that that is the company's policy, and is considered by it to be the best solution of the problem of supplying acid to Port Lincoln.

LOAD LIMITS ON VEHICLES.

Mr. O'HALLORAN—Has the Premier a reply to the question I asked recently about the damage being caused by heavy vehicles on the Broken Hill Road?

The Hon. T. PLAYFORD—The matter has been investigated by the Commissioner of Highways, who has submitted the following report:—

Recent 12 hour traffic counts on the Terowie-Broken Hill main road showed 104 vehicles near Ucolta decreasing to 55 near Mingary. of these, 35 near Ucolta and 19 near Mingary were commercial vehicles larger than utilities. The road is generally in good order with the exception of the section between Ucolta and Terowie. This section has not yet been rubbled as the greater part of the traffic always proceeds through Peterborough, and the road from Ucolta through Peterborough to Terowie is in reasonable order. The above counts show that the number of heavy vehicles is not great at present and I consider that, if a load limit is to be placed on this road, the axle load as well as the gross load should be limited. I do not recommend this action be taken because (1) this would reduce the load which could be carried by the ordinary 5-ton truck in general use locally and (2) it would be difficult for this department at present to police such a load limit. I do not understand the reference to the Jamestown-Marrabel road as it is unlikely that this road would be used to any extent by heavy traffic.

SHEETING SIZES.

Mr. COUMBE—Is the Minister of Lands aware of complaints that some manufacturers of sheeting for beds, instead of marketing sheets at the specified lengths and widths, have been cutting them to the advertised sizes and then hemming the material so that the finished size is considerably smaller than the normal sheet? Can he say that this practice is not adopted by local makers, and what action would his department take to protect the public against such a practice?

The Hon. C. S. HINCKS—I was not aware of this unusual practice but I will get a report for the honourable member.

SEALING OF NORTHERN ROAD.

Mr. LOVEDAY—In view of the fact that traffic is making use of the Nelshaby turn-off to the Bungana transformer in order to avoid going over two rail crossings, can the Minister representing the Minister of Roads say when the road will be constructed as a sealed road, and if the period is to be a long one could the road be graded?

The Hon. B. PATTINSON—I will refer both inquiries to the Minister of Roads and let the honourable member know the position.

MOTOR VEHICLE REGISTRATION.

Mr. LAUCKE—I refer to the need under existing regulations for primary producers who are eligible for concession rates in the registration of their motor vehicles to make application each year for a renewal. The application must be made in person at a police station. This requirement can mean a waste of man hours and in many cases it occasions considerable travel. Can the Premier say whether consideration could be given to a system whereby a primary producer, after having once established his *bona fides* as a person entitled to the concession, could renew the registration automatically and without having to appear at the police station?

The Hon. T. PLAYFORD—This matter has been the subject of some correspondence from various organizations of primary producers over a number of years. I would not favour any change in the present procedure because it is not sufficient for a man to be merely a primary producers to get the concession. The important point is the use to which he puts his vehicle. It would be possible for him to establish in one year the fact that he is a primary producer and using the vehicle in the course of primary production, but if he carried commodities for other people he would be outside the scope of the concession. A number of people who have claimed the concession have found when questioned by the police that they have not been entitled to it. Because of the need to establish their *bona fides* many people have been kept out of trouble. In many cases the concession is grossly abused. The reason for the concession was the claim that those vehicles were used mainly in primary production and taking produce to the nearest railway station. It was stated that the vehicles were not primarily used on roads, but when a primary producer claims a discount on his registration fee and then carts goods hundreds of miles by road, the basis of the concession is open to challenge for it was not meant to apply to a vehicle undertaking the duty of a common carrier. I see no chance of loosening the present regulation; in fact, if a person uses the road extensively I believe he should be obliged to pay his fair share towards its upkeep, otherwise our roads will be criticized as being below standard. We cannot alter the present procedure: the fact that a police officer must certify such claims has prevented many persons from claiming a concession to which they are not entitled.

KAROONDA PUMP.

Mr. STOTT—The pump on the Karoonda water scheme is causing much trouble and has been pulled up three times already, although similar pumps are working satisfactorily elsewhere. Only yesterday a local resident inspected the pump and it is feared that during the coming summer the town will be out of water as the pump has not measured up to requirements. Will the Minister representing the Minister of Works ask his colleague to have the pump overhauled?

The Hon. B. PATTINSON—Yes.

ADDITIONAL NORTHERN ROAD.

Mr. COUMBE—Has the Minister representing the Minister of Roads a reply to my question of September 19 concerning the extension of Prospect Road to provide another outlet from the city?

The Hon. B. PATTINSON—The Commissioner of Highways has supplied the following report to the Minister:—

The District Engineer reports that the extension of the Prospect Road through to the Cavan Road has been given consideration. Assistance has been given to the corporation of the city of Enfield on the extension of Prospect Road to Grand Junction Road with a view to its future extension to the Cavan Road. Funds for this extension to the Cavan Road are not available at present but action to reserve the necessary land will be taken when the proposal to subdivide the area is submitted to this department.

FRANKTON BUS ROUTE.

Mr. HAMBOUR—Can the Minister representing the Minister of Local Government say whether his colleague has made any progress on the question of a subsidy for the Frankton bus route?

The Hon. B. PATTINSON—Yes, but I am not in a position to announce any happy decision at the moment.

MINING INQUIRY.

Adjourned debate on the motion of Mr. Loveday.

(For wording of motion see page 846.)

(Continued from October 3. Page 853.)

Mr. BROOKMAN (Alexandra)—I oppose the motion. Last year when a similar motion was introduced I said it was the most irresponsible that had been introduced since I came into this House. I find the wording has been watered down a little and, instead of being asked to acquire the Broken Hill Proprietary Company's leases as we were last year, members are simply asked to support a move for a Royal Commission, but that seems to be merely dressing up the motion and does not help matters very much. The Labor Party is committed to Socialism, but it is difficult to get a definition of the word. Indeed, it is impossible to get a copy of the Labor Party's platform; there is not even one in the Parliamentary Libary. It is difficult to find out what the Labor Party stands for, but members on this side believe that in quieter moments when Labor members think nobody is listening, they have declared that they stand for the socialization of the means of production, distribution and exchange. That declaration, however, may mean very little or very much. For instance, in a pre-election campaign Socialism takes on a mild aspect with little sting; in fact, it is then a rather plausible theory implying a hand-out of benefits and no harm to the community. On the question of steel the Labor Party apparently considers that it has something with a public appeal, for it is trying out this plank in its platform.

It is extraordinary how a Party with such a platform can change its mind so often. Labor members seem to have time for little else than reading Mr. Dickinson's voluminous reports. Further, they are extremely agile and hope that Government members will not remember what they say. Only last year, in speaking in the Address in Reply debate, the Leader of the Opposition (Mr. O'Halloran) took a strong stand in dealing with the Government's refusal to repudiate the Broken Hill Proprietary Company agreement. Mr. O'Halloran said:—

Why was that statement made? Was it with a view to inducing me to say that I would favour the repudiation of the company's indenture? I do not stand for that sort of thing, nor does any other member on this side, but we believe that when people accept an implied obligation, as the B.H.P. did in this case, it is their duty to honour it, particularly when they are dealing with a great national resource that is a particular benefit to the people of this and other States.

Why did Mr. O'Halloran say that? Neither the Leader of the Opposition nor any other Labor member at that time apparently wished to repudiate the agreement, yet later in the same debate at least one Labor member indicated his wish to repudiate, and only three months later the Leader himself moved a motion to repudiate the agreement. True, a person wishing to change his mind must be exempt from penalty because a man is entitled to see things differently from time to time, but if he changes his mind he should say why and explain what was wrong with his previous opinion. After all, most people expect that. The whole case put forward by the Labor Party over the last three years has rested on the allegation that the company has broken its agreement, or that it has failed to honour the spirit of its obligation. That is a false stand to take, and I do not see how the Labor Party can go on accusing the company of having broken its agreement. Nothing could be more clear than that the company did not commit itself in 1937 to the establishment of steelworks at Whyalla. The Opposition has frequently quoted, in support of its case, the answer to question No. 60, when Mr. Essington Lewis was giving evidence before the Select Committee. His actual words were:—

Without there being any commitment on my part to try to forecast the future, it is a general condition of affairs in the rest of the world that where a blast furnace is established, coke ovens and steelworks follow. That has been the general trend of things in the countries I have visited. Again, without committing myself, I hope I can visualize the necessary coke ovens and steelworks being built behind the blast furnace at Whyalla. I can give no guarantee of the company's policy or of what might happen in the future, but the first step and the most definite one, is the establishment of a blast furnace. When a blast furnace is established, it is usual to follow it up with coke ovens and steelworks.

What could be clearer than that? The company gave no commitment on establishing steelworks. All Mr. Essington Lewis said was that he could visualize the establishment of steelworks, and the latest information is that the company cannot establish them in the immediate future. It will have another look at this question in 1959 or 1960 when its programme in the eastern States is nearing completion. I stress that our Premier (Hon. T. Playford), when speaking in the debate on the Indenture Act, said that the establishment of steelworks could be ruled out in considering that legislation. He emphasized that the company did not commit itself in that matter. It is fruitless to go on claiming that the company has broken its agreement, but

that is what members opposite have been doing. From time to time we hear their chorus that the company has broken promises.

Why do members opposite get so irate about the fact that we have not a steel works at Whyalla? We often hear them say that we must remember we are Australians and not be parochial. They say we are supplying iron ore for steelworks in New South Wales, but that it is only right that we should have steelworks at Whyalla. That is a parochial attitude by any standard. Of course, it would be a good thing for South Australia to have a steelworks, but after the signing of the agreement everything went along very well at Whyalla. A water supply was provided for that town, and the company established a large ship building yard and built up the town into a big centre of heavy industries. Then the Director of Mines, Mr. Dickinson, made various recommendations that the Labor Party has been echoing ever since.

The Premier took a very fair view some years ago when he said he did not wish to edit the reports of the Director of Mines, but that attitude might not always be adopted by Labor Governments. Furthermore, the Premier has never hindered the dissemination of information and recommendations contained in the Director's reports. Whatever Mr. Dickinson thought of the establishment of steelworks, he was aware that his recommendations provoked political argument. He had the right to do that, and he knew the ink would hardly be dry on his report before Labor members would be running around the House quoting it column after column. However, his reports reveal the same flaw that is shown in the Labor Party's attitude—the failure to show that the company has not honoured its agreement. Mr. Dickinson recommended the cancellation of the company's leases, but he did not prove any dishonesty on the part of the company. Labor members have gone on blindly beating their heads against the wall. They have not put one argument forward showing that the company has failed to honour its obligations.

Mr. Stephens—That is only your opinion.

Mr. BROOKMAN—Yes, but I would be interested to hear the honourable member prove where the company has not honoured its agreement. The Labor Party's arguments are useless because the company will not give way. No other company in Australia knows how to build steelworks. The Labor Party wants a Royal Commission appointed to report on "what action, if any, should be taken by Parliament to ensure that South Australia's high grade iron ore and taconite resources are used in the best interests of this State." Any action concerning the company's leases must entail a repudiation of the agreement, and I do not see how anyone could morally support such action. The motion uses the words "in the best interests of this State." Last year Mr. Quirke moved to add "and the Commonwealth" after "this State." That was a fundamental alteration, but in spite of that the Labor Party dropped "and the Commonwealth." The second paragraph of the motion states—

What steps should be taken to ensure the immediate establishment of a steelworks at Whyalla.

That sounds very well, but the immediate establishment of steelworks at Whyalla is not feasible. The Director of Mines recommended the erection of steelworks at Whyalla costing £100,000,000 and said that another £20,000,000 would be necessary as working capital, but I do not know where that vast sum could be obtained. I think the Labor Party has given up any thought of the Government running such steel works. Last year the Leader of the Opposition said he did not intend that, and I congratulate him because there is no possibility of the Government raising that sum for this purpose.

Mr. Riches—But the company is doing it at Port Kembla.

Mr. BROOKMAN—No firm in Australia could put up £100,000,000 for a steelworks at Whyalla.

Mr. Riches—The company is spending that much at Port Kembla.

Mr. Hambour—The Company is allowed to please itself.

Mr. BROOKMAN—Exactly. I do not think it is necessary to argue at length about the costs of establishing a steelworks. The Director's estimates are well below other estimates for a steelworks of that capacity. A United Nations economic council investigated the question in 1954 and reported that a steelworks of this capacity would cost the Australian equivalent of £135,000,000, which is £35,000,000 more than our Director estimated. That council, incidentally, did not refer to working capital. The Director suggested a working capital of £20,000,000, and that would be additional. No member is competent to speak authoritatively on such costs. All we can do is assess the evidence of the experts. Obviously the Broken Hill Proprietary Company is the only body capable of establishing a steelworks at Whyalla. It has a lease of our iron ore deposits and the only way another firm could utilize them would

be by our repudiating the agreement with the Company.

The member for Stuart (Mr. Riches) claims that the company has repudiated its agreement. I disagree. No one has presented conclusive evidence that the company has failed to honour its legal obligations or broken the spirit of that agreement. The third paragraph is designed to ascertain what negotiations have taken place between the Government and the company on the questions of establishing industries at Whyalla and the payment of royalties. I agree that it might be interesting to know a little more about that. We do know something: we know that the company voluntarily increased the royalty by about 300 per cent, and that it has been responsible for establishing many industries at Whyalla. The company informed the Premier last year that its present commitments in New South Wales prevented it from considering the question of establishing a steelworks at Whyalla before 1959 or 1960. In 1959 or 1960 the company will re-examine the matter and it is by no means impossible that it will establish a steelworks then. The fourth paragraph relates to whether the company has failed to honour either the letter or the spirit of the Broken Hill Proprietary Company's Indenture Act. I have already dealt with that matter.

Mr. Riches—Are you prepared to support an inquiry?

Mr. BROOKMAN—It is most irresponsible to suggest an inquiry. It would have been better had this motion not been moved. The company has rendered a wonderful service to South Australia. It has developed Whyalla into the second biggest industrial town in the State. Members opposite have overlooked the shipyards that have been established there. The company has developed some of our smaller towns; for instance, Rapid Bay and Ardrossan. It has played a leading part in the development of the Nairne pyrites field, a most successful undertaking.

Paragraph (5) seeks an inquiry into what action, if any, the Government has taken to give effect to the recommendations of the Director of Mines or to the resolution carried by this House in 1953. What action should the Government take on the recommendations of the Director of Mines? Directors do not lay down policy. It is unnecessary for a Royal Commission to be appointed to ascertain whether the Government intends to act on a Director's recommendations. When we consider that his recommendations were based on the false premise of repudiation it is obvious we should say as little as possible about them.

Mr. Davis—What about the resolution carried by this House in 1953?

Mr. BROOKMAN—That resolution was that we believed a steelworks at Whyalla was desirable. I do not know what the Government was expected to do as a result of that resolution. Paragraph (6) relates to what action should be taken to encourage overseas interests to establish steelworks in South Australia. This question was discussed in the Address in Reply debate last year, before the member for Whyalla was a member of this Chamber. I have no doubt he has read the report of that debate. The Premier pointed out that most of our high-grade ore is within the company's leases and he said that before we could invite overseas interests to establish steelworks here it would be necessary for us to find other adequate ore resources. Mr. Loveday said that there were between 10,000,000 and 20,000,000 tons of high-grade iron ore outside the company's leases. Those figures are based on departmental estimates, but that quantity would not be sufficient to justify the establishment of a steelworks. The only way of persuading another firm to operate a steelworks here would be to make available to it the iron ore in the B.H.P. Company's leases. What other firm would build a steelworks over the B.H.P.'s body? It is ludicrous to imagine that private enterprise would come to South Australia and expend over £100,000,000 on a steelworks after this Government had disposed of the B.H.P. There are some suckers in this world, but not many have £100,000,000.

Mr. Loveday quoted from a report in the *Advertiser* headed, "Big Steelworks Nibble." That article was to the effect that a French and American firm was nibbling at a proposal to build a steelworks near Newcastle. They want to be near the coal. Apparently they have not heard of the wonderful process whereby we bring coal to the iron ore deposits. I do not know what Mr. Loveday thinks, but from this press report it is obvious that this firm is not interested in South Australia, but in establishing near Newcastle.

Mr. Riches—Why go to Newcastle?

Mr. BROOKMAN—They want to go to Newcastle because they prefer it to Whyalla. Newcastle is much nearer the coalfields and that is why the eastern States were mentioned. It was ludicrous for the honourable member to use the report in support of his case for the establishment of steelworks in this State. Our Government would like steel works to be

established at Whyalla. Members opposite are interjecting so much that I cannot catch what they are saying. No doubt they are bursting with information. I want to make this point.

Mr. Davis—You have been trying to make one for some time.

The SPEAKER—I ask members to hear the remarks of the honourable member in silence.

Mr. BROOKMAN—Our Government would like to have steelworks in this State, and so would most South Australians, but it is not an easy matter to establish them. It is easy enough to refer to it in a motion or in a debate, but in the actual establishment many factors have to be considered. For instance, many thousands of employees would be needed—many more than are available at Whyalla. The B.H.P. Company has large ship yards there but insufficient men. To my knowledge it is from 60 to 65 per cent short of labour requirements, yet members opposite talk about the establishment of works that need about 6,000 men. In view of this it is premature to talk about the early establishment of steel works. Most members opposite will say it is necessary to have steelworks in South Australia from the defence point of view.

Mr. Davis—The honourable member knows what we will say.

Mr. BROOKMAN—I have much information to work on, following on the debates on this subject over the last few years. From that information I can get the views of the Party opposite. It is not our job to talk about defence matters. The weapons that will be used in the next war will be beyond our comprehension, so much so that we will be unable to say whether it will be easier to blow up steelworks at Newcastle or at Whyalla. We should try to find high grade ore outside the leases held by the company. If we cannot find it we should consider whether low grade ore can be used. The following is contained in a report presented to a general meeting of the company by the chairman:—

For some years we have been giving a good deal of attention to the possible development of low grade hematite quartzite deposits which exist in Australia in abundant quantities. Considerable progress has been made on research into the beneficiation of these ores and we are hopeful the stage is not far off when work can commence on a pilot plant.

The company is doing this. If we did something we would be able to talk. The report continued:—

To this end arrangements have been made for Mr. R. T. Kleeman (recently appointed South Australian manager) and Dr. S. G. Salamy, our Senior Research Officer concerned with this matter, to go overseas to look into the latest equipment and processes available.

It is easy to say that if the money spent in importing overseas steel were spent in establishing another steelworks Australia would benefit. Australia will always have to import steel and there is a very competitive steel market overseas. It is silly to say that we could produce steel at Whyalla and sell it as cheaply as the B.H.P. Company does today. The motion should be rejected because it seeks an inquiry into matters that cannot be altered and seeks an unnecessary inquiry into a number of matters that should be clear to members.

Mr. HUTCHENS (Hindmarsh)—I support the motion. After hearing Mr. Brookman I am pleased that my parents taught me some nursery rhymes. I am thankful that they taught me the one about the big bad wolf who huffed and puffed in order to blow a house down. This afternoon we heard the voice of a big bad wolf huffing and puffing trying to blow down a house that Mr. Loveday is endeavouring to build in the interests of the State. I was amazed to hear Mr. Brookman express a lack of confidence in the Australian people, for he said it was beyond their capacity to compete with overseas people in the production of steel. That statement showed a lack of knowledge of the capacity of Australians to develop industry under good government. Mr. Brookman wants us to believe that when a member of the Opposition speaks in a progressive way in the interests of Australia, and points out weaknesses in the present Government, he is indulging in Party political propaganda. He says that anybody who opposes the Government is nothing but a political opponent. Apparently he places Mr. Essington Lewis in that category for that gentleman supports the establishment of steelworks in South Australia.

The honourable member went to much trouble to say that the company had honoured the spirit of the negotiations and the verbal promises made to the South Australian Parliament and Government. If it has, there is no justification for the honourable member's opposition to an inquiry. There is more than a reasonable suspicion in my mind, and I am sure in the minds of most Australians, that the South Australian Parliament was misled by the company in the negotiations, with the result that huge sums of money have been spent in the hope that one day the company would honour the pledges it gave to the Public Works Committee during the inquiry, and to

the then Premier of South Australia (Sir Richard Butler). The honourable member said that the Opposition was hitting its head against a wall. It seems to me that the wall is the honourable member, the great defender of monopolies and combines. The Opposition has a fair and just argument in this matter and nothing can prevail against it.

I congratulate Mr. Loveday on introducing this important subject. No doubt it will receive Parliament's support. Mr. Brookman doubted the possibility of establishing a steelworks in this State, but had the company adopted a similarly pessimistic attitude in 1914 Australia would have had no steelworks today. After all, the position in 1914 must have looked hopeless; the demand for steel then was much less than it is today when people cannot live without it. Forty years ago no one envisaged the widespread use of tubular steel furniture, and since then the great development of Australia has created an enormous demand for steel and extensive markets in this country. Following on the recommendation of Mr. David Baker, the company established a plant on reclaimed swamp land near Newcastle, and today the 747-acre site is covered by a plant employing 8,000. What could a steel industry not do for South Australia? Mr. Brookman's pessimistic attitude amazes me.

Mr. O'Halloran—It is merely typical of the Tory outlook.

Mr. HUTCHENS—Yes. The company, together with its associated industries, employs about 18,000 at Newcastle and its wages bill is between £16,000,000 and £20,000,000 per annum. Because of the tremendous initiative of the company the area has been developed and today 14 open hearth furnaces, five with a capacity of 135 tons each and nine of 125 tons each, are producing steel. Every week each furnace uses about 1,167 tons of pig iron, 417 tons of scrap iron, 133 tons of iron ore, 83 tons of limestone, 33 tons of dolomite, and 20 tons of other materials. Ninety-nine per cent of the ingredients for the manufacture of steel come from South Australia.

Mr. Shannon—What about coal?

Mr. HUTCHENS—I am talking about raw materials used in the process. Is it wrong to ask that a steel industry be established in this State? Members opposite apparently feel that it is, but they should realize that in 1937 the company induced this Parliament to do certain things by leading members to believe that it would establish a steelworks in this State. I draw members' attention to the speech delivered in 1937 by the then Premier (the Hon. R. L. Butler) when explaining the Broken Hill Proprietary Company's Indenture Bill.

Mr. Brookman—That has been read to members three times in the past three years.

Mr. HUTCHENS—Although the honourable member has a good memory, I am sorry I have been unable to impress him. On that occasion Mr. Butler made certain statements.

The Hon. G. G. Pearson—Don't quote anything you don't want to.

Mr. HUTCHENS—I don't intend to, but I challenge the Minister to find even one extract in Mr. Butler's speech that proves that the company did not mislead members. Amongst other things Mr. Butler said:—

> It has been my privilege to introduce many measures to this House, but none has given me greater pleasure and none has been of greater significance or importance to South Australia than this Bill. Over and over again throughout my travels abroad I found that the tendency was not to centralize defence, but to decentralize. That is a policy which must ultimately be adopted throughout Australia . . . The opposite course seems to have been the policy pursued in Australia; in fact, it has only been during the last year (mainly due to the attitude of South Australia) that not only the Commonwealth, but the larger States, realized the danger of continuing this policy of centralizing industries in practically two States of the Commonwealth.

I regret that the Playford Government has not continued a policy of decentralization, but has made it possible for one atomic bomb to destroy all our industries. Mr. Butler continued:—

> At the same time, South Australia is not without blame in the matter. We have lost many industries through lack of efficiency, initiative and capital . . . We appeared to have some hazy idea that the establishment of secondary industries would imperil the primary industries. There was failure to realize that these two great industries should go hand in hand, and that so long as the primary industries are made our first consideration those engaged in that industry have everything to gain and nothing to lose by the establishment of secondary industries . . . I have pleasure in asking members to ratify the agreement with the Broken Hill Proprietary Company Limited, for the establishment of a branch of its works at Whyalla. No words of mine are necessary to show the significance to South Australia of the proposals. I have only one regret, and that is that our old friend, the late Mr. J. C. Fitzgerald, is not alive to see the realization of one of his dreams. Hardly a session went by when he did not make some reference to the necessity of iron and steel being manufactured in South Australia.

Surely Mr. Brookman would say that the then Premier would have been the last to mislead the House. Indeed, the Premier believed that the company intended to establish a steelworks in South Australia. We have been told that the money has not been available, but where is the company finding the money for its Port Kembla project? A Royal Commission should be appointed to inquire into this matter. Although Mr. Brookman quoted only one authority on costs, he claimed that it was proved conclusively that Mr. Dickinson's estimates were wrong. However, when challenged by the member for Whyalla to take notice of other authorities who had supported Mr. Dickinson's contentions he studiously avoided hearing him, but there are none so deaf as those who won't hear. Mr. Dickinson's figures can be accepted as authentic, and the member for Alexandra gave Mr. Riches credit for being an authority. Of course he is, for he has given years of study to this important matter.

Mr. Shannon—Then why did he not take your turn in speaking on this debate.

Mr. HUTCHENS—You will hear him in due course. The member for Alexandra said that the B.H.P. Company had done great things in almost all places, but I do not think any member would deny that the company was most efficient. When one puts forward an argument he should be sure of his facts, but the honourable member exaggerated when he said the company had done a remarkable job in developing pyrites fields in South Australia. The company is not the only firm interested in the Nairne project.

Mr. Brookman—I would not dream of saying it was.

Mr. HUTCHENS—I gathered that the honourable member said that.

Mr. Brookman—No.

Mr. Shannon—The company is in charge of the Nairne field.

Mr. HUTCHENS—Other companies have subscribed capital for the project.

Mr. HAMBOUR—On a point of order, Mr. Speaker, has the pyrites field at Nairne anything to do with this motion?

The SPEAKER—It has been mentioned in the debate, and no point of order is involved.

Mr. HUTCHENS—Wallaroo-Mt. Lyell Co. Ltd., Cresco Fertilizers Ltd., and Adelaide Chemical Works Ltd., are interested in this field and have put money into it. Parliament has invested money in the project, so the member for Alexandra exaggerated when he said the B.H.P. Coy. had done a remarkable job in developing the field. We who support the motion feel that our primary concern is the welfare of the State. Like the Director of Mines, we conscientiously believe that now is the time to establish steel works in South Australia so as to exploit the raw material that is ours in the interests of the State. Investigations should be started now to see what can be done in this matter. The demand for steel is ever-increasing, and the member for Alexandra was wrong in saying that such a project would not be economically sound. By continuing to buy steel overseas we are sending money out of the country. Another steelworks would employ more Australian labour, and this aspect will become more important in the near future. The country would gain more revenue if a steelworks were established near Whyalla.

Mr. O'Halloran—In five years we have sent £100,000,000 overseas to buy steel.

Mr. Shannon—But we get the steel.

Mr. HUTCHENS—Yes, but what is wrong with getting it from South Australia where we have the raw material. If we miss this opportunity to establish steelworks it will be to the detriment of the State. We on this side of the House want an investigation to see what can be done to overcome the disability arising from the fact that Parliament was misled years ago, and I urge all members to support the motion.

Mr. SHANNON (Onkaparinga)—We have just heard a speech from the member for Hindmarsh that was good in patches. He repeated much that has been said about the B.H.P. Co. on a number of occasions. He referred to its enormous paybill, the great numbers it employs, its big investments and high productive capacity, and made other highly complimentary remarks about the company. I would have thought that as a good Australian, and not a petty South Australian, he would be proud of the record of the B.H.P. Co. which is an Australian concern, though a few of its shares are held in the Old Country. In the political field Labor members are usually unificationists and want political power centered in Canberra, but when they talk about business arrangements they become small South Australians who want things done in their own State irrespective of the economics of the project.

I commend the member for Whyalla (Mr. Loveday) for putting forward a much more reasoned case than we have had on this question before. His statements certainly did not contain the venom and bias we have become accustomed to when similar motions have been moved. I hoped that we would hear the

member for Stuart this afternoon, but I am sure he will give us the same story, which does not do his case any good. He always quotes Mr. Dickinson *ad lib*. Mr. Dickinson is an excellent officer and a personal friend of mine, but if I embarked on a big business venture I would go to other sources for advice, for I do not look on him in the same light in the business world as in his own sphere, and Mr. Dickinson knows that. He is an excellent metallurgist of the highest qualifications. The Rio Tinto Company, which is the wealthiest mining company in the world, has engaged him to go to the Mary Kathleen field, and that shows what the company thinks of him as a metallurgist, but not as a business man. The Rio Tinto Company will not ask him to direct that project.

Mr. Davis—It will carry out his recommendations.

Mr. SHANNON—He will be there as a metallurgist, and the company will not seek his advice on finance. The demand for steel is Australia-wide. The main considerations to be applied to this question are the cost of the finished product to the Australian consumers and the desirability of having an Australian company to manufacture steel because its dividends would help swell Australia's revenue and thereby assist in the development of the country. Opposition members have not considered whether an Australian company should undertake this project. That does not matter to them, so long as they get a steelworks in this State, but I have a different view. I do not want to see foreign capital exploiting our raw materials and making profits for investors in other countries.

Mr. Davis—The B.H.P. Company has taken away the rights of the people.

Mr. SHANNON—If the honourable member's mouth were not quite so big and his ears were larger he would take in much more information. If the profits from the manufacture of our raw materials remain in Australia so much the better for this country. We must keep the cost of the finished article down, and, if possible, have Australian capital invested in any undertaking.

Mr. Davis—What is the good of keeping costs down when we are sending millions of pounds overseas to buy steel?

Mr. SHANNON—That is the old parrot cry again, but it is just poppycock.

Mr. Davis—If the honourable member will—

The SPEAKER—I ask the honourable member to allow the member for Onkaparinga to be heard in silence.

Mr. SHANNON—The honourable member is not worrying me, but he may be making it difficult for the *Hansard* reporters to hear what I am saying. I stress that steel is not the only commodity we import into Australia. We have to import many commodities to keep our economy going because we have not reached the stage where we can manufacture all the goods we require for this young and developing country. The B.H.P., Coy. produces 2,500,000 tons of steel annually, whereas the Australian requirement is 3,500,000 tons, but that cannot be used as an argument for the establishment of a steelworks at Whyalla. The company established a steelworks at Newcastle many years ago when it was the common practice to establish steelworks near coal deposits. At that time about two tons of coal were required with one ton of iron ore to manufacture steel and it was more economical to take the iron ore to the coal. The steelmaking process has changed somewhat and the proportions of coal and iron ore are now about the same. If that process had obtained when the company first established a steelworks it might have favoured setting it up in South Australia rather than at Newcastle. It established where it could manufacture the finished article at the cheapest cost. It would be impossible to assess the value of its works at Newcastle and Port Kembla on today's values. The shareholders' funds in the company amount to about £35,000,000, of which £7,000,000 is accumulated reserves. It produes 2,500,000 tons of steel annually, which represents £14 a ton of steel, or £14,000,000 a million tons. I have been told that Mr. Dickinson's estimate of £100,000,000 to establish a plant capable of producing 1,000,000 ingot tons a year is conservative. If we accept that figure, and divide £14,000,000 into £100,000,000 the ratio is seven to one.

Mr. Bywaters—You know that is not the correct picture.

Mr. SHANNON—That is the picture that applies in the economics of the matter. After all, the capital invested in any undertaking has a bearing on the product it is used to manufacture.

Mr. Bywaters—What about the profit that is ploughed back into a business.

Mr. SHANNON—If the company had not ploughed money back into its workings we would still be putting up with a local production of 1,000,000 tons of steel annually. If all its profits had been paid out in dividends it would not have been able to expand. It is expanding its productivity. I do not want

another steelworks to be established here arbitrarily just because South Australia happens to be the repository of the iron ore, which is only one of the factors in the manufacture of steel. A steelworks should not be established willy nilly and irrespective of the economics of the proposal. The man who uses steel will have to pay in the long run.

Mr. Riches—Is that a new excuse; the economics of the proposal?

Mr. SHANNON—It is a reason. It would be ridiculous for any organization to establish a steelworks in South Australia before new techniques in steel production come to fruition. At the present time investigations are being conducted overseas into the economic use of taconite in the manufacture of steel. Germany and America are working on it and the B.H.P. Coy. has four of its leading technicians overseas watching these developments. If it is economic to use taconite I have no doubt that we will not have to encourage the company to establish steelworks of a suitable design to handle our taconite deposits. Whether it expands in Newcastle or establishes a new plant in South Australia will depend on the amount of coal necessary to extract the iron from the taconite rock. If it is economically cheaper to produce steel in South Australia I have no doubt the company will establish here. It is directed by some of the shrewdest minds in the Commonwealth and Mr. Essington Lewis is one of the foremost men in the Commonwealth in appreciating the economics of business undertakings.

At present the company is endeavouring to eke out South Australia's iron ore deposits by using inferior ore from Yampi. It is also negotiating for New Caledonia iron ore which, unfortunately, has a high liquid content and is not suitable for the manufacture of high-grade steel. The company is investigating whether or not that iron ore could be mixed with better class iron ore to produce a satisfactory article. Mr. Dickinson has suggested that if we do not immediately establish a steelworks in South Australia our iron ore deposits will be worked out. The company obviously appreciates the position because it is certainly more costly for it to transport iron ore from Yampi and New Caledonia to Newcastle than from South Australia.

The company sells steel to South Australia at the same price as to New South Wales. The price is averaged throughout the Commonwealth and all States get the benefit of cheap steel. As a user of steel—and we all use steel, some in larger qantities than others—I am more interested in the price than in where a steelworks is established. I suggest that if another firm were induced to set up a steelworks here we would have to pay at least £10 a ton more for it than at present. After all, the operation of a steel plant depends on the skill of the operators. In this field the company employs the most skilled men available. I do not think anyone could buy them away from the company and if a brilliant man were brought here from overseas I am quite sure the company would attract him to its employment. It is obvious that inherent in the motion is a suggestion that we break our agreement with the company in connection with the leases, and arbitrarily take from the company some of the leases and grant them to a company to be formed in this State. How could we expect another company to come here after we had broken the agreement with the B.H.P. Company?

Mr. Riches—I do not think we would tell it what we had done.

Mr. SHANNON—The other company would soon find out. No matter how much dust we threw in the eyes of the man who had £100,000,000 to invest he would not be easily hoodwinked. He would ask all sorts of questions about the ore deposits. I cannot see any merit in the proposal.

Mr. Davis—In an investigation?

Mr. SHANNON—All the investigation in the world would not tell us one thing we do not already know. What possible virtue can there be in denying the B.H.P. Coy. the right to the leases in order to manufacture steel, and to possibly write off its capital investment in industry in New South Wales? It would have to increase the price of steel if we took away half its iron ore reserves in order that works might be established in this State. The amortization of the capital invested in New South Wales would have to be done in a shorter period. Mr. Dickinson said that if we could find 20 years' supply of iron ore another company would be interested. The capital invested in such an undertaking is dependent upon the supply of raw materials for a given number of years. Members opposite seems to forget that. If there is sufficient ore for 50 years the capital invested can be written off in that period, but if there is only 20 years' supply there must be an increase in the scale of writing off. Steelworks are useless without iron ore to smelt. The United States of America has learned that and is now importing South American ore at enormous cost. That is one of the reasons why the B.H.P. Coy. can more than compete with overseas steel in the matter of costs. If our ore deposits were split up

between two companies, and the Australian company had to increase the price of steel—and I think that would mean an increase of £10 a ton on current prices—there would be a sorry reckoning. This type of motion is put forward by Opposition members in good faith. They feel that we should put South Australia first, but in the business world Australia is one country. South Australia is enjoying benefits from the manufacture in this State of motor bodies with steel supplied by the company at the same price as it is supplied to our competitors in New South Wales.

Mr. Davis—And so it should.

Mr. SHANNON—I agree, but if the company charged us an extra price to cover freight rates on the steel what would happen to our motor body building industry? If it changed its present policy and charged us freight on the steel from Newcastle it would be the end of Holdens and Chrysler Dodge, for they would move to the eastern States. We must remember that because of the price charged by the company we have established in this State two industries that will employ about 13,000 men when works at Tonsley Park are completed. This is the result of the policy pursued by the great Moloch, the Broken Hill Pty. Coy. I think every member at heart has a good opinion of the company, which has done more for the development of Australia than any other company. I do not care whether members opposite deny that statement. Facts speak for themselves. It is largely due to the company setting out on such a policy that not only South Australia but all Australia has benefited. We put too much emphasis on our own position. Everybody in Australia has a right to enjoy the things that the good Lord has given to Australia. The motion and statements by members opposite suggest that because South Australia has the iron ore deposits she must have the steelworks.

Mr. Loveday—It is economic to have them here.

Mr. SHANNON—I deny that. Figures speak for themselves. For anyone who can understand ordinary arithmetic it is possible to see that if the price of steel in this State were increased there would be a tendency to increase the price throughout the Commonwealth. I doubt whether it would be possible to establish a company here that would follow an Australia-wide policy in the distribution of its products. I seriously doubt whether members opposite want such a thing. The wording of the motion suggests that they want South Australia to get an advantage because of the steel being manufactured here, but that would deny to the people of Australia an equal share in something given to us by Providence. I oppose the motion.

Mr. J. CLARK secured the adjournment of the debate.

COURSING RESTRICTION ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 3. Page 854).

Mr. JENNINGS (Enfield)—I oppose the Bill. I am the first to do so, for all members who have so far spoken have supported it. The argument advanced in support of the measure has been a mixture of irrelevancy and superficiality, with the latter predominating. Members are deeply thankful to Mr. Jenkins for giving us some information to help us make up our minds on this matter, but there is other information he did not give and I propose to give it. In his second reading speech Mr. Jenkins quoted the following extract from a paper under the heading "Britain's High Society Goes to the Dogs.":—

Lady Rachel Davidson, Lady-in-Waiting to the Duchess of Kent, is a dog owner. So are two close friends of Princess Margaret, Lord Blandford and Lord Porchester. Other titled owners include Lord and Lady Severnake, Lord Derby, Lady Blackford, Lord Chelmsford, Lady Wakefield, Lord Coventry, Lord Denham, and Lord Bingham. The Marquess of Carisbrooke, a grandson of Queen Victoria and cousin of the late King George VI, is a senior steward of the National Greyhound Racing Club. These noble names head a long list of notables who race dogs.

The dogs would not have to be very fast to race those people. The honourable member quoted this extract in all sincerity. That must be manifest to us. I am sorry that the honourable member did not tell us what must be of transcendant importance: whether or not that lady of goodly proportions, Miss Marilyn Monroe, possesses or chases a dog, or whether the aristocratic hooligan who is out here now is a devotee of dog racing. I do not think these things have much to do with the Bill, yet they were advanced as arguments in support of it. The honourable member wished to convince the House that the Bill had merit, but he went about it by suggesting that we follow the views of British high society. I believe, however, that because of the many recent doings in high society in Britain it is high only in the olfactory rather than the elevated sense: in short, to put it elegantly, it stinks and I do not think this House is likely to be convinced by any such irresponsible argument.

What other arguments were raised in support of the Bill? Mr. Jenkins said cruelty and betting were not involved, and he was supported by Mr. Heath and Mr. Tapping. Indeed, Mr. Tapping said this was an industry, but what is an industry? If it is merely something that gives employment to people then greyhound racing is an industry, but members must ask themselves whether it is a gainful industry that produces something for the economy. On Mr. Tapping's definition, prostitution could be considered an industry merely because it gave employment, but I do not think any member would support the establishment of brothels merely because of that. Dog racing may be an industry but it certainly adds nothing to the country's economy.

I was surprised to find the R.S.P.C.A. taken to task in this debate. Several speakers said that for a start this practice might be cruel, but because something else was cruel we should let this go. That argument, however, is illogical. True, the society adopts a certain attitude on myxomatosis and fishing, but can one compare a necessity such as the destruction of rabbits, which contributes something to the economy, with this so-called sport? Indeed, certain legislation specifically exempts the exterminators of pests from any penalty they might otherwise incur under legislation designed to prevent cruelty to animals.

The Society realizes that it is a responsible body with a service to render to the community. Why should members claim that it acts inconsistently merely because it opposes this legislation? Would it not be more to the point for members to ask why such a responsible body comprising well-meaning people who are doing a good service should oppose this Bill? I have done this, bearing in mind that similar legislation has previously been rejected by Parliament on a number of occasions.

Mr. Jenkins—It has been passed by this House, though.

Mr. JENNINGS—Only once, but I hope it will not be this time. Why has Parliament always rejected legislation which on its face appears innocuous? I have discovered why, and believe that the same reasons obtain today. I have a letter from the secretary of the New South Wales branch of the R.S.P.C.A., which states:—

Of course you are aware that throughout the world today where greyhound racing has become the rage the same difficulties are being experienced in regard to the cruelties associated with it by giving the dogs a kill, the purpose of which is to encourage them to race after the mechanical hare, which, so it is claimed, they would not do unless they were occasionally given a kill; any small animal, such as a cat, small dog or rabbit answers the purpose of this and many of those in charge of dogs call it an accident.

I remind members that that letter is not from a private citizen but from a responsible member of the community, the secretary of the society in New South Wales. He is not likely to make such a statement lightly. The following is an extract from the *Sunday Sun and Guardian* of New South Wales, published in March, 1939:—

Inspector W. Sydenham of the R.S.P.C.A. in Sydney said yesterday that he believed the practice of killing cats for greyhound training purposes was more general than people imagined.

Then follows a story about a cat that limped back with its claws pulled out. The edition of the same paper on March 26, 1939, contains the following report:—

The R.S.P.C.A., backed up by public opinion, aroused by the *Sunday Sun's* recent disclosures of appalling cruelty to cats in greyhound training, is urging drastic amendments to the Prevention of Cruelty to Animals Act, to provide for substantial gaol penalties without fines.

Later, on May 22, 1944, that newspaper published the following report:—

A cat, found dead after having been mauled by greyhounds on a bush coursing track had had its claws pulled out so that it could not scratch the dogs. This is one of several revolting cases of cruelty reported to the R.S.P.C.A. over greyhound training . . . Among other cases reported to the society recently are:—A live rabbit tied to a board and used as a "mechanical hare" on a bush training track. Bodies of possums found in an enclosure where racing greyhounds had been "blooded."

The member for Wallaroo (Mr. Heath), said only one case of cruelty had been referred to the courts.

Mr. Heath—Yes, in Melbourne.

Mr. JENNINGS—But many other examples of cruelty may be cited. In the late 1930's there was a great agitation for the establishment of what is proposed under this legislation and a South Australian newspaper that was opposed to the introduction of this practice published details of what went on in tin hare racing training. One article stated:—

Revelations of shocking cruelty of a most callous nature, perpetrated under the guise of sport, have at last reached the light of day—in the courts. Now the public can know why dogs, without a quarry, mechanical or otherwise, race so truly and with such evident gusto; the dogs are trained on the smell and taste of blood and it is for this grim

reward that they strain sinew and nerve to be first in at the kill. From evidence found by game inspectors at White City speed coursing track, Victoria, recently, it is obvious that opossums and rabbits are being widely used by some dog racing men to incite a lust to kill, the fostering of which is an integral part in the training of a greyhound . . . On the morning of June 29, Inspector Clift, armed with powerful binoculars, was at the rear of White City ground in a position to overlook the "Killing yard."

Some members who have spoken on this Bill have said that when attending coursing functions they have seen no signs of cruelty, but I point out that if an inspector has to get up early in the morning and use a pair of powerful binoculars to view training it is easy to understand why casual onlookers can be convinced that this is an entirely innocuous sport. The report continues:—

The killing yard, it was explained, is situated at the end of the racing track at White City, and dogs run there at the conclusion of a race. Dogs are given "kills" in the killing yard because it encourages them to go there . . . It is safe to say that a small percentage only of the ordinary run of dog racing enthusiasts realize there is such a background to the sport and fewer still realize what a major part these small, torn, disembowelled, furry bodies play in its preliminaries.

In this prosecution the case concerned opossums, our own native fauna, 100 of which were found dead. I shall now read a letter from the Sydney correspondent to the *Advertiser*, published in June, 1954. Every day the *Advertiser* contains a letter from another State capital, and this was under the heading "Sydney Letter" and was published on June 30, 1954. It stated:—

Public indignation is increasing at cruelty to animals, particularly cats. Bodies of cats with their teeth wrenched out and without claws have been discovered at several semi-rural spots around Sydney near greyhound courses. It is now known that some coursing trainers either mutilate the cats while they are still alive or buy them from other people to use them for training purposes. A coursing hound usually gives better performances if he has tasted blood.

That statement was similar to one I read a moment ago that was made in 1939. It shows that during that period the procedure and practice was the same, and proves that blooding is an integral part of the training of greyhounds. A letter from the secretary of the R.S.P.C.A. in Sydney to a man in South Australia states:—

Coursing and the consequent cruelty to animals, particularly cats:—It is a fact that bodies of cats with their teeth and claws drawn have been found in the metropolitan area. We believe that cats, rabbits and opossums have been used for the blooding process, opossums being particularly suitable, for reasons best known to the greyhound trainers.

Now I can answer another point raised by the member for Wallaroo who said, in effect, that a trainer would not bother to use a rabbit because rabbits were not suitable, but has that any bearing on the issue? We are no more nor less concerned with cruelty to rabbits than to any other animal. He said that rabbits were not suitable because they will not run. The letter states:—

. . . opossums being particularly suitable for reasons best known to the greyhound trainers.

The member for Wallaroo did not say anything about opossums. He spoke of rabbits, but we are not concerned whether the animals used are rabbits, cats, or any other animal. Cruelty to one animal is just as bad as cruelty to another. This letter says that opossums are particularly suitable for greyhound training, but the honourable member says that rabbits are not suitable, and I will leave the House to draw its own conclusions from that. He did not say anything about the use of opossums. I shall now read at length what a reputable journalist in Sydney reported after he had attended a function, if that word is apt. I shall read it so it will be on record in case some other member wants to refer to it after this Bill has been defeated. The report appeared under the sub-heading "Blood flows freely in suburban trials," and stated:—

Greyhounds tear to pieces live rabbits tied to a mechanical hare at a training track in the Bass Hill district. Dogs are also permitted to savage rabbits tied on string halters in front of starting boxes. This week I saw a greyhound at the track savage and apparently kill a rabbit held by a halter. I also saw the mutilated carcases of seven other rabbits which had been killed there. The kills are made only at "private trials," also known as "specials," which are available to owners from 6 a.m. every day except Sunday. Owners can—and do—ring up and order one of these "live" trials. Even at the track offers are made to provide "specials." These "specials" are simply kills to make greyhounds leave the starting boxes quicker and be keener in the chase after the mechanical hare. The track is at the rear of a house on the Hume Highway. Its fittings include a small grandstand for public trials, starting boxes, a judge's box, and a "Betting Prohibited" notice. They also include taps where I saw trainers wash out the mouths of their greyhounds after a kill. Here is the account of one owner who witnessed a morning's kills:—

"When I got there at six o'clock there were about 40 people, including women and children, and about 30 dogs. I saw six rabbits killed in an hour. Only one rabbit was

allowed for each dog. A man carried the rabbit to the starting box, let the dog get its scent, then tied it to the tin hare.''

A live rabbit was tied to a tin hare! The report continues:—

''When the rabbit started its death ride it was about 40ft. in front of the dog. If the dog gained, the man in the judge's box made the tin hare go faster. If the dog lost ground, the man in the box slowed down the tin hare. I saw one dog overshoot by about 15ft. when the man stopped it after a circuit. The dog wheeled in a flash of speed, grabbed the rabbit and tore it apart. It was sickening.''

That was a masterly understatement. The report continues:—

This week I attended private trials at this same track. A middle-aged man appeared to be supervising them. Five freshly-killed rabbits, badly mutilated, lay beside the track. As I approached two men with greyhounds left the track and began to wash out the dogs' mouths at a tap. When I asked about the trials, one said, ''I wouldn't know, mate; I wouldn't know.''

It was then realized that this man was a reporter, an inspector of the society, or a police officer, and he could not get any further information. That report is contained in a pamphlet that I think all members have received, and I will not read any more of it, but I was determined that a portion should be published in *Hansard* so that on future occasions we will not suffer from the lack of information we have on this occasion when this matter has been raised as a purely inconsequential question which could probably be allowed to go through without any trouble. There are many other aspects of cruelty in relation to this sport that I could deal with. The member for Wallaroo (Mr. Heath) said that only on one occasion had there been a conviction for cruelty, so I refer him to a case in Sydney in 1954 when a man was convicted and fined for the blooding of greyhounds with live rabbits. After this man was convicted he said he was ''stiff,'' because he knew of many others who for years had been doing what he had done, but who had not been convicted.

I have dealt with such things as myxomatosis and leaving live fish on decks of boats to die slowly, all of which are irrelevant. I would now like to deal with the aspect of gambling. I know that gambling is specifically excluded by the Bill, but to put it in the vernacular, who do we think we are fooling? We all know that gambling would inevitably be associated with this sport if the Bill were carried. It could not possibly attract a proper following without gambling.

I know positively from my own observations that gambling is associated with the limited amount of coursing conducted in South Australia. We all know that thousands of people go to races each week who would not know one end of a horse from another, their only reason for attending being to gamble. People go to the trotting only to gamble, and thousands go to coursing events who would probably kick dogs out of their way. They go only to bet on ''Iron Knob'' or ''Whyalla''; they would be on good things there, of course, but if they backed ''B.H.P.'' they would lose. If this Bill is passed it will only open another avenue of gambling, and it would be the most pernicious form of gambling possible.

Mr. Davis—People can invest money at Stawell on foot racing to win £10,000.

Mr. JENNINGS—If gambling is wrong at Stawell, but still exists, why give the public other avenues? Betting is legal at Stawell, but it is on a national event that happens only once a year and which is not designed specifically for gambling, for which I say this Bill is designed. Who is going to get anything out of it? Where is the public clamour for it? This Parliament has rejected similar measures on numerous occasions, so why should we reverse the previous attitude and permit this sport to go on? Apart from a few inspired letters in the press I have not heard anything mentioned about it. No member could fairly say that he has heard any evidence of agitation for coursing.

It is rather peculiar that the member who introduced this measure put in a non-gambling clause, and said that if an attempt were made in the future to introduce gambling he would oppose it. However, he will not be here, so he cannot bind any future Parliament or his successor as to what attitude should be taken in future.

Mr. Bywaters—Do you think another Government might allow gambling?

Mr. JENNINGS—There has been a peculiar agitation since 1930 for gambling. Firstly, we were told that the sport had been established and all that was needed for the public to enjoy themselves was betting facilities. Now we are told that the sport needs to be established but that betting is not needed. Members can see that all that is wanted is another avenue for betting. When the agitation was reaching its climax in the 1930's the following statement appeared in the *Sporting Globe* in March 1939:—

Members of the South Australian Greyhound Owners', Trainers' and Breeders' Association

now conducting night meetings at Plympton are confident that they will be granted betting facilities sooner or later.

It has been a long time, and I sincerely hope it will be longer. All this goes to show that the whole thing revolves around betting. You get the thin edge of the wedge in first and the other follows. There are two thin ends to this matter. If one end cannot be got in, the wedge is turned around and the other end is put in. That has been the history of this matter right throughout the period. There is more to it than that. I believe that this sort of sport—if we can call it that—would constitute a greater public nuisance than anything else of a similar nature. Can anyone imagine night coursing in one of our suburban areas, with amplifiers blaring and dogs yelping till 11 o'clock at night? There would be a big deterioration in the value of houses in the vicinity. Is there any member in this Chamber who would like to have a track established in his locality and to put up with the terrific public nuisance that would arise?

Mr. Bywaters—What about the question of a permit from the Chief Secretary?

Mr. JENNINGS—The Chief Secretary has no guide on the matter. All he is asked to do is to exercise some discretion; he has an Act of Parliament before him which says that he can grant a permit. Clause 6 provides for cancellation of a permit if a nuisance arises, but we know that there could be all sorts of litigation about that clause.

Mr. Lawn—Would this Government hold that having given permission they had made a contract which they could not repudiate?

Mr. JENNINGS—They do that only on certain occasions. The Minister, when he has an Act of Parliament to administer, is primarily concerned with obeying the Act. He has all sorts of discretionary powers, and I do not see why we should carry the legislation when it can be completely thwarted by Ministerial interference. The same applies to practically every piece of legislation on the Statute Book in South Australia or in any other State.

On the subject of public nuisance, I think I should mention how the matter has been regarded in New South Wales. This practice has been going on there for a number of years, and to paraphrase the remark of the member for Wallaroo, "I, too, saw it with my eyes." A booklet which has been circulated to honourable members contains a report of the Chief Inspector of the Municipality of North Sydney, which reads as follows:—

Re notice of motion No. 23 on council's business paper for tonight: "That greyhound dogs be not permitted to exercise or train on any portion of the parks in the municipality." Might I suggest for council's consideration that, whilst discussing the abovementioned minute, it might with very great advantage to the health, comfort and convenience of the majority of the ratepayers and residents of the municipality, seriously consider banning the greyhound within this area by declaring it a noxious animal under the Local Government Act, 1919, section 470, as it seems to be the only effective and adequate way of dealing with them under the law.

My reason for making this recommendation is that greyhounds have been for some time, and are still, becoming a greater source of nuisance and a danger to the health of the ratepayers and residents of this municipality, by the manner in which numbers are kept in small, unsuitable yards, and often in a room of the house in which their owner lives.

Some of these places are polluted to such an extent that they smell more like ill-kept dog kennels than places where human beings reside.

The howling and yelping of these dogs, particularly when in season, where stud dogs are kept, is most disconcerting to the surrounding residents.

And again, it is astonishing how indifferent the owners of these animals are to the disgusting manner in which they allow their dogs to pollute the footpaths, and particularly those which are partly grassed and kept in order by owners and occupiers of properties abutting same, who take a pride in keeping them nice. These people are for ever complaining about the manner in which these greyhounds pollute these places, when being led along same for exercise or on their way to a place for exercise.

The public parks within the municipality, on which many thousands of pounds have been spent and are being annually spent so as to make them beautiful and attractive to the grown-ups and children to rest and play respectively, are illegally over-run and polluted by these dogs.

As a result of that report the greyhound was declared a noxious animal in that municipality and in 15 other council areas of New South Wales the same applies. This is the place where the honourable member for Wallaroo claims that the sport is at its height.

In the U.S.A., after a period of many years, 44 of the 48 States have taken legislative action to prohibit tin hare coursing. In South Africa a Dog Racing Commission was set up in 1945 to investigate this practice, and as a result of its recommendation an Ordinance was issued banning greyhound racing throughout the country. A Royal Commission was also set up in England to investigate tin hare racing. That Commission very strongly opposed the practice, and I recommend the report to any member who wishes to learn more about the subject.

Mr. Fred Walsh—They still have tin hare racing in England.

Mr. JENNINGS—Yes, but the Royal Commission reported very strongly against it. It is the fault of the Parliament in England that no action has been taken in the matter.

We had a similar Commission in South Australia in the 1930's, and that Commission very strongly recommended to Parliament that no legislative permission should be given for tin hare coursing. I said earlier that most of the arguments raised in support of this legislation were superficial. I do not know whether they were deliberately so, and whether the measure was introduced in a tame sort of fashion so that members might be lulled into a feeling that there was nothing in it and that they would let it go through without worrying about it. If they were, I am disappointed, but I do not think there was any intent on the part of the sponsor of the Bill. As a matter of fact, I think he is probably acting for a much shrewder member who tried the same stunt a few years ago and did not get away with it.

This is not an innocuous measure; it is extremely important. I believe cruelty of the most diabolical nature is associated with it. Associated with this sport is the perversion of the natural instincts of an animal. It is something that will degrade anyone who supports it. It provides another avenue for a most pernicious form of gambling. It cannot be justified under any consideration and I am quite certain that the majority of members will support me in opposing the measure.

Mr. BYWATERS secured the adjournment of the debate.

FEDERAL CONSTITUTION.

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

That in the opinion of this House it is desirable that the Premier should approach the Premiers of the other States with a view to arranging for the submission to the Commonwealth Government of a joint request by the Premiers of all the States for the representation of each State, on the basis of one representative of the Government and one representative of the Opposition, on the Constitution Committee now considering proposed amendments to the Federal Constitution.

(Continued from October 3. Page 858.)

Mr. O'HALLORAN (Leader of the Opposition)—When I sought leave to continue my remarks last week I was referring to the queer medley of excuses advanced by Government members in their attempts to justify their opposition to this motion. No reasons worthy of the consideration of any deliberative body have been put forward in support of those contentions. The Opposition believes that the States should be represented on any commission, committee, or body of inquiry which is investigating proposals to amend the Federal Constitution. That is inherent in the procedure which resulted in the adoption of the Constitution it is now suggested should be amended. Perhaps I should deal with that aspect of the matter.

In the 1850's it was first suggested that there should be something in the nature of a unitary system of Government in Australia. Proposals which had been mentioned desultorily from time to time took more concrete shape in 1880-81 when a conference considered the creation of a Federal Council to deal with inter-colonial matters. The conference decided that the time was not ripe for a Federal Constitution with a Federal Parliament. In 1883 a convention was held in Sydney. Seven colonies and Fiji were represented and they decided to ask the Imperial Parliament to establish a Federal Council in Australasia. In 1884 the legislatures of Victoria, Queensland, Western Australia, Tasmania and Fiji petitioned the British Government for an Act establishing the Federal Council. The Federal Council was established by the British Parliament and met for the last time in 1889. In 1890 another conference, dealing with the vexed question of establishing a Federal Constitution, was held in Melbourne and in 1891 the first Australasian convention—at which each colony was represented by seven delegates each and New Zealand by three delegates—was held.

In 1895 the matter was again to the forefront at a Premiers' conference in Hobart. In 1895-96 enabling Acts were passed by all States except Queensland. In 1896, delegates from various organizations were invited to a people's Federal convention at Bathurst. In 1897 there was an election of Federal representatives by five States. This convention of delegates met in Adelaide and at that meeting the first draft of the Constitution was agreed to. In 1898 the convention met in Melbourne and in the same year the people of New South Wales, Victoria, Tasmania and South Australia voted on federation. There were majorities in all States, but the majority was not sufficient in New South Wales. Incidentally, in South Australia a majority of two to one favoured the proposal.

In 1899 a Premiers' Conference in Sydney, attended by the Premiers of six colonies, amended the draft Federation Bill. In the

same year a second referendum was held in five States—Western Australia being excluded—and the necessary majority was attained. In 1900 the referendum was carried in Western Australia.

I mention these facts briefly, because I have not the time to deal with them at any length to show that in all the discussions which preceded the drafting and the acceptance of the present Constitution the States took the initiative. As a matter of fact they were the only ones who could have done so at that time, because we had no Constitution under which a Commonwealth Parliament could have been established. The far seeing State representatives who attended those various meetings were responsible for the drafting of what at the time could be considered a very useful Federal Constitution. Of course, with the passing of more than 50 years and with the changed circumstances it becomes obvious that substantial alterations to the Constitution are necessary. All my motion suggests is that the States which were the originators of the Constitution should be consulted to determine what amendments are necessary and endeavour to achieve unanimity on those amendments so that there would be a reasonable chance of having them accepted by the people.

I regret that the time available will not permit me to deal with all the points advanced by Government supporters in opposition to the motion. I have a very complete reply to most of the nonsense that was talked from the other side. I shall refer to one or two of the points made by the Premier. First, he said—

I think that the honourable member's proposal is impracticable unless the Commonwealth Government is prepared to consider a very much more important set-up.

That is erroneous. Does not my motion suggest that the set-up should be very much more important? Does it not suggest that the Premier himself should approach the Premiers of the other States to secure a unanimous request by them to the Commonwealth to set up this wider inquiry? The Premier went on to say:—

I regard the proposals before the committee as merely an opportunity for the Government to discuss with the Opposition informally whether they can come to some compromise and arrive at a common ground whereby they can make up a case to collar and take over from the State Parliaments some of the powers they now exercise.

If anyone likes to take the trouble to examine the minutes of the various conferences I have referred to he will find expressed all the time the blighted influence of the old State Rights Act, and that is the blighted influence which the Premier seeks to emphasize at the moment, particularly as to this motion. However, very fortunately the voice of the State righters did not dominate the land, and so at least we have a Federal Constitution. All that I am asking is that we should take the only practicable and effective steps which could be adopted to bring the Constitution up-to-date. In his speech the Premier went on to say:—

I do not believe that the situation is being reviewed by the Commonwealth with the idea of determining which powers should logically be in the hands of the Commonwealth central Parliament and which should logically be exercised as a local function.

I believe that a large number of amendments are desirable, but the Premier is not prepared to call into discussions the very people who should first be consulted in these matters to determine what amendments are desirable. He also said:—

The most crying necessity is a proper balance between the powers of the Commonwealth and those of the States, so that both authorities may be able to carry out their functions effectively and have available to them a reasonable percentage of the revenues.

That is a sentiment with which I can agree entirely, and is something which could have been accomplished by the present inquiry if the States had been represented, and that is all that my motion seeks to do. Part of the resolution which was submitted to the Federal Parliament to set up the committee of inquiry reads:—

That a joint committee be appointed to review such aspects of the working of the Constitution as the committee considers it can most profitably consider, and to make recommendations for such amendments of the Constitution as it thinks necessary in the light of experience.

I suggest that those terms of reference are sufficiently wide to enable any practicable suggestions for the amendment of the Constitution to be considered by the committee. The Premier then got on to another tack and said:—

I agree with the Leader of the Opposition that there is a strong case for a review of the Constitution.

There certainly is such a case and, working to a principle set up in the terms of reference, a properly constituted committee could examine the case impartially and make recommendations which would, I believe, be acceptable to the people of Australia. The Premier also said that our arbitration laws should be examined, and added that he could give several other

instances of why a review of the Australian Constitution was desirable, and added the comment, "The courts' interpretations of some sections would have surprised the originators of the Constitution." I venture to say that they would have been very greatly surprised. As I remarked when I submitted the motion, the further we got away from the establishment of the Commonwealth and the more divorced the courts become from the prevailing opinion which existed at the time the Commonwealth was established, the less we find the courts capable of interpreting the Constitution in accordance with the spirit of those responsible for its original drafting. The Premier also said:—

I agree with the Leader of the Opposition that a serious review of the Constitution is necessary, and I also agree with the type of machinery that he is proposing as suitable.

He agrees that a review of the Constitution is necessary and that the type of machinery I propose is the most suitable. He also said:—

But I fear that I shall now get somewhat into disgrace because I do not agree with him much further. The committee that has been appointed by the Federal Government will not consider questions that we are anxious to have considered.

What right has the Premier to say that, in view of the terms of reference I have just mentioned? If there were proper State representation on the committee it could see that the questions he referred to were considered. The Premier continued:—

I would not be in favour of breaking down the present provision of interstate free trade.

Did I at any time suggest that I favour breaking down the principles of interstate free trade? Has any member of this side in this debate suggested that the Labor Party believes in destroying the principles of such trade? In the early days of Federation the Labor Party supported the creation of an Australian Commonwealth because it believed that any fiscal policy adopted should apply to the whole nation. We stand for all legislation applying on a national basis being implemented by the national Parliament in accordance with the powers conferred on it by the Constitution. That is all we seek and the Premier admits that it is desirable. He said the State should be represented at an inquiry. He furnished abundant evidence for an amendment of the Constitution but because he did not think of it himself he asks members on his side of the House to oppose the motion.

I believe every member on his side will show a little home-grown judgment and a little desire, as we were told by Mr. Shannon in a debate that took place earlier this afternoon, to be big Australians and worthy citizens of a great nation. We should drop our petty back-door politics and get down to a basis where the Federal Parliament should be able at all times to do what it can now do only in wartime. Fortunately the defence powers in the Constitution permit the Federal Parliament in wartime to organize the defences of the country, and to do all things necessary in that defence. We do not find anyone raising a voice against it on those occasions when we have to sink everything in order to swim as a nation, but in peacetime it seems that the desire of the Liberal Party is to perpetuate State rights. Anything in the way of effective Commonwealth action, whether it be in arbitration, control of road transport, or in any of the other matters that could be mentioned but time does not permit, to enable the people to speak through one Parliament is not acceptable to it. I ask members to carry the motion.

The House divided on the motion—

Ayes (14).—Messrs. Bywaters, John Clark, Davis, Hutchens, Jennings, Lawn, Loveday, O'Halloran (teller) Riches, Stephens, Stott, Tapping, Frank Walsh, and Fred Walsh.

Noes (18).—Messrs. Bockelberg, Brookman, Geoffrey Clarke, Coumbe, Dunnage, Goldney, Hambour, Harding, Heaslip, Heath, Hincks, Jenkins, King, Laucke, Millhouse, Pattinson, Pearson, and Playford (teller).

Pairs.—Ayes—Corcoran and Dunstan. Noes—Fletcher and McIntosh.

Majority of 4 for the Noes.

Motion thus negatived.

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

HOUSING AGREEMENT BILL.

Returned from the Legislative Council without amendment.

NURSES REGISTRATION ACT AMENDMENT BILL.

Received from the Legislative Council and read a first time.

LOAN MONEY APPROPRIATION (WORKING ACCOUNTS) BILL.

Second reading.

The Hon. C. S. Hincks, for the Hon. T. PLAYFORD (Premier and Treasurer)—I move:—

That this Bill be now read a second time.

It has been the practice up to June 30 last to finance and record all operating transactions

associated with Woods and Forests sawmills and mining and treatment of uranium ores through the Loan Fund. As the volume of operation in each undertaking has increased it has become increasingly difficult to handle these transactions through the Loan Account. The difficulty arises in that these purely operating expenditures were debited against the amount authorized by the Loan Council to be borrowed, whereas, since all of the operating expenditure is recovered from the sale of the product, there is actually no usage of the loan moneys currently being borrowed, except for the amount of working capital which it is proposed by the Bill to appropriate from the Loan Fund. It is evident, then, that to continue this practice would restrict the State's authority to use loan moneys for capital works purposes at a time when the loan moneys available from this source are restricted, and not nearly sufficient to finance all the capital works we consider necessary and urgent.

The Government has therefore decided to provide an amount of working capital from the Loan Fund not exceeding £100,000 to finance operations through working accounts. This Bill also provides that any surpluses in the working accounts created from the proceeds from sale of dressed timber and uranium oxide, and not required to finance future expenditure chargeable to the working accounts, may be repaid to the Loan Fund. Clause 4 appropriates the moneys to be issued from the Loan Fund.

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

LAW OF PROPERTY ACT AMENDMENT BILL.

Second reading.

The Hon. B. PATTINSON (Minister of Education)—I move—

That this Bill be now read a second time.

The object of the Bill is to cure an anomaly in the rules of equity relating to the exercise of powers of appointment. As some members may not be familiar with the subject of powers of appointment, some preliminary explanation is desirable. A power of appointment is a power to distribute property, and is most usually given by trusts or wills. Thus frequently a husband under his will gives his wife a life interest in his property, and authorizes her by deed or will to appoint the shares which their children will receive at her death. His wife will thus be able to adjust the distribution of his property among their children, having regard to events occurring after his death. The person authorized to exercise a power of appointment is commonly called the "appointor" or "donee of the power" and the persons among whom the property may be appointed are commonly called the "objects" of the power.

Originally, where a person was given power under a settlement to appoint property among several persons, the rules of equity required that, unless the context clearly authorized otherwise, each of the persons should receive a substantial share, or, in other words, should not receive a purely nominal share or be excluded altogether. This rule did not operate satisfactorily, largely because of the difficulty of ascertaining what was a substantial share, and in 1830 an Act, known as Lord St. Leonard's Act, was passed in England, providing that an appointment should be valid, notwithstanding that a purely nominal or illusory share was appointed.

This Act did not go far enough, since it did not provide that an appointment should be valid notwithstanding that any object of the power was altogether excluded. This meant that, if the appointor neglected to appoint some amount, however small, to any object of the power, the appointment failed. Accordingly, in 1874 a further Act, Lord Selbourne's Act, was passed to enable an object of a power to be altogether excluded except where the instrument creating the power declared the minimum amount which the object was to receive.

Lord St. Leonard's Act of 1830 applies in South Australia, but the subsequent Act does not, so that South Australian law is still in the same unsatisfactory state as English law between 1830 and 1874. Thus at present in South Australia, so long as the appointor appoints at least a farthing to every object of the power, the appointment is valid, but if he neglects to appoint at least a farthing to any object, the appointment fails altogether. From time to time appointments fail in South Australia because an appointor fails to realize that he must appoint at least a nominal share to each object of a power.

The present law cannot be justified, and accordingly the Government has decided to adopt the Act of 1874, thus bringing South Australian law into line with English law on the subject. The Government accordingly is introducing this Bill which, with minor modifications, reproduces the English legislation. The

Bill applies to all future appointments and to appointments made by will before the passing of the Bill if the testator dies after the passing of the Bill.

Mr. DUNSTAN secured the adjournment of the debate.

LOCAL GOVERNMENT ACT AMENDMENT BILL (MOTOR PARKING).

Second reading.

The Hon. B. PATTINSON (Minister of Education)—I move—

That this Bill be now read a second time.

Its purpose is to provide the necessary powers to enable municipal councils to introduce the parking meter system in streets within their areas. The parking meter system as a method of controlling the parking of vehicles in streets is now widely used in many cities, including some Australian cities. The system employed is that, in the streets in which the meters are installed, stands for vehicles are appointed and each stand is supplied with a parking meter. The motorist who wishes to leave his car in a metered space, is expected to insert a coin in the meter which indicates the time during which he is entitled to the parking space. If he overstays the time, then he is guilty of an offence. Thus, the motorist is precluded from using the street as a parking spot for his car for an indefinite period unless he is prepared to pay the appropriate fee. The legislation has been asked for by the Adelaide City Council which is of opinion that the parking meter system will materially assist in the parking problem in the city streets. The Bill, however, proposes to confer the powers in question upon all municipal councils. The Bill provides that a municipal council may make by-laws setting up the parking meter system. The by-laws may appoint any public street, road or place as a metered space for the standing of vehicles and may provide for the erection of parking meters at these stands. The by-laws will fix the charges to be paid for the use of any streets and otherwise control the use of the stands. The by-laws may impose penalties for breaches of the by-laws.

It is provided that the by-laws may provide that the council may, by resolution, from time to time declare the streets to which the parking meter system is to apply and the number of vehicles which may use any particular metered spaces. This provision is necessary to provide for proper administration. As the council has experience, it will probably be necessary to make changes in the places where the meters are installed. This should be capable of being done expeditiously and without the necessity of altering the by-laws. However, the Bill provides that the parking meter charges are to be fixed by by-law and thus be subject to Parliamentary control.

The Bill also provides for a change in the manner in which these by-laws will be promulgated. The Local Government Act provides that council by-laws are first to be submitted to the Crown Solicitor and then laid before Parliament. After this they are submitted to the Governor for confirmation and eventually published in the *Gazette* when they come into force. The result of this procedure is that there is a considerable lapse in time between the making of a by-law by the council and the time it comes into operation. Particularly is this the case if the by-law is made during the Parliamentary recess.

It is considered that, as regards these parking meter by-laws, the same procedure should be followed as that provided by section 38 of the Acts Interpretation Act for regulations and other subordinate legislation. It is therefore provided by the Bill that these parking meters by-laws should, after being made by the council, be submitted to the Crown Solicitor for the usual certificate of validity. They will then be submitted to the Governor for confirmation and, if confirmed, be published in the *Gazette*. The by-laws will then be tabled in Parliament and be subject to disallowance in the usual manner but they will come into operation as from time of publication in the *Gazette* or from such later date as is fixed in the by-law.

The Bill provides that every metered space is to be marked out on the street by the council and that the council is not to be under any liability by reason of the use of any metered space. It is also provided that in any proceedings against the owner or driver of a vehicle for a contravention of the by-law, if proof is given that a vehicle was parked contrary to the by-law, the owner or driver shall be deemed to have left it there unless he satisfies the court to the contrary. A provision of this kind is necessary for the effective administration of a parking meter scheme as otherwise the council, in order to prosecute successfully a person for leaving his car in a metered space without paying the requisite fee, would have to produce evidence that the defendant actually left the car there. Obviously, unless the person charged admitted the fact, this evidence could only be forthcoming if an inspector or other person actually

saw the defendant leave his car at the place in question. It is therefore considered that an evidentiary provision of this nature is essential for the operation of the scheme and that it does not impose an undue burden on owners and drivers of vehicles.

The Adelaide City Council has formed the opinion that, in addition to providing this system of parking in streets, the council should endeavour to provide what are called "off kerb" parking facilities by means of parking stations and the like on land of the council. Accordingly, the Bill authorizes a municipal council to construct and provide car parks, parking stations, garages and the like and gives the council power to manage them and to make charges for their use. The by-law making power is extended to include the power to make by-laws relating to the management of premises of this kind but the ordinary rules now provided in the Local Government Act as to the promulgation of by-laws will apply. However, it is provided by the Bill that if any parking facilities are provided on park lands, the land is not to be enclosed so as to prevent access by the public and that no buildings, petrol pumps or similar structures are to be erected.

Section 382 of the Local Government Act provides that a council may lease land so that, if thought fit by the council, the council could, after providing a parking station or similar premises, lease it to others for the purpose of being used for the parking of vehicles. This power in the present Act would not apply to car parks established on the park lands. Thus, the effect of the Bill is to give to municipal councils the power necessary to institute a parking meter system and to authorize a municipal council to establish off-kerb parking facilities. The Bill does not restrict the council in the application of the revenue it might recover from the parking meter system. The view of the Government is that the application of this revenue should be left to the discretion of the council.

Mr. DUNSTAN secured the adjournment of the debate.

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

Adjourned debate on second reading.

(Continued from September 18. Page 603.)

Mr. DUNSTAN (Norwood)—I support the Bill, and I am happy to see that the Government intends extending the operation of the Act and making no further relaxation now in the control of rents or the recovery of premises. Experience has shown that the relaxation of controls that has been allowed over the last two years has gone too far and a great deal of harm has resulted within the community through the premature relaxation of such controls. What is the basis of any landlord and tenant control such as has been provided under this legislation from year to year? We have to see firstly that there is a standard fixation of the general level of rents in the community just as we have to see that there is a fixation of the general standard of prices. Rents provide a very large section of the calculations of the C series index and a large item in the determination of the cost of living in the community.

It has been unfortunate for the working people of this State that the determination of the C series index has been based on a group of houses that has not changed with the years, and is no longer representative of the general level of rents in the community, which are higher than the group on which the index figures are based. This heightening of the general standard of rents has been enormously increased by the relaxation that took place under last year's amendment to this Act, when it was provided that wherever the landlord of a private dwelling let for rental purposes had that dwelling fall vacant, he could demand of anyone who wished to take it that that person sign a lease for a term for which the amendment provided that the control of this legislation would not apply. That has meant that whenever a private dwellinghouse falls vacant in the metropolitan area or elsewhere in the State the landlord demands that the proposed tenant sign a lease for a term for which he can ask a rent far above the general level. In fact, the average landlord whose property is falling vacant recovers from those premises rents at a level far above the general level in this State, and far above the ability of the ordinary working people adequately to pay for those premises.

When the average small home falls vacant in the metropolitan area it is bringing a minimum of £6 6s. a week in rental. That is no exaggeration; it is the standard charge for semi-detached three or four-roomed dwellings of poor standard today. Better type dwellings can command much higher rents, and in many cases, although I admit that landlords have been restricted in the past, they are now reaping very high returns on their original investments. It is not abnormal for poorer type

dwellings in the metropolitan area purchased some years ago to show a return of 30 per cent on the original investment where the landlords have let them since the passing of the last amendment of this Act. In some cases the return is higher.

People are desperate for dwellinghouses. I know that the Premier often quotes the Statistician's ratio of rooms to people in this State compared with other States, and says that we are as well off as the other States, therefore the housing position must be all right. That is statistical nonsense and fiddle-faddle; you cannot determine whether the relationship of rooms to people is satisfactory unless at the same time you determine what the distribution of rooms amongst the population is. In the metropolitan area are many homes of 13 or 14 rooms in which one or two people are living. There are plenty in my district, and I have no doubt there are in others.

Mr. Millhouse—Would you take any action about it?

Mr. DUNSTAN—I certainly would in the present housing difficulties. I believe that when people are faced with the dreadful housing conditions that many people now face we must mobilize all our housing resources, and that every owner of property has a duty to provide all the facilities in this community for housing. I am not recommending this as an amendment because it would be a forlorn attempt, but I believe we should return to the provisions under which certain people could apply and obtain vacant dwellinghouses. I think we should go further and see that people can apply for an order by a court to obtain unoccupied rooms.

Mr. Heaslip—You do not believe in democracy?

Mr. DUNSTAN—I believe in democracy, but not in people agglomerating wealth for themselves and depriving others of necessary accommodation which it is within the power of the community to provide. Every person who owns private property owns it not for his own benefit, but he has a duty under God to use it for the people in the community.

Mr. Heaslip—Don't you believe a person should own his own home?

Mr. DUNSTAN—The honourable member does not agree with the theological views of the honourable member for Mitcham, who will tell him that my theological views are thoroughly sound and subscribed to by every church in the community.

Mr. Millhouse—Relate them to the housing situation.

Mr. DUNSTAN—I am trying to do so. It is our duty to see that the people in this community are adequately housed, which at the moment they are not. It is useless for the Premier or any member of the Government Party to say that as our ratio of rooms to people compares favourably with other States the community is adequately housed. The answer to that can be found in the landlord and tenant court, or in the files of every metropolitan member who represents a crowded district, because people are being put out into the streets and have nowhere to go.

Mr. Heaslip—What have you done about it personally?

Mr. DUNSTAN—I am continually trying to find accommodation for people within my area, and I canvass my area.

Mr. Heaslip—You talk, but what do you do?

Mr. DUNSTAN—If the honourable member listens he will find out. He does not want to hear; he is too frightened to do so, because all the members of his Party are interested in is the amassing of wealth from the people of this State regardless of disabilities. He asked for it and now he has got it. There is not much that is open to me under this Government's rigid legislation, but I am constantly in touch with the Housing Trust on behalf of those people whom the trust can assist, and I canvass my area and go from door to door.

Mr. Heaslip—What good do you do by doing that?

Mr. DUNSTAN—I find out where accommodation can be obtained.

Mr. Heaslip—You are not building homes by doing that.

Mr. DUNSTAN—I have not the money to do that.

Mr. Heaslip—But you cause a lot of trouble.

Mr. DUNSTAN—The people of my area know whether I cause trouble or not. If the honourable member cares to look at the results of the last election in my district compared with the previous one he will see what the people of my area think about how much trouble I give them. I try to help the people in my area, and I have a constant stream of my constituents seeking assistance in finding accommodation. At other times I have arranged accommodation for the children of unfortunate families who have been put in the street.

It is a reflection upon the conscience of the honourable member for Rocky River that he is supporting amendments to a Bill which

relaxes controls. We have insufficient housing for our people and while that position exists this Parliament has the duty of seeing that controls are adequate to give such accommodation as we have to those who need it most. That is our duty to a democracy, if we believe in it, because a democracy is not a system of private ownership of wealth but government of the people, by the people, for the people—something the honourable member would not know anything about.

Mr. Heaslip—It is not the regimentation of the people.

Mr. DUNSTAN—No, but what the honourable member seems to desire is deprivation of the people by the private agglomeration of wealth, and that is not democracy either.

Mr. Heaslip—Well, what is it?

Mr. DUNSTAN—It is capitalist oligarchy, which the honourable member represents here.

Mr. Heaslip—Who is not a capitalist?

Mr. DUNSTAN—I will give the honourable member a lecture on political philosophy at some other time. The fact remains that in South Australia the strain that has been placed on our housing accommodation has arisen because of the extra people that have come into our community. Without the extra people since 1945 we could have coped with our housing lag, put into effect the Housing Improvement Act, and carried out the recommendations of the Commonwealth Housing Commission, but with the extra strain we have been unable to do so. The figures show that per head of extra population since 1945 South Australia has built fewer dwellings than any other State and that means that our housing problem is more acute than anywhere else in the Commonwealth.

The average wait for a rental Housing Trust home today is seven years, and few people get one in less. For emergency accommodation we now have about 5,500 outstanding applications. Many people against whom orders are made by the Local Court under this legislation do not get Housing Trust accommodation because it is impossible to find a vacant emergency home. What we must do in those circumstances, at least as a very minimum provision, is to see that in the control of recovery of premises the court should be able to investigate each case upon its merits and determine that where hardship has to be borne it should be borne by the person best able to bear it. That discretion should rest in the hands of the Local Court Special Magistrates and Judge.

Mr. Hambour—Isn't that the case?

Mr. DUNSTAN—No, I wish it were. There has been amazement expressed by the court that it has not continued to be so. Last year a provision was written into this Act which provided that a notice to quit could be given by a landlord where he required the premises for his own use and occupation or for a near relative, and if that notice to quit were for six months and if at the same time the landlord served with the notice to quit a statutory declaration that he needed the premises, the court had to make an order that he recover them at the end of six months if he brought an action, regardless of whether it felt that the statutory declaration was *bona fide* or not.

Mr. Hambour—It would have to be honest.

Mr. DUNSTAN—That is a matter of opinion. If a landlord swears on oath that he needs the premises either for his own use and occupation or for a near relative and he proves that he made that declaration and that he served it with a notice to quit giving six months' notice, the court has to make an order and cannot investigate the *bona fides* of the declaration. That is what is happening every day on which the court sits to hear these matters, and these orders go through in a matter of 10 minutes. The court cannot go into the circumstances, because under the section it is not entitled to.

Mr. Hambour—The declaration may be false.

Mr. DUNSTAN—The court cannot go into that; it is not a question for it to decide. Section 55c (2) states:—

I. With the notice to quit, there shall be served on the lessee by the lessor, a statutory declaration by the lessor declaring that the dwellinghouse is reasonably needed for occupation by the lessor, or by a son or daughter, or the father or mother of the lessor, as the case may be, and setting out the full name and particulars of the accommodation then occupied by that person:

II. The notice to quit given to the lessee shall be for a period of not less than six months.

Subsection (3) states:—

On the hearing of any proceedings for an order for the recovery of possession of the dwellinghouse, or the ejectment of the lessee therefrom, if proof is given (the onus of which proof shall be on the lessor) that the notice to quit was given in accordance with this section . . .

that is to say, if the notice to quit was given and served with the statutory declaration

. . . the court shall make the order without taking into consideration any of the matters mentioned in subsection (1) of section 49.

Those were the matters upon which the court formerly based its discretion—the hardship of the tenant and the hardship of the lessor and all related matters. The court has no power to enter into any discussion as to whether or not the statutory declaration served on a tenant was, in fact, true in substance.

The Hon. G. G. Pearson—Are you doubting the statutory declarations?

Mr. DUNSTAN—How can a person effectively make a statutory declaration upon a matter of opinion? The declaration is not on a matter of fact. He has to set forth in the statutory declaration his opinion that the house is needed for his use and occupation or that of a near relative.

Mr. Hambour—If he gets the house and does not occupy it, what then?

Mr. DUNSTAN—In that case he is up for a fine of about £500. I thought members knew what was contained in this legislation.

Mr. Hambour—I thought you might like to complete the hat trick.

Mr. DUNSTAN—If the honourable member will listen, he will realize that I am discussing the fact that the court cannot determine, in its discretion, on the investigation of circumstances of a case, whether the landlord has established his need for the premises. In many cases a landlord may, in his view, reasonably need the premises, but not in the court's view.

Mr. O'Halloran—If the landlord is subsequently proved wrong, the tenant is still homeless.

Mr. DUNSTAN—If the landlord does not occupy the house, or the person for whose benefit the notice to quit was given does not occupy it, and information on that subject is given to the Housing Trust, the Crown Law Department takes action.

The Hon. G. G. Pearson—My point is that you should not regard a statutory declaration as of no value.

Mr. DUNSTAN—What value is a statutory declaration on a matter of opinion? A man says, in effect, "In my opinion I need the house." The court has no power to investigate the basis of that opinion.

Mr. Heaslip—The man who makes the declaration believes in his opinion.

Mr. DUNSTAN—When a landlord wants a house I suppose he believes he needs it. Normally a declaration cannot be made on a matter of opinion. It is no value tendering evidence of a matter of opinion. It is not part of the rules of evidence that such a declaration should be accepted. Normally a person can only make affidavits on matters of fact. Under this provision, if a landlord declares that he needs a house that is the finish of the case and it does not matter whether the tenant has the best case of hardship in the world.

Mr. Heaslip—If a man makes a false declaration he is fined.

Mr. DUNSTAN—How can a declaration on a matter of opinion be proved false? It is utterly impossible. I find it incredible that I even have to explain that point to the honourable member. The merest cretin could understand that point.

The Hon. G. G. Pearson—It is not competent to presume that everybody who signs a statutory declaration is, in effect, committing mental or moral perjury.

Mr. DUNSTAN—In certain cases landlords do need their houses.

The Hon. G. G. Pearson—You should have said that in fairness to them.

Mr. DUNSTAN—I am prepared to admit that, but in many cases they do not need the houses as much as the tenants.

Mr. Heaslip—Who is to decide that?

Mr. DUNSTAN—The court. Before the insertion of this provision there were many cases in which the landlords were able to prove to the court's satisfaction their need for their premises and orders were made. The court investigated all the circumstances of the cases and decided, after weighing the hardships of the parties, that the landlords' need of the houses exceeded the tenants'. That was the crux of the matter and that was where it should have rested. The court was enabled to decide which person could best bear the hardship but that is not the position now. The court does not now under section 55c even have to determine whether there is a basis for a landlord's declaration that he needs a house. It does not have to investigate the landlord's circumstances in any way and it does not matter what the tenant's hardship is, the tenant must go out into the street if it can be proved that the landlord gave a notice to quit and furnished a statutory declaration.

A fortnight ago a case came before the court, in which the tenant, an elderly lady, was an invalid pensioner and a tubercular patient who had absolutely nowhere else to go and who was unable to obtain any other accommodation. The landlord reasonably needed that accommodation. The hardship that would accrue to the tenant upon the

making of the order was much greater than the hardship that would accrue to the landlord on the refusal of the order.

The Hon. G. G. Pearson—On whose assessment?

Mr. DUNSTAN—On the court's assessment.

The Hon. G. G. Pearson—You said the court cannot determine that.

Mr. DUNSTAN—Members of the court have already expressed their opinion of this legislation.

The Hon. G. G. Pearson—On what authority?

Mr. DUNSTAN—On their own, because they have to administer it. Because of the number of cases that come before them week after week they know the housing situation far better apparently than do members opposite.

The Hon. G. G. Pearson—You cannot have it both ways.

Mr. DUNSTAN—The court has the right to express an opinion whether the legislation is meeting the social needs of the community or not, but at the same time it has to administer the legislation, and cannot refuse to administer the law little as it might like it on occasions, and that is difficult. In the case referred to it was obvious that if the court had been administering the provisions of this Act as existing prior to the passing of the last amendment, the order would not have been granted, but because of the amendment an order had to be granted, and the tenant could only be heard as to whether any time should be given for her to get out. The judge of the court laid it down that the obvious intention of the legislature was that extended time as previously given to tenants should not be granted pursuant to this section. That was the legal interpretation of the judge.

Mr. Hambour—Did you oppose this amendment last year?

Mr. DUNSTAN—Yes, vociferously. I said then what was going to happen, and events have proved me right. The position now is that these orders are going through week after week. The six-month notices only began to run out at the beginning of August. They are doing so with greater and greater regularity, and they flick through in a matter of minutes, and the question of the hardship of a tenant no longer arises. The maximum time to get out granted by the court in any of these cases has been two months, with nowhere for the tenants to go.

Mr. Heaslip—They have had notice.

Mr. DUNSTAN—They have nowhere to go. What does the honourable member suggest they should do?

Mr. Heaslip—What about the people who want to go into their own homes?

Mr. DUNSTAN—In certain cases they have somewhere to go, and that is what the court should be allowed to determine. If a person has a roof over his head, what is his hardship in being refused an order as compared with the tenant who has nowhere else to go? What is their hardship compared with those families who have not sufficient food for their families and are migrating at great cost from caravan park to caravan park because they are homeless? Let the honourable member go to the Mitcham district and see the Brownhill Creek reserve, and to my district and see the Payneham caravan park, or the Torrens district and have a look at the caravan park at Walkerville. Everyone knows that they must be there for only a limited time, and that they are moved from one place to another looking for a home, which they cannot get.

Mr. Hambour—The honourable member said that the person earlier referred to had been put into the street.

Mr. DUNSTAN—Other families have been put out in the street, but so far this pensioner has not. When she goes out at the end of the year—

Mr. Hambour—You are presupposing a lot.

Mr. DUNSTAN—She will be facing the same problem as other families in my district. This pensioner will not be able to afford a caravan to live in, and I do not know where she will go. I shudder to think. If members opposite can suggest anywhere, I will be glad of their assistance.

Mr. Jenkins—Has she any family?

Mr. DUNSTAN—One daughter, who is also a T.B. patient.

Members interjecting.

The SPEAKER—Order.

Mr. GEOFFREY CLARKE—On a point of order, Mr. Speaker. Should not the honourable member in courtesy to you resume his seat when you rise to address the House?

The SPEAKER—When the Speaker rises to address the House, the honourable member standing should resume his seat.

Mr. DUNSTAN—I very much regret my apparent discourtesy to yourself, Mr. Speaker. I thought you were only rising momentarily to quieten the obviously discourteous behaviour of members opposite. When the particular provision under discussion was brought to the notice of the local court bench, the most

extraordinary scene ensued. I shall never forget the look of horrified stupefaction which appeared upon the face of Mr. Ziesing, S.M. It remains with me yet. After it had been borne upon him that this in fact was what was in the new Act and was the provision he would have to administer in a short period he immediately demanded to know who was responsible for this enormity, and asserted that it could not possibly have been the Parliamentary Draftsman who would have produced such an extraordinary piece of work. That was also the opinion of other members of the bench.

It is extraordinary that legislation of this kind should have been enacted to take completely out of the hands of the local court, in the making of these orders, any discretion as to the hardship of the persons involved; and yet that is what is being done in respect of this legislation. People in the metropolitan area are now faced with this position—those who need rental housing and have been unable to provide any other form of housing for themselves, and there are plenty of them—

Mr. O'Halloran—It is not restricted only to the metropolitan area.

Mr. DUNSTAN—But it is more acute in the metropolitan area than elsewhere, and possibly more acute in my district than anywhere else, because I have the most crowded area of any in the whole State. The landlord may be able to get them out, and in many cases he is able to do so regardless of the fact that his hardship is not very great, whereas that of the tenant is overwhelming. The tenant must then go out on the street, and in the case of pensioners I do not know where some of them will go. If a wage earner is unable to obtain Housing Trust accommodation, and many of them cannot do so, having had applications in with the trust for three or four years, what are they to do? They can seek private rental housing that has fallen vacant in the metropolitan area, but what happens then? I know there are certain wage earners in my district who were put out on the street and what happened to them?

I cited several of the cases to this House a short while ago. The people went to semi-detached premises in King Street, Norwood, which is not one of the more select residential areas in my district. They went to some tumbledown houses out of which the landlord had been able to get the tenants, not by an order of the court, but by other processes sometimes followed by landlords. The landlord had a coat of water paint put on the walls inside and had something done to the sanitary arrangements outside. He was able to let the three rooms in the tumbledown places, and they were tumbledown places because they were in poor condition and the water paint is now coming off in large flakes. The places were let at £6 6s. a week each. One man with a wife and children earns only £14 a week. The situation for these people is considerably difficult. The people who went into the houses were lucky to get them at £6 6s. a week, for houses are not easy to come by. In these days few private landlords build houses for rental purposes. The people who build them are not subject to the Landlord and Tenant (Control of Rents) Act in regard to either recovery of premises or rent charged.

Mr. Heaslip—How many people are building them?

Mr. DUNSTAN—Not many at the moment, although the incentives to private enterprise must be there for there is no control over them at all. Private enterprise is not providing the houses it should.

Mr. Heaslip—Why isn't it?

Mr. DUNSTAN—Because it can get better profits out of investments in the hire-purchase business.

Mr. Heaslip—It is the money of private enterprise.

Mr. DUNSTAN—The honourable member makes it obvious that the criterion of members opposite is not the provision of the social needs of the community but of profit for private individuals. We must see that where orders are made for the recovery of premises they are based on an investigation of all the circumstances and the determination made on the basis of the person to bear the hardship being the one best able to bear it. We should not allow a general rise in rental levels for that will cause a hardship to some of the smaller landlords. The hardship caused to some of the larger landlords can be freely borne. There are some people, particularly those on superannuation, who have invested their life savings in small cottages. The existence of the legislation creates a hardship for them.

Mr. Heaslip—That is understating the position.

Mr. DUNSTAN—A hardship is created for some of them, and in some cases it is a real hardship. The remedy is not to be found in relaxing the general level of rents. Let us look at what happened in Western Australia. Action in the Upper House by the members of the same Party as holds power in this State resulted in alarming inflation following the

removal of controls. The very people of whom I am talking—those upon whom hardships have been imposed—were the ones who suffered by the inflation.

Mr. Heaslip—There is no shortage of homes in Western Australia.

Mr. DUNSTAN—There may be no shortage as far as the economic demand for homes is concerned, but the honourable member's view on that is similar to his views about providing the social needs of the community. The remedy for the people upon whom hardship is imposed is first a relaxation of the means test, and then the ultimate and speedy abolition of it, so as to enable them to get a pension from the Federal Government. That is the only way in which to compensate them and to right their position. It will not take place by a relaxation of general rent controls because that would mean inflation. Although I am happy that the legislation is to be continued I am not happy with what Parliament did last year. I hope at a later stage to induce the House to right the wrong that was done then and to provide that a sensible basis for the control of the recovery of dwellinghouses is restored, and that the courts have the power to investigate each separate case and judge it on its merits. That is vital to the maintenance of the well-being of the community whilst the present appalling lack of housing accommodation faces the ordinary people.

Mr. HAMBOUR (Light)—After hearing Mr. Dunstan I wonder why the Government bothered to bring in the Bill. He said he supported it and then spent about an hour criticizing it.

Mr. Dunstan—I did not say much about the provisions of this Bill. I spoke about last year's Bill.

Mr. HAMBOUR—The honourable member said a lot about it.

Mr. Frank Walsh—Let's see how good you are.

Mr. HAMBOUR—I hope I perform better than the honourable member.

The SPEAKER—Order! The honourable member for Light.

Mr. HAMBOUR—According to Mr. Dunstan the Liberal Party is the big bad wolf that removes controls. He speaks of Western Australia and says that Liberal members in the Upper House there were responsible for the removal of controls, but he did not mention New South Wales where there is a Labor majority in both Houses. He merely chose the State that would best suit his argument.

Mr. O'Halloran—Has rent control been removed in New South Wales?

Mr. HAMBOUR—Price control has been removed. Mr. Dunstan said private enterprise was not concerned with social needs, but I do not think that was a fair statement.

Mr. Hutchens—It is factual.

Mr. HAMBOUR—The honourable member would not know. What about the Royal Adelaide Hospital? Are the workers there concerned with the social needs of the inmates?

Mr. Hutchens—Is that private enterprise?

Mr. HAMBOUR—I referred to it in order to make a comparison. One of your unions walked out on 800 patients.

Mr. Davis—Which union?

Mr. HAMBOUR—The Australian Workers Union.

The SPEAKER—I ask the honourable member to address the Chair and speak to the Bill before the House.

Mr. HAMBOUR—I was referring to the remarks of Mr. Dunstan when he castigated private enterprise. He did not refer to what is going on in Queensland where a Labor Premier is trying to bring his supporters into line so they will serve the community. Are striking tramway workers concerned with social needs? It is unjust for Mr. Dunstan to accuse members on this side and private enterprise of showing no concern for social needs. Liberal members are concerned with social needs, which has been proved on the six occasions the people have returned the Playford Government. Mr. Dunstan made great play on the plight of a widowed pensioner and her daughter and would have us infer that they were turned out of their home by the court, but later he admitted that they were given some months' notice to quit. What part of his remarks are factual and what part mere supposition?

Mr. Dunstan said that a £500 fine was payable if it could be proved that the terms of a statutory declaration had not been carried out. Further, he referred at great length to his own district and would have us believe that housing there was more horrible than in any other district, but figures published by the Government Statist prove that the average occupancy per house in Norwood and Kensington is 3.2, in Burnside 3.5, in Mitcham 3.5, and in country districts generally 3.6. Norwood therefore has fewer persons per home than some of the districts he castigated. His statement was made without thought and was pure propaganda. I noticed that he was well dressed for the occasion and wore a red tie, which I believe

symbolizes his beliefs. Mr. Dunstan also referred to the immigrants from Europe, but I believe a big proportion of them are building their own homes.

Mr. Dunstan—I did not say a word against them.

Mr. HAMBOUR—I did not suggest that, but the honourable member referred to immigrants. The last 11 years have been prosperous. Too many people in this State and country will do nothing for themselves, and it is about time somebody gave them a jolt to make them realize their responsibilities.

Mr. O'Halloran—Under the honourable member's system they would not have much time to do that.

Mr. HAMBOUR—They have plenty of time to build homes. In 10 to 15 years' time Mr. Dunstan may change the colour of his tie because being a legal practitioner he should find the profession quite lucrative and time may change his views.

Mr. Dunstan—I have already changed them.

Mr. HAMBOUR—I have never heard the honourable member do justice to the people who made this country what it is by working and saving. He is always crying out on behalf of the needy and, although I admit there are needy who must be helped, there are also the improvident who should be made to contribute to their own well-being. It is all very well to blame the Government for the lack of homes, but what Government has built more homes than the Playford Government?

Mr. Jennings—All the others.

Mr. HAMBOUR—I am not impressed by the statements of the member for Enfield (Mr. Jennings). After hearing him make such wild statements this afternoon how can anyone rely on his statements? I am prepared to accept the Treasurer's statement when he says that South Australia has built more homes *per capita* than any other State.

Mr. Jennings—That was either misleading or a deliberate lie.

The SPEAKER—Order!

Mr. Jennings—What about it? Aren't you going to answer it?

The SPEAKER—Order! I admonished members earlier about interjecting and I now ask honourable members to stop interjecting. I ask the honourable member to be seated. The member for Enfield is out of order in interjecting when I asked him to desist.

Mr. HAMBOUR—The member for Norwood wants to take over homes and that is indicative of his entire line of political thought. He would take over everything if he had the opportunity. I have never believed in any Communistic doctrine, but I believe there is a practice that Communists follow, and that is brain washing. I do not believe in that, but I believe even there there may be an exception to the rule.

I rose to speak on the Bill primarily to state that, although it is necessary and I will support it, I consider that there are some injustices. I think it was when speaking on the Loan Estimates that I said some people prefer to buy motor cars to buying homes. I know about a certain person who pays the same rent on a house as he did in 1939, plus 33⅓ per cent. He owned a block and promised his landlord he would build a home, but he found he would be much better off by remaining where he was. He used his money to buy a motor car and now enjoys his pleasures at the expense of the landlord. As the member for Norwood pointed out, there may be injustices in one direction, but I have just quoted an injustice in another direction.

Mr. Riches—Don't you think the courts had regard to that?

Mr. HAMBOUR—I think so, and I am not prepared to say the courts are not doing the right thing. The member for Norwood assumed that something will happen in two months to two invalids, but he has not given any instance where what he fears has happened, though I do not deny that there may be some injustices. However, injustices occur under almost all Acts.

Mr. Riches—Didn't you hear him say what Mr. Ziesing, S.M., said?

Mr. HAMBOUR—Yes, but the Act says that the owner has to sign a declaration that he, or one of his next of kin, requires the house, and if he satisfies the court on that point it makes an order and he gets possession in six months. The member for Norwood said that two invalids will be evicted in two months.

Mr. Riches—There are many similar cases.

Mr. HAMBOUR—I am not disputing that this was a bad case, but those two people will be provided for. The people are not so heartless as to allow two tubercular invalids to be evicted and left on the footpath.

Mr. Riches—What about the people who have to pay £6 a week for a caravan?

Mr. HAMBOUR—Many people have done nothing to help themselves, though I am prepared to concede that there will be injustices under this legislation. I have given an instance

where the owner is suffering while the tenant enjoys cheap rent. Tenants who are destitute should be protected, but this tenant has had years in which to build a home, yet he continued to make excuses and finally told the landlord he had no intention of building a home because it would not be economic for him.

Mr. Riches—The landlord has recourse to the courts.

Mr. HAMBOUR—How could the landlord successfully appeal to the court? He is entitled to only a 33⅓ per cent increase on the rent he received in 1939. He owns two maisonettes, though he does not want either of them to live in, but he and his wife are dependent to a large extent on the rent they receive. They were thrifty and invested their money in maisonettes thinking that they would be able to live on the rent in later years. That is an instance of injustice under this Act, which provides that they can receive only 33⅓ per cent more than they did in 1939. What I don't like about the Act is that it protects the carefree, improvident, useless and reckless. I would be prepared to protect those who could not help themselves.

Mr. Stephens—Aren't you prepared to trust the court?

Mr. HAMBOUR—I am.

Mr. Dunstan—Then why not give the court the right to say who are the careless and improvident?

Mr. HAMBOUR—I was not talking about the courts, but referring to the provisions of the Act, which states that if the owner makes a false declaration he may be fined up to £500. I think members opposite will have to concede that injustices arise involving both landlords and tenants. Labor members believe it is their duty to consider firstly those on the bottom rung of the ladder. They think that members on this side are wealthy and the product of private enterprise, but they should get that idea out of their heads. We are here because we believe in certain principles, and members opposite are there because they believe in certain other principles. I believe that the member for Norwood, with his brilliance, will be better endowed in the future than many members on this side, but I hope he will still stand by principles he believes in now.

Greater consideration should be given to people who are dependent upon returns from small properties, for the Act does not treat them fairly. The Housing Trust is allowed to increase rents by only 33⅓ per cent on the 1939 figures. The member for Norwood said some landlords were charging £6 6s. a week for small houses. That is an extreme case of injustice, but an extreme to which I object is that a person letting a house at 21s. a week in 1939 is today entitled to only 28s. Is it fair to penalize landlords like that? They are entitled to justice as are the two invalids that the member for Norwood mentioned. The Act should be widened to allow a better deal in extereme cases. Some members supporting the Government believe that the Act should be repealed, for they do not like controls. I do not like controls for the sake of controls, but this legislation will be passed purely to protect people who cannot care for themselves, therefore I support the Bill.

Mr. FRANK WALSH (Edwardstown)—I support the second reading, but the original purpose of the legislation has been lost sight of, as was indicated by the member for Norwood. I do not think the honourable member for Light has any real knowledge of the Norwood district.

Mr. Hambour—Don't be foolish; that is where I was born.

Mr. FRANK WALSH—Norwood is one of the oldest suburbs of Adelaide, and as a result is quite different from others. For instance, the greater portion of my district is new, and the housing problems in Norwood must be greater than in my district. However, my old district, which was known as Goodwood, had more housing problems than most districts a few years ago. I cannot understand the member's reasoning in relation to court action. Mr. Dunstan went to great lengths to give a correct interpretation of the Act. Section 49 provides for certain cases of hardship. Section 55c is the most contentious section, particularly subsection (2), which relates to a six months' notice to quit. The latest information available shows that there has been a decline in the marriage rate in recent years, particularly since 1950, and I believe that one of the main reasons is that young people who desire to marry are unable to obtain accommodation. The Auditor-General's report indicates that the number of rental houses completed and occupied for 1955-56 was 713 fewer than in the previous year. Fewer homes have been erected for rental purposes, and this must create a greater demand for homes already rented.

Mr. Hambour asked why people are not doing something for themselves. To that I say that many people have rented homes for

years because they have been unable to obtain sufficient finance to purchase homes. The Auditor-General's report contains information that although 353 advances were made by the State Bank for 1954-55, only 282 were made last year for homes already erected. There seems to be a greater tendency to assist migrants than many of our own citizens. I do not complain about migrants owning property, but it seems strange that they are able to obtain finance when Australian citizens are unable to do so. Under section 55c, if a dwellinghouse is required by a lessor, his son or daughter, father or mother, he can obtain the premises by giving six months' notice to quit together with a statutory declaration that it is so required. I know of a man, his wife and three children who have occupied a home for several years and who desired to purchase it, but were told it was not for sale. Soon afterwards, however, another person purchased it and gave the six months' notice to quit, together with a statutory declaration, and there was no redress on the ground of hardship. It is almost impossible to obtain a Housing Trust rental home. In September this year I wrote to the trust on behalf of a person who had applied for a rental home in February, 1954. This person had also applied for an emergency dwelling, but later withdrew that application. The trust's reply was as follows:—

So very many applications for the permanent homes, of longer standing and mostly of considerable urgency, are waiting for houses to become available that I can hold out no hope that the trust would be able to provide a house in the near future. I am afraid that in fairness to other applicants this would be so even if the present accommodation was vacated, and in the circumstances I rgret I can see no way in which the trust can assist at the present time.

Honourable members, at least those on this side of the House, know that this is typical of the answers given by the Housing Trust today.

Generally speaking, the Act does not afford the protection that is desirable from the point of view of considering the case on its merits from the hardship angle. Government members generally are champions of private enterprise, and if they have confidence in the country why is it that they make no attempt to assist in housing the people who assist them to make their profits per medium of private enterprise?

Mr. Heath—The member for Norwood gave the honourable member the reply to that.

Mr. FRANK WALSH—I do not know what the housing position in Wallaroo is, and I will leave that to the member for Wallaroo. However, I imagine that a very big improvement would be needed in that particular area, and I ask him what private enterprise is doing to assist. Perhaps the member for Wallaroo could indicate how the houses could be built to assist the unfortunate people mentioned by the member for Norwood so that they can be accommodated, through the period of their sickness, at a reasonable rental.

There is a need for improvement, particularly in the hardship clauses, and I urge the Government to give earnest consideration to the amendment on the files in the hope that it will at least give to the people who try these cases the opportunity of making a reasonable approach. I do not know of anything that could be a greater hardship to a person than to know that there is a notice to quit facing him, a summons to appear in court and the threat of an eviction order. I have seen people in the tragic plight of having an eviction order executed, and having to move to some place that is not even habitable. I support the second reading in the hope that there may be some improvement made.

Mr. MILLHOUSE secured the adjournment of the debate.

ADJOURNMENT.

At 9.19 p.m. the House adjourned until Thursday, October 11, at 2 p.m.