HOUSE OF ASSEMBLY.

Wednesday, October 24, 1956.

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

QUESTIONS.

NORTHERN RAILWAY LINES.

Mr. O'HALLORAN—Did the Premier see a paragraph in last Friday's *Advertiser* indicating that the Federal Minister for Railways (Senator Paltridge) had introduced legislation into the Senate to provide for the closing of the railway line between Hawker and Brachina? Will it be necessary for this Parliament to take any action to enable that to be done, and has the Premier any information on the future of the narrow gauge line between Brachina and Copley?

The Hon. T. PLAYFORD—I did not see the report, but I heard reference to it over the air and I presume that the section of line proposed to be closed is that between Hawker and Brachina. If so, I think the position is already covered by legislation passed by the South Australian Parliament dealing with certain matters relating to the appointment of a Royal Commission; I think it provided that the recommendations of the commission could be put into effect. The narrow gauge line between Brachina and Copley would, of course, be a duplication of the present line, which is 4ft. 8½in., and I presume the Commonwealth would also close that, but so that the honourable member may have some factual information I will get a report from the Crown Solicitor on whether the Bill is in accordance with the rights of the Commonwealth on this matter.

WHEAT STANDARDS.

Mr. STOTT—Has the Minister of Agriculture seen an article by Dr. Callaghan that appeared in the *News* last week on wheat segregation in Australia? The Minister is aware that a conference is to be held in Canberra on November 12 to discuss the quality and general improvement of Australian wheat. Are the views expressed by Dr. Callaghan the views of the Department of Agriculture, will he represent the department at the conference, and will he express those same views at the conference?

The Hon. G. G. PEARSON—I saw the article, and it is true that Dr. Callaghan proposes to attend the conference, which was called following on discussions with the Agricultural Council that I attended, I think in August, when the general question of wheat quality was considered. The report tendered to the council by the standing committee was carefully worded and drew attention to the serious difficulties involved in marketing wheat according to quality, if that is taken to a point where several qualities are to be established. In other words, what could be worked successfully in countries where wheat production is large and where it is aggregated in large centres is much simpler and probably more economic than it would be in Australia where it is marketed at various outports. The council approached the question of marketing according to quality very cautiously. The report was endorsed, in substance, by the Agricultural Council, but at the same time it was felt that the difficulties of wheat marketing apparent at present should not prevent a further investigation of the matter and that it would be unwise for Australia to close its eyes to the possibility of improving our marketing conditions.

I have had discussions with Dr. Callaghan on this matter since his return from overseas, and the views I expressed at the Agricultural Council meeting were that it would be necessary for us to proceed with caution and that although the f.a.q. system had certain defects that did not necessarily mean it should be abandoned; in fact, rather the reverse. My view was, and still is, that we shall probably be best served by endeavouring to improve the f.a.q. system rather than by abandoning it. That is stated in part of my statement to the Agricultural Council. Dr. Callaghan is aware of that and will proceed to the conference with that knowledge and as a result of that discussion.

GARDEN SUBURB COMMISSIONER.

Mr. FRANK WALSH—Has the Government given further consideration to the appointment of a Garden Suburb Commissioner to succeed the present Acting Commissioner?

The Hon. T. PLAYFORD—Some time ago Cabinet considered the appointment of a Garden Suburb Commissioner, but instructed the Public Service Commissioner to hold his hand in calling for applications because of the information that had come to the Government that the citizens of the Garden Suburb desired to amalgamate with the Mitcham Corporation. That question was cleared up recently at a public meeting, where the majority were definitely opposed to amalgamation, and the Government has now instructed the Public Service Commissioner to call for applications for the position.

MURRAY RIVER FLOOD RELIEF.

Mr. BYWATERS—On October 4 I asked the Premier whether he knew of any army huts that were available for people in the Mypolonga district who had lost their homes as a result of the flood and are living under adverse conditions. The Premier said he did not know of any huts, but today I found that in Hart Street, Semaphore, there are some homes that were previously under the jurisdiction of the Tourist Bureau but have now been placed in the hands of the Architect-in-Chief, and I believe they are likely to be removed. Can the Premier say whether some of these homes could be transferred to the area I mentioned?

The Hon. T. PLAYFORD—When the honourable member raised this question I told him I would make inquiries. My inquiries have elicited that we have a number of buildings at the place the honourable member mentioned and a report I received concerning them has been referred to the Housing Trust to ascertain whether, in point of fact, they are suitable for the type of emergency housing the honourable member desires. I have not yet received a report, but will advise the honourable member as soon as possible.

TRAMWAYS TRUST DISPUTE.

Mr. HEASLIP—According to last night's *News*, in a joint statement issued to Tramway men yesterday the union declared:—

The price you will have to pay will be small compared with the advantages which the union could secure for its members.

If that report is correct, does not the Premier consider it constitutes an incitement to the men to strike? Is there a penalty in the award for those who incite a strike and, if so, what action will be taken?

The Hon. T. PLAYFORD—Tramway men come under the jurisdiction of the Commonwealth Arbitration Court, which has been established for the purpose of maintaining the industrial laws of the Commonwealth. I presume it would be possible for the Tramways Trust to apply to that court for the imposition of certain penalties provided in the Commonwealth legislation. I think this matter, however, goes further than the aspect raised by the honourable member. At present the South Australian Parliament is providing a substantial amount annually to meet the losses on this undertaking in the hope that the South Australian public will receive a suitable service. As members know, I have fought in this House those who have criticized the expenditure of this money, but I say advisedly that if that money is going to be wasted and the public is not to receive a suitable service the Government will, as a matter of course, have to consider its policy realistically on this matter. I do not think there is any call to strike over industrial conditions today. Impartial tribunals have been set up to hear both sides of a case and to determine it. I am not conversant with the rights or wrongs of this dispute, but I know it has been submitted to the Arbitration Court. The action being taken at present penalizes the travelling public which is not a party to the argument. A court decision has been given and I issue this fair warning that the tramways can only be maintained if a satisfactory service is provided to the public.

Mr. HARDING—Honourable members are aware that £1,000,000 has been voted to the Tramways Trust—£500,000 to meet its deficit and £500,000 for modernizing buses and providing a public service. Bushranging tactics, without notice, are now being employed by a section of tramway employees. This is affecting workers in the middle range income group—the people who represent the lifeblood of this State's economy. Can the Premier say whether the Government, which determines the laws of this country, is going to sit down and and condone these bushranging tactics, or will steps be taken to protect the workers in industry who are being held to ransom through lack of transport?

The Hon. T. PLAYFORD—As I said before, this industry is subject to Commonwealth arbitration laws and the State industrial tribunals have no authority over the dispute provided it is one the Commonwealth Arbitration Court can rightly handle. There is no action the State can take in that regard, but as I have pointed out, there are indirect methods we can use to deal with this problem if there is much further trouble.

PORT AUGUSTA-WOOMERA ROAD.

Mr. LOVEDAY—In view of a letter I received from the Minister of Roads dated May 31 informing me that the Director of the Commonwealth Works Department had stated that the construction of an unsealed all-weather road from Port Augusta to Woomera was being considered, will the Minister representing the Minister of Roads ascertain what progress has been made?

The Hon. B. PATTINSON—Yes.

MOUNT GAMBIER BUILDING STONE.

Mr. CORCORAN—I am rather concerned about the falling-off in the use of Mount Gambier building stone. According to figures supplied to me the supply to the Housing Trust has considerably fallen in the last two years and is now almost non-existent. In 1954-1955, the peak supply delivered to all Adelaide firms was 1,200 tons a week, but present total deliveries are only 75 to 80 tons. The total rail freight paid on the 1,200 tons was £3,480 a week, but even with an increased rail freight of £3 4s. a ton the total railway revenue from this source is now only £256 a week. Can the Premier explain the reduced demand and suggest any means of improving it?

The Hon. T. PLAYFORD—Mount Gambier stone is an extremely good building material and the Government, for many years, has encouraged its use by providing favourable rail freights to enable it to come even as far as Adelaide—a distance of about 300 miles. The large increase in its use in the metropolitan area was partly due to the inadequate supplies of cement which were available immediately after the war, and as an alternative material Mount Gambier stone was brought to Adelaide. Cement supplies are now not only adequate but in excess of requirements, and there is a considerable export to Victoria. The portion of the building industry forced to use Mount Gambier stone instead of cement has now alternative materials available to it, which possibly accounts for some of the falling off in the use of the stone. I believe there is not such a large volume of private house building now as there was previously, although the Housing Trust is maintaining its numbers fairly adequately. This means that more red bricks are available to the trust, and this building material is popular with all house purchasers.

SAUSAGE CASINGS.

Mr. BROOKMAN—My question relates to the difficulty facing butchers and smallgoods manufacturers because of the rigid import restrictions on sausage casings. Will the Premier make the strongest possible representations to the Commonwealth Government to have the present import restrictions on the casings lifted or greatly eased?

The Hon. T. PLAYFORD—Yes. The position in this industry requires urgent consideration. The Commonwealth Government has imposed a limit on the importation of hog casings, which are used not only in South Australia but in Australia generally. As a result of this limit sheep casings, which are more valuable and for which there is a big export market available in America, are being used, not so much here but in Australia generally. The restriction has hindered the industry and is causing Australia to lose a large amount of dollar earnings. There is the strongest possible case for the present practice to be reviewed. As a matter of fact, the Commonwealth Government has offered exporters who can show that they have increased their export of sheep casings increased import licences, but it has put the cart before the horse for until there are increased licences there cannot be increased exports. There is a big divergence in the industry from the export of an article of high value to its being used locally when we could import something adequate for our requirements at a much lower cost. I will take up the matter urgently with the Commonwealth Government as suggested by the honourable member.

WHYALLA HIGH SCHOOL.

Mr. LOVEDAY—Can the Minister of Education tell me what stage has been reached in the preparation of plans for the new wing of the Whyalla high school?

The Hon. B. PATTINSON—No, but I will make inquiries from the Architect-in-Chief and let the honourable member have the information as soon as possible.

LEAVE OF ABSENCE: SIR MALCOLM McINTOSH.

Mr. GEOFFREY CLARKE moved—

That one month's leave of absence be granted to the honourable member for Albert (The Hon. Sir Malcolm McIntosh) on account of ill health.

Motion carried.

MINING INQUIRY.

Adjourned debate on the motion of Mr. Loveday.

(For wording of motion see page 846.)

(Continued from October 17. Page 1072.)

Mr. RICHES (Stuart)—I support the motion and congratulate Mr. Loveday on presenting to the House what I believe to be a perfectly reasonable motion, and on his reasonable approach to and eloquent advocacy of the subject matter. The motion asks the Governor to appoint a Royal Commission to inquire into and 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 the State, and on the negotiations that have taken place over the years for the establishment of steelworks in South Australia. I was surprised to hear the Premier oppose the motion because only two years ago he was responsible for announcing through the Governor's Speech at the opening of Parliament, that the Government was not content to allow the matter of the establishment of steelworks to remain as it was then and that an expert committee would be set up to inquire into the matter and report to the Government. Because no action has been taken in this matter the motion has been moved by Mr. Loveday, and it is in keeping with the statement made in the Governor's Speech two years ago. Parliament has received a report from an expert of experts in the metallurgical field on the practical side of this subject, and then there are the negotiations that will be necessary to lead up to the establishment of a steel industry and the advice to the Government on the legal performance of the undertaking given when our rights over the iron ore deposits were handed over to the Broken Hill Proprietary Company. An expert investigation into these matters could be handled by a Royal Commission.

As I listened to the Premier speaking on this motion I had a feeling that he was hard put to it to oppose the reasonable arguments adduced on this side. He gave as a reason for opposing the motion that an inquiry was unnecessary, but an inquiry is not only necessary: it is long overdue. The second reason he gave was that such a move might offend the company, but why should the passing of this motion have that effect if the company has carried out the spirit of the agreement?

Mr. O'Halloran—The company should welcome it in order to vindicate itself.

Mr. RICHES—Yes, particularly in view of certain claims, including the Opposition's claim that in return for certain iron ore deposits the company solemnly undertook to establish steelworks in South Australia. Surely the company could not object to the proposed inquiry. Admittedly, the obligation rests on the Opposition to prove that an agreement to establish a steelworks existed when the Broken Hill Proprietary Company's Indenture Act was passed in 1937 and why such agreement was not set out explicitly in the legal document that formed the basis of that Act. Contrary to the Premier's statement, negotiations for the establishment of a steelworks were the underlying note in all the State Government's dealings with the company over the years. The Premier was wrong when he said that the Morgan-Whyalla pipeline was constructed by the Government in return for an undertaking by the company to establish shipbuilding yards at Whyalla. The report of the Public Works Committee and the evidence given before it by representatives of the company prove that throughout the negotiations between the then Premier (Hon. R. L., now Sir Richard, Butler) and the company the underlying note was that of steelworks. Mr. Playford was wide of the mark when he said that steelworks was not the keynote. Had he not made that statement twice and then said that I was wrong in suggesting that the establishment of a steelworks was the basis of those negotiations, I would have thought him guilty of a slip of the tongue, but apparently he wished to emphasize this point, for he said:—

> I can assure the honourable member that the construction of the pipeline was based on a deal—that we would supply water on the assurance that the Broken Hill Proprietary Company would establish shipbuilding at Whyalla. That is the background of the matter.

The Premier twice made the statement that the negotiations had never reached the stage where steelworks became their basis. For two years I asked him questions on conferences he was supposed to be holding with the company on the establishment of a steel industry at Whyalla, and in reply he expressed confidence that the company would establish steelworks there eventually and said that negotiations were proceeding satisfactorily and that the company had the right to nominate the type of steelworks to be established. The company, however, broke off negotiations and closed the door on the Premier.

The Hon. T. Playford—That all took place after the construction of the pipeline and was not a part of the pipeline bargain.

Mr. RICHES—I accept that statement, which is an admission that the negotiations for a steelworks took place after the construction of the pipeline, for the Premier now says that those negotiations were not part of the bargain under which the pipeline was constructed. When the Indenture Bill was introduced it contained the following clause:—

> 13. In order to assist the company to further extend its works by the establishment in the vicinity of Whyalla of coke oven plant and/or works for the production of steel, rolling mills, and other plant, the Government on being notified by the company that it is prepared to

establish any such works will use every endeavour to provide the company with a supply of fresh water at the site of such works sufficient for the full requirements of the company at such fair and reasonable price as may be mutually agreed upon.

That clause proves that a steelworks was in the mind of the company at that stage.

The Hon. T. Playford—Up to the present there has been no notification by the company to the Government in connection with that clause. That is my whole point. The company has never said that it desired to establish a steelworks.

Mr. O'Halloran—What did the Government construct the pipeline for?

The Hon. T. Playford—For the establishment of shipbuilding yards.

Mr. RICHES—The pipeline was constructed under an agreement between the State Government, the Commonwealth Government and the company, and early in the negotiations, which centred on the establishment of a tinplate industry, the Commonwealth Government was asked to set out in writing its acceptance of certain financial obligations in the matter. The report of the Public Works Committee on the Northern Areas—Whyalla Water Scheme contains a copy of a letter signed by the present Prime Minister (The Right Honourable R. G. Menzies), which states:—

I refer again to your letter of the 9th February in which you ask that the Commonwealth Government give consideration to the provision of financial assistance for the proposed water reticulation scheme at Whyalla by the purchase of water for railway purposes to the extent of some £25,000 to £37,500 per annum. Whilst my Government was giving very sympathetic consideration to the rendition of some assistance in connection with this project, any such assistance would necessarily have been dependent upon the establishment of the tinplate industry at Whyalla. It would now appear that the probability of establishing the industry at Whyalla is somewhat remote. You mention the fact that the B.H.P. Co. Ltd. is undertaking the establishment of shipbuilding at Whyalla. I doubt, however, if this would warrant the Commonwealth in assisting as desired . . . under the circumstances I fear that I cannot hold out any hope at present of giving financial assistance to the scheme, but perhaps it could be brought forward at some future date should, say, prospects of the tinplate industry being established at Whyalla become a probability.

Then the Public Works Committee pursued its inquiries with the B.H.P. Co. and asked it to give evidence on the possibility of the establishment of steelworks at Whyalla. A blast furnace had already been established, so the main was not to provide water for that, and the shipbuilding yards were being established. Two schemes were placed before the Public Works Committee for investigation: a minor one to serve the town and the shipbuilding yards, and a major one to provide in the future for a steelworks.

Mr. Shannon—Look at page 25 of the committee's report and read what Mr. Darling had to say about steelworks.

Mr. Riches—Mr. Darling reiterated what was claimed in the very first place, that although steelworks were contemplated by the company no definite undertaking could be given as to the date.

Mr. Shannon—Either as to the place or time.

Mr. RICHES—That is right. Now I shall read what Mr. Jones had to say. I think he is now the general manager of the company, and he gave evidence on its behalf. The evidence was:—

It would appear in order to give an assured supply of water to Whyalla to enable the company to establish these additional industries a plant capable of supplying 1,000,000,000 gallons of water a year would be necessary? . . . Yes, taking the long view of possible developments there.

That means that it would cost the South Australian Government about £3,000,000 to give that assured adequate supply of water. We are concerned as to whether we are to gamble on the company's establishing these works at Whyalla by spending £3,000,000, or whether we can afford to wait until the company makes a definite request to us for a supply of water? . . . Development in the steel industry, when it is required, is required rapidly and if the circumstances are such that additional capacity is required in Australia, it is usually required at the shortest possible notice. I think it can be quite envisaged there again that if the water were not at Whyalla, Whyalla may still miss the steel plant at any particular time, due to the time factor in not being able to get the water supply. We now have the blast furnace and the step from a blast furnace to a steel plant can be done fairly rapidly.

I draw attention to that last question in which Mr. Jones was asked, "We are concerned as to whether we are to gamble on the company's establishing works at Whyalla by spending £3,000,000." Those works were not shipbuilding yards or a blast furnace. The evidence continued:—

If you decided to establish steelworks at Whyalla, how long would it take?—Twelve months.

Once the company had decided upon its establishment, it would be much more rapid if the water were there?—Undoubtedly.

Would you consider it a good gamble on the part of the South Australian Government to take the water to Whyalla?—I think so.

Would your company take such a risk?—I think it has taken greater risks than that. It is taking one now with regard to ship building. This major water scheme was to form the basis for the establishment of a steelworks.

Mr. Shannon—The honourable member should be fair to the Public Works Committee and read its conclusions. They stressed the doubt in the committee members' minds whether a steelworks would be established at Whyalla.

Mr. RICHES—I shall read the committee's recommendations.

Mr. Shannon—No, read its conclusions.

Mr. RICHES—This was the committee's first recommendation:—

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

Last week the Premier said the Indenture Bill was thoroughly investigated by a Select Committee. The laying of the Morgan-Whyalla main had been thoroughly investigated by the Public Works Committee, and he indicated to Parliament that members had to condone the handing over of iron-ore deposits to the company in order to have shipyards established instead of a steelworks, but I claim that steelworks were uppermost in all the negotiations that have taken place right from the start.

Mr. Shannon—The point the honourable member is avoiding, probably because it does not suit his argument, is that the Public Works Committee drew Parliament's attention to the doubt it had about the company's establishing steelworks at Whyalla.

Mr. RICHES—The committee stated:—

Although the company cautiously refrained from giving the committee a definite undertaking that steelworks would be established in the near future at Whyalla, the committee feels that the company would not spend more than £3,000,000 on works at Whyalla (new harbour and wharf, power house, shipbuilding yards, blast furnace, new workshops, reclaiming area of more than 70 acres, etc.) unless it envisaged further extension. The committee regards the company's guarantee to take and pay for 343,000,000 gallons of water as indicative of its confidence in the expansion of Whyalla at no far distant date.

Mr. Shannon—There was no suggestion that the company promised a steelworks, and the committee knew that.

Mr. RICHES—Yes, and I join with the Premier in his condemnation of this report last week, because the only justification the committee had for recommending the major scheme was to provide a supply for a steelworks. The Commonwealth Government told the committee it was not interested in granting assistance if the water was required merely for shipyards. A steelworks obtrudes itself in all the questions and answers, discussions, conclusions and recommendations in the committee's report. I am convinced that a steelworks was uppermost in the mind of the then Premier when he entered into the first discussions with the company, and the establishment of steelworks was confidently expected by the company when it entered into its indenture agreement. I give this credit to Mr. Essington Lewis and Mr. Darling that they were sincere and told the truth when they gave evidence, and I voted on that score when the Bill was before the House.

The member for Alexandra (Mr. Brookman) delights in making gratuitous insults to members on this side of the House. He said that this question of a steelworks found support in the Labor Party after the Director of Mines had submitted reports to Parliament. He said that we would rush here and read them *ad lib* and advocate the establishment of a steelworks. Let me educate Mr. Brookman. The South Australian Labor Party has been urging steelworks for the last 30 years. Before I came to this House, and subsequently, the then member for Port Pirie, the late Mr. Fitzgerald, annually drew attention to the fact that our precious iron ore resources were being exported to another State. He called upon South Australia to take some positive action to ensure that steelworks were established here so that this State might benefit from the exploitation of those resources. After the agreement was entered into with the company, the then Premier paid a tribute to the consistent advocacy of Mr. Fitzgerald and expressed regret that he was not here to see the culmination of his representations. In that Bill he included a provision that Backy's Bay, which he regarded as one of the most beautiful bays in Spencers Gulf, should be renamed and bear the name of the late Mr. John Fitzgerald. The Labor Party has been interested in steelworks ever since.

It was a comfort to us to realize that in South Australia there was an officer in a high position courageous enough to draw attention to the fact that the company had not complied with the spirit of the honourable agreement it entered into and the drastic effects that was having on our economy. We did not rush in and quote *ad lib* from the Director's first

report. That was issued in 1950 and laid on the table of the House, but no member saw it for 12 months. It was two years before it was printed, but after it had lain on the table for 12 months I got a copy and read almost the whole report in the House so that it would appear in *Hansard* and members would understand what I was talking about. That was when I did quote *ad lib* from a report by the Director. Since then he has issued special addenda to that report, but no notice has been taken of them with the exception of the discussions members on this side have introduced concerning them.

Mr. Brookman came to light with another cheap insult to which I take strong exception. He indicated the type of thing he would do himself. He said that the Premier quite rightly adopted the attitude that the Director's reports should not in any way be edited but should be laid on the table as written, and added that if the Labor Party were in office he would not expect that. That is the type of cheap political trickery Mr. Brookman would indulge in, and I throw it back in his teeth. Let us examine the claim he made on the Premier's behalf. These reports are not the property of the Premier or the Government, but of Parliament, and the Premier has no right to edit them. Recently the Director made a further submission to the Government and the Premier brandished it in the House last week. He offered to make it available to members and I read those submissions calling upon the Government to take action, either by way of legislation or by obtaining a Crown Law opinion on the legality of the agreement. What was the Premier's attitude when I asked him to table those submissions? The Clerk showed me a provision in Standing Orders that when a document of that nature is cited it should be tabled. The Premier has refused to table it, but I challenge him to table it now. He not only edited it with a dictatorial attitude characteristic of today, but censored it entirely. It should be tabled.

Why was the Director of Mines so concerned about the position? He travelled around the world making a personal examination of the iron and steel industry with relation to Australia's part in it. On his return he made urgent appeals to us to see that a steelworks was established in South Australia within two years. That was in 1950. He pointed out that we were paying in premiums on imported steel in five years sufficient to meet the entire cost of a completely integrated steelworks. Why did he find it necessary to issue a special report in the following year on Australia's iron and steel production again urging action? He has made the same appeal every year since. He apparently believes that the opportunity to establish the greatest industrial undertaking this State could ever achieve is being frittered away because of lack of interest. In his last report he pointed out that the world price for iron ore is £5 a ton. The company is shifting ore from Iron Knob at the rate of 3,000,000 tons a year, which is worth £15,000,000. If the State had not given away these leases and were working these deposits it would be receiving £15,000,000 a year and not £225,000 as it is at present from the company. This clearly indicates how good a friend South Australia has been to the company.

Mr. Hambour—Would you take the leases from the company?

Mr. RICHES—I will come to that. For once the honourable member will not put words in my mouth. I am making this speech as I want to make it. The Director has drawn attention to what I consider the most important point in this discussion—the time factor. He has pointed out that it is economically possible to establish steelworks at Whyalla on the basis of the highgrade iron ore resources and to amortize the capital expenditure over the life of those resources. Once works have been established and paid for it would be possible by beneficiation to use the lowgrade ores to keep the plant running. If we wait any longer and it becomes impossible to pay for the plant out of the highgrade iron ore deposits, Mr. Dickinson believes we will never have steelworks. With all the pressure I can bring I urge that the State take note of this time factor. We cannot wait for another 40 years as suggested by Sir Walter Duncan. We must insist on steelworks being established not in five or 10 years, but now.

Every document that the director has submitted to the House and every argument he has adduced on the matter has been supported by figures and quotations by experts. Not one of his tables, estimates or other figures has been successfully challenged by the experts, except the two experts in this House who represent Alexandra and Onkaparinga, but of course they are experts above the average. They have been the only persons to prove Mr. Dickinson to be wrong: they have been able to do it to their own satisfaction. If there were a metallurgist at Whyalla who wanted promotion with the company he would get it quickly if he could

prove Mr. Dickinson to be wrong. Never has there been better documentary evidence in support of this matter than has been put forward by Mr. Dickinson. Even the queries raised by the two honourable members I have mentioned are completely answered in his reports. It is not without significance that members opposite have had to attempt to write down the Director of Mines because they have not been able to disprove any of his arguments. It ill becomes any one to attempt to undermine the standing of this man who has served South Australia so well. I would like to know why South Australia let him go.

Mr. Brookman—You are cheapening your own argument. You are putting up things and then knocking them down to suit yourself.

Mr. RICHES—Does the honourable member deny that Mr. Shannon said that although he is a personal friend of Mr. Dickinson he would say that the director knew nothing of finance?

Mr. Brookman—You are now talking about Mr. Shannon. I quoted an authority that disagreed with Mr. Dickinson's estimate of the cost of steelworks.

Mr. RICHES—The honourable member quoted a United States authority as giving an estimate of £135,000,000, but it did not inquire into the cost of establishing works at Whyalla. In 1950, when money values were different from what they are now, Mr. Dickinson estimated the cost to be £100,000,000. Three years afterwards India established a completely integrated steelworks at a cost of £70,000,000, but labour there is cheaper than it is here. The latest figure for the Broken Hill Proprietary Company's steelworks at Port Kembla was exactly the same as the figure Mr. Dickinson fixed for Whyalla. If he could have been proved wrong in 1950 the company would not have waited until 1956 to disprove him. The company has a high regard for his estimates. I am a member of the Industries Development Committee and when it inquired into the submissions that led to the granting of Government assistance for the establishment of the Nairne pyrites project it was Mr. Dickinson's estimates as to costs that were considered by the committee. They were supported by the Broken Hill Proprietary Company officials, and the committee had no other figures on which to work. In connection with the proposed barytes treatment works at Quorn the only figures before the committee were those prepared by the Mines Department, and they were accepted by the company concerned as coming from the highest authority the State had on the matter.

Did not Parliament take notice of what the Director of Mines said when he supported the project at Radium Hill without its being referred to the Public Works Committee? His estimates were accepted then. We have this year a magnificent report from the Mines Department. It shows that mining companies in the eastern States and overseas have used our laboratory services to the value of £70,000 in one year. Many people have a high regard for Mr. Dickinson, who has rendered signal service to the State and we should not have let him go. Members opposite try to undermine his prestige because of the unanswerable argument he has advanced in advising the people of the State not to lose for all time the possibility of getting an industry associated with our highgrade iron ore deposits. As I understand the negotiations that took place, the only reason why South Australia gave for all time to the company the rights over our iron ore deposits was that the company intimated its intention to establish steelworks. We should realize the rights that were given away, and the extraordinary manner in which they were given. On the matter of ownership of mineral wealth the 1954 report of the Director of Mines said:—

> Fundamentally mineral resources are natural assets vital to our wellbeing and social security. When exploited they may benefit the community in two ways, as a source of revenue and as the raw material for industry. Being expendable and irreplaceable it becomes a national duty to see that they are fully utilized in the public interest. From ancient times, under Roman law, and in part under early English law, the ownership of mineral deposits was subject to certain rights of the sovereign. This "regalian rights" had a common origin with the broader and more modern theory, stated by General Halleck in 1860, that mines are "by nature public property and that they are to be used and regulated in such a way as to conduce most to the general interest of society." This regalian doctrine has been followed fairly closely in British Commonwealth countries, and in particular in the States of the Commonwealth of Australia and in Commonwealth territories.

That has been completely disregarded. Because the rights have always been reserved to the Crown, I believe that the preamble to the schedule is remarkable. Can members show me any other legislation passed by this Parliament or agreement that has been entered into between three parties—His Majesty the King, the Governor and the company? Why bring in the King, unless it was to get around something that has been accepted from Roman times and is general British practice in regard to

rights over mineral resources. The preamble said:—

This Indenture was made on the fourth day of October, 1937 between His Most Gracious Majesty King George VI . . . of the first part, His Excellency the Lieutenant-Governor of the State of South Australia . . . of the second part, and the Broken Hill Proprietary Company Limited . . . of the third part.

Incidentally, the King did not sign this document. All mining laws and regulations were broken in order to give the company the rights it required to establish this monopoly. Harbors Board regulations were set aside. The laws and regulations did not apply to the company. In those days South Australia recognized the need to have an industry and it was prepared to give away wealth that today represents £10,000,000 a year. If the Government held the leases, mined the ore and then sold it on the open market it would get £5 a ton, or £15,000,000 a year. It is estimated that after the payment of expenses a profit of £10,000,000 a year would be made, but that has all been given away to the company. Was that done merely for a blast furnace? No; the discussions were conducted on the basis of a steelworks. The company said that the blast furnace would be given as a first instalment, but no date line could be set for the establishment of a steelworks. The company pictured not only steelworks but also ancillary industries. I had never heard the word "ancillary" used until Mr. Butler used it in that debate, and that was one of the things that implanted the undertaking of the company in my mind. Ancillary industries were to be established at Port Augusta, Port Pirie, Wallaroo and possibly other places, and the State was to benefit from the expansion that would follow the establishment of a steelworks.

The present Premier (Mr. Playford), at that time a private member, said he was not willing to accept the undertaking in that form as the agreement provided only for a blast furnace, but Mr. Butler said that he was certain that the establishment of the blast furnace would be followed by a steelworks and that he could visualize the development in South Australian secondary industries that would follow. He said he was sure that every member would approach the question with that aspect in view. I believe that Mr. Butler was sincere in his statement, and that the steelworks was uppermost in his mind. The matter was referred to a Select Committee of five, but three members voted against the proposal. One of the hottest debates of that session was held on the committee's report, and certain members of that committee even moved amendments in this House.

Mr. Newland, a member of that committee, said he was sure that a steelworks would follow the blast furnace. Mr. Playford expressed regret that heat had been engendered in the debate and said that undoubtedly the committee had not had sufficient time to conduct a complete inquiry, yet now he asks that this motion be defeated merely because the original Bill was referred to that Select Committee.

That committee took evidence on the establishment of a steelworks and, although it is true that after the Bill had passed discussions were held on the basis of a shipbuilding yard, throughout the negotiations this House never lost sight of the steelworks project. In the light of clause 13 of the Indenture Agreement how can it be said that a steel industry was not uppermost in the minds of all those negotiating? Later, the Public Works Committee took certain evidence, but the only evidence printed for the benefit of Parliament was that given in relation to the steelworks by representatives of the company. The Commonwealth Government was not willing to assist on the basis of a shipbuilding yard only, but insisted on a steelworks, and the committee concluded that the water supply was justified, not by the blast furnace or the shipbuilding yard, but because it had confidence that a steelworks would follow.

Throughout the evidence runs the strain that a steelworks was considered to be the birthright of South Australians. The matter has been brought to the notice of Parliament by the Director of Mines on numerous occasions, and after Parliament passed a certain resolution three years ago the Premier negotiated with the company. All members thought that was a logical step and, although they had no details of the negotiations, they accepted his move. Now, however, they do not know where they are, for he says that a steelworks was never the basis on which negotiations were conducted. The Premier and the member for Alexandra said that the passing of this motion could mean only one thing: that this Government was prepared to repudiate its agreement with the company. Those members, however, know that that is not so and that Mr. Dickinson has advanced not only one but half a dozen solutions to this problem. How do they know what conclusion the proposed Royal Commission would come to? Mr. Darling and Mr. Essington Lewis appeared before the committee in connection with the Indenture Agreement, and Mr. Lewis believed right up to the time of his

Joseph Fisher lecture that the company genuinely intended to establish a steelworks here, but after those gentlemen left the board and the company passed into the hands of New South Wales directors, the industry contemplated for Whyalla was switched to Port Kembla.

That possibility was mentioned in evidence given before the Public Works Committee; Mr. Jones said that the construction of the Morgan-Whyalla pipeline could well swing the balance from Port Kembla to Whyalla, but with the passing of the South Australian representation on the board and the advent of New South Wales control that balance has swung to New South Wales. The establishment of steelworks at Port Kembla constitutes a breach of faith with this State and South Australia is entitled to protest with all its vigour. Indeed, members thought that the Premier would be their spokesman and that he would adopt a statesmanlike attitude. Why has he retracted from his position in the last couple of years? The carrying of this motion will not mean repudiation by the Government.

Mr. Hambour—It would ultimately mean that. If the Royal Commission recommended that the Government take over, what would be the position?

Mr. RICHES—The Commission may recommend that, but it may also make a recommendation on the lines of the report by the Director of Mines: that the company should establish a steelworks. Frankly, I would like to see the company honour its obligations, but if the company claimed that it had overexpended at Port Kembla, ways and means could be found to introduce overseas capital into South Australia. What is wrong with the set-up at Nairne? In an earlier report the Director of Mines recommended a co-operative in which the Commonwealth and State Governments and the company would work as partners. How is the sulphuric acid plant at Port Adelaide operated? Another alternative would be for the company to supply ore; indeed if it cannot honour its undertaking to establish a steelworks, why should it not supply ore to another concern? There are a number of alternatives, and repudiation is not necessarily involved. Mr. Dickinson has suggested the breaking of the monopoly and the establishment of a steelworks by the State only as a last resort, but surely even that would be preferable to losing forever all opportunity of achieving in South Australia the greatest industrial undertaking the State has ever known.

Mr. Hambour—You admit the big stick would have to be used?

Mr. RICHES—No. We have no evidence of negotiations for they have all been held in secret. I have never admitted that the company would refuse to negotiate; indeed, I doubt whether it is so unreasonable as to cut the painter with the State that has been so generous to it, but the gratuitous insult suffered by the Premier last time he met representatives of the company was an insult to all South Australians, and the company should realize that its action was offensive to the people. The snub to the Premier was undeserved for he had negotiated in good faith.

Mr. Hambour—You admit that?

Mr. RICHES—I believe it, and I am at a loss to understand Mr. Playford's attitude today. Members on this side supported him wholeheartedly and waited two years for results. Then with tears in his voice and obviously shaken by the rebuff he had received from the company, he reported that he had been told there would be no agreement and that the company would not consider the construction of a steelworks before 1960. As the Premier said, South Australia deserved better than that; indeed, His Excellency's speech later contained a statement that South Australia was not prepared to acquiesce in that situation and that a committee of experts would be set up. Two years have passed, however, and still there is no committee of experts. We are asking for the appointment of a committee to inquire into those negotiations, the failure of the company to honor the spirit of its undertaking, the possibility of evolving a scheme under which steelworks could be operated, and to advise Parliament on the best means to beneficially exploit our own iron ore resources.

Mr. Hambour—What means are left to the Government to do that?

Mr. RICHES—Thirty years' supply of iron ore.

Mr. Hambour—What course is left to the Government?

Mr. RICHES—The course we are suggesting. I am not an expert on these matters like the members for Onkaparinga and Alexandra, but I believe a commission should be appointed to call before it representatives of the company, men who know iron and steel, officers of the Mines Department and the Premier himself. The commission should examine all the recommendations of the Director of Mines. Perhaps a scheme could be put into operation with the co-operation of the State and Federal Governments and the B.H.P. Coy. If the company

cannot provide the necessary finance an outside company might be able to. There are dozens of ways of evolving a scheme, but I am not in a position to advocate any one of them, and neither is the member for Light.

Mr. Hambour—But you know them all!

Mr. RICHES—No, but I think a Royal Commission could find a solution. This is a matter of supreme importance to the people, and I hope the House will not defeat the motion on Party lines. Cannot we lift this question above Party politics? Members on this side of the House are prepared to give the Premier full credit for the stand he has taken, at least up until the stand he took last week, which I could not understand. He said then that no good purpose could be served by appointing a Royal Commission, but he gave no adequate or sound reasons for that statement. This problem is one of great urgency, and the time factor alone justifies an investigation. If the Government is not prepared to support the motion it should say what positive action it will take without an investigation.

I hope the House will consider the motion on its merits. This matter is of vital importance to every citizen, and if Parliament does not appoint a Royal Commission or take positive action I will urge the Labor Party to crusade throughout the State and tell the people the facts and what is happening to their rights. The Labor Party should make this question the sole issue, not to make political capital out of it, but to render a service to the people and demonstrate to the whole nation that steelworks should be established at Whyalla in the immediate future. Such a plant could be paid for while high grade iron ore was still available, and it could use the low grade ore when the high grade resources had been worked out.

Mr. Hambour—Do you think the State should take over the B.H.P. Company if all other means failed?

Mr. RICHES—We have had emergencies before. Not long ago we were involved in a major war, and the Federal Government secured the loyal support of all people in the interests of Australia. No one served better than Mr. Essington Lewis did.

Mr. Hambour—I asked you a simple question.

Mr. RICHES—We should get above Party politics and the profit motive and consider the benefit to Australia as a whole. We all owe Australia something, and the B.H.P. Company owes Australia more than anyone else.

Mr. COUMBE (Torrens)—I oppose the motion. Many extravagant statements have been made during the debate, but I will try to bring it back to a sound basis. I shall confine my remarks to two main aspects. The mover (Mr. Loveday) and other members opposite based their arguments on the latest report of the Director of Mines, from which they quoted extensively, but that report was incorrect in many respects. I appreciate the honourable member's reasons for introducing the motion, but I will attempt to show that this is the wrong way to go about the question and will, in the long run, defeat his purpose. My remarks are not intended in any way to be an apology for the B.H.P. Company, and I hold no brief for it. At the same time, I must say that I appreciate its contribution to the national economy. I use many of its products, but I shall make my remarks in the interests of the nation and not on Party lines.

Many references have been made to the reports of the Director of Mines, for whom I have the highest regard for his technical ability, which is beyond question, but I will criticize his remarks on the economics of several of his proposals. His qualifications and ability to offer sound, business-like reports are open to question, and it is upon these grounds that I attack his reports and the member for Whyalla, and other speakers, who have made use of them. On page 2 of his 1956 report the Director misquoted official statistics when he asserted:—

> Average imports per annum over the five-year period (1950-1955) excluding tinplate, prefabricated, fabricated and semi-fabricated steel is approx 800,000 ingot tons per annum.

After consulting the source from which the Director drew his figures—Commonwealth of Australia, Survey of Selected Materials, January 1956, Department of National Development—I found it was apparent that the Director had not excluded tinplate in calculating that import figure. He included it, thus swelling his equivalent figure by 200,000 ingot tons per annum! In other words, imports were the equivalent of 600,000 ingot tons a year, not 800,000 as he asserted. This mistake invalidates the Director's subsequent financial calculations given on the same page of his report dealing with the money-cost of imported steel to Australian consumers. Actually, the cost has been substantially lower than the Director calculated. On page 15 of his report the Director stated:—

> Reference to the price index for steel and actual production costs clearly reveals that the price of steel (in Australia) has advanced in the last five years out of all proportion to costs.

At the end of his report the Director went to considerable trouble in preparing several graphs showing production and cost figures. In the Appendix to his report (Fig. 2) we find that in his figures for cost the Director excluded capital and administration charges. I believe depreciation and other capital charges are just as much costs as are day-to-day operating costs. Therefore, the curves plotted on the graph give an untrue comparison. The only way to give a true comparison would be a graph showing the price trend plotted against total cost, which is operating cost plus depreciation and administration charges. The close correlation between rising prices of Australian steel and the effects of inflation on total costs would then be clearly seen. Admittedly, steel prices have increased, but mainly because inflation in Australia has been so severe, but in the Director's report he made no mention of the cause and effects of inflation. At page 15 of his report the Director stated:—

Up till five years ago the incredibly low selling price of Australian steel was a feature of the Broken Hill Proprietary Company's operations. Although maintaining a complete monopolistic control over all known high-grade ore deposits in Australia, the company wisely maintained a policy of not advancing prices.

I shall attack that statement from two aspects. The statement about the incredibly low selling price of Australian steel was true, but that should be a source of satisfaction to all members, all citizens, and the company. But for inflation and the rapidly rising demand for steel in Australia, those low prices would have continued. The second sentence of the quotation I have just made refers to a complete monopolistic control over all known high-grade ore deposits in Australia, but that was not correct. Not until very recently did the B.H.P. Group become interested in what is much the largest deposit of iron ore available in the Yampi Sound region. From its discovery early this century until 1952, when the B.H.P. Group acquired the right to mine it, the iron ore deposit on Koolan Island was open to anyone who cared to use it. In his opening remarks the member for Whyalla said:—

The present rate of quarrying exceeds 3,000,000 tons per annum and represents 99.5 per cent of the total Australian production of iron ore.

The member for Hindmarsh (Mr. Hutchens) said that 99 per cent of the ingredients for the manufacture of steel come from South Australia. Members should check their facts before speaking in this House. According to the last annual report of the Broken Hill Proprietary Company, 3,000,000 tons of ore are produced annually at Whyalla, but 480,355 tons were produced last year at Cockatoo Island on Yampi Sound, representing 13 per cent of the total Australian production. I mention these figures to prove that some of the comments made in this debate and some of the authoritative sources quoted are incorrect. On page 17 of his report the Director said:—

The relatively small amount of money being obtained by public subscription clearly shows that the fiscal policy of the company is essentially the retention of the present major shareholders' equity.

An analysis of the company's shareholding pattern reveals that the largest single shareholding amounts to 2 per cent of the total number of shares issued and that there are 40,000 shareholders. Nearly 90 per cent of these shares are held in holdings of 1,000 shares or less. Do these figures suggest that the major shareholders control the activities of the company? The major shareholders are in a minority and their combined holdings, on my reckoning, would not amount to more than 10 per cent of the total shares of the company. In referring to capital, the Director said:—

The major capital for its development programme should come largely from public subscription and Government loans and not from profits.

I point out that the company has gone to the capital market no less than three times during the past six years, and an announcement in the press recently indicated that it would go to the public again in the next few months. In fact, almost £20,000,000 has been raised to assist the company's expansion programme as a result of recent issues and a further £6,000,000 is about to be raised entirely from public subscription. It could be argued by some people that that is about as much as the company could raise on the Australian market. That may be so, but I also examined the annual report of the company for the last year. Included in that report was the statement:—

The sources of finance available to us are borrowed money, share capital and internal funds, and the amount required is so vast that it becomes a matter of making use of all three sources rather than of selecting between them.

I mention that simply to rebut some of the suggestions of earlier speakers. I point out that the financing of new plant from retained or ploughed back profits and from depreciation allowances is perfectly normal procedure, not only in ordinary business, but in iron and steel companies in the United Kingdom and in the United States. I suggest that direct Government loans to iron and steel companies—which

is an alternative to the normal methods of finance—would be an entirely socialistic device. The Director also said:—

Having previously established an arbitrary control of steel production in Australia it was simple to obtain funds from uncontrolled monopoly profits.

Let us examine that. For 20 years the company produced the lowest-priced steel in the world. If inflation in Australia had been less serious in the past few years prices would have remained low. They are now still lower than the equivalent home price of American steel and about the same as the home price in Britain. In fact, on some lines the price is lower than the British price. The company's policy has been to assist the users of steel in Australia. It had to establish its markets in the past and had to keep prices low to encourage the use of its steel. The Director also said:—

There is little doubt that a detailed record of the total sales and operating costs of the industry would reveal the ability of the company to obtain the bulk of its vast capital requirements from the public and permit low prices for steel to be one of the basic advantages of our industrial life.

It is debatable whether the Australian capital share market could yield the vast funds required for the building of a modern iron and steel plant. Even if it could, it does not necessarily follow that low steel prices could be maintained. Capital raised by public subscription must be assured of a reasonable return, otherwise people will not invest. In fact, the vast amounts needed these days to build steel mills would involve much higher dividend appropriations and these, of course, could only be forthcoming from higher steel prices. It can be strongly argued that internal financing is actually less costly than financing by public subscription and therefore steel prices are likely to remain lower if the former method is relied upon. The Director referred to the activities of steel companies in other parts of the world and mentioned the United States Steel Corporation. In my own profession I have read much about the activities of overseas steel companies. The Director said:—

The policy of the United States Steel Corporation of procuring of capital funds for major expansion programmes essentially by public subscription has enabled its steel prices to sustain only moderate increases over recent years in spite of higher operating costs. In this way it has maintained adequate capacity and has rarely been beset with shortages. With adequate capital so provided it serves its customers, the public and at the same time provides a reasonable return to its shareholders.

That looked impressive, but I checked it and the actual position is completely the reverse. The Director's description is not in accord with fact. In the June issue of the *Harvard Business Review*, Thomas Dimond, who reports on the steel trade in America, stated:—

The primary source of capital for expansion in American steel companies is cash generated by the steel companies themselves through ploughed back earnings, depreciation charges and rapid amortization allowances.

Whilst in the main that is true of the Australian industry today, we do not receive any great concession from the Commonwealth Government for rapid amortization allowances. Thomas Dimond further stated:—

In the case of the steel industry, no important new common stock issue has been sold to the public since the end of World War II. The reason lies in the fact that steel earnings have not been large enough to justify a market price for steel shares at which new issues could be sold on an equitable basis.

That entirely contradicts the Director's statements as well as the comments of members opposite—particularly the member for Gawler—about ploughed back profits. Mr. Dimond also said:—

Increases in steel prices have been a source of much controversy and misunderstanding.

I suggest that that is the position in Australia and that the Director of Mines has fostered this misunderstanding. Mr. Dimond continues:—

Critics point to the apparent inconsistency between the industry's drive for higher prices on the one hand and the handsome or monopoly profits reported by most steel companies on the other hand.

He poses the question:—

Have steel prices been too low in the post-war period and is the industry justified in seeking higher prices in order to pay for part of the cost of expansion? It is evident that steel prices have failed to keep pace with the inflationary parade in the principal costs of making steel.

That is the position in America and, I suggest, in Australia today. We have persons who criticize the high price of steel. I do not advocate higher prices, but am trying to get at the reason why prices must be higher. I hope to prove that in a moment. The effects of inflation on the B.H.P. Company both operations-wise and on its large scale expansion programme are completely ignored by the Director of Mines in his reference to the higher prices for steel in Australia. Let us investigate this further. Let us ask ourselves, how has the steel company been able to report satisfactory earnings on a relatively low unit profit margin?

The reason, of course, is that the real depreciation costs of the steel industry have been seriously understated and the reported earnings consequently overstated during the post-war period. The explanation is that most of the steel sold in the post-war period was produced by pre-war facilities built at a fraction of today's cost.

Under existing accounting procedure and taxation laws a company can show as cost only normal depreciation, and that is 2½ per cent on the original cost of installation, which may have been put up before the war. This normal depreciation has fallen far short of providing the industry with the cash needed for necessary replacement and modernization. This fact, I suggest, explains why the company has been obliged to plough back such a large part of of its reported earnings. They have wanted to make up for inadequate depreciation allowances and provide enough cash to pay for necessary modernization and replacement. It also accounts for the apparent inconsistency between the desire by steel industries for high prices and the substantial earnings which they have reported. There has been a lot of talk in this place about the ploughing back of profits and what I have said is an attempt to answer that. It also explains why steel prices have to be higher than they were immediately after war before inflation struck in Australia. I do not advocate high prices because we all suffer from them. Perhaps I suffer personally more than any other member. I am trying to prove why higher prices exist.

Serious omissions from the director's financial analysis of the iron and steel industry are references either to its very heavy demand on capital or to the vastly increased cost of installing new iron and steel making plant. In the report there is no realization at all of the very large sums of money that have now to be set aside for obsolete plant, and they would be much larger sums than the sums needed to install the original units. Taxation laws have something to do with the matter. Current laws only exempt original installation costs in regard to depreciation. Higher earnings must take care of the difference between the original cost on the one hand and between replacement costs and depreciation on the other. It is a serious weakness in the argument of the director. He failed to take into account the replacement costs on the one hand and the existing tax depreciation laws on the other. I have quoted the position of American companies and Australian steel producers. I have found that they are very much the same in this matter. I had a look at a few reports in regard to the industry in the United Kingdom. We know that the industry there is facing difficulties and that the industry in West Germany in particular is flourishing. The *London Economist* is one of the leading British financial papers and in its issue of September 1956 it made a comparison and pointed out that the post-war expansion of British steel has been disappoiningly slow compared with that of the German Federal Republic. It said:—

> A discouragement having a lasting effect has been the industry's policy of stable, controlled and therefore low prices. During and since the war actual price control has always been largely in the hands of outside authorities. Stability has meant first that the industry has been unable to take advantage of sellers' markets and consequently controlled prices have seldom been adjusted upwards as fast as steel making costs have risen. Thirdly, the costings upon which the maximum price is fixed whilst generous in allowances for depreciation, allow profit margins based on capital employed only at written down historical costs. In some cases such margins hardly encourage expansion of output.

The article suggests that existing steel prices in Britain are incompatible with the growth of the industry. I mention these things because they are in total disagreement with the statements I have quoted from page 21 of Mr. Dickinson's report. Earlier I attacked the director's report but not because of its technical findings because I said I had a high regard for Mr. Dickinson's technical ability. I attacked his report because of his economic proposals. The quotations I have given show that his comments along those lines were faulty, yet the mover of the motion and his supporters have based their remarks on his comments and used them as authoritative. I submit as the first part of my argument that the authority they quoted is patently false.

Turning now to the method of bringing this matter before the House, I said that although I would be delighted to see steelworks at Whyalla Mr. Loveday would be defeating his purpose in bringing the matter before the House. In other words, I suggest that he was going the wrong way about it. The advantages to this State would be enormous if a mill were established at Whyalla. There would be enormous advantages in the years to come. I admit frankly at this stage that we have to import a large amount of steel from overseas in order to maintain our industrial and developmental programme. Do not let us fool ourselves for a moment. Let us face the facts and

get down to a real basis. The motion fairly reeks with repudiation of the Indenture Act. Do members opposite think that after finding that we are going back on our pledge the company would invest £100,000,000 at Whyalla? What would be their security? A large sum of money would be involved.

Mr. Riches—What makes you think the Royal Commission would find that way?

Mr. COUMBE—It is a possibility. The very act of bringing the motion before the House is a suggestion that the existing conditions in the indenture would be broken. I suggest that if an Australian company, which is South Australian to some extent because of some of the directors being South Australians, were to hesitate about establishing a mill because Parliament repudiated the agreement, would it not be more difficult in the case of an overseas company wanting to establish works here? An overseas organization would be crazy to think of committing itself to establishing a mill here and making an agreement. The investing public would not have the slightest confidence in investing money in such an organization. Mutual confidence is the essence of any contract. Let us suppose that a large overseas steel organization obtained leases of ore in the Middleback Ranges. It would be ludicrous to expect it to set up works at Whyalla. We all know it is cheaper to transport ore from the face to the steel mill on the eastern seaboard than it is to treat the ore here, roll it and ship the finished product to the eastern States. Especially is that so when you remember that most of the markets for the finished products are in the three eastern States. Eighty per cent of the production is sold there. We know that in business it is usual to produce the goods nearest to the greatest markets and the greatest labour force. The establishment of steelworks at Whyalla would require at least another 3,000 employees, yet the established industries there are already short of labour. My authority is the 1956 report of the directors of the company which said:—

> We would like to obtain a greater rate of production from our shipbuilding yards at Whyalla. The rate of construction could be substantially increased if a greater number of skilled tradesmen were available. Every effort is being made to recruit this type of employee both locally and overseas.

If an overseas organization were to take out a lease and establish a steelworks at Whyalla the price of steel would rise and the organization would have to compete with the established company. Personally, I should be delighted to see a steelworks established at Whyalla, but this motion is the wrong way of achieving that end. It is merely wishful thinking to believe that a steelworks can be established there under present economic conditions. No doubt the company will add to its existing plant in the years to come—not many years hence, in my opinion—even if only to consolidate its existing plant, but it will do that only if its agreement is honoured by this House. I therefore deplore the wording of the motion and urge members to vote against it. I have made these comments in the hope that they are constructive and have tried to approach the matter from a non-Party point of view, for I believe that it is too important to be considered a Party question.

Mr. DAVIS (Port Pirie)—I support the motion whole-heartedly. I was surprised to hear the arguments advanced by members opposing it, particularly the statement that it smacked of repudiation. Indeed, Mr. Coumbe referred to the repudiation of our pledged word, but I challenge honourable members opposite to say where repudiation is mentioned in the motion. Are members opposite afraid that the proposed Royal Commission would find that our iron ore resources can be put to better use than they are at present? Are they afraid that if the commission finds a means of establishing a steelworks it may recommend that a steelworks be established? Are they afraid of inquiries into the amount of royalty being paid by the company? Are they afraid that the commission may find that the company has not honoured its agreement? In 1953 this House carried a motion in favour of a steelworks in South Australia after it had been amended by a Government member, but no steps have since been taken to implement it, and I believe that the amendment was moved only for the purpose of defeating the original motion.

I listened attentively to the speeches of members opposing this motion, particularly those of the members for Onkaparinga (Mr. Shannon) and Alexandra (Mr. Brookman). Their speeches consisted merely of condemnation of members on this side and of Mr. Dickinson: they advanced no valid argument against the motion. They said they were afraid of what the Labor Party would do if it came to power in this State, and accused Labor members of advocating Socialism. Mr. Brookman quoted some remarks by Mr. Essington Lewis, but the only thing Mr. Lewis said was that he was not willing to commit

himself in any way. He did not, however, deny the fact that certain agreements had been made between the company and the Government.

Mr. Shannon said that any member supporting the motion was a petty South Australian, but if that is how any member looking after the interests of this State is to be described, then I am pleased to be called a petty South Australian, for I shall always be eager to do something for my State. He also said it did not matter where steel was produced so long as it was produced in Australia, but although I agree with him to a certain extent, I point out that it must mean something to South Australia that this State is losing millions of pounds a year merely because steel is being produced in another State.

The member for Stuart (Mr. Riches) said that if the State Government sold the ore to the company it would make a profit of at least £10,000,000 a year. The establishment of a steelworks would surely obviate the necessity of a Commonwealth grant to South Australia, for we would be getting the benefit of what is really the birthright of our people. That birthright, however, was practically given away to the company in return for a royalty of only 6d. a ton.

The member for Onkaparinga said he would take no notice of Mr. Dickinson's statements on this matter. He even said he was inefficient though he admitted he was a fine metallurgist. He said the company would employ him only as a metallurgist, but it realizes his great value. Unfortunately, South Australia has lost the services of this excellent officer who has placed much valuable information before Parliament. The Government has not been prepared to accept the advice of a man of his knowledge and qualifications. I am greatly concerned about the amount of steel Australia has had to import. The Director said we have paid a premium of £100,000,000 over the last five years for steel, but the actual loss to Australia has been about £200,000,000. The Commonwealth Government is trying to rectify our adverse overseas balances, but we have lost millions of pounds through having to import steel. If we had a steelworks at Whyalla in all probability we would be able to export steel. Furthermore, many other commodities would not have to be imported.

Australia is spending far too much on imports. Of course, members opposite would object if the Government stepped into the breach because they would say it was Socialism. So it would be, but I have no objection to that. When members on this side of the House try to do something for the benefit of the people we always hear the parrot cry, "Socialism." Members opposite are afraid we will do something detrimental to private enterprise, but when we have to tackle something that is not a paying proposition they are prepared to support Socialism. They are always prepared to allow the Government to run the railways, Housing Trust, sewers and waterworks, and the Electricity Trust, but when they are asked to do something else for the benefit of the people they are not prepared to do it.

If we were involved in another war tomorrow, and found it necessary to establish steelworks to defend Australia, they would not give a second thought to £100,000,000. They would find that sum overnight, and they would not raise one word in protest. This motion has been brought forward in the interests of the people, yet they oppose it, but if we wanted to manufacture something for the destruction of our enemies they would be happy to support the proposal.

Mr. Hambour—You agree that the State should take over the B.H.P. Coy?

Mr. Davis—I would be prepared to support that too, and the honourable member would also if war broke out. However, he would not support it now because his friends might lose some of their profits. He knows more about shopkeeping than he does about steelworks. I have worked in the industry so I can speak with some authority on it. I have produced ore and played an important part in shipping it to another State, but I do not think the honourable member has ever worked in the industry. I doubt whether he has even seen Iron Knob. The member for Alexandra has seen a lot of sheep, but he has not seen a piece of ore. The member for Onkaparinga knows more about knocking goods down at a high price than he does about the steel industry. Members should ensure that they have some knowledge of the industry before they condemn the statements of members on this side of the House.

Mr. Hambour—Who is condemning what?

Mr. DAVIS—You say that the B.H.P. Coy. could not do this, that and the other.

Mr. Hambour—I said that?

Mr. DAVIS—Yes. You have been supporting members opposite.

The SPEAKER—Order! I ask the member for Light to cease interjecting and the member for Port Pirie to address the Chair.

Mr. DAVIS—Members supporting the Government have asked, "How could we expect any company to establish a steelworks at Whyalla if we repudiated the agreement with the B.H.P. Company?" The company has broken its agreement, but that is not the main reason why we could not get people to establish steelworks here. The trouble is that the company is in possession of all the high grade iron ore in the State. If the Government guaranteed another firm a supply of ore I have no doubt that we would get a steelworks at Whyalla. As long as the B.H.P. Company has a monopoly over all the ore we cannot expect another firm to establish steelworks.

The member for Torrens (Mr. Coumbe) said that if a steelworks were established at Whyalla the price of steel would rise immediately. His figures were different from mine, for I say we could produce steel at Whyalla just as cheaply as we do in New South Wales. We have been told that the ore has been taken to the coal, but I point out that we can bring the coal to the ore. I do not see why the price of steel should rise if it were produced in Whyalla. The honourable member also said that we can produce steel more cheaply in Australia than the cost of imported steel, and that is true. That shows we could export steel, if we produced more, instead of importing it. I believe the remarks of the member for Torrens provided further arguments in favour of the motion. I sympathize with the Premier on this occasion.

Mr. Hambour—He does not need your sympathy.

Mr. DAVIS—I think he does because I believe he has been greatly disappointed in not being allowed to support the motion. I believe he would favour an inquiry. I think he was greatly hurt by the company's cavalier treatment of him. I believe pressure has been brought to bear on his Party to oppose this motion. We all know the great influence the company exerts not only on South Australian politics but on politics through-out the Commonwealth. No Liberal would dare support a motion of this nature. Members opposite will oppose it, not in accordance with their conscience, but in conformity with instructions. If my contention is wrong let them tell me so.

Mr. Hambour—Sit down and give me a chance.

Mr. DAVIS—I shall be delighted to listen to the honourable member expounding his knowledge of steelworks. I hope he will speak according to his conscience.

Mr. Lawn—He may have to do what he is told.

Mr. DAVIS—I am afraid of that. He has probably had his hands smacked for other things he has said in this House. I notice he has become very friendly with the Premier of late. After the House rises he is always—

The SPEAKER—Order! This has no relevancy to the debate.

Mr. DAVIS—I was going to say that he is always discussing this motion with the Premier. If members opposite believe that a Royal Commission will expose certain facts or force them to do something, they will not support the motion, but I hope they will lend sufficient support to carry it.

Mr. HAMBOUR (Light)—My sole reason for speaking is to indicate to the Opposition my reasons for opposing the motion. I promise to be brief and will try to be simple—

Mr. Lawn—You won't have to try.

Mr. HAMBOUR—I will try to be simple so that the member for Port Pirie can understand me. Mr. Davis may be an authority on how to obtain ore through personal exertion, but I would not trust him with the control of the B.H.P. Company or with advising it.

Mr. Riches—We do not intend to appoint him to the Royal Commission.

Mr. HAMBOUR—That is just as well. Mr. Davis referred to the company's influence on politics, particularly on my Party. I refute that suggestion hook, line and sinker. I do not agree with all the actions of the company, but I represent a primary production community and the only interest we have in the company is in the price of its products. Its prices are as low as anywhere in the world. My constituents are certainly interested in the State's welfare, but also in the welfare of the Commonwealth. I commend the members for Whyalla and Stuart for the sincerity of their speeches. I am prepared to concede that they believe that all they said was perfectly true, but I differ with them in their opinions of what this motion might accomplish. I have no doubt that all the facts that could be revealed by an inquiry are already known to different members of this Parliament—not necessarily all by any one member in particular. It has been said that the company made certain promises. Let us assume that certain verbal promises were made: where would that take us? We would be faced with the task of telling the company what it should do. That, to me, is repugnant. I believe the company bought the iron leases they hold from the

South Australian Government of the day. Those leases are covered by contracts.

Mr. O'Halloran—How much did they pay for them?

Mr. HAMBOUR—That does not matter. A contract is inviolable. The company has a legal right to those leases and in my opinion everything the former Director of Mines said about them is irrelevant. The company is efficient and is desirous of conducting its business as it believes proper, and I believe its manner of conducting it is probably the most efficient. I do not think any member will deny the company's knowledge or efficiency in producing steel. The whole position is that South Australia wants a steel industry at Whyalla or thereabouts. I am sympathetic towards those who advocate that cause, but it is our responsibility to ascertain how that can best be accomplished. No matter what an inquiry determined, we would still either have to make some arrangements with the company about the use of the iron ore deposits or use the big stick and take away its leases. That possibly could be done by Act of Parliament, but the State would then have to become a producer of steel or a partner in its production and I suggest the price of steel would then increase. I do not know of any State instrumentality that can operate as efficiently as private enterprise.

Mr. Lawn—What about the Electricity Trust?

Mr. O'Halloran—Or Leigh Creek?

Mr. HAMBOUR—I do not admit that either of those projects is operated on the most efficient basis.

Mr. O'Halloran—You wouldn't know.

Mr. HAMBOUR—No more would the Leader.

Mr. O'Halloran—I would have a much better idea than the honourable member. Do you know the cost of producing coal in Australian mines?

Mr. HAMBOUR—I do not, but what does that prove? I will not support the motion because the commission could only determine what should be done by various methods for South Australia.

Mr. Jennings—It could only report back to this Parliament.

Mr. HAMBOUR—Members opposite would be quite prepared to nationalize the B.H.P. Company.

Mr. Lawn—What has that to do with the motion?

Mr. HAMBOUR—That is what members opposite want. They can bark and howl, but they would nationalize the B.H.P. Company if they could. In 1952 the Western Australian Government entered into a contract with the company and made certain conditions. Would members opposite suggest that an inquiry be held there to determine whether or not the contract was good and whether certain promises were being fulfilled?

Mr. O'Halloran—They have steel works.

Mr. HAMBOUR—They have not.

Mr. O'Halloran—They have. We inspected them.

Mr. HAMBOUR—Be that as it may, I feel that the South Australian Government will honour itself by honouring the agreement that exists. If it believes the State should have a steel industry there is sufficient high grade iron ore in the Middleback Ranges outside the company's leases to justify such an establishment. The Premier said that 20,000,000 tons have already been discovered and there are large areas still to be explored. It may take five years to ascertain the quantity of high grade iron ore outside the company's leases, but even if we waited that time the Government would remain honourable in its undertakings with the company and it could then seek some new arrangement with the company or with some other manufacturer of steel. Let us assume that we will support the motion and an inquiry will be held into the company's undertaking. Every steel magnate in the world would know that the Government was investigating a contract in an endeavour to improve it or get out of it. All members opposite must think that the great steel industrialists of the world are numskulls who would be unaware of this inquiry into a contract made by a sane Government with a competent company, a contract that has existed for some years. What would be the purpose of the inquiry?

Mr. Riches—To try to make the company honour the undertaking.

Mr. HAMBOUR—It is a verbal undertaking. There is nothing in the written contract that has not been honoured by the company. It has been suggested that the company verbally undertook to do certain things, but the proposed inquiry would indicate to the world that the Government was not competent to enter into another contract with a company of any size.

Mr. Riches—What about the company?

Mr. HAMBOUR—Let them say what they like about the B.H.P. Company but not about the South Australian Government. Merely because a private company decides to do the wrong thing you suggest the Government should do the wrong thing too.

The SPEAKER—I ask the honourable member to address the Chair and not members opposite.

Mr. HAMBOUR—All that can be said on this motion by either members opposite or Government members will have no effect. I am wasting my breath and my time trying to make my point clear to the Opposition. I am satisfied to leave the whole matter in the capable hands of the Premier and his Government.

Mr. JENNINGS secured the adjournment of the debate.

COURSING RESTRICTION ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 17. Page 1078.)

Mr. QUIRKE (Burra)—I support the Bill, but my attitude is nothing new, for some years ago I introduced a measure to provide totalizator facilities at greyhound racing meetings, although there was no hope of its being passed. The opposition to this Bill has mainly been on the grounds of cruelty and it has been said that dog owners must participate in barbarous acts in order to get the best out of their dogs, but I know many greyhound breeders and none of them would be guilty of any of the acts that have been enlarged on in this debate, although I do not doubt that such acts have taken place and will take place in future. I point out, however, that a few years ago no-one would have thought that the so-called civilized nations would descend to abysmal depths of barbarism as they did in World War II.

Isolated instances of cruelty will always be carried out. I know of a case in which three young men, bent on fun, tied the tails of two cats together and hung them over a clothes line so that they might tear each other to pieces; but can anything be done with that type of mentality? I refuse to accept the statement that because tin hare racing is conducted the owners of the dogs must be guilty of barbarous cruelty during training. Nothing is further from the truth. Some people may be guilty of such acts, but some people will be guilty of far worse acts of cruelty, and is the whole sport to be condemned merely because a few people are guilty? Our law is backed by force, and it is the guilty people and not the whole organization that should be penalized for such acts.

I know many country people, mainly open coursing enthusiasts, who are engaged in greyhound breeding. Some people say that open coursing is a relic of barbarism. As a gardener I have planted out a young garden with young trees and have helped my son on the River Murray to replant young trees following on the destruction caused by hares, which have a particular liking for the bark of young trees. Protection may be afforded either by placing wire netting around the whole garden, which costs hundreds of pounds, or by providing netting for individual trees. In addition, certain paint mixtures may be applied to make the trees obnoxious to the hare, or newspaper may be tied around the trees. What method of dispatching a hare is quicker than by a greyhound scruffing it by the neck? I have done that to protect my own garden. I have also shot hares, and on occasion I have walked a mile or more after a hare I have wounded in order to dispatch it. After all, a good sportsman will always go after a wounded hare to kill it, and a man is not always so accurate a shot as to kill the animal outright.

Who has not heard the squealing of hundreds of rabbits caught in traps? Yet we are told that myxomatosis is not the final answer and that by gun, trap and dog, the rabbit must be exterminated to give myxomatosis a chance. What quicker death is there for a hare than the death which overtakes it in open coursing when caught by a dog? It is practically instantaneous. The hare's means of defence is speed, and as soon as that speed is reduced by old age it is inevitable that it will be pulled down by an enemy.

There is no cruelty in coursing and those who participate in it are not cruel. Some people may release a rabbit so that greyhounds can chase it. That is not a nice thing to do, because the rabbit has no chance. However, the rabbit does not suffer unnecessarily as it is killed practically instantaneously. Will someone tell me how a rabbit should be killed? It is usually taken by the legs and its head knocked against a post.

How are thousands of rabbits and hares killed? Surely not by placing salt on their tails and then giving them an anaesthetic and painlessly despatching them? That is the kind of nonsense you hear when you come up against this question. I have engaged in every conceivable means of exterminating hares, having even used cyanide on apples to destroy them because of the damage being done to gardens. I am not supporting those who will release a rabbit in a small enclosed place and let a greyhound loose on it, because that is not sporting. To say that the rabbit suffers dreadfully and that it is diabolically cruel, is

the type of exaggerated comment one hears. It has no reality.

I have killed many rabbits using every possible means, even filling in their burrows and smothering them, and have used "lavacide," and as a result the rabbits die in misery. You can hear them kicking underground. It is not a quick and sudden death. A rabbit or hare cannot suffer a quicker death than by the bite of a greyhound. Even if the dog pulls it apart afterwards, it is already dead. I would be the first to condemn wanton cruelty. I do not like the reference to the cruelty of demons and the pangs of hell that rabbits suffer. The majority of those with greyhounds are not so guilty. I will not deny that some may be guilty, because they are only average human beings, and you will get instances of cruelty among such people. For instance, we had a case of cruelty recently when a man had to risk his life to break into a burning house and save two children who had been left while their parents went to work. You will get cruelty in every walk of life, but I ask members not to brand the man who breeds greyhounds as being despicable and cruel. I know many people who breed these dogs. Much of this reference to cruelty has been stirred up, not so much on the ground of the actual cruelty, but as a basis to oppose gambling. The people concerned are not interested so much about the cruelty as about the gambling.

The Bill provides that there shall be no gambling, but that is today's funny story, because there will be gambling. Who will run dogs just for the sake of being able to clap their hands at the conclusion of the event and say "A very good job." Australians do not do that. In every hotel there is a notice "Betting strictly prohibited," but it still takes place. People bet and will continue to bet and that will apply even if the Bill is passed. I am not silly enough to think they will not. I see nothing wrong even if betting does take place. In spite of the fact that there will be betting, and in spite of all that is said about cruelty, I still support the measure.

The Hon. T. PLAYFORD (Premier and Treasurer)—I oppose the Bill. When a previous Bill, fairly identical in its provision, was before the House, I spoke at considerable length, and anything I said on that occasion applies with equal force to this Bill. It is one of a number which have been before the House since I have been a member. I believe there have been six Bills dealing with this type of sport, two of which did not provide for betting and four which were for the express purpose of providing for betting at coursing matches. I ask members how they can logically support the Bill's provisions in regard to betting, because everyone knows that wherever there has been horse racing gambling has been associated with it, and that also applies to trotting. However, in these two sports gambling has been legalized. The argument that has been used on numerous occasions in the past has been: "You give horse racing the facilities for gambling and you give trotting the facilities for gambling, so why should not dog racing have those facilities?" That was the argument of the Hon. Mr. Whitford in introducing his Bill into Parliament on a number of occasions. He used that argument very forcibly, and quite frankly I do not know any logical answer to it.

This legislation is slightly modified in its terms from previous legislation, but it covers exactly the same ground. Previously, provision was made for gambling as a means of popularizing dog racing. That failed, because Parliament would not accept the additional gambling avenues which it provided. We now have rather a different approach; we are to have the dog racing first of all, and having got that, we will have the inevitable request for gambling to be associated with it. Bookmakers are allowed to operate on open coursing events now. Whether it is put in the Bill or not, the effect will be that there will be a very strong demand for gambling to be permitted, and it will be backed up by the fact that statistics will show that much more illegal gambling is taking place. We will be confronted with a *fait accompli*, and we will have exactly the same result as we have seen recently in New South Wales.

Fruit machines were illegal in New South Wales for a number of years, but the authorities did not take any action to suppress them when they were established in a club. Those fruit machines in clubs became a vested interest, so much so that clubs were set up to run fruit machines and instead of a club having a fruit machine to provide some innocent amusement, as was expected, some of them were earning the clubs thousands of pounds a year. As a result more machines were bought and bigger premises were established, and now it has grown to such an extent that it has to be legalized.

Mr. O'Halloran—When was it legalized?

The Hon. T. PLAYFORD—In the last few weeks.

Mr. O'Halloran—Generally, or in clubs only?

The Hon. T. PLAYFORD—Fruit machines have been legalized in club premises. The inevitable result of this legislation, if passed, will be that gambling will become widespread. Experience in other parts of the world has been that the practice gets into private hands and becomes a source of immense private profit.

Mr. O'Halloran—It is one of those other occasions when private enterprise does not work.

The Hon. T. PLAYFORD—One of these undertakings in Great Britain showed a profit of 168 per cent last year, which emphasizes how this thing can become a public nuisance. In every country in the world where this type of tin hare racing has been established it has become a public nuisance, and all those countries have tried by some means to restrict it. It is intended that betting will not be associated with this legislation, but I believe that there would inevitably be illegal betting and a public demand for betting to be legalized. The argument that will be used will be that it has become so widespread that it cannot be stopped. That has been the experience in other countries, and it has been our own experience in this State with regard to gambling.

I do not intend to go into the cruelty issue. I have yet to see a dog which will consistently chase something that it can never catch. A dog has a good deal of intelligence, and I know from experience of dogs on my own property that if a dog finds he cannot catch a hare after one or two attempts, and if he cannot have the satisfaction of killing it, he soon refuses to chase it, or runs very stiff without much interest in it. I notice that the authority best able to express an opinion on this matter, namely, the Society of Cruelty to Animals, which I believe has the respect of every section of this Parliament, has made a very definite stand against this Bill. Whatever we may think of its views on any particular matter, we cannot get away from the fact that it has done a tremendous amount of good over the years in alleviating the suffering of dumb animals. We may disagree with the extent to which its policies can be carried, but no member can disagree with its objectives, which are of the highest.

There is a very serious inherent weakness in this legislation, and I believe that even those who support the Bill, if they examine what I am going to say, will agree that a very serious and dangerous provision has been included. Clause 4 states:—

The following sections are enacted and inserted in the principal Act after section 3 thereof:—

3a (1) On application made in accordance with the regulations the Minister may grant to any person a permit authorizing him to conduct races in which dogs race after a mechanical quarry.

The section says that the Governor can make regulations setting out conditions under which the sport may be permitted. It then becomes a matter for the Minister to decide whether a permit should be granted. I have not discussed this matter with the Crown Law Office or Sir Edgar Bean, but unless my interpretation of the law is incorrect I would say that the making of regulations can only supplement legislation, not alter it. This Bill is different from the one introduced earlier by Mr. Shannon, which provided:—

The following sections are enacted and inserted in the principal Act after section 3 thereof:—

3a (1) Section 3 of this Act shall not apply to the racing of dogs after a mechanical quarry at any dog racing meeting conducted by a licensed club in accordance with this section.

(2) One club licensed for the purpose by the National Coursing Association of South Australia may hold meetings at which dogs race after a mechanical quarry at any place within the metropolitan area on the night of any Friday or public holiday other than Good Friday or Christmas Day. (3) Any club licensed for the purpose by the National Coursing Association of South Australia may hold meetings at which dogs race after a mechanical quarry at any place outside the metropolitan area on the afternoon of any Saturday or public holiday not being Good Friday or Christmas Day.

That provided for a recognized authority to police the way in which the sport is conducted. The Bill before us does not provide for the conduct of this sport by an organization but by a person, and it will be on a profit-making basis. The profit motive in gambling should be controlled by Parliament. I am opposed to this Bill but if it should become law the provision would be open to the gravest possible abuse.

Mr. Jenkins—There would be no objection to an amendment.

The Hon. T. PLAYFORD—Do we control horse racing and trotting in this way? In another State where horse racing was carried on under such conditions Parliament had to stop it. Members opposite like to have protection in legislation so that the intention of Parliament will be carried out and I am surprised that they are accepting this provision hook, line and sinker. Wherever it has been tried it has been subject to abuse. Mr. Shannon

proposed that a licence should be given only to a reputable club, but that proposal is not in this Bill. Under the Acts Interpretation Act "person" is given a fairly wide meaning. I think it would include a company but I doubt whether it would include a coursing club.

Mr. Dunstan—It would if it were incorporated.

The Hon. T. PLAYFORD—If incorporated under the Companies Act it would become a company, but I doubt whether that would include a coursing club. In any case, there can be no argument that this can be carried out by a private person. Whether a company is allowed to do it I do not know, but I am certain a private person could, and it could undoubtedly be carried out for the purposes of gain.

Mr. O'Halloran—Those objections could be removed in Committee.

The Hon. T. PLAYFORD—I have already said that I oppose the Bill in its entirety. If it gets into Committee I believe some of those who are supporting it will be well advised to look at this provision. The Bill is totally different from the one introduced by the member for Onkaparinga. It is different for the worse because it has eliminated the safeguards which have grown up around accredited associations. No regulation made by the Government can eliminate those safeguards. There is another provision in the Bill which I think is wrong. If Parliament decides there is to be tin hare racing it should enact provisions similar to those on horse racing and trotting. It should set out the conditions under which tin hare racing is to be carried out.

Mr. O'Halloran—We have not done that with horse racing.

The Hon. T. PLAYFORD—We have. We have laid down that there shall be so many meetings a year on each course. Recently, when there was a request for an additional racing day, we had to amend the Act, and the House devoted the whole of an afternoon to that issue. Is there likely to be any uniform policy under this Bill? One Minister may be in favour of dog racing and issue many licences, but another Minister may be opposed to dog racing and allow only, say, two meetings a year, perhaps one at Port Pirie and the other at Whyalla. The whole matter will depend entirely on the Minister's outlook, and that is not a wise provision. There is nothing in the Bill to limit the extension of dog racing, which could increase like wildfire. On the other hand, the Minister could refuse to grant any licences.

If we are to have tin hare racing it should be controlled in a manner similar to the control over other functions where gambling has been permitted. For instance, we have laid down how many race meetings can be held at particular courses, and that certain courses must be a certain distance apart. This year we may have to pass an amendment because the Renmark racecourse, which has been subject to considerable seepage for many years, is not on a satisfactory site. Because the proposed new site is within ten miles of the Berri racecourse we may have to amend the law to enable the Renmark Racing Club to continue to function. Should we now wipe out all the safeguards that have been provided for racing and be satisfied that the Minister, whoever he is, will do the right thing? Should we give him a free hand to decide whether we shall have tin hare racing in every town on every day of the week? I hope the Bill will be rejected but, if it is not, I at least hope that some safeguards will be provided because I am sure that in its present form it will lead to the gravest abuse. Parliament will be criticized for not doing its job and not protecting the interests of the community.

Mr. HEASLIP (Rocky River)—I support the Bill, and I supported similar measures before. I do not think the circumstances have altered, but I want it understood that I have received no requests about this measure. I do not think I have attended half a dozen coursing meetings, and I will get no more votes if I support the Bill. The two main factors that have been raised during the debate have been cruelty and gambling, but for the life of me I do not know why, for neither of them is mentioned in the Bill.

It was surprising to hear the member for Enfield (Mr. Jennings) oppose this Bill after supporting other Bills permitting gambling. I try to be consistent, and on two previous occasions I voted against allowing further gambling and lotteries, and I would vote against this Bill if it enabled gambling, but it strictly prohibits it. The Premier made much play on clause 4, but if he had examined the latter part of it he would have found the answer to all his problems. Proposed new section 3b (1) states:—

No licence shall be granted under the Lottery and Gaming Act, 1936-1955, authorizing the use of the totalizator at any meeting where dogs race after a mechanical quarry.

That is a prohibition. The Minister is only one member of the Cabinet and no matter what he considers should be done the majority decision of Cabinet determines the position.

Mr. Hutchens—The Bill doesn't state that.

Mr. HEASLIP—But it is a fact. The Premier said it was dangerous to leave the matter in the hands of one Minister, but how is it dangerous? One Minister represents a minority in the Cabinet. If the majority is opposed to his views he doesn't get his way.

The Hon. T. Playford—You suggest that the Bill is all right because it doesn't mean what it says.

Mr. HEASLIP—The Bill states that the power is in the hands of the Minister.

The Hon. T. Playford—But you have said that the power is not in the hands of the Minister.

Mr. HEASLIP—The Bill states that the Minister decides the matter. The Minister does, but he cannot dictate his views to Cabinet. The majority decision of Cabinet will decide the matter.

Mr. Lawn—The Bill states that the Minister decides the matter, not Cabinet.

Mr. HEASLIP—But Cabinet will make the final decision.

The Hon. T. Playford—In that case the Bill should expressly provide that Cabinet is to determine the matter.

Mr. HEASLIP—The effect of the provision in the Bill is the same. I contend it is not dangerous to repose the power in the Minister because Cabinet will determine the matter. I ask leave to continue my remarks.

Leave granted; debate adjourned.

MARGARINE ACT AMENDMENT BILL.

The Hon. G. G. PEARSON (Minister of Agriculture), having obtained leave, introduced a Bill for an Act to amend the Margarine Act, 1939-1952. Read a first time.

The Hon. G. G. PEARSON—I move—

That this Bill be now read a second time.

Its object is to increase the amount of table margarine which may be manufactured in the State. The principal Act was passed in 1939 and was part of an Australia-wide scheme promoted by the Agricultural Council to protect the dairy industry. The principle accepted was that the margarine manufacturers should be allowed to continue their business on the scale on which they were then operating. The principal Act provides for the licensing of manufacturers of margarine and for the Minister of Agriculture to declare each year by notice in the *Gazette* the maximum quantity of table margarine which a manufacturer may manufacture during the year. Pursuant to these provisions quotas were declared for the South Australian companies, amounting in all to 312 tons a year. This amount was temporarily reduced during the war, but was restored in 1948.

In 1952 a Bill was introduced by the Opposition to increase the maximum quantity of table margarine which might be manufactured in the State to 624 tons. The Government thought the proposed increase was not justified, but took the view that an increase of 50 per cent was reasonable because of the increase in the population of the State since 1938. Accordingly, the maximum quantity was increased from 312 to 468 tons.

Since this increase the population of the State has increased by approximately 13 per cent. The demand for table margarine is strong. There are two firms manufacturing table margarine at present in South Australia, each having an annual quota of 234 tons. They both regularly exhaust their quotas in the first eight months of the year. The Government has decided that in all the circumstances the amount of table margarine which may be manufactured in the State should be increased in proportion to the increase in population since 1952. Accordingly, the Government proposes to increase the amount from 468 to 528 tons a year.

At the same time the Government considers that steps should be taken to ensure that table margarine manufactured in South Australia should be available to consumers throughout the year. It is therefore proposed that the amount which a manufacturer may sell in each month shall be restricted to an allowance of one-twelfth of his annual quota, plus any unsold balance of the allowances for previous months.

The details of the Bill are as follows:—Clause 3 increases the maximum quantity of table margarine which the Minister of Agriculture may permit to be manufactured in South Australia in any year from 468 to 528 tons. The increase will apply from January 1, 1957. Clause 3 also requires the Minister, on fixing a quota for a manufacturer, to state that the manufacturer must not sell in any month more than the monthly allowance indicated in the notice fixing the quota, plus the unsold balance of monthly allowances for previous months in the period to which the quota relates. The monthly allowance is calculated by dividing the quota for the whole period, which is ordinarily a year, by the number of months in the period. The clause makes it an offence for a manufacturer to sell in any month an excess quantity of table margarine.

Clause 4 contains transitional provisions. Quotas for 1957 may have already been fixed before this Bill becomes law and if so, it will be desirable to alter them. Accordingly, clause 4 provides for the fixing of new quotas and the declaration of monthly allowances for 1957. If no quotas are fixed for 1957 before the commencement of the Bill, Clause 4 will enable quotas to be fixed under the Bill less than a month before the period to which the quotas relate. The principal Act requires a notice fixing a quota to be published in the *Gazette* not less than a month before the commencement of the period. Unless relaxed, this restriction might cause difficulty in the fixing of quotas for 1957. I draw attention to the fact that whenever the word "year" is used in this explanation it means calendar year and not financial year, and the quotas will therefore be fixed for January 1, 1957, for the ensuing 12 months.

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

Sitting suspended from 6 to 7.30 p.m.

LOCAL COURTS ACT AMENDMENT BILL.

Received from the Legislative Council and read a first time.

JUSTICES ACT AMENDMENT BILL.

Received from the Legislative Council and read a first time.

ENFIELD GENERAL CEMETERY ACT AMENDMENT BILL.

Returned from the Legislative Council without amendment.

FRUIT FLY (COMPENSATION) BILL.

Returned from the Legislative Council without amendment.

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

In Committee.

(Continued from October 23. Page 1156.)

New Clause 2a—"Recovery of possession in certain cases" moved by the Hon. T. PLAYFORD—

Section 55c. of the principal Act is amended—

(*a*) by adding at the end of subsection (1) thereof the words "or on the ground that possession of the dwellinghouse is required for the purpose of facilitating the sale of the dwellinghouse";

(*b*) by adding at the end of paragraph I of subsection (2) thereof the words "or, as the case may be, declaring that possession of the dwellinghouse is required for the purpose of facilitating the sale of the dwellinghouse."

Mr. O'HALLORAN—(Leader of the Opposition)—I interpose in this debate because of the great importance of the amendment. I speak with the full knowledge and the unanimous acquiescence of the Opposition, and in doing so I am not reflecting on the very competent manner in which the member for Norwood (Mr. Dunstan) has handled the Bill up to the present. Members opposite, who are used to obeying the dictates of the Premier, may not understand that the Labor Party is a democratic party, and ever since I have been Leader it has been my practice to give Bills to members who, because of the peculiar nature of their electorates, or because of their knowledge and experience, I have felt were competent to handle them. Secondly, I feel that after this long period of Opposition, due to circumstances not born of the fact that our policy is unpopular, but because at election time we just cannot poll that necessary number of excess votes that will enable us to become the Government, we have to train members on this side of the House for the time—which I feel sure is not very distant—when we will become the Government.

The member for Norwood has handled this Bill excellently, but after all he cannot speak on behalf of the Party, so I have risen, not because I feel any lack of confidence in the way he handled it, but because I feel that the viewpoint of the Opposition should be officially expressed by me. In moving that progress be reported last evening, the Premier suggested that it would give members, particularly the member for Norwood (Mr. Dunstan), a chance to consider the legal implications of his amendment, but I do not require the opportunity to do so. During the speech with which he closed the second reading debate the Premier said he regretted that politics had been introduced into it, but I question whether Opposition members were responsible for that. After all, a wide difference of opinion exists between Opposition and Government members on measures such as this. Labor members represent the people who are not so well privileged as those represented by Government members. Many of our members, particularly metropolitan members, represent people living in overcrowded areas where housing conditions are deplorable and where evictions under the present legislation take place daily. We have a special charge to defend those people who are unable to defend themselves in this House, which is the last bastion from which they can hope to obtain defence and, I hope, justice.

The Premier's amendment adds the following words at the end of section 55c (1):—

Or on the ground that possession of the dwellinghouse is required for the purpose of facilitating the sale of the dwellinghouse.

This will be superimposed upon the provision enacted last year relating to the recovery of dwellinghouses. Section 55c (1) contains the words "notwithstanding section 42," and section 42 contains a provision under which protection is afforded against eviction and increased rent. Section 55c, in effect, removes a certain class from the protection afforded in sections 42 and 49.

What must be done to gain possession of a house under section 55c? A notice to quit shall be served on the lessee by the lessor and 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 a 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 shall be furnished. That is the machinery provision under which section 55c. is designed to work and it should be considered in the light of the Premier's amendment, which means that in addition to securing vacant possession of a house for use by a son, daughter, father or mother of the lessor, the lessor may obtain vacant possession subject to those machinery provisions, and also if he requires it on the ground that possession of the dwellinghouse is necessary to facilitate its sale.

If this amendment is carried it will mean that in future all a lessor has to do is to give 6 months' notice to quit, supported by a statutory declaration that at the end of that term he requires possession of the house in order to facilitate its sale. There was some bandying of words last night about the offence of making a false declaration, but how can such an offence be pinned on a person making a false declaration under those provisions? We are told that it is intended by the amendment that the dwellinghouse shall be required to facilitate its sale, but I believe that statutory declarations are statements of fact attested by the persons making them with the full knowledge of the consequences that may accrue in the event of a false declaration being made. The mere fact that it will facilitate the sale of the house if vacant possession is obtained under this subterfuge—and I can call it nothing else—is not the kind of thing which would be punishable and on which you could pin a prosecution under this Act upon the person making the declaration. It goes much further than that.

It means that a person obtains vacant possession of the house after giving six months' notice, accompanied by the statutory declaration that he requires the premises to facilitate their sale. The tenant vacates the premises as he must do, and then the owner offers the property for sale. There is no law in the land which compels him to sell his property unless he is satisfied with the price. So, the result will be that the owner will be able to say, "I acted in good faith. I intended to sell the property and made the declaration in order to facilitate the sale, and believe that the property is worth so much. However, I am unable to obtain it, so I am not prepared to sell it at the price offered." Then it becomes a property subject to vacant possession without let or hindrance or any other barrier in this legislation and it can be let by the owner on lease, which is outside the provisions of this legislation, for two years or more at any rent the owner can exact from a house-hungry public.

That is what the Premier is asking us to do. I suggest that the gibes of honourable members opposite last night when Mr. Dunstan was speaking were unwarranted and ill-timed. The plain facts of the case are that if the amendment is accepted it will be the kiss of death to this legislation. I visualize that it might be deliberately designed for that purpose. The Premier, with his protestations that this was not political, said that he was concerned with the effects of the relaxation of this legislation —the effect it might have on South Australian industries because it would lead to an increase in the rent for workers' dwellings.

Mr. Lawn—Didn't he say that it would wreck the economy of the State?

Mr. O'HALLORAN—Yes, and that it would place us at a disadvantage in competition with industries in the other States, where the workers have already been shown to have an advantage over those in this State because of their more effective rent-pegging legislation. We are told that the legislation is non-political. "I desire," says the Premier, "to protect the industries in the State, and in order to protect them I desire to protect the workers of South Australia from extortionate rents." Then, he comes along with this amendment, the real effect of which will be that eight or nine months after it has been passed there will be no effective rent control in this State. That, of course, will be an excuse at the end of the period of 12 months provided in this Bill for

the Government not to re-enact the legislation. I fear that that is what is on the way. If that is so, let the Premier and his Party tell us that they do not believe in rent control, do not believe in protecting the house-hungry people from extortionate landlords and are prepared to throw them to the winds. If that is what they believe, let them tell us now what I am telling the House, and tell the public. The Opposition will not have a bar of this amendment.

The Hon. T. PLAYFORD (Premier and Treasurer)—The basis of the charge of the Leader of the Opposition is that the Government has tried to destroy the legislation. When I explained the Bill I stated the Government's views very fully, and said it was prepared to re-enact the main legislation without alteration. The fact that we are discussing this particular section tonight is not because the Government moved for an instruction that it should be considered, but because Mr. Dunstan sought to destroy the provisions included last year by making them non-operative.

Mr. O'Halloran—That does not give you an excuse for destroying the whole Bill.

The Hon. T. PLAYFORD—No. The honourable member said the Government was not sincere in this matter. The facts are as I stated last night. People on my side in politics do not like this legislation, and many of my own members do not like it, but have loyally supported the Government in this matter, and have not sought to make politics out of it. As far as the Government is concerned, there are no politics in it, but Mr. Dunstan seeks to destroy the provision inserted last year, which gave repossession to a man who owned a house and needed it for his own occupation, or for a son or daughter, by re-opening the whole matter. Therefore, surely I have the right to put my views, the same as the honourable member did. I was prepared to declare an amnesty on it, but it was not accepted.

Mr. O'Halloran—Would you declare one now?

The Hon. T. PLAYFORD—No. Let me tell members of a case which came under my notice only this week. I told the person concerned that the Government had introduced a Bill to extend the provisions of the present law. This man, who owns a house, is not affluent, and, to use a colloquialism, is extremely hard-up. The house has been occupied by the one person for a number of years, but it is badly in need of repair and the owner desires to sell it. He has had a notice served upon him that he must repair it. What has that person to do under our present legislation? He cannot put the tenant out in order to repair it, and he is in trouble with the local government body because it is not repaired. If he wishes to sell it he must sacrifice it for a very small proportion of its real value.

Mr. Dunstan—Why can't he put the tenant out to repair it?

The Hon. T. PLAYFORD—He has tried, but he cannot do so. The member for Norwood only sees one side of the question.

Mr. Corcoran—Can't he repair the house with the tenant in?

The Hon. T. PLAYFORD—No, it requires major repair.

Mr. Dunstan—In that case he can go to the court and get an order.

The Hon. T. PLAYFORD—I have already said that this person is poor, and he must go to the expense of a court action in order to get something which surely is his by right. Do we accept the principle that a person who has a legitimate reason and desires to sell his house should be permitted to sell with vacant possession? Is that a legitimate ground on which he can claim possession of his house? I personally believe that it is. Members opposite may not believe it, but I believe that in those circumstances the landlord should not be penalized in such a way that he is prevented from securing fair value for the house.

Mr. Geoffrey Clarke—We have recognized it in deceased estates.

The Hon. T. PLAYFORD—Yes; the member for Stanley successfully moved an amendment in that respect. I do not think we should have to die in order to get justice. On a matter of principle a person's house should be available to him with free occupation to himself and subsequently to the person who purchases it from him. If the Opposition opposes that I disagree with them because I say it should fairly be his. If the Opposition opposes this amendment on the grounds stated by the Leader of the Opposition, I am prepared to examine that particular matter. If the Opposition says that the mere making of a statutory declaration is the only safeguard that it is a legitimate case, then that is an objection I am always prepared to examine, because I believe that we should only pass legislation in a form which makes it capable of being administered and enforced. I do not believe that a person should get his house on the pretext that he wishes to sell it, and then not sell it but use extraneous methods to remove it from rent control altogether.

The first point is whether the Opposition opposes the amendment on grounds that are stated in the amendment, or whether it opposes it merely because the machinery clauses that are provided for its enforcement are not sufficiently strong.

Mr. O'Halloran—There are no machinery clauses for the enforcement.

The Hon. T. PLAYFORD—There are the same machinery clauses as have been in operation for a year.

Mr. O'Halloran—The question of price comes in.

The Hon. T. PLAYFORD—The various things that can happen to a person after he makes a declaration make him think seriously before he makes it. Having made a declaration of an intention there could be a number of things which stop the declaration from being given effect to. I think the member for Norwood would agree that the existing provisions for this enforcement are subject to almost precisely the same criticism as the new provisions. When the present legislation was enforced we were told that there would be wholesale abuse.

Mr. Riches—Hasn't there been a wholesale increase in rent?

The Hon. T. PLAYFORD—Rents have nothing to do with this particular provision.

Mr. Riches—Oh yes they have.

The Hon. T. PLAYFORD—If the honourable member studies what has been said he will see that the question of rents is completely irrelevant to what we are discussing, which is whether a statutory declaration has been an effective means of stopping abuse in the past or whether it has caused abuse. We have kept a fairly close watch on that, and there are only four or five cases where possession of a house has been gained in doubtful circumstances. In those cases a person has signed a declaration and occupied the house in accordance with the declaration for only a few months before selling it. There are two cases where a person made a declaration but subsequently altered circumstances made it almost impossible for him to carry out the intention expressed in the declaration. In these two cases the Government is completely satisfied that the declarations were *bona fide* when they were made and that a sincere effort was made to carry them out. That does not indicate that this legislation is being abused, and I venture to suggest that the opposite applies. People in the community have a great respect for statutory declarations, and a Justice of the Peace will always impress upon a person that he cannot make that declaration lightly. If members desire to tie it up a little more I have a suggestion that might help. On the general question of having this as a ground, I say it is desirable.

Mr. SHANNON—I am pleased that the Premier has at last come into line with what has been suggested by some members on this side in order to do justice to owners forced to sell their property. There will be some conflict of interest between section 54a and the proposed amendment. I do not know whether the latter will override the limitation for trustees or whether the trustees will still be tied. There is probably a greater need to assist them than there is other individuals. Today properties are being sold, notice to quit is given, and at the end of six months the purchasers obtain possession. The Premier has referred to the unfortunate person who has to go to another State in the course of his employment. He may have put his savings into a house, let it, and then before leaving has to clean up his assets.

Mr. O'Halloran—Can't he sell the house?

Mr. SHANNON—Yes. Frequently he is in employment that requires him to go to another State.

Mr. O'Halloran—He can sell with vacant possession.

Mr. SHANNON—No, because he does not live in the house. I know of a case where a man had to suffer a disability at auction by accepting a certain price for his home. It meant about £500 or £600 to him. In another case a tenant received a gratuity in order to give the owner vacant possession. Where a man desires to sell his home I cannot see any objection to his getting the same advantage as the man with the untenanted home. Under these conditions the lucky purchaser gets a home at a considerable discount. Whatever the discount for the tenanted home at auction, the purchaser enjoys it. Have we more sympathy for the purchaser of this type of home than for the man who has to go to another State because of employment? We should hold the balance of justice equally between the two.

Mr. O'Halloran—Our desire is to protect the unfortunate tenant who might be dispossessed.

Mr. SHANNON—I thought we would have heard from Opposition members about the avalanche of evictions that have occurred because of the owner of a house being able to give notice to quit in order that he or his family might occupy the home. The Premier gave four examples, but I do not think that any of them could be said to be

an attempt to avoid the legislation. He referred to the case of a man getting possession, living in the house for a few months, and then selling it. That man might have had to sell the house. Each case must be considered on its merits. We have been rather tardy in South Australia in recognizing the rights of people who own property. We have loaded this small section of the community with the onerous duty of housing people who have not taken the forethought to provide themselves with a home. More and more working men now own their own homes because they have received good wages for some years.

Mr. Jennings—Ha, ha!

Mr. SHANNON—Some people in my district have been able to pay off their homes in five or six years.

Mr. O'Halloran—Where can people get money now to buy houses?

Mr. SHANNON—Many men are thrifty and put their money into a home. It is not unusual for some working men to earn up to £20 a week.

Mr. O'Halloran—It is most unusual.

Mr. Jennings—Almost unique.

Mr. SHANNON—Some men earn £30 a week at Port Adelaide. I regret that some people still wish to penalize a thrifty and worthy section of the public, but it is a good sign that the outlook of certain people on the rights of individuals is changing.

Mr. DUNSTAN—Last night I said that if members opposite had any reason to show why the legislation would not result in the situation I outlined I would be glad to hear from them. The Premier pooh-poohed what I said and relied on the effect of the statutory declaration provisions of section 55c. Frankly, the naivety of the Premier's remarks would have made the tale of the *Babes in the Wood* appear a Decameron of sophistication. Section 55c. states:—

With the notice to quit, there shall be served on the lessee by the lessor, a statutory declaration by the lessor declaring that the dwelling-house 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. The notice to quit given to the lessee shall be for a period of not less than six months.

Then we come to the machinery provision:—

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

That has resulted in the situation which I said last year would be reached. My views were opposed by the member for Mitcham (Mr. Millhouse) and other learned gentlemen in this Chamber, but I have been proved correct, because all that is necessary under section 55c. is that the landlord goes into the witness box and says, "Here is my statutory declaration, and notice to quit. I served them together, or caused them to be served together, on such and such a date." The tenant cannot deny that is what happened, and the judge then says to him, "You understand that I must make an order in those circumstances." The contents of the statutory declaration are not investigated by the court. It may well be that the landlord believed that he reasonably needed the house for his own occupation, or for the occupation of a son or daughter. That often happens where the court would not find he reasonably needed it. I have acted for tenants in cases where a landlord has brought an application for possession on the ground that he reasonably needed the premises for his own use or for the use of his son or daughter, and the court has found the ground has not been made out, and therefore there was no necessity to go into other provisions under the Act. The point is that the landlord only has to say he thinks he needs the house, and there is the end of the matter. The court has no power to investigate that question.

The Premier said there has not been a spate of evictions, and I presume he was relying on the records of contested cases, but there have not been many contested cases under section 55c. The solicitor for the defendant knows from the court's ruling in earlier cases that his client has no defence if the statutory declaration was made and served with the notice to quit. Therefore, every Monday at the Local Court we see consent order after consent order being made. The solicitor negotiates for the longest time he can get, which is about two months. He may say to the other counsel, "Shall we consent to two months?" I have done that for a number of tenants, knowing that that was the maximum I could get from the court, and I was prepared to negotiate for the maximum rather than risk getting less time from the court. How can the Premier say that there have been only a few cases of abuses? He has no record on which to rely. Many cases are not contested.

Mr. Millhouse—They would come before the court if the defence solicitor believed there was any chance of refusal.

Mr. DUNSTAN—It must be proved that there was a declaration of intention and that it was false. How can that be done? The only way would be if two people went into the witness box and stated that the lessor, at the time he made that declaration, told them he had no intention of doing what he declared and was only doing it for fun. Where could the solicitor get evidence of that nature? It would be utterly impossible. This provision simply means that a tenant would have six months' notice.

There is the slight safeguard in the present provision that a landlord not only has to declare his belief in his reasonable need, but has to set forth the present circumstances of occupation of the person for whom the house is needed. I have known plenty of persons who have made declarations on this basis believing that their son or daughter reasonably needed the place, but had I been called upon I would have advised these persons that had they had to establish reasonable need under section 42, the court would never have granted them an order.

What will happen now? The landlord will make an affidavit not setting forth any facts. He will simply declare that possession of the dwellinghouse is required. Incidentally, it has been held by the highest authority that "required" in landlord and tenant legislation means "asked for." In other words, a landlord will declare that possession is "asked for" for the the purpose of facilitating—that is, making easier—the sale of the dwellinghouse. What possible safeguard does that represent to anybody? How can a declaration be proved false? Under the Oaths Act a declaration must be proved false in a material particular. There is not a material particular in the entire declaration and therefore a statutory declaration under this provision is utterly useless as a safeguard. If this provision is accepted a landlord can obtain his premises after six months' notice no matter what the circumstances may be and that will be the end of it.

The Premier said that rent control does not come into this. Rent control can only exist while it goes hand in hand with control of the recovery of premises. Of what use is rent control if a landlord can say, "I want you to agree to a lease of these premises to take them out of the provisions of the Landlord and Tenant (Control of Rents) Act and to an increase in rent." That is being done repeatedly at the moment. If a tenant refuses, the landlord then says, "In that case I do not find it economic to keep on this house so I am going to give you six months' notice to quit to facilitate its sale." At the end of six months he gets the house and the court does not investigate the position. The court merely has to be satisfied that notice to quit was given and that a statutory declaration was served with it. After the landlord has obtained vacant possession he can then let it to the highest bidder and nowadays the highest bid will be considerably higher than was the controlled rent of the premises.

Although the Premier purported to answer me last night by referring to the wonderful safeguard of the statutory declaration, this evening he was not so sure that a safeguard was provided. He was willing to discuss proposals to provide a safeguard. I have racked my brains but cannot devise any type of safeguard. I have the Leader's authority to say that if the Premier proposes a safeguard, or desires time to secure the assistance of the Parliamentary Draftsman, the Opposition will be happy to report progress. Unless such a proposal comes forward the opposition by the Opposition to this provision remains adamant.

Mr. MILLHOUSE—I support the amendment because it represents a further slight relaxation of the present control. I do not agree that the amendment will make such a sweeping change as has been claimed by the members opposite although, in some ways, I wish it would. It will not have the effect suggested by the Leader and by Mr. Dunstan. I believe the Opposition has overstated its case on this amendment and that it has grossly exaggerated the position. I believe the amendment will only undermine this legislation if either all the landlords at present letting premises suddenly decide to go out of business and sell up—and that is a fantastic thought—or we must make two assumptions about our landlords. Neither has been mentioned by members opposite, although everything they have said has been based on those two tenets.

The Opposition's first assumption is that the landlords of this State are prepared as a body to make wilfully false declarations and perjure themselves. In relation to this amendment, the Leader used the picturesque but inaccurate phrase "the kiss of death," and the member for Norwood said almost the same thing. They said that all landlords will take advantage of this provision, but they can only do so if they are prepared to make false declarations. Members of the Opposition do not like landlords as a class, but this is the first time they have said that

these people are prepared to make false declarations, which is the only implication I can see in their remarks. I do not accept that for a moment because I do not believe that the people of this State, whether landlords or not, are wilfully dishonest or that they will take advantage of this provision.

The second assumption we must make if we are to accept the argument put forward is that landlords will not be deterred from making false declarations by the penalties provided, but I do not believe that either. The member for Norwood made great play of the reluctance of the local court to go into the contents of statutory declarations. I will not argue with him on that point, but whether or not the court does that, the criminal law provides penalties for false declarations.

The Leader said it would be impossible to obtain a conviction, because mere matters of opinion are set out in the declarations. I will go this far in agreeing with the Leader and the member for Norwood—it is harder to prove the falsity of opinion than it is to prove the falsity of a concrete fact, but I remind members of a little saying, of which I am sure the member for Norwood is aware, that the state of a man's mind is as much a fact as the state of his digestion. It is hard to prove it, but not impossible. It is open to anyone, even the member for Norwood, to initiate criminal proceedings at any time after the making of a declaration he believes to be false.

The Opposition has based the whole of its arguments on these two assumptions, but I do not believe either is valid. For those reasons I refuse to accept the argument of the Opposition. I support the amendment, because I feel it will remove a particular hardship on those who desire to sell their properties. That hardship is to the advantage of the buyer of the property, not the tenant.

Mr. LAWN—I oppose the amendment, and I hope that the Opposition will not accept any compromise. I have seen the Premier trick this House on other occasions. When he wants to get things he submits something far more drastic than he wants, makes a compromise, and hopes that the House will fall for it. It is the Government's job to govern, and if it wants to wreck this Act or the economy of the State it is its responsibility; it is not for us to get it out of its difficulties.

I will not discuss the legal meaning of the amendment, because it has been adequately explained by the member for Norwood. Members opposite realize that what he has said is correct, but they want greater relaxation from control for the people they represent. A statement in compliance with the amendment could be truthfully made in any statutory declaration. Today vacant possession of a house carries a premium of £1,000 or more, so it could be said that in all cases vacant possession facilitates the sale of a house. Under the amendment an owner need not declare that he has a buyer lined up: he has only to say that he intends to sell, and no one can X-ray his mind to find out his real intentions. Mr. Justice Starke said that not even the devil could say what thoughts were in a man's mind.

Even if the amendment required the owner to state in the declaration that he had a seller lined up, the Court would not investigate the declaration. True, after the owner gained possession of the house someone might inquire whether he was selling it and later lodge a complaint with the Attorney-General if he did not sell it. I remind members, however, that some time ago I complained about a property in Hurtle Square in respect of which notice to quit was given, but the Premier said no action could be taken even though the owner had no intention of fulfilling the terms of the declaration. Everything is in favour of the landlord today, even though the Premier quoted the case of hardship of a person who wanted possession of his house to effect repairs.

Section 42 provides that premises may be reasonably needed by the lessor for reconstruction or demolition, and that is one of the 19 grounds provided for gaining possession. Under section 49 the Court is required to consider the relative hardship suffered by the landlord and the tenant, and to lean to the person who is suffering the most. The member for Onkaparinga (Mr. Shannon) said he was pleased that the Premier was "coming our way." Is this amendment an attempt to break down the legislation while at the same time continuing to delude the people that some form of rent control still exists? The *Advertiser* of February 16, 1956, reports the Premier's pre-election policy speech. In this article Mr. Playford said that when his Government took office he hoped to provide an administration which would give a fair deal to every section of the community. He has continued the action of the Butler Government, which took away from the people the right to select the Government they wanted. The Premier also said that the promise had been fulfilled and the Government had attempted to deal justly by all, irrespective of creed or Party. He also said that if the Government had favoured any

section at all, it was the under-privileged—the children, widows and old people for whom, through no fault of their own, life had become difficult. Tonight he pleads on behalf of property owners. He is not concerned with the people who are likely to be thrown out in the street in order to facilitate the sale of a property for the owner so that it can be available to him free of rent control.

Tonight Mr. Shannon said that he was pleased that the Premier was coming into line with some members' views on this matter. In effect he said, "No matter what the Premier said last February about a fair deal to all sections of the community, I am pleased that he is now lining up with other members on this side who want to look after vested interests." He is more concerned with those who own properties than the under-privileged, widows and children. Some members opposite are prepared to wreck the Act in the interests of property owners. That has been made clear by Mr. Shannon, and in a more guarded way by Mr. Millhouse, who suggested that we on this side condemned landlords. By interjection I asked him whether landlords in South Australia were any different from those in Victoria, but he did not want to reply. In tonight's *News* appears a statement regarding accommodation in Melbourne during the Olympic Games, and a similar state of affairs will occur here if the amendment is carried. The article included the following:—

> Some hotelkeepers and landlords see the Games as their greatest opportunity of getting rich quickly, and they don't mind whom they inconvenience in doing so.

If landlords here had the right to give six months' notice to tenants so that they could get vacant possession, some would sell the premises and others would not unless it was advantageous to do so. If they had the opportunity to execute a lease for an exorbitant rent, they would be no slower in availing themselves of the opportunity under the legislation than landlords in Victoria. The provisions under the Act have been gradually whittled away and now a little more of it is to be sabotaged.

Last night the Premier said that if rent control were freed it could wreck the economy of South Australia. The reason the Government has retained rent control is to depress the basic wage. He has not been equally concerned about depressing rents which are not included in the basic wage regimen and has allowed Housing Trust rents to soar. Apparently pressure has been brought to bear upon the Government to remove all actual rent control, but to maintain a pretence so that it can go on deluding the people that it will continue to look after the under-privileged. The amendment does not mean that there will be any onus on the owner of a house to have an actual buyer for his property. There does not have to be any genuine intention by the owner to sell, and he merely makes a statement that possession is required in order to facilitate the sale of the house. Any person of average intelligence knows that the vacant possession of a house facilitates its sale, and that is an obvious statement. It is a truthful statement of fact, and a person has only to make that truthful declaration, go into the court and show the court that he served the declaration with the notice to quit and he regains possession. Six months later he can quite easily say he has changed his mind about selling the house, or that he could not get the price he was seeking. He has achieved his object and his house is now free from rent control, and he can then demand of a tenant any rent he desires. I oppose the amendment.

Mr. O'HALLORAN—The Premier said that he would be prepared to consider reasonable safeguards to prevent abuse of the provisions sought to be inserted by this amendment. I do not think it is the duty of the Opposition to suggest reasonable safeguards. It is the Premier's amendment, and if he now realizes that the amendment is going to be the Frankenstein monster that I have no doubt it will become and completely destroy this Bill, it is not the Opposition's fault but his. I have wracked my brains all day trying to think of some method of doing what the Premier says he desires to do, namely, give justice to those people who desire for genuine reasons to sell their property without causing the complete destruction of the legislation and throwing the tenants to the mercy of unrestricted repossession, because that is what it means.

I am sure that the member for Mitcham did not mean what he said when he argued that people would not make false declarations. It is not necessary to make false declarations under this provision, because one simply has to declare that repossession of the premises at the end of six months would facilitate the sale of the house. It seems to me that that could quite easily be done without making any false declaration. Whether a person sells the property afterwards is not the concern of the court or anybody else, and I suggest that if the Premier wants this proposal to work he should report progress and come along tomorrow

with a proposal which might be acceptable to the Opposition. If he proceeds tonight in forcing this to a vote, I have no alternative but to advise my Party to unanimously vote against it.

The Hon. T. PLAYFORD—I have listened to the arguments adduced by my friends opposite and am greatly perplexed. I believe that the amendment moved is a good and effective one. When the question was raised by members opposite I immediately considered whether the provisions of safeguard that were provided in the previous legislation have been adequate, and as far as I can see they have been. I cannot find any grounds to assume that there has been abuse of the provisions inserted last year. I mentioned the small number of cases where there was a doubt as to whether there had been complete honesty of purpose, and the number of cases where it could even be questioned was so small that I believe these amendments are satisfactory. The Leader of the Opposition said that I must move further amendments to make the provisions more satisfactory.

Mr. O'Halloran—You expressed the doubt.

The Hon. T. PLAYFORD—No, I said that there were two objections which could be raised against this amendment. One would be to the effect that it was wrong in principle, and the other that it may not be possible to police it. I do not agree with either of those objections. What perplexes me is that the Leader of the Opposition said that it is up to me to move further amendments, whereas the member for Adelaide said that the Government must take the responsibility for wrecking the legislation. That seems to me to be a complete conflict in thinking. The Government believes that the present provisions are good and adequate and will not lead to excessive abuse, and that firm belief is substantiated by the fact that legislation on precisely the same lines and with exactly the same characteristics has not led to abuse in the past. The member for Adelaide said:—"Let us allow it to go through and wreck the Bill, and let the Government take the responsibility." I am prepared to take my responsibility. I have tabled amendments which I believe to be proper, and if members opposite have better ones we will examine them.

Mr. Lawn—It would be better to leave this amendment out altogether.

The Hon. T. PLAYFORD—It would not be better to leave it out, because I believe it to be a fair and proper one. As I said in concluding the debate on the second reading, this legislation is extremely difficult because it interferes with the rights of the respective parties. I said earlier I was prepared to stand by the Act although there was some justification for altering it, but members opposite thought otherwise. The proposal before us has come because of action by Opposition members, not the Government.

Mr. O'Halloran—We did not ask you to move the amendment.

The Hon. T. PLAYFORD—No, but the Opposition wants to break down the law. The Opposition can move amendments to legislation if it wants to, and so can the Government.

Mr. GEOFFREY CLARKE—We should come back to the fact that this legislation has imposed a set of conditions on a large section of the community that had no choice over many years but to accept them. The amendment is a step towards giving them a fair deal, as promised by the Premier. Landlords are not the avaricious and tyrannical people that the Opposition would have us believe, nor are all tenants underprivileged or the victims of cruel landlords. The truth lies a good deal from these two extremes, and the amendment is an attempt to balance up the harsh deal that landlords have had over the last 10 or 15 years.

There is no inconsistency between this amendment and what Mr. Lawn read of the Premier's policy speech of some time ago. The amendment gives a share of the fair deal to all sections of the community. The people who have not had a fair deal are the landlords. Great play has been made on the fact that they can get an extra price for their houses if they sell with vacant possession. Surely if a man has something to offer he should get the best price for it. If supporters of the Opposition have labour to sell they sell it in the best market and under the most favourable conditions. If they do not want to sell they withhold it, but the landlord has no such remedy and is compelled willy-nilly to accept the set of circumstances that Acts of Parliament have imposed upon him. He is not a criminal against whom society must be protected. He has his rights but we have whittled them down substantially under this legislation. He has been compelled to accept tenants not acceptable to him in many cases. I do not suggest that all tenants are bad tenants, but there are many who have literally played havoc with the premises of landlords and have insisted on rights which no interpretation of British justice would entitle them to possess.

I will quote one example to show how harsh this legislation has been to potential sellers of houses. It concerns a trust estate of which

I was a co-trustee. The tenant had lived in the house for many years paying the low rent which the Housing Trust had awarded the former owner and trustees. The tenant came to the trustees and said he would like to buy the house because he wanted to live in it for the rest of his days. He said he had been living in it for a long time. It was impossible to sell it with vacant possession because the tenant occupied the premises. He made an offer to the trustees who believed that the testator would have liked the man to purchase the house had he been able to accept the price, which was in all circumstances extremely low. They could not sell it with vacant possession.

On top of that they gave the tenant a long term mortgage on less than the then maximum rate of interest. Within one year to the day the tenant brought along a real estate agent, who was acting properly, with a set of documents and said "I have sold this house today." The man had not paid one penny off the principal but had kept up his interest payments. He sold the house for £2,125 more than the price at which he had contracted to buy it. That meant that the potential beneficiaries in the estate were £2,125 worse off than they should have been, because the estate could not sell the house. That happened before Parliament accepted an amendment permitting a house to be recovered from a tenant if its value exceeded half the value of the estate. I am sure this is not an isolated case.

Opposition members can quote cases of alleged hardship on tenants but there are an equal, if not a greater, number of cases of hardship upon owners who have been deprived of proper prices for the houses they have to sell. I support the amendment. None of the safeguards suggested by the Opposition are necessary. The criticism of the possibility of statutory declarations being false is really an argument in favour of the repeal of the Oaths Act rather than an opposition to this amendment.

Mr. HUTCHENS—I oppose the amendment. In the second reading debate I was moderate and fair with my remarks. I believe that under this legislation some landlords have suffered hardship, but whatever the legislation there will always be people who feel they have been treated unjustly. If the amendment is accepted it will mean the kiss of death to rent control. Opposition members have put their case in a reasonable and logical way. Government members say Opposition members believe false declarations will be made. No member on this side of the House has ever said that a false declaration would be made.

Landlords do not need to make a false declaration: they only have to believe that with the tenant out they can make a sale more easily. Members representing industrial areas frequently have people saying to them "We have a six months' notice to quit accompanied by a statutory declaration." We have to reply, "There is nothing we can do about it. That is the law and you are out." When the member for Norwood was speaking the member for Mitcham (Mr. Millhouse) interjected that there would be more cases before the Court if the defending lawyer thought there was any chance, but that is what the member for Norwood had been saying. There is no chance of contesting a case when a statutory declaration has been made. There is no chance of testing a statutory declaration.

The Premier said this legislation had to be continued to keep the State's economy stable. He has admitted tonight he cannot have everything his own way without being challenged, but he knows he has the numbers to defeat the Opposition, so he decides to take it out on somebody, with the result that we have this amendment. However, it will wreck the economy of the State, and the Premier will have to face that responsibility. The Opposition is anxious that the State's economy shall not be wrecked, but I am afraid we shall lose our case because someone has his back up.

Mr. JENNINGS—I oppose the amendment. I think the Premier was clearly right in the arguments he used in support of his amendment, and I think the member for Mitcham was fairly right in his arguments. The Premier said that numerous cases had come to his notice in which the present law was unjust and harsh. I wish he would be more consistent in considering laws that are unjust and harsh, but he also said:—

> In many cases the law benefits not the tenant, but only the purchaser at the expense of the seller of a home. As soon as a person purchases a home which is occupied, but which he wants for his own occupation he can, by giving notice to quit, secure possession in six months, whereas a person who has owned a home for years is not in that happy position.

That is true enough, but I do not think any member on this side of the House has exaggerated the consequences that will flow from the amendment. However, we are in almost precisely the same position now as a result of

the relaxation of the Act last year. If a landlord does not want a house for his own use or for the use of a close relative he may find a buyer who has a legal ground to get the tenant out, so he arranges a sale. The buyer can then get possession in six months, and that is wrong in principle, and I opposed that provision last year.

Today's *Advertiser* reported the formation of a new body "to fight Government interference," and I offer my heartiest congratulations to the member for Mitcham on being elected patron of this body, which is known as "The Enterprise Development Association of South Australia." It has been formed "to oppose all forms of Government interference in private enterprise." The constitution of the association provides for a council of no more than 20 members and an executive of six and the association will have no affiliation with any Party political organization. I do not know whether the constitution was adopted at the meeting because I have heard on good authority that the phone box in which it was held was not quite large enough to enable the constitution of the executive, let alone the council.

The CHAIRMAN—Order! Is the honourable member linking this up with new clause 2a?

Mr. JENNINGS—I think we should discuss the Premier's proposal reasonably. After last year's amendments the sole effective provision in the Act was rent control, but this amendment will remove that. I oppose the amendment but hope members will support the new clause to be moved by the member for Norwood. The member for Burnside said that at present some landlords can secure rentals of £8 or £9 a week. If this clause is accepted that will be common practice. The clause will destroy the effectiveness of the Act. Why doesn't the Premier admit that? The Bill should go to the Legislative Council as it was first introduced and we should not make the way open for it to entirely reject this legislation.

Mr. LAWN—I desire to add to what I said earlier.

Mr. Hambour—Are you going to come around to your Leader's views?

Mr. LAWN—There is no conflict between the Leader and myself. If this clause is carried and the legislation is wrecked it will be the Government's responsibility. I oppose it and hope the Government will withdraw it. I said earlier that I hoped the Opposition would not be fooled by the Premier's tricks. When he wants anything he does not introduce legislation simply for that purpose but asks for something more drastic hoping that the Opposition will compromise. The Leader suggested that the Premier report progress because if he didn't he would recommend that the Opposition unanimously oppose the clause. I have advocated that all night. The Premier said there were two suggestions from the Opposition: firstly, the Leader suggested he report progress, which he refused to do and, secondly, that I suggested the Government should proceed with the clause and wreck the legislation. I deny that I made that suggestion. If the Government goes on with this amendment, it will wreck the legislation, so I hope it will be withdrawn.

Members opposite made it clear that the Government desires to eliminate rent control, but at the same time it wants to give a semblance of retaining it so that it can delude the people. The member for Burnside (Mr. Geoffrey Clarke) said that the Government is giving a fair deal to all sections of the community except landlords. In other words, they want a greater share, and this amendment will give it to them. The more members opposite say, the more they make it clear that they want this legislation eliminated so that landlords will be able to charge what they like. Mr. Clarke went on to say that anyone who has something to offer should be able to get the most he can for it. As he was speaking on this measure when he made that statement, he meant that if a person has a house to let he should be able to get the most he can for it. Government members are out to get their pound of flesh for the landlords at the expense of other sections of the community.

The members for Victoria and Rocky River during question time objected to tramwaymen getting the most they can for what they have to offer. That is inconsistent with the attitude of Government members on this measure, but they are speaking only on behalf of vested interests, and they have been told what to do. The member for Burnside mentioned a tenant renting a house from an estate on which he was a trustee. This tenant bought the house, subsequently sold it and the estate lost income. However, probably greater hardship is being suffered by thousands of tenants. This legislation cannot satisfy both landlord and tenant.

Mr. Geoffrey Clarke—It has not satisfied landlords at all.

Mr. LAWN—The relaxations in recent years have given landlords all possible opportunities to get possession of homes, even to knock them down to build service stations.

Mr. Geoffrey Clarke—If it is as easy as all that, why are you worrying about this amendment?

Mr. LAWN—That is what I am asking the member for Burnside. As one of the trustees of the estate he mentioned, it was his job under the capitalistic system to grab the most he could for what he had to offer. He would have liked the house to be sold with vacant possession because he could have got £2,125 more for it. However, the estate could afford to lose it more than the people who have been thrown out of their homes in my district—pensioners, widows and married couples.

Last night the member for Enfield (Mr. Jennings) said that many people live in caravans for eight weeks, live in a hotel for one night to break the period, and then return to their caravans. The Government claims it wants a fair deal for all sections of the community, including landlords. The Premier said that numerous cases have come to his notice in which the law is unjust and harsh. Every time he and his supporters open their mouths they make it clear that they represent only one section of the community.

If the Premier is concerned because he thinks the law is unjust on one section of the community, what does he think about about the suspension of quarterly adjustments of the basic wage? Under this amendment he will make it possible for certain houses to be freed from rent control. At the same time the cost of living is rising because of increased rents, yet the Government has frozen the basic wage. The Premier is more concerned with the landlord than with the suffering wage earner. The Government wants to leave on the Statute Book the skeleton of an Act that once benefited the people.

Mr. HAMBOUR—Mr. O'Halloran made an important point about safeguards, but the amendment is just and fair because owners of houses desiring to do so should be able to sell with vacant possession. Mr. Lawn said he did not want a compromise, but Mr. O'Halloran said that he was willing to accept a reasonable compromise and that there was some merit in the argument that an owner should be allowed to sell. One of my constituents owns a home in the metropolitan area. The rental is 43s. 6d. a week, and the annual net return on it is less than 3 per cent of its value. That is a hopeless proposition and the landlord is entitled to get out of it. At present an application for increased rent on the home is before the trust. The tenant owns a block of land and a motor car, but he would be a fool to borrow money to build a house. It is only reasonable that the owner of a house should be able to sell at the highest price. I do not believe that this amendment will be abused, because the Premier has assured members that the same safeguards will apply to it as have applied to the amendment passed last year, and that has not been abused. We have had 12 months' experience of those safeguards.

Mr. Dunstan—We have had only two months because of the period of the notice.

Mr. HAMBOUR—Although members opposite talk a lot about poverty-stricken tenants who are turned out on to the street, I have seen no-one sleeping in the gutter. If it can be proved that the safeguards are inadequate, that is a valid argument against the amendment, but I believe the safeguards are adequate.

Mr. LAUCKE—The scales of justice must always be held with equal poise. The amendment provides justice to a section, and is not unfair in any way. I regret that the Bill has come before the House to provide a further lease of life for this legislation, which I consider has outlived its usefulness. In fairness to those who have invested their life savings in a home, they should not be deprived of all freedom. I believe the amendment is fair and support it.

Mr. DUNSTAN—Something which the Premier said this afternoon shocked me to the core. I thought I was "unshockable." Firstly, he gave as a reason for the amendment an instance which he considered justified it. It concerned an impoverished individual who had invested his savings in an extra house which was in bad repair, but found he could not get possession to repair the house and was therefore in great difficulty. In those circumstances the landlord could give notice after waiting, not six months, but after a short period, depending on the length of the tenancy of the applicant, but not more than 28 days would be required. He could then have applied to the court and it would have to give an order for possession, because the landlord could not be placed in the position of being forced to commit an offence. When this was pointed out by interjection to the Premier he replied, "Why should the landlord have the expense of going to the court for something which was his?" What a foolish remark, when under the amendment he would have to go to the court. There was no need for the amendment for the case mentioned because protection for the landlord has already been enacted for some time.

I have made applications on behalf of landlords and obtained possession in circumstances similar to those outlined by the Premier. If the landlord lacked immediate means to pay for legal assistance he could approach the Law Society, which would supply that assistance. Honourable members opposite do little justice to their case by citing circumstances which are already catered for in the legislation. Mr. Laucke mentioned the case of a person having invested his life savings in a house, but finding he could not get possession to facilitate its sale. He seems to have overlooked the provision which has been in the Act since 1954 that where a person owns one house other than the house in which he is living, he may give notice and the court must give him possession of the house for the purpose of sale. I have obtained possession for landlords on that ground, because that was the concession made by this Parliament to the small and impoverished ower of an extra house. Surely that same position should not be extended to people who own many houses and are able to knock the rent control provisions of this legislation flying.

In giving his reasons for introducing the amendment, the Premier said that when he made his second reading speech he was prepared to declare an amnesty. Is this a matter of Party warfare, or one of concern for the real needs of the people? It is not a question of a fight between landlord and tenant, but of doing social justice, and it is not a question of an amnesty between the Government and the members of the Opposition. Members on this side make a real plea to give some protection to the underprivileged whom the Premier declares he is supporting, according to his policy speech. He went on to say that in view of what had happened as a result of the amendment made last year, he was not prepared to take the same view of the social needs of the people as he did when the legislation was first introduced. He intends to take it out on the tenants of this State because members on this side have attempted to make another amendment to the Bill. What are the Premier and members of the Government Party here for? Are they here to manage this State according to the social needs of the people, or to take revenge upon a section of the people of this State because of the actions of other members of this House?

I have never heard such a shameful argument put forward, and it means in fact that the actions of the Government are not prompted by what it thinks is the right thing to do, but because of a desire to take it out upon the people of this State because members in this House exercised their undoubted right to put forward amendments which they considered to be just and correct. I hope that members opposite will not adopt the same attitude as the Premier in this matter.

I now come to the question of safeguards. The Premier said that there is adequate safeguard in this provision because, like the previous provisions, it provides for a statutory declaration. The previous statutory declaration was not a very satisfactory safeguard, but it did require that a person must declare what his intention was and state the kind of premises occupied by the people for whom the house was required. The proposed provision does not require anything like that. It merely requires the landlord to say what anybody in the community already knows, namely, that it is easier to sell a house if he has vacant possession of it. He is only required to say that possession of the house is sought for the purpose of facilitating its sale.

Mr. Hambour—Doesn't he have to sell it?

Mr. DUNSTAN—He does not have to sell it. Anybody can say, "If I have vacant possession it makes the sale easier." It does not mean that he has to sell, and he is not even required to say that he intends to sell the house. There is no safeguard of any kind, not even the vague shadow of a safeguard that appeared under the previous legislation. All that remains to be put into the Act is that the landlord shall give six months' notice and that is the finish, and if that is the finish it is the end of rent control. I beg honourable members opposite not to treat this as a matter of Party spite. It will wreck the economy of this State, and if members opposite vote for it it will be on their heads. Although it may redound to the electoral advantage of my Party that the economy of this State should have been wrecked by members opposite, we do not want to ride to electoral advantage upon the misery of the people. I plead with them not to be responsible for that misery, and to realize what this is going to do to the people of this State.

The Committee divided on new clause 2a.

Ayes (18).—Messrs. Bockelberg, Brookman, Geoffrey Clarke, Coumbe, Goldney, Hambour, Heaslip, Hincks, Jenkins, King, Laucke, Millhouse, Pattinson, Pearson, Playford (teller), Quirke, Shannon, and Stott.

Noes (12).—Messrs. Bywaters, Corcoran, Davis, Dunstan (teller), Hutchens, Jennings, Lawn, Loveday, O'Halloran, Riches, Frank Walsh and Fred Walsh.

Pairs.—Ayes—Hon. Sir Malcolm McIntosh, Messrs. Harding and Heath. Noes—Messrs. John Clark, Tapping, and Stephens.

Majority of 6 for the Ayes.

New clause thus inserted.

New clause 2b.

Mr. DUNSTAN—I move to insert the following new clause:—

Section 55c. of the principal Act is amended by adding the following words at the end of subsection (2) thereof:—

III. The notice to quit shall have been given on a date prior to the passing of the Landlord and Tenant (Control of Rents) Act Amendment Act, 1956.

The effect of the amendment, of course, will be that no further notice to quit under this section shall be given after the passing of this Landlord and Tenant (Control of Rents) Act Amendment Bill.

Mr. SHANNON—On a point of order, Mr. Chairman, is it competent for this Committee to consider an amendment which in effect nullifies a decision just made by the Committee?

The CHAIRMAN—I rule that the honourable member is in order.

Mr. DUNSTAN—The proposed new clause also refers to notices to quit that may have been given under section 55c as it previously existed. Opposition members have outlined the effect of that provision and discussed proper safeguards as the legislation now stands. Simply, the position is that there is no adequate safeguard at all. The position is that the landlord can give the necessary six months' notice and that is the end of the matter. At the moment the legislation has removed from the court the power of discretion in investigating such cases. Previously it could investigate, consider all circumstances and then say that the hardship should be borne by the one upon whom it would fall the least. In considering the hardship the ownership of property was considered.

The court is no longer a tribunal to investigate facts and exercise discretion. It is merely there for making ejection orders without having any discretion. There need be no magistrate at all to consider the case as it would only be a matter of issuing the order. Apparently Government members and Independents believe that should be the position and that there is no justification for restrictions upon the recovery of premises. If they believe that, I am appalled at their irresponsibility. I thought that occasionally Independents would consider matters on their merits but apparently they are looking for Government votes for in no other way can I account for their vote on this matter. If that is the attitude to be adopted towards the poorer and under-privileged people the Independents should forget about ever getting votes from the labouring community. I want to prevent the destruction of the legislation and restore to the court the right to investigate and determine each case on its merits. If we get away from that there will be untold misery for many people.

Mr. JENNINGS—I support this clause so that we can get back to the position that existed about 18 months ago and allow the matter to be decided according to the evidence. The magistrate was then able to make up his mind according to the relative hardship imposed on the parties. He had to decide whether the hardship was greater in keeping the owner out than kicking the tenant out. We want an independent judgment on the relative hardships. At present the decision is more or less automatic. A person after living in a house for 20 years could find it sold over his head to a New Australian. I do not reflect on New Australians as such but frequently one will buy a house and allow several families to live in it whilst making payments off the cost. The person who has lived in it for 20 years would have had no opportunity to buy it. I have had about five cases like that in the last month. The first indication that a tenant may get that the house has been sold over his head is a letter from the new owner telling him to get out in six months. Many tenants are not given a chance to buy the house, though some would not be able to.

I mentioned New Australians, but I was not reflecting on them. New Australians have been concerned in some of the cases brought to my notice. Their practice of herding a number of families in one home breaks down our standard of living. The amendment should commend itself to all members and I believe it will be supported, for we would not have such a distinguished assembly now if it were not to witness this spectacle of an amendment moved by the Opposition being carried.

Mr. RICHES—I hope the amendment will be carried, for it affects the lives of people so materially that it merits serious consideration. Some members have said that this legislation was introduced to meet war-time conditions, and that we still have it though it is 11 years since the war ceased, but my experience is that the housing crisis is as acute as ever. I believe some members do not know the repercussions that followed the relaxation of the Act last year. They think the housing crisis has passed, but they would not hold that

view if they knew the position in some parts of the State. Can the Premier say how many applications for homes are now before the Housing Trust? I would be surprised if they were fewer than eleven years ago.

There is nothing more unsettling to a family than to have the home sold over their head. Many people are pushed from place to place through no fault of their own, and someone should speak for them. I hope the Committee will not dismiss the amendment willy-nilly, for it was brought down after this question was carefully considered by a committee set up to examine the position. Perhaps some tenants do not face up to their obligations, but cases brought to my notice indicate that the amendment passed last year has resulted in hardship to many people.

Mr. Heaslip—We have just accepted another clause. If we agree to this, what will be the position?

Mr. RICHES—As I understand it, each application will be dealt with by the court on its merits and the court will consider the respective hardships of the landlord and tenant. I do not think any person suffered a serious injustice under the hardship provisions of the Act. The court is surely competent to decide applications on the basis of hardship. The housing shortage is still with us. I had the unfortunate experience recently of trying to find accommodation in Adelaide for a Port Augusta family. They could not secure a home anywhere and no metropolitan member could assist me. They are renting a caravan for £5 a week, but are now seeking land on which to keep the caravan. They will have to pay rent for that privilege. Their position is so desperate that they would enter into any agreement and pay any rent to provide shelter for themselves and their children. I ask the Committee to consider this new clause on its merits.

The Hon. T. PLAYFORD—The effects of this new clause are twofold. Firstly, it will render it impossible for anyone to benefit from the provisions enacted last year. Notices that have not been given prior to the passing of this Bill will not be considered, nor will it be possible for additional notices to be issued. Notices already given will be valid. We will take from the owner of a house the right we extended to him last year of occupying his premises after giving six months' notice accompanied by a declaration of intention. The new clause will also nullify the vote recorded this evening in respect of the new clause I introduced. That new clause is incorporated in section 55c and, although a few minutes ago we decided that persons who wanted to sell a house should have the right to give six months' notice to gain possession, if we support this clause we will remove that right.

What grounds have been suggested for reversing last year's decisions? Mr. Riches said that the housing position is as desperate now as it ever was. That is a matter of opinion, but if we accept his statement, does it not mean that the owner of a house is in just as desperate a position as he was last year? The argument applies both ways. If an owner is deprived of the right of occupying his own house when housing is short surely his hardship is greater than if he is deprived of it when housing is plentiful? That is surely a reason for retaining last year's provisions. I know of people who have saved to purchase homes. Many railway workers who occupied railway cottages and who realized that on retirement they would have to vacate them have saved money and purchased houses. Quite frequently the rents they have received for their homes have not been sufficient to meet their commitments on them, so they have had to pay out money each week to make provision for their old age.

Mr. Hutchens—Would not the court take that into consideration?

The Hon. T. PLAYFORD—The member is keen to force people to go to the expense of taking cases to court. When people buy freehold property, they are given some rights, some of which this Act has taken away, at least temporarily. When these people reach the retiring age the department, which wants the houses for other employees, asks them to vacate them, but when they want to go into their own homes they have to prove a case, and they might even be debarred from obtaining possession because the tenants might have children, whereas their children might be grown up.

The member for Stuart (Mr. Riches) said that housing conditions are just as bad now as they have ever been, but even if that is correct, which I do not admit, it applies on both sides. The amendment will take away the very slight mitigation that we gave to owners of houses last year. I believe that members opposite have overlooked that this legislation hits hard at people on the lower rungs. Wealthy landlords, if there are any, would not serve notice to obtain possession of small homes to live in them; the people who want to get into these houses are usually in fairly straitened conditions, particularly those who have made provision for their old age. As all members know, people can own their own homes and still receive the age

pension, and since that law has been in force many people have bought homes because, if they had left the money in the bank, it would have been taken into account by the authorities when assessing their pensions. We should encourage people who are prepared to buy their own homes. I do not think they should be forced to go through a legal rigmarole to prove their title to something which is their natural right.

Mr. JENNINGS—I agree wholeheartedly with the Premier's last remarks, and so do the members for Norwood and Stuart, but all those cases are provided for in the Act. It is most unfair that the Premier should raise that as an argument against this amendment. He did not do himself or his Government much good by mentioning railway employees who might be evicted from their homes on reaching the retiring age. For a considerable time I have been engaged in negotiating with the Railways Commissioner and Minister of Railways on behalf of three railway employees who have faced eviction from departmental homes. They had not reached retiring age, but had been given tenancy of homes on compassionate grounds. All my representations in different quarters were unsuccessful. I was told by the Housing Trust that they were nowhere near in line to be allocated a trust home, but, after they were evicted from departmental homes they obtained trust homes, although I do not think they were entitled to them. They were given those homes at the expense of other people who had been waiting for years. I would like the Government to investigate the cases I have mentioned because they detract from what has been said for years in this House about the impartiality of the Housing Trust.

Mr. DUNSTAN—The Premier has once more given certain instances on which he bases his argument against my amendment. He said that they were cases that must be provided for by section 55c, but he must be ignorant of the real situation because those people could have gone to the court and claimed an order on a six months' notice without hardship being proved. The Premier said some railway workers occupying cottages at Tailem Bend had bought tenanted houses to which to retire and that without section 55c they could not obtain possession, but there was no need of section 55c to deal with such cases because the owners could have gone to the court and proved certain facts within 10 minutes, after which the houses would have been theirs. The Premier said a lot about couples saving up for their old age and buying a tenanted house, but such people could gain possession without section 55c ever having been enacted. Indeed, that section was not intended to operate for their benefit, nor does it: it is designed to benefit people who own a number of houses and wish to get tenants out. In other words, the section is a back door method of torpedoing the legislation, and Mr. O'Halloran was correct when he said that this section was only a subterfuge to get rid of rent controls.

The House divided on new clause 2b:—

Ayes (11).—Messrs. Bywaters, Corcoran, Davis, Dunstan (teller), Hutchens, Jennings, Lawn, Loveday, O'Halloran, Riches, and Frank Walsh.

Noes (17).—Messrs. Bockelberg, Brookman, Geoffrey Clarke, Goldney, Hambour, Heaslip, Heath, Hincks, Jenkins, King, Laucke, Millhouse, Pearson, Playford (teller), Quirke, Shannon and Stott.

Pairs.—(Ayes)—Messrs. John Clark, Tapping, Stephens, and Fred Walsh. Noes—Sir Malcolm McIntosh, Messrs. Pattinson, Harding, and Coumbe.

Majority of 6 for the Noes.

New clause thus negatived.

New clause 2b "Protected Person."

The Hon. T. PLAYFORD—I move to insert the following new clause:—

2b. The definition of "protected person" in subsection (1) of section 72 of the principal Act is amended by adding at the end of the definition the following paragraphs:—

(*e*) a member of the forces engaged on war service outside Australia or on service in an operational area outside Australia;

(*f*) the wife of a member of the forces engaged on war service outside Australia or on service in an operational area outside Australia.

The legislation has always included a provision to give special rights to members of the fighting forces on active service or their wives at home. This amendment is the result of a request from the Returned Soldiers League. Some men on active service in Malaya are not protected at present.

Mr. DUNSTAN—I neither oppose nor support the amendment. As far as I am concerned, it is peculiarly useless. The only point in giving protection is to see that people are protected from action which may be taken against them, and that was why the protected persons provision was included. This was reasonable and proper and has always had the support of members on this side. After what has been done this evening, there is no use really in giving an added protection to people who are serving in Malaya, because as a

result of section 55c they will not have much protection. They are not protected from notice or applications to the court.

I draw attention to section 73 (1) of the Act dealing with the rights of protected persons as to recovery of possession of premises. Among other things it includes:—

(2) The provision of paragraph (*c*) of subsection (1) of section 49 shall not apply in relation to any premises of which a protected person is the lessor, unless the lessee of the premises is a protected person.

(3) In the application of the provisions of this Act to a lessee who is a protected person, section 42 shall be read as if for paragraph (*a*) of subsectibn (6) there were substituted the following paragraph:—

"(*a*) that the lessee has failed to pay the rent in respect of a period of not less than 28 days."

(5) Where a tenancy has been lawfully determined and any person claiming under the lessee and actually in possession of the premises or any part thereof is a protected person, an order for the ejectment of persons from those premises or for the recovery of possession of those premises shall, if the order is made on any grounds specified in paragraph (*g*), (*h*), (*i*), (*j*), (*k*), (*l*), (*m*) or (*n*) of subsection 6 of section 42 not be enforced against the protected person unless the court is satisfied.

(*a*) that reasonably suitable alternative accommodation . . . is, or has been whether before or after the date upon which notice to quit was given, available for the occupation of the protected person in lieu of the premises in respect of which the order is sought . . .

Under section 55c the owner can say that a protected person has no protection and can say "I will give you notice and sell the house over your head or over the head of your dependants whilst you are on service in Malaya," and the court must make the order. I do not know whether members of the Returned Soldiers League are aware of the provision, but am of opinion they are not, and are of the impression that the protected persons provision applies to the recovery of premises under Part V. That is not so. The result is that the added protection given to protected persons is largely gone now, and the point of declaring added protected persons within the clause is very slight indeed, because the advantage to them is illusory and hardly exists, except in minor cases with regard to an application for vacant premises and where the protected person is a lessor; when he is a lessee he is not protected. I do not oppose the clause, but I counsel the R.S.L. to make further approaches to the Government because apparently the Government will listen to the R.S.L., as it should do. I only regret that it does not listen to other sections of the community as well.

Mr. LAWN—I support the clause. When the Premier moved it he said that it was being introduced at the request of the R.S.L. and I asked him if the R.S.L. knew about section 55c. The Premier's reply was that that matter did not concern the R.S.L., but I am at a loss to understand why. The R.S.L., in approaching the Government and asking for this amendment, must have been seeking protection under the legislation for those members of the forces engaged on service outside Australia and their wives. I am sure the R.S.L. did not restrict its request with regard to protection, and it may not realize how the protection under this Act has been whittled down.

Mr. O'Halloran—They may not know the wife of a serviceman serving in Malaya can be evicted.

Mr. LAWN—Exactly. The R.S.L. was seeking protection for servicemen and their wives, and it obviously did not know the effect of section 55c which gives no protection to anyone other than landlords. I venture to suggest that it did not know that the Government was extending the provisions of section 55c. I accept the Premier's statement that this amendment is being made at the request of the R.S.L., and I am forced to the conclusion that the League was seeking to render a service to its members and their wives. These servicemen are getting very little protection, and if the Government wishes to comply with the request of the R.S.L. a provision should also be made to exclude the operation of section 55c to servicemen engaged on active service and their wives.

The Hon. T. PLAYFORD—Honourable members have missed the point, which is that if there is any vacant accommodation a protected person must have priority in getting it. If a protected person was required to vacate a house under section 55c, the Housing Trust would be obliged to house that person in the first batch of houses to be allocated. The value of the protected persons clause is not so much in the protection from eviction, but in the fact that they are given an absolute priority in housing. I am quite aware of the views of the R.S.L. Section 55c has been in operation for a year and the league has never objected to it, but it is anxious that a man on active service should have priority in getting a house.

I point out to members that far from being a hardship for a man on active service to have an eviction order issued against him it could, in fact, be to his benefit because it immediately

makes him eligible for a trust house which would probably be a better house and at a lower rent than the one he previously occupied. Do honourable members opposite deny to the people on active service the right to be protected persons?

Mr. O'Halloran—No.

The Hon. T. PLAYFORD—Then what are we arguing about?

Mr. LAWN—The Premier is trying to be sarcastic when he asks members on this side whether they desire to take away protection from servicemen. He said that in some cases it would be to the advantage of a service man to be evicted because he would immediately become entitled to a trust home, but that is contrary to what the trust has told me.

Mr. Dunstan—It is contrary to the law, too.

Mr. LAWN—I have been in touch with the trust on behalf of many ex-servicemen.

The Hon. T. Playford—The honourable member is now talking about persons who are not protected. Ex-servicemen are only protected persons for a certain period after the war.

Mr. LAWN—The trust gives certain preference to ex-servicemen and I am not complaining about that, but they can certainly be evicted today and when they are they still have to wait their turn and are not given any preferential treatment.

Mr. JENNINGS—I rise to express my delight at the information I have received from the Premier that serving personnel have some priority with the Housing Trust. I have not noticed it. I have always been informed by the Premier and the chairman and general manager of the trust that no-one had a claim on the trust for preferential treatment in getting a house. Last week there was a man in the gallery in naval uniform. He had just returned from service in the Korean area. He had been in the Navy for 11 years but is leaving it within a few weeks. He has been corresponding with the trust over the last four or five years, and with me over the last 18 months, about an application to the trust. According to his last letter he has been told he has to wait two or three years like other people. I was delighted and astonished to hear the Premier's remarks but I am no more impressed by them than by many of his other statements.

The Hon. T. PLAYFORD—I see the list of houses allocated every month by the trust under the various categories. The trust works on certain rules. I require it to show when the application was submitted, whether the applicant is a returned soldier, how many children he has, and other information including the condition of the housing accommodation at the time of the application. A returned soldier is not a protected person for ever. I think the legislation protects him for five years after he ceases to be on active service. During the period he is given certain rights and one of them is that if he applies for vacant premises he gets a preference.

Mr. Dunstan—This does not apply to the Housing Trust.

The Hon. T. PLAYFORD—The honourable member has my assurance that the trust has always complied with Government policy in these matters. I believe that 70 per cent of the houses allocated by the trust have gone to returned soldiers.

Mr. O'Halloran—The trust is not bound by the legislation.

The Hon. T. PLAYFORD—It is bound by Government policy. The trust has never objected to giving assistance to a protected person. There has been no complaint from the Returned Soldiers' League about the provisions of section 55c. No representations have been made to the Government about the section, which has been in operation for about a year. When the Bill was introduced the league studied it and requested that men on service in Malaya should be included. That is something to which members should agree.

Mr. O'Halloran—We agree with it entirely.

The Hon. T. PLAYFORD—Then what are Opposition members arguing about?

Mr. DUNSTAN—When he introduced the Bill the Premier said this provision would provide certain persons with protection but he did not refer in any way to sections 73 to 82 which provide for applications by protected persons for vacant dwellinghouses. The Premier says now that if these people are protected they should have the full benefits of the legislation and that if put into the street should be able to go to the trust for houses. The provisions do not apply to the Housing Trust for it is specifically exempted under section 6. If it is Government policy to give houses to protected persons immediately they need a house, why should we accept the amendment? The Premier said it will give them a right to get a house, but it does not do so except to apply for a privately-owned vacant house. It is a good thing to have the people concerned as protected persons so long as they are protected. I hope the league will be apprised of the position their members are in because I cannot realize that if it knew the position it would not have made representations to the Government.

The. Hon. T. PLAYFORD—If the league has lost any protection because of section 55c, I point out that it is due to Mr. Dunstan that the section is under revision.

Mr. Dunstan—That is quite untrue. It is a shameful statement. I was not responsible for your rotten amendment. That is utterly disgusting.

The Hon. T. PLAYFORD—If the honourable member will read my second reading explanation of the Bill he will see that I said the Government was prepared to leave the provisions of the Act stand substantially as they were last year. The honourable member thought he could bring a certain amount of politics into this matter. As I have previously said, this legislation is not popular with members on this side of the House. When the Government said it would not alter many provisions this year the member for Norwood was not satisfied and moved an instruction for section 55c to come up for review, and that was the only way it could be brought up for review. He knew the amendment before the Committee would be moved because I gave notice of it.

Mr. O'Halloran—You could have moved for an instruction.

The Hon. T. PLAYFORD—I made no such move. I said I was prepared to leave the clauses in the Bill as they were. This type of legislation will always be contentious. It was the member for Norwood who raised section 55c and if, as a result of his motion for an instruction to the Committee, that instruction was slightly different from what he intended, it was he who brought the matter before the Committee. He wanted to take away certain rights given to property owners last year. Just as he has the right to move amendments to section 55c, so have members on this side of the House.

Mr. Dunstan—But we are not responsible for amendments you made.

The Hon. T. PLAYFORD—The honourable member is responsible for the fact that section 55c has been considered.

Mr. JENNINGS—I have just heard the meanest and most despicable travesty of debate.

The Hon. T. PLAYFORD—Mr. Chairman—

The CHAIRMAN—The member for Enfield is out of order.

The Hon. T. PLAYFORD—I ask that he withdraw that remark and apologise.

Mr. JENNINGS—I will not. It was the truest thing that has ever been said in this House.

The CHAIRMAN—Will the honourable member withdraw?

Mr. JENNINGS—No.

The CHAIRMAN—Then I shall have to report the matter to the House.

The SPEAKER having resumed the Chair,

The CHAIRMAN—Mr. Speaker, I have to report that the member for Enfield (Mr. Jennings) used certain words that were objected to by the Treasurer. He was asked to withdraw and refused to do so.

The SPEAKER—I refer the honourable member to Standing Order 165, which states:—

> If any member persistently or wilfully—
> (*a*) obstructs the business of the House, or
> (*b*) refuses to conform to any Standing Order of the House, or to regard the authority of the Chair;
> or if any member, having used objectionable words, refuses either to explain the same to the satisfaction of the Speaker, or to withdraw them and apologise for their use; the Speaker shall name such member and report his offence to the House.

I ask the honourable member to first of all explain the words he used.

Mr. JENNINGS—The words need no explanation. The House knows the reason for my using them, and there is no further explanation required.

The SPEAKER—I do not accept the explanation of the honourable member.

Mr. RICHES—On a point of order, is it not the prerogative of the House to accept a member's explanation?

The SPEAKER—Standing Order 165 says, "refuse either to explain the same to the satisfaction of the Speaker, or to withdraw them . . ." I rule that the words have not been explained to the satisfaction of the Speaker, and I ask the honourable member for Enfield to withdraw them and apologise for their use.

Mr. LAWN—On a point of order, Mr. Speaker, on similar occasions the previous Speaker accepted the opinion of the House that the explanation be accepted. The point of order raised by Mr. Riches should be accepted.

The SPEAKER—I call on the member for Stuart.

Mr. RICHES—Standing Order 167 states:—

> Whenever any such member shall have been named by the Speaker or by the Chairman of Committees, such member shall have the right to be heard in explanation or apology . . .

A member's explanation can only be accepted, or not accepted, by a vote of the House.

The SPEAKER—Standing Order 167 refers to the position that occurs after the Speaker

has named a member. As yet I have not named the member for Enfield. I have asked him to withdraw and apologise for the words that have been used. Is the honourable member prepared to apologise and withdraw the words?

Mr. JENNINGS—No.

The SPEAKER—Then I name him, and I report his offence to the House. The honourable member has now the right to be heard in explanation or apology. Does he wish to be heard in explanation or apology?

The member for Enfield, having indicated his refusal to explain or apologise, then left the Chamber.

The SPEAKER—The member for Stuart is now in order if he wishes to move that the explanation be excepted.

Mr. RICHES—I think the House will realize that the circumstances which impelled the member for Enfield to use certain words were mitigating circumstances and he perhaps expressed himself more forcibly than usual. He expressed feelings that were felt not only by him, and I move that his explanation be accepted. It was an expression of indignation and one that I feel should be within his rights to use. I think the onus is on the House, if it does not feel inclined to accept the explanation, to say that the words objected to were not Parliamentary or that they were offensive. I am of opinion that that has not been done.

[*Midnight.*]

Mr. STOTT—On a point of order! Under Standing Order 167, the member for Enfield, having refused to give an explanation of the words and withdraw them, it is the duty of the House to move immediately and forthwith that he be suspended from the House. That must be taken without debate.

The SPEAKER—The honourable member's point cannot be sustained. Standing Orders provide that unless such explanation or apology be accepted by the House the member shall be named.

Mr. RICHES—The explanation of the member for Enfield was that he believed he was speaking the truth and I ask that that explanation be accepted.

Mr. LAWN—I second the motion. There is no doubt in my mind what Mr. Jennings meant. The Premier attacked the member for Norwood as being responsible for tonight's debate.

Mr. Dunstan—For being responsible for his amendment to section 55c.

Mr. LAWN—The Premier attacked Mr. Dunstan as being responsible for the Premier's amendment and Mr. Jennings, knowing as do all members of the Opposition, that Mr. Dunstan was acting on our behalf replied to the Premier's attack. It was most unfair of the Premier to accuse Mr. Dunstan when the Premier introduced the amendment. Mr. Jennings' remarks do not need explanation. He was objecting to the Premier's attack on Mr. Dunstan.

The Hon. T. PLAYFORD—There are two points to be considered in connection with this matter. Members opposite have moved that Mr. Jennings' explanation be accepted, but his explanation was that he believed what he said to be true—in other words, he believed me to be despicable. I do not indulge in personalities, but if in the heat of the moment I have said anything that has given any member cause for complaint and he has objected I have always withdrawn immediately before being asked to do so by the Chair. I am not particularly concerned with what Mr. Jennings said tonight. I make allowances for him under the circumstances—and I will not go into those circumstances. Members will understand what I mean. However, I take a serious view of the fact that when he was asked to withdraw by the Chair he refused and repudiated the authority of the Chair. That is far more serious than the interchange of pleasantries we experience. Such interchanges may give personal, unwitting, or provoked offence, but our Parliamentary institution breaks down if the Chair is not obeyed.

Mr. Lawn—The member for Enfield attacked your statement.

The Hon. T. PLAYFORD—He said I was despicable and when asked for an explanation he made none. There was no doubt about what he said and he did not in any way attempt to qualify it.

Mr. Lawn—He was referring to your statement, not you.

The Hon. T. PLAYFORD—The honourable members said that I was despicable.

Mr. LAWN—On a point of order, Mr. Speaker! There is a dispute as to what Mr. Jennings said. It is possible for you, Sir, to make available what was actually said and I ask that you do so that we will not be arguing on false premises.

The SPEAKER—The honourable member referred to certain actions of the Premier as being "a despicable travesty."

The Hon. T. PLAYFORD—Those were the words I asked to be withdrawn, but the honourable member flatly refused to withdraw. His only explanation was that he believed them to be true. I do not mind a bit of abuse, because I get it fairly often, but I do

not indulge in it myself. When a member in defiance of the Chair refuses to withdraw something he has said, that cannot be and should not be overlooked by the House. I would take the same stand if my best friend and supporter did the same thing. I recommend the House not to accept the explanation because when a member flagrantly refuses to obey the Chair he breaks down the institution of which we are members and all support.

The House divided on the motion that Mr. Jennings' explanation be accepted—

Ayes (10).—Messrs. Bywaters, Corcoran, Davis, Dunstan, Hutchens, Lawn, Loveday, O'Halloran, Riches (teller), and Frank Walsh.

Noes (20).—Messrs. Bockelberg, Brookman, Geoffrey Clarke, Coumbe, Dunnage, Goldney, Hambour, Harding, Heaslip, Heath, Hincks, Jenkins, King, Laucke, Millhouse, Pearson, Playford (teller), Quirke, Shannon, and Stott.

Majority of 10 for the noes.

Motion thus negatived.

The Hon. T. PLAYFORD moved—

That the honourable member for Enfield (Mr. Jennings) be suspended from the sittings and services of the House for today, Thursday, October 25.

Mr. O'HALLORAN—I wish to move an amendment as to time, Mr. Speaker.

The SPEAKER—Under Standing Orders no amendment or debate is permitted on this motion.

The Committee divided on the motion for suspension:—

Ayes (20).—Messrs. Bockelberg, Brookman, Geoffrey Clarke, Coumbe, Dunnage, Goldney, Hambour, Harding, Heaslip, Heath, Hincks, Jenkins, King, Laucke, Millhouse, Pearson, Playford (teller), Quirke, Shannon, and Stott.

Noes (10).—Messrs. Bywaters, Corcoran, Davis, Dunstan, Hutchens, Lawn, Loveday, O'Halloran (teller), Riches, and Frank Walsh.

Majority of 10 for the Ayes.

Motion thus carried.

The SPEAKER—The honourable member for Enfield is suspended from the sittings and services of the House for today, October 25.

Debate in Committee resumed.

Mr. O'HALLORAN—I support the amendment and indicate, as the Opposition has tried to indicate during this debate that members on this side desire to give the utmost possible protection to those serving and ex-service personnel who within the prescribed period qualify for protection. We resent the implications of the Premier that we are not prepared to protect serving personnel, and we also resent his statement that the Opposition was responsible for the unfortunate amendment which was carried earlier in the debate and which will militate to a serious extent against the protection afforded to certain classes. Mr. Dunstan was deputed by Opposition members to act on their behalf by giving contingent notice of motion of an amendment to section 55c. It did not matter two hoots whether Mr. Dunstan moved his notice of motion last evening or not. The Premier knows that today he could have moved it in two ways, by suspending Standing Orders or on the motion to go into Committee.

Earlier I heard a subdued remark, "Is this in order?" I ask, however, whether this House has descended to the position where the Opposition will be denied the right of reply. Mr. Dunstan was charged with having been responsible for the amendment, but he was no more responsible for it than somebody on another planet. It is a great pity that this thing has happened. I have always tried to conduct debates in this House in accordance with Standing Orders and I will continue to do so, but I will not stand silently by when members of my Party, charged with a task on behalf of the Party, are accused of something for which they are not responsible. Every member on this side supports the amendment and believes that those who have been and are prepared to make sacrifices for the nation are entitled to any protection Parliament can give them.

The Hon. T. PLAYFORD—I was pleased to hear the statement by Mr. O'Halloran that his Party supported this amendment. I point out, however, that had that statement been made immediately after the amendment was moved there would have been no problem on this matter. It has been frequently stated this evening that the member for Norwood (Mr. Dunstan) was speaking on behalf of the Party, but when he spoke on this amendment he said that he neither supported nor opposed it and then tried to introduce the implications of section 55c into the debate on it. The member for Adelaide (Mr. Lawn) immediately saw an opportunity to try to bring politics into this matter.

Mr. Lawn—That is unfair: I did not bring in politics.

The Hon. T. PLAYFORD—That is the position as I saw it. For a number of years the Government, in introducing Bills similar to this, has faced the hostility of a number of people who normally support the Government and the opposition of certain members of my Party.

On the other hand we have had a considerable amount of politics from members opposite. Indeed, when Mr. Dunstan spoke on this matter he did not make a speech that was politically unbiased. I did not hear his speech, but when I re-entered the House after he had spoken, every Government member who heard him complained and, because the complaint was so universal, I believe it was justified and that Mr. Dunstan made a purely political speech on the matter.

Mr. O'Halloran—Did you read it?

The Hon. T. PLAYFORD—Yes, and my view was that it was a political speech. If Mr. Dunstan had not moved his amendment to section 55c the Government would not have moved to amend the section either. In the second reading debate I explained the Government's position and said it did not intend to move any substantial amendments to the Bill. If Opposition members believe that substantial amendments should be made to a Bill I do not refuse them that right, for every member has the right to move any amendments he believes will improve the legislation, but once the matter is opened members opposite cannot refuse Government members the right to move amendments to a clause under discussion.

Mr. O'Halloran—We did not object to that.

The Hon. T. PLAYFORD—Honourable members opposite have been objecting all night. In other Parliaments it is the usual practice to refuse instructions to the Committee, but if an instruction is moved in this House and a clause is opened, then it is within the province of any member to move an amendment to that clause. That is the position that applied in connection with this amendment. I believe the Government took the proper attitude: when the clause was opened for discussion it moved an amendment it believed to be justified. I am pleased to have the assurance of the Leader of the Opposition that he supports this amendment. I believe the limited protection given by the Act is important. It has always been Government policy to conform to the protection given to certain persons, and that policy will continue. The fact that these people are included under protected persons puts them within the scope of the provision concerning these matters. That is all that is involved. I very much regret that we have seen tonight the Opposition support a member who openly defied the Chair. That is something which I believe should not have happened, and I regret the occurrence.

Mr. FRANK WALSH—The position of Mr. Dunstan, who was referred to by the Premier, has been fully explained by the Leader of the Opposition. It was the honourable member's obligation to submit the proposal on behalf of the Opposition. Members on this side have a right to try to provide greater protection for service personnel. Would it be true to say that the Premier was engaged at a meeting on October 24 in a room in this building in connection with the business we are now discussing? I know that he was involved in a discussion which took place in this building yesterday, but what that business was I do not know, but can only surmise it was in connection with the matter now before us. I ask the Premier not to accuse certain members on this side that they have done something contrary to the general practice in debates.

As to the regrettable incident referred to by the Premier, it would be fair to say that probably he misunderstood the meaning of the words used. I consider that the member concerned did not make any personal accusation, but that the Premier, in the heat of the moment, took it as a reflection on the Chair. On a previous occasion when I was involved in an incident I was not asked to withdraw, but I thought I was about to be excommunicated because of the vicious approach when the House adjourned. If a member of the Party is given a task to perform on behalf of the Party, he is expected to perform that task. That was the position on this occasion with regard to Mr. Dunstan. When a member is responsible for speaking on behalf of the Opposition, his views should be so accepted by the Government.

Today there is a greater demand for homes than ever before and less possibility of a person obtaining a reasonable standard type of home when registered with the Housing Trust. In the early stages of this legislation there was the time when the trust knew of accommodation which could be found for those registered with it. There were welfare committees which worked in collaboration with it. I resent the implications of the Premier on matters which need not have entered into the debate.

Mr. DUNSTAN—When I rose to speak on this matter originally I made it perfectly clear that what was exercising my mind and that of other honourable members on this side was the fact that the provision proposed by the Premier was not providing to active service personnel, war pensioners and their dependants the protection we should be providing for them. I believe that all members

of the House would wish to provide for these people.

Unfortunately, the provision as it stands can raise little enthusiasm, because it does not do the things it should be doing, and because of that I pointed out carefully where the amendment fell down, because it was amending the protected persons section which did not provide the protection that should be provided as a result of amendments made to Part V of the Act. The Leader of the Opposition has again explained that position perfectly clearly. When the Premier rose to reply he did not adopt the attitude I believe a responsible Leader of the House should have adopted. Seeing that protection was lacking for people entitled to protection, he should have made provision to get around the position into which protected persons were being placed by section 55c. But no. The man who tonight has accused members on this side of playing politics proceeded to make a political explanation of the position, and when that explanation was clearly proved to be wrong and to have no basis whatever, he accused me, in a fit of pique, of having deprived protected persons of protection which they would otherwise have had. That was quite untrue, and I have never known politics played so low. The bitterness the Premier has caused as a result of this will take some time to clear from this House. Let him be advised that members on this side have never known anything so paltry.

The words used by the member for Enfield may have bubbled from his mouth, but there were thoughts in the minds of members on this side which were not very far removed from those expressed by him. I speak not only for myself but for many other members on this side on this matter. We are happy to see that there is this addition to the protected persons provisions. We beg the Government to see that it is made effective; unfortunately, as the Act stands at the moment, it cannot be.

Mr. LAWN—I do not know whether it is unfortunate for the member for Enfield or fortunate for myself, but following the Premier's remarks we rose at the same time to register a protest. During the course of his remarks the Premier accused me of indulging in a political speech. I make no apology for speaking as I do in this House, but I do not know what the Premier means by his remark. Every time it suits him he seems to get some satisfaction from accusing someone of indulging in a political speech. I resent the attack made on the member for Norwood, but will say no more about it because it has been dealt with by the Leader; but even after he made it plain to the Premier and the House that the member for Norwood was speaking with the full approval and on behalf of the Opposition, the Premier replied to the effect that once the Opposition introduced an amendment all members were free to move any amendment or raise any matter they liked. The Premier implied that even if the member for Norwood had made it clear that he was speaking for and on behalf of the Opposition, the Premier would still have brought his amendment forward. In other words, he was threatening the Opposition and telling us that if at any time we dared raise our voices and moved for any improvement in our laws which we thought would be of benefit to the people, his Government reserved the right to move to worsen those particular laws.

The Premier might be able to stand over the members of his own Party but he will not stand over Her Majesty's Opposition. We all know that he is sitting pretty on an electoral set-up which makes this Government a dictatorship, but he will not stop this Opposition from raising any matter at any time when we feel it is our duty to raise it. The Government is responsible for the legislation which it introduces, and it cannot tell the people that it is only doing something because it was first raised by the Opposition.

Mr. Heaslip—What clause is the honourable member speaking on?

Mr. LAWN—The honourable member for Rocky River would probably not know even if he were told. I am speaking on the clause introduced by the Premier to extend protection to servicemen. During the course of this debate the Premier told us exactly what he has told honourable members opposite, namely, "Do as you are told" or "Get out of the House." He will not tell the Opposition what to do, because we were elected by the people to act on their behalf.

Earlier this evening I urged the Government to make some provision with regard to section 55c, and I said that we should all be interested in giving the fullest protection to servicemen. We were then told that if we exercised our rights as members of Her Majesty's Opposition to attempt to improve the legislation as we think it can be improved in the interests of the people, the Government supporters reserved the right to move something to worsen that legislation. In other words, the Premier has told us that if at any time we move to improve the Workmen's Compensation Act his Government will move to worsen it. That is the threat he has

made to us. He will then say that the Opposition is responsible for the worsening of that legislation.

My language tonight has been most moderate and cannot be compared with the words used by the member for Enfield, but I assure members that I feel the same as he did on the subject. The Premier can make all sorts of suggestions about the member for Norwood and get away with it because it is done in Parliamentary language, but when another member speaks as he feels he is suspended from the House.

The Hon. T. PLAYFORD—On a point of order, Mr. Chairman, is the honourable member in order in reflecting on decisions made by the House?

The CHAIRMAN—No, the honourable member is not in order.

Mr. LAWN—I will content myself with saying that we should be able to expect more from the Government than the threats made here tonight. The people have to face up to the fact that until the electoral system is altered this dictatorship will always be foisted upon them.

The Hon. T. PLAYFORD—The honourable member seems to be under the delusion that the Government has made some threat about workmen's compensation.

Mr. Lawn—I said that the same threat could apply to it.

The Hon. T. PLAYFORD—The Government tonight has not been discussing workmen's compensation, electoral laws, or other matters which the honourable member has introduced into the debate. What I said and what I now repeat is that when the Government introduced this Bill it stated that it did not propose to make any fundamental changes this year, and was prepared to leave the position as it was. It is difficult legislation and there is always a difference of opinion as to the respective rights; there is a difference of opinion between members opposite and Government members, and there is certainly a difference of opinion between members on this side of the House on how far the legislation should go. We all have a slightly different idea of how much protection is necessary. The Government stated clearly that although on this side there were objections to the legislation it would do its utmost to re-enact it without substantial amendment. In the circumstances that was a fair offer, from the points of view of both sides. All legislation must be a compromise of views.

Mr. O'Halloran—There was not much compromise from the Government side.

The Hon. T. PLAYFORD—There was a great amount of it from this side. If I felt that to bring in an amendment would help the legislation I knew I would have the support of members behind me, who have been loyal to me. For years some of them have spoken against this legislation, but they have not embarrassed the Government by calling for divisions. The proposed amendment to section 55c by Mr. Dunstan was not within the scope of the Bill and it could be moved only after he had secured an instruction to the Committee. When a clause is opened up for consideration in this way members opposite must be prepared for Government members to move amendments to it. The Government did not try to worsen the position in any way; in fact, it tried to improve it and I think it has done so. Section 55c would not have been considered except for Mr. Dunstan's move.

Mr. Lawn—It did not take you long to draft your amendment.

The Hon. T. PLAYFORD—It took quite a time. When Mr. Dunstan gave notice of his intention to move in this way the Bill was placed at the bottom of the Notice Paper so that the Government could consider the position.

Mr. Lawn—That was not the real reason.

The Hon. T. PLAYFORD—It was. Another member spoke about a meeting in another place, but that had nothing to do with this matter, and the Bill was not mentioned. How it will be dealt with in the Legislative Council is for that place to show in due course. The discussion there will not be helped by tonight's debate. When a clause is before the Committee any member has the right to move an amendment to it. That is a right I shall always exercise, and any member of my Party can exercise it, too. The Government is anxious to see that those serving in Malaya and their dependants do not suffer from housing shortage. Irrespective of this legislation, Government policy has always been to assist people on active service.

The Government does not want to escape its obligations in this matter. I do not think members can doubt my sincerity in this regard. I have served in the forces and I have still some confidence in the Returned Soldiers League. This is controversial legislation and I suggest that in future consideration of it we do not get into the same position as we have tonight. We will never get included in the legislation all that everybody wants. The Government has been trying to pass legislation containing two sets of ideas which are far apart, but it is not easy to get unanimity

in such circumstances unless there is a large amount of compromise. If the legislation comes up again we must remember that it is compromise legislation and we should try to find justice in the conflicting interests.

Mr. O'HALLORAN—I would not have spoken again had it not been for the fact that the Premier keeps reiterating, of course in more moderate language each time, that the Opposition is really responsible for an amendment that will destroy the efficiency of this legislation. The real point is that section 55c was strenuously opposed by the Opposition when it was introduced last year, and we felt we were in duty bound to try to amend it on this occasion, and moved a contingent notice of motion accordingly. We do not object to the Government moving amendments, even if it does so under the umbrella of our contingent notice, but we join issue with the Premier when he tries to blame the Opposition for what he knows will be the effect of his amendment.

Mr. HUTCHENS—I support the clause, and the only regret of members on this side of the House is that it is not more effective in protecting the people it seeks to protect. I resent the Premier's statement that the opposition must be responsible for an amendment moved by the Government, for we cannot be charged with having done something wrong regarding the amendment to section 55c. We have the right to try to amend legislation to effect desirable improvements, and that is what we have done on this occasion. We realize the Government has the right to move amendments. We must accept the responsibility for our amendments, and the Government should not try to pass its responsibility on to the Opposition for any of its amendments because it fears the consequences.

Mr. RICHES—Mr. Dunstan brought home to the Premier that the effect of this amendment to section 55c would not be what the Premier thought it would be because it would nullify most of the benefit it seeks to confer upon members of the fighting forces. I resent the Premier's statement that if soldiers had lost anything as a result of section 55c Mr. Dunstan and the Opposition were responsible. Members on this side of the House cannot be blamed for expressing their resentment in the strongest possible terms. I was amazed that the Premier made that charge, and because of that I took the action I did when resentment was expressed from this side of the House. I did not hear any reference to the Premier personally. The reference I heard was to the action being taken in blaming the Opposition for any loss that soldiers had suffered. The prestige of the House has not been enhanced, and I want the blame laid at the proper source.

The Premier was quite correct when he said that the responsibility for the reconsideration of the effect of section 55c lies with the Opposition. We opposed that provision last year because we were convinced it was wrong, and we wanted to right it, but we have not been able to persuade the Government to agree with us. We did not express any resentment at the Premier moving his amendment. We opposed it, but that is our prerogative. We made an honest attempt to right a wrong, and it does no one any credit to cast aspersions on the motives of members on this side.

Mr. HAMBOUR—This measure has now become almost a plaything and is being used by members opposite as a means of putting the Government in a bad light. I think I speak for the backbenchers of this side when I admit that we do not like this legislation but support it to help the Opposition and those they represent. What appreciation have they shown? Mr. Dunstan indulged in a tirade and another member opposite wearied the House for over an hour.

The CHAIRMAN—Order! This is not a second reading debate.

Mr. HAMBOUR—I realize that. I support the clause. I think I am justified in speaking on behalf of the backbenchers on this side of the House who all support it and the entire legislation.

Mr. Frank Walsh—Have you divisions on your side of the House?

Mr. HAMBOUR—We try and be fair to the whole community. I have never encountered such a one-eyed Party in all my life as that opposite. The backbenchers do not like this legislation, but we are trying to grant concessions for the Opposition and if it were as fair in its attitude as we are, we would not be here now at this late hour. Members should try to appreciate the viewpoint of others. I realize that the Opposition has a cause to fight and endeavours to do the best it can for the people it represents, but that can be taken too far.

New clause 2b inserted.

Title passed.

Bill reported with amendments.

ADJOURNMENT.

At 1.15 a.m. on Thursday, October 25, the House adjourned until 2 p.m. the same day.