HOUSE OF ASSEMBLY.

Wednesday, October 31, 1956.

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

QUESTION.

NORTH ADELAIDE RAILWAY CROSSING.

Mr. COUMBE—Has the Minister of Education a reply to my question of last week concerning automatic traffic gates for the North Adelaide railway crossing?

The Hon. B. PATTINSON—The Minister of Railways states:—

The Railways Commissioner reports that the installation of automatic gates at North Adelaide, to replace the hand-operated gates, has been considered, together with the claims of other busy crossings, but it is intended to give priority to other more urgent installations. He also points out that although the installation of automatic gates does increase the capacity of a crossing for road traffic, the increase is so small that the project could not be recommended on that ground alone.

INDUSTRIAL CODE AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 3. Page 856.)

Mr. FRED WALSH (West Torrens)—I support the Bill and am actuated by the same motive as actuated other Opposition members who have spoken in this debate. We are following a guiding principle of the trade union movement in opposing the imposition of penalties for striking. The Australian trades union movement believes, as do most workers throughout the world, in the right to strike. In opposing the Bill the Premier said that no one ever achieves anything by introducing a Bill that will be rejected, but if members on this side were to follow that line to its logical conclusion it would be a waste of time for them to introduce any legislation. Indeed, such legislation of any consequence invariably shares that fate because of the unfair electoral set-up in this State.

I am reminded of an ancient Greek custom whereby any member of the popular assembly desiring to sponsor a Bill was mounted on a platform with a rope tied around his neck. If the Bill passed the rope was removed, but if it did not, the platform was removed. Generally speaking, I think that is the position of members on this side who introduce legislation.

The Premier's main argument was that action taken by the Chifley Government in 1949 was aimed against workers with the object of breaking a strike, but I point out that on that occasion there was reason to believe that the dispute was instigated by Communists and it was only because the great bulk of trade unionists throughout Australia felt the same as the Chifley Government about the dispute that the Government's threat of penalties against strikers was effective in ending the dispute. Indeed, but for strong trade union action by the members of the New South Wales branch of the Australian Railways Union the attempt to end the dispute might have failed.

On that occasion certain workers tried to coerce the Commonwealth Government to accede to certain demands at the expense of the rest of the community, but Opposition members in this Parliament would never subscribe to such a policy. That does not, however, take away the worker's inherent right to strike. Certain laws in the United Kingdom may be used against strikers, as Mr. Chifley used Commonwealth laws on that occasion, but action cannot be taken in the United Kingdom against a person engaged in a strike in private industry. That principle also applies in the United States of America, and it must be remembered that the number of strikes each year per thousand of population does not vary very much between Australia, U.S.A. and the United Kingdom. That proves conclusively that the threat of penalty is not a deterrent, as has been suggested by at least one speaker in this debate.

True, legislation in some of the other States contains penalty clauses. Victoria, Western Australia and Tasmania have legislation similar to ours, but the New South Wales and Queensland Acts contain certain provisions which, if implemented, would legalize a strike, for they provide that, if the union concerned conducts a ballot of all members and a majority vote for the strike, such action makes the strike legal, although that may not be expressly stated in the Acts. Victoria, Tasmania and Western Australia have provisions on penalties for strikes and those instigating strikes, or any act in the nature of a strike, which are similar to our own, but the legislation of New South Wales and Queensland contains provisions for legal strikes because at various times Labor Governments have been in power in those States. Those Governments were able to give effect to Labor policy, but what is the position in Tasmania, Western Australia and Victoria? There the set-up is identical with that in South Australia, for the Legislative Council in those States has always

been controlled on the same lines at it has been here, and when Labor has been in office in the lower House it has not been able to give effect to a fundamental principle of the Labor movement—the right to strike under certain conditions.

The member for Burra (Mr. Quirke) said we must have penalties laid down in order to enforce our laws. Obviously, he has not examined the provisions of the Industrial Code, for some of the penalties prescribed are so vicious that if an attempt were made to implement them there would be a public riot. If an attempt were made to fully implement them there would not be sufficient gaol accommodation in this State; and in fact no attempt has been made to give effect to them except on very unusual occasions. Except for the recent case concerning the Plasterers' Society the only other prosecution for striking that I can recall occurred as long ago as 1926 as a result of a dispute on the building of the State Bank's offices in 1925. The contractor was employing non-unionists and the building trade unions declared the building black. As a result, the president, secretary and organizer of the union concerned were charged with advising the men that if they did not withdraw from the job certain consequences would follow.

The contractors, Muller and Muller, laid a complaint in the court, but the case was not finalized until 1927, and then only after a case had been stated for an opinion of the Supreme Court. In that case the charge was laid against officers of a union, not against a union itself, as in the case of the Plasterer's Society. I think the prosecution in the State Bank case was laid under section 129 of the Code, and I do not think that section is mentioned in the Bill. Like other members on this side of the House and people associated with the trade union movement, I feel that an injustice was done in the Plasterers' Society case, but I do not wish to unduly reflect on the court. That case was laid under section 102, which provides:—

> Any association of employers or employees which for the purpose of enforcing compliance with the demands of any employers or employees, orders its members to refuse to offer or accept employment, or to continue to employ or be employed, shall be deemed to do an act in the nature of a lockout or strike, according to the nature of the case, whether a lockout or strike actually takes place or not.

The informant in the Plasterers' Society case was the Chief Inspector of Factories, and he relied entirely on that section. The basis of the charge was a circular issued by the society, which stated:—

> At the special summon meeting of solid plasterers resident in the metropolitan area held on July 16, 1954, the following resolution was carried:—
>
> > As from September 1, all plasterers to be allocated only to employers who will enter into agreements to employ under the conditions of the Plasterers and Terrazzo Workers Board Determination, plus a minimum wage rate of 9s. 3d. per hour.
>
> It was also resolved—that the conduct of the campaign be left in the hands of the management committee.

Actually, that had nothing to do with a strike, but it was linked up with that all-embracing term, "an act in the nature of a strike." If one carefully reads the Industrial Code and judgments that have been given from time to time he will find what a dragnet term that is, and the application of section 129 is particularly wide. It states:—

> Every person or association who or which is directly or indirectly concerned in the commission of any offence against this part of this Act, or incites, instigates, or counsels, or aids, abets, or takes part in, or encourages the commission of any such offence, or the continuance thereof, shall be deemed to have committed that offence, and shall be punishable accordingly.

I am not so much concerned with strikes as with actions that may be associated with a strike and for which a union or person can be prosecuted. When he was dealing with the Plasterers' case the President of the Industrial Court, Judge Pellew, referred to the State Bank Building case and held that there need not be a demand in express words, but that it could be inferred from the circumstances of the case. The State Bank Building case was referred to the Supreme Court for an opinion and it is interesting to quote from that opinion. The Supreme Court held that:—

> Where several persons combine to have something said, naturally one only will speak at a time, but if he says the agreed thing while the others stand by him his so speaking is the act of all.

In other words, if a group of men agree to say something and one says it while the others stand by, they are just as guilty as he. I do not doubt that that is right in law, but I draw members' attention to the all-embracing nature of this section of the Code.

After hearing all the evidence in connection with the State Bank Building case the court finally determined that there was no case upon which it could convict and the president, secretary and organizer of the union were discharged and costs were awarded against the employers. In the Plasterers' case action was

taken to secure different contracts for different employees with different employers at rates above the award rate. There is no right of appeal against the decision of the Industrial Court and if an information is laid against any person or persons for a breach of an award the President of the Industrial Court determines the issue. Is that just? We hear much about British justice, and some members have referred to the justice applying in other countries where I would not like to be living, but the fact remains that this position is not just.

Mr. O'Halloran—British justice has become shop soiled through bad usage.

Mr. FRED WALSH—I agree. In London recently a man and his wife were fined £10 for picking a flower worth 8d. from another person's garden. The flower was removed from a garden in Kensington, but I suggest that if it had been picked from a garden in the East End nothing would have happened. That is not British justice, and there was no British justice in the Plasterers' case as compared with the State Bank Building case. If one union was guilty the other was guilty. Let us consider what can be regarded as "stoppages of work" and not strikes against an award. There are numerous factors that may cause a dispute on a job, and all the employees concerned are liable to a penalty under the Code. It may be that a group of men are working with a man who is not a member of the union; the men may act spontaneously in an effort to compel him to join the union. There may be on a particular job a tyrannical foreman who, unknown to his employer, acts in such a way that the men resent him; like most Australians they resent being pushed around. They stop work and before we know where we are there is an industrial stoppage in that particular establishment and ultimately in that industry throughout the State. Another cause for men stopping work occurs when an employee is victimized, sometimes because he is a prominent member of a union. Mr. Millhouse suggested that the employers and not the employees were not safeguarded by the Code. It is most difficult to prove that an employer has victimized an employee because he is prominent in the union. The employer does not openly say, "You can finish up next week. You have too much to say in your union." He finds fault with the employee's work over a lengthy period and then dismisses him as an unsatisfactory worker. How can it be proved that he has victimized the worker? It may be possible if done straight away, but it is difficult when he waits a fair time before taking action. The employer has everything on his side. We do not deny him the right to a lockout, but the worker should have the right to say whether or not he will work under certain conditions. Employers have ways of forcing people into their associations, and no doubt members opposite have had experience in this matter. If they refuse to link up with the association there are ways of forcing them to do so, such as restricting supplies of goods to them, or withholding the rebates that were mentioned by Mr. Hambour. Really, there is no difference between the rights both parties have in the matter of strikes and lockouts. Mr. Millhouse said:—

> The principle upon which I oppose this Bill is that our conciliation and arbitration system is compulsory. Under our Industrial Code, which embodies that system, many rights are given to the workers and a great many duties placed on employers. In nearly every case those duties have been loyally carried out and only infrequently has an employer or employers' organization broken the provisions of the Code. In other words, under the Code the bulk of the duties are on the employers, whereas the bulk of the rights and privileges are with the workers. The only thing that employers are entitled to expect in return for their duties is that workers will work. That is all these provisions guarantee to them.

What a noble statement! The honourable member has not had much experience of life. He has not been on this sphere long enough to gain much knowledge about industrial matters, yet he makes such a statement. If Mr. Millhouse's age contained one year for every case I could refer to him, he would be as old as Methuselah. Not a day passes without employers deliberately setting out to evade the provisions of awards and determinations, but because of the inadequacy of the staff of the Factories Department it is not possible to have them policed as effectively as they should be. In my early years in this place I told the Government that there were insufficient inspectors in the department to enable the work to be done as it should be. Whenever there has been a conviction against an employer the penalty has been so small that it has not been a deterrent. I speak of the smaller employers, for I do not think that larger employers are concerned to any extent, although I could quote one classic case. Smaller employers find it advantageous to break awards. They will offer an employee 5s. to 10s. a week above the award rate, but the employee is expected to forget all about overtime rates, and over a period the employer would be indebted to the employee. When he is convicted there is only a

small fine and soon the thing goes on again. Mr. Millhouse also said:—

The fact is that the very presence of these provisions is an effective deterrent and has resulted in industrial relations in South Australia being satisfactory, on the whole, and if we removed that deterrent the position would not be as satisfactory.

I think the Industrial Code was first passed in 1910 or 1911 and that it was mooted by the Price Government prior to that. Later it was amended by a Liberal Government to include some of the present obnoxious sections. Down through the years the only two cases I recall in which they have been invoked are those I have mentioned. No one will say that there have not been innumerable strikes and there will continue to be strikes so long as employees do not get justice from the courts. The suggestion that these sections act as a deterrent is ridiculous for, when people are fighting for what they consider to be their just rights there is no such thing as a deterrent.

Previous speakers have referred to sections 99 and 103, and I point out that an individual may be punished more heavily than an association, because an association cannot be imprisoned, but merely fined, whereas an individual may be fined up to £500 and imprisoned for three months. Section 104 provides for a fine of up to £20 or imprisonment for three months in the case of picketing. What does picketing mean? It is the peaceful prevention of the employment of a person on work normally done by the striker. Picketing is a normal practice in the United States of America. When I was there in 1945 strikes were being conducted in most cities and towns of considerable size that I visited, and in all of them picketing was carried on. In Chicago, where the employees of a big departmental store were on strike, unionists walked up and down in front of the store carrying sandwich boards reading, "This store is unfair to union labour." The only action taken by the police was to keep the unionists moving. Picketing is harmless but effective, yet in this so-called Christian and civilized country of Australia a penalty of up to £20 or three months' imprisonment is imposed on people who carry it out.

The basis of the Bill is the principle of the right to strike, which is taken away by the sections deleted by the Bill. Any workman, whether a wage earner or a salary earner, should have the right to say to whom he will sell his labour. Surely he is entitled to the best price for it, because it is all he has to sell and, in the main, the employer determines how much he will pay.

In 1949 I was a delegate to the conference of the International Labor Organization at Geneva where the whole question of industrial relations was placed on the agenda. A recommendation was submitted to groups comprising representatives of Governments, employers and employees in the workers group; together with many other employees' representatives, I supported the insertion of a clause concerning the right to strike, but unfortunately, delegates from such countries as the United Kingdom, the United States of America, France and Belgium opposed its inclusion because, although they agreed with the principle, they did not wish to jeopardize the chance of the rest of the motion, which concerned such subjects as freedom of association and freedom to contract agreements. A thorough overhaul of the Industrial Code is long overdue. Indeed, the only amendment of any consequence made during the last 30 years was the 1949 amendment providing for the automatic application of the Commonwealth basic wage as the living wage for workers under State awards in this State. Opposition members believe that the Code should be brought up to date to conform with modern thought and practice.

Mr. O'Halloran—It has caused many workers to seek redress in the Commonwealth Court.

Mr. FRED WALSH—Yes. About 1922 the Barwell Government notified its intention to scrap the Code, and it was only as a result of a mass demonstration in front of this House by the trades union movement that the Code was retained. The workers of those days believed it was worth retaining, and I still believe it is. I have been able to influence members of the union with which I have been associated for many years to retain their association with the State Court, although other sections of the Federal body have applied to the Commonwealth Court. Industrial procedure in South Australia is more simplified than under the Federal system, and produces better results. Furthermore, there is better relationship between employer and employee under State awards and determinations, particularly wages boards determinations.

I have referred to the question of right of appeal and the right of the President of the Industrial Court to determine the penalty when any unions or persons are convicted for a breach of the Industrial Code or any award of the court, despite the fact that in the final analysis the President makes the award.

However, about 12 to 18 months ago the Federal Arbitration Court fined a union (I think it was the Boilermakers' Society) £500, but on appeal to the High Court it was found that the Arbitration Court did not have jurisdiction to impose that penalty. As a result, the Federal Government revised the whole framework of the Federal Arbitration system and today we have the Commissioners, who are the highest judicial body; the court, which determines major questions, such as the basic wage, working hours and long service leave; and the Conciliation Commissioners, who deal directly with representatives of employers and employees.

I do not know what the legal position would be in South Australia if an appeal were made against a penalty, but the State Court has both arbitrary powers and judicial powers, and that is a matter that should be carefully examined. If our industrial laws hamstring the workers in their efforts to get wage justice the unions may change their attitude towards the arbitration system and resort to what is known as collective bargaining. I have had considerable experience of both methods for the past 35 years, and I prefer collective bargaining because I do not know of any dispute arising out of private agreements made between employers and employees.

Mr. Riches—How does collective bargaining work with small groups of employees?

Mr. FRED WALSH—Negotiations are conducted on an industry basis, and it is expected of the employer that he will accept the ruling wages and conditions obtaining in the industry. That method has been generally accepted in the United States of America, where employers and employees would not have a bar of arbitration as we know it. I was in America in 1945 and was invited to address the Constitutional Club on arbitration in Australia. Mr. Olly Oberg who was the Federal Secretary of the Australian Employers' Federation, took the employers' side and I took the employees' side. We had an interesting discussion and afterwards had dinner with an American employer. He appreciated the discussions, but said he still preferred collective bargaining.

If we do not overhaul our industrial laws in the light of modern conditions the unions will consider whether they shall continue to work under them. The member for Mitcham (Mr. Millhouse) might say that we have compulsory arbitration, but no matter how much we may try to coerce people, if they decide to break away from arbitration no law will compel them to continue to accept it. I do not make that statement as a threat, but as an appeal to the Government to consider appointing a committee representative of employers and employees, and perhaps the court, to remodel the Industrial Code so that it can be fully considered next session.

Mr. O'HALLORAN (Leader of the Opposition)—Many worthy contributions have been made from this side of the House in support of the Bill, not the least worthy being the excellent speech we have just heard from the member for West Torrens (Mr. Fred Walsh). Whether or not members opposite agree with his views, they must concede that his long experience in industrial matters requires that more than ordinary consideration should be given to his remarks. For that reason it would be idle for me to try to add anything to his effective arguments and his most cogent retorts to the excuses offered by members opposite for their failure to support the Bill.

The trade union movement and the Australian Labor Party believe in industrial peace, and if the Government desires to enhance the prospects of maintaining industrial peace it will heed the appeal of the member for West Torrens for the appointment of a committee to overhaul the Industrial Code so that we may consider amendments next session to bring it up to date. We believe that conciliation, rather than arbitration, is the highroad to industrial peace and that the threat of imposing penalties is a deterrent to it. When a dispute arises the Employers' Federation and all who speak for the employing classes threaten the workers with prosecution and punishment. That is not the way to achieve industrial peace. If these penalties were removed—and they are not only unnecessary but inimical to the working of this legislation—we could get employers and employees together around a table in a conciliatory frame of mind to resolve their differences. I sincerely hope the second reading will be carried.

The House divided on the second reading:—

Ayes (12).—Messrs. Bywaters, John Clark, Corcoran, Davis, Fletcher, Jennings, Lawn, Loveday, O'Halloran (teller), Riches, Tapping, and Fred Walsh.

Noes (19).—Messrs. Bockelberg, Brookman, Geoffrey Clarke, Coumbe, Dunnage, Goldney, Hambour, Heaslip, Heath, Hincks, Jenkins, King, Laucke, Millhouse, Pearson, Playford (teller), Quirke, Shannon, and Stott.

Pairs.—Ayes—Messrs. Stephens, Hutchens, and Frank Walsh. Noes—Sir Malcolm McIntosh, Messrs. Harding and Pattinson.

Majority of 7 for the Noes.

Second reading thus negatived.

MINING INQUIRY.

Adjourned debate on the motion of Mr. Loveday.

(For wording of motion see page 846.)

(Continued from October 24. Page 1186.)

Mr. JENNINGS (Enfield)—I wholeheartedly support this motion and pay a tribute to Mr. Loveday for the way he introduced it. He had the rare privilege and responsibility of introducing as his first motion in this House this major matter and I think all members will agree he did so in a way that reflected great distinction on himself and great credit on the Party he represents. Among the many notable speeches from this side I shall be pardoned for mentioning particularly the speech of Mr. Riches. I believe it could be referred to as the highlight of the session. He has tremendous knowledge of this subject, born of many years of extensive study and interest, and we are indebted to him for giving us the benefit of it.

I think we can continue this debate on the assumption that it is unanimously agreed in this House that our iron ore resources are not being used in the best interests of the State. The remarks of all members who have spoken—not only on this motion, but on similar measures on previous occasions—would amply support that assumption, even if the House had not in 1953 unanimously carried a motion "that it is desirable to establish a steelworks in the vicinity of Whyalla." If additional evidence is required, the members need only refer to the Premier's numerous answers to questions. On all occasions members were told about his negotiations with the Broken Hill Proprietary Company to secure a better deal for South Australia. That presupposes that the deal we are now getting is not fair, and that is not denied by any member.

The Premier and other Government members, in speaking to motions on this subject introduced by the Opposition, have invariably opposed whatever we have suggested to break the stalemate, but they have proposed nothing and done nothing. The Government adopts Mr. Micawber's attitude that something will turn up. It has not turned up and, as Mr. Riches pointed out, whilst all this dithering, irresolution and procrastination is going on, time is running out and our iron ore deposits—which are not the property of the company but the heritage of this State—are rapidly being dissipated. They are being sacrificed to what can only be described as the insatiable rapacity of a giant monopoly. Whilst we permit this to continue we cannot regard ourselves as other than recreants to the trust the people put on us when they elected us to this House. This motion has been moved so that something may be done, even at this late stage, to ensure that our valuable assets are preserved. It merely proposes the appointment of a Royal Commission. There are a thousand and one recommendations which that commission might bring back to Parliament, but we are only wasting time—and I regret that much time has been wasted in this respect—if we prejudge what those recommendations might be or if we suggest that we should not appoint a commission because it might bring down some recommendation that does not suit us.

Another argument used by members opposite against the appointment of a commission is that any such action inevitably implies interference with the company or its leases. Mr. Riches conclusively proved that this is not necessarily so, but even if it were, could not the same inference be drawn from the statement in the Governor's Speech in opening Parliament last session that the Government was not prepared to acquiesce in the present unsatisfactory position? His Excellency also said:—

> My Government will appoint an expert committee to advise what measures can be taken to ensure that South Australia shall derive adequate benefit from its iron ore deposits.

That is not only an unequivocal admission that we are not getting satisfactory benefits from the deposits, but similar in principle to the Opposition proposal. In this statement there was the possibility of the inference that the company or its leases might be interfered with. Why didn't the Government then, as it pretends to do now, express the fear that the company might take umbrage? Was the statement included to appease public opinion? Why worry if action by this Parliament should offend the company? Is it seriously suggested that Parliament should refrain for ever from taking action because it might offend someone who is important? How much longer must we quake at the feet of this mighty company?

We recall the statement that the Premier mentioned in last session's Address in Reply debate. Every member who heard his remarks felt deeply for him, not because of the language in which the statement was couched, but because we could understand the Premier's humility in seeing himself strangely as a lilliputian and not a giant. If the company should take offence at any action of Parliament are the members of this Parliament to be so pusillanimous as to shirk their duty? We

are here to represent the people, not the company. When the interests of one run counter to the interests of the other, as they do on this occasion, it is our duty to see that the interests of the people prevail. Because of the way the motion has been misrepresented I hope I will be pardoned for reiterating that it provides not for the cancellation of the iron ore leases or amendments to the Indenture Act, or, as members opposite choose to call it, repudiation. It merely asks for a Royal Commission to inquire into the whole matter and to submit recommendations to Parliament. Government members have wilfully confused the issue by seeing beyond an inquiry by a commission to a desire on the part of the Opposition to break an agreement. This may be due to an instinctive fear that the weight of evidence must inevitably cause the commission to recommend some such action. If that is so then our friends opposite may be excused for what they have said. And even if it did come to a cancellation of the leases or an amendment of the Indenture Act, would that be such a frightful thing?

Let us not regard the company as untouchable, but face the facts. The company enjoys an invaluable concession from Parliament. It has been established beyond doubt that Parliament agreed to the concession feeling certain that as a consequence steelworks would follow. It is also beyond doubt that the company is morally bound by the undertakings given by its highest officers at the inquiry that preceded the consideration of the Indenture Act. If that is so, and I believe it is admitted by all sides, morally the company has not played the game. That is sufficient reason in itself to justify any action we may take to re-assert the rights of the people. It is admitted that the company is not legally bound by the Indenture Act to do more than it is doing now. That shows that the Parliament that passed the Act made a mistake. If that Parliament could have foreseen the untoward circumstances that would follow and the present unsatisfactory position, I do not think it would have agreed to the Act.

We are told that because one Parliament made a mistake the thing must be carried on in perpetuity. How often does Parliament pass a law and then learn from a legal scrutiny that it is not doing what was expected of it? We do not allow that law to continue, but amend it as soon as possible. Breaches of agreements by Parliament with people and other organizations are not regarded with the same profound horror as is shown at a suggested breach of an agreement with the company. We do not see the present Government showing the same distaste when it breaks agreements in other legislation. Is there any difference between action taken as the result of recommendations of a commission and the action that was taken in regard to the Adelaide Electric Supply Company? Action was taken against that company because the interests of the people justified it; and Parliament would be similarly justified in taking action against the B.H.P. Company in accordance with recommendations of the commission.

Many cases could be mentioned to encourage us to believe that a holy attitude is adopted by the Government only when it is suggested that we amend the agreement with the company. I do not recall any impassioned opposition by the Government when the lesser people were likely to be affected by Government action. I cannot recall one member protesting and saying he would rather step down from public life than allow that sort of thing to continue. When the construction of the Tonsley railway spur line was discussed last year and certain people had to be dispossessed of their homes, not one member said he would rather step down from public life than agree to it. Perhaps the homes of people are one thing and the company is another. We do not hear such high-sounding phrases as "sacred undertakings" or "solemn obligations" thrown around when the interests of lesser people are being considered by Parliament.

This session we had a Bill to amend the Enfield General Cemetery Act. If it is good enough for Government members to use the word "repudiate" it is all right for members on this side to do so. The Government repudiated the agreement it made some years ago with that cemetery trust. The Government said that it would make a certain sum of money available at a certain rate of interest, but this session a Bill was passed increasing the rate before the money originally voted by Parliament had been paid in full. If that is not a breach of agreement with an outside body then what is? It should have merited the strongest censure from members on the other side, but they supported it because it was in the public interest to do so. Exactly the same reasons would justify an amendment of the Indenture Act. Innumerable examples could be given of this type of action. The purpose of the Chaff and Hay Acquisition Act of 1944 was to enable the Minister to compulsorily acquire chaff and hay within the State. Surely that interfered with the rights of people more than

any recommendation of the proposed commission would with the rights of the company. One of the most far-reaching pieces of legislation in this category was the Land Settlement Act of 1948, which gave power to compulsorily acquire land. Despite considerable opposition, it was passed by both Houses. The opposition to it was of such a nature that one member brought into the debate nasty innuendoes about Communist tactics, and he received a scathing denunciation from the member for Glenelg. It was carried because the Government felt secure in the belief that it was serving the interests of the State. Where is the difference in principle if a similar action ought to be taken against the B.H.P. Company?

The concluding remarks of the then Attorney-General (the late Hon. R. J. Rudall) in explaining the Land Settlement Bill in the Legislative Council, whether applied to that legislation, this motion, or any similar matter, might well be the test to apply as to whether something was moral or immoral for Parliament to do. He said:—

> The Government admits that the only justification for taking a man's land is that some substantial public benefit will result from that course of action. In this case I put it to the council that the interests of the returned service men, and of other South Australians who are seeking to enter agricultural and pastoral pursuits, and the interests of the whole Commonwealth from the point of view of building up our population and defending our country, both demand and justify a power of acquisition by the Government.

The same sentiments could be used to justify any action that might have to be taken as a result of the recommendations of the proposed Royal Commission. It is astonishing to see Government members raise their hands in holy horror when Opposition members suggest something that might impinge on the so-called rights of the company. Apparently the Government has different sets of principles to apply to different cases, which is tantamount to saying it has no principles except one—that the B.H.P. Company must always be sacrosanct.

The Indenture Act, however, is just another Act, and no one has dared to say that this sovereign Parliament cannot repeal or amend it if it wishes. Indeed, there is no Act that does not confer benefits on some people and impose obligations on others. Are we to take it that once an Act is passed, those benefits conferred and those obligations imposed, the thing remains in that state for all eternity? Of course not! Members well know that Parliament is constantly amending legislation. Indeed, little original legislation is introduced these days and it seems that almost everything on which it was possible to pass an Act of Parliament was covered by legislation years ago, for 99 per cent of the legislation introduced today merely amends an existing Act. Yet we do not claim that by passing such amendments we are interfering with an agreement entered into by a previous Parliament. If we advanced that argument how absurd it would be! We would get back to the position where we might as well not elect a Parliament because we could not interfere with the legislation passed by previous Parliaments.

At this stage members should ask themselves where they stand. We have been told of negotiations between the Government and the company, and promised time and again that the solution was just around the corner, but, like prosperity, it is still just around the corner. We have been told that the Government is not willing to acquiesce in the present unsatisfactory position, but what is going on today? We have heard no proposals lately and apparently the Government does not know where to go, but the Opposition has now given a lead, and by passing this motion Parliament can set moving something which could, even at this belated hour, achieve for us what we have been missing out on for so long.

I believe that the Government's reluctance to agree to the Opposition's constructive and helpful proposals amounts largely to the old familiar attitude: "If I can't do it then no one shall. If I didn't think of it then it is no good." It is from that attitude that this State is suffering so grievously today, not only in regard to this matter, but in regard to many other matters. It shows the barrenness of building up a completely political dynasty on nothing more inspiring, illustrious or noble than self-aggrandisement and self-exultation, for no other policy has been constant or recognizable in the two decades this Government has occupied the Government benches. We have a hybrid hotch-potch with free enterprise as a basis, fortified by some weird, mongrelized form of Socialism that is revolting to the senses of any student of politics. It is no wonder that, as a result of this, all sections of the community in this State are dissatisfied today.

The promised failure of this motion is just another manifestation of the malignant disease that is paralysing and atrophying every section of the body politic and reaching its culmination in the megalomaniac tendencies we have seen exhibited recently when even the official Opposition is not expected to oppose. This situation

is redolent of Louis XIV: "The State—it is I."

I commend this motion to the House. It is designed not to advance the interests of Party politics, but to perform the best service we can for the people we represent by ensuring that the beneficence of Providence is preserved for the people who really own the iron ore and should enjoy its use to the full.

Mr. QUIRKE (Burra)—I do not wish to cast a silent vote on the motion. I see no objection to supporting a prayer to appoint a Royal Commission to inquire into and report on this matter, for South Australia is gravely situated at present in respect of her iron ore deposits. If a mistake was made in the Indenture Act one side should not sit by complacently and allow the other to benefit from something that acts to the detriment of South Australians, nor should the people who benefit from it continue to accept those benefits.

We are often told that conditions are constantly changing and we hear constant appeals to change the Australian Federal Constitution, which was framed 50 years ago when conditions were vastly different from those operating today. The effluxion of time may warrant a change, and the same principle applies to practically every contract which at the time of signing was thought to be a good one. Indeed, organizations constantly change their rules to meet changing conditions, and in view of the pressing need for something to be done to conserve our high grade iron ore deposits I see nothing wrong in conducting an investigation into the problems concerning a more equitable distribution of the proceeds from our iron ore resources. Therefore I support the motion.

Mr. LOVEDAY (Whyalla)—The member for Enfield (Mr. Jennings) touched the pith of the problem this afternoon when dealing with the general aspects. Members opposite who have spoken in this debate seemed to experience considerable difficulty in opposing the motion, and that difficulty is a compliment to the soundness of the case for a Royal Commission. When explaining the motion I was anxious to present accurate statistics, and I now wish to correct one matter to which the member for Torrens (Mr. Coumbe) drew attention. He said that I had claimed that the iron ore at present being sent from Iron Knob represented 99.5 per cent of the Australian production of iron ore. I should have said that it was 99.5 per cent in 1951. He also pointed out that some ore is now coming from Yampi Sound in Western Australia and that the iron ore from Iron Knob now represents only 87 per cent of the total production, and I agree with him on that point; but that does not assist his case concerning production costs, because the ore from Yampi Sound must go through a sintering process before it can be dealt with the same as the ore from Iron Knob; therefore a higher cost of production is involved and the figures throw a more favourable light on the proposal for a steelworks at Whyalla compared with the existing steelworks at Newcastle, which uses iron ore from Western Australia.

Much has been said in this debate about the report this year by the Director of Mines (Mr. Dickinson) concerning Australian imports of steel. Government members, including Mr. Coumbe, have sought to discredit Mr. Dickinson's reports, particularly from the economical and statistical point of view. However, I found that no point of theirs could be substantiated, except one. I shall deal with that first and then with other points that they raised to show that their attempts to discredit the Director's reports had no basis in fact.

The member for Torrens (Mr. Coumbe) said the Director of Mines stated that the average imports per annum over the five years 1950 to 1955, excluding tinplate, prefabricated, fabricated and semi-fabricated steel, were approximately 800,000 ingot tons per annum. He said he had examined the source of the Director's figures, which was "Commonwealth of Australia, Survey of Selected Materials, January, 1956, Department of National Development." He said he had found it was apparent that the Director had not excluded tinplate in calculating that import figure, thus swelling his equivalent figure by 200,000 ingot tons per annum. I obtained that survey and checked corresponding figures in the Commonwealth Bureau of Statistics Bulletin for 1954-55, and found that the tinplate figures in that bulletin were approximately the same as those in the survey, so we can take those as correct. If the honourable member had taken the trouble to add the tonnages of tinplate he would have found that they totalled 654,908 tons for the years concerned, an average of 130,981 tons per annum.

If he had converted those figures to ingot tons it would have given him 174,641 tons; so, in his desire to find fault with the Director of Mines he was himself about 25,000 ingot tons out. Of course, there is an obvious reason for the error he found in the report of the Director of Mines, and I stress that because it

is most important that the reports of the Director should not be discredited in this way. I am sure he took his figures from the survey, and in the first paragraph after the heading "Imports and Exports" comes the phrase "Just before the post-war production, except for tinplate." A little later it states, "It will be noted that imports, excluding tinplate, totalled so much."

It is reasonable to assume that the Director, or his officers, took those figures from those sources and compiled tables as a consequence, and that would explain a small error in the Director's report. However, that does not invalidate his subsequent financial calculations, although the member for Torrens tried to show that it did. I shall turn to other material showing conclusively that the Director's financial calculations that we have paid about £100,000,000 more because we have had to import iron and steel in the last five years were justifiable. In his report for 1954 the Director set out a summary of production of import and export quantities of steel products in Australia and the import expenditure differential. His figures were evidently taken from the Commonwealth Bureau of Statistics reports, for I have made a sample check and they all correspond.

Eleven items are mentioned, and they do not by any means exhaust the various kinds of iron and steel imported into Australia during those five years. The import differential, which is the additional cost incurred in importing steel, amounted to nearly £72,000,000 for those 11 items. That excludes tinplate and all fabricated, semi-fabricated and pre-fabricated materials. The Director obviously made his estimate of £100,000,000 as the amount we have paid additionally for imports on a conservative basis, and his small error in no way invalidated his financial conclusions.

The *Australian Mineral Industrial Review* of 1955 reinforces the conclusions in the Director's report. In that review, in addition to the consumption of finished steel, it is made clear that the consumption of finished steel products in Australia was about 2,200,000 tons in 1954-55, and only 1,500,000 tons was available from local production, the balance being met by imports. That means we imported the equivalent of 700,000 tons or 933,000 ingot tons in that year. That also substantiates that the Director's report was quite sound statistically. His reports have come to hand over five years, and they are full of statistical information. The sources of his information were given, and it is remarkable, though members opposite have scrutinized them with a microscope in order to find fault with them, they have been able to find only one small error, which does not invalidate the Director's conclusions.

I shall now pass on to the general attack made by members opposite on this motion. They seem to forget that the motion asks for something similar to what the Government proposed two years ago, namely, the appointment of an expert committee to inquire into the whole aspect of what has happened in relation to the Indenture Act and our iron ore resources. Government members at that time expressed their dissatisfaction with the situation and said they could not acquiesce in it, yet they are literally and metaphorically holding up their hands in horror at the thought of an inquiry along the lines we are suggesting. Are they so convinced that the B.H.P. Company has not honoured the spirit, if not the letter, of the agreement? Are they afraid of what a Royal Commission may find?

All speakers who have opposed the motion have implied that nothing should be done to inquire into these matters because we might offend the company. What does that mean? It can only mean that the Government regards the company as something superior in power to itself, otherwise why should it be so afraid of offending it? The motion does not attack the company from the aspect of its efficiency. We are only concerned with the way in which our valuable iron ore resources are being handled, and they are the most valuable mineral resources in this State. We are concerned about the way they are passing out of our control more quickly every year and the fact that despite all the implied obligations involved in the discussions that took place before the Indenture Act became law, and the implied obligations in relation to the Morgan-Whyalla pipeline, those obligations have not been fulfilled. Those matters should be the subject of the minutest inquiry. No member opposite has attempted to deny that the royalties we have received are far less than we would have received under the Mining Act, to the extent of at least £2,000,000. No one has denied that if the Government were the supplier of the ore it would be making an annual profit of between £10,000,000 and £12,000,000 from that ore today.

Even the Premier admitted that the State had received very little for the valuable resources it had passed into the control of the company. He admitted the State had received very little in return for the great privileges granted to the company, privileges that no other company has ever obtained, and I hope that no

company will ever obtain similar privileges again. He said the Morgan-Whyalla main was put down to supply the shipyard, but the member for Stuart (Mr. Riches) debunked that suggestion and showed conclusively that throughout all the negotiations and discussions the question of a steelworks was the basis, and also the basis for the great privileges granted to the company, despite the provisions of the Mining Act and all precedent. The remarkable thing is that the opposition to the appointment of a Royal Commission comes from a Government which is sympathetic to the company and has the power to appoint a commission.

Mr. O'Halloran—The Government was the first to suggest the appointment of a commission.

Mr. LOVEDAY—Quite so, and from its opposition one can only conclude it wants no other company to venture into steel manufacturing in this State. The Government has shown it is virtually subservient to the power of the Broken Hill Proprietary Company. It fears the company's power and does not want to offend it. Apparently, it even wants to see its power increased by preventing any other company from starting steelworks in this State. It wants the monopoly of iron ore to remain in the hands of the company without let or hindrance. The people do not realize the subservient position into which the Government is falling as a result of the enormous economic powers being obtained by the steel monopoly of this land.

During the debate we have heard much about repudiation. The Opposition has been charged with suggesting that the State repudiate its agreement with the company. The member for Torrens said the motion fairly reeked of repudiation of the Indenture Act, yet at the beginning of his speech he criticised members on this side for their extravagant statements. Surely his was an extravagant statement if ever there was one. We have not suggested repudiation, but only want a Royal Commission to inquire into every aspect. If a commission found that the company had repudiated its obligations would anyone say, if the Indenture Act were amended, that we were guilty of repudiation? If a hire-purchase company repossesses because the person who has made a contract with it fails to honour the contract, do we say that the hire-purchase company has repudiated its part of the contract? Of course not! We say it has rightly repossessed its article and no member opposite would suggest otherwise. When we suggest an inquiry into whether the company has fulfilled its obligations we are accused of threatening to repudiate our solemn agreement. What a perversion of the actual fact! If anybody has repudiated the agreement it is certainly not the State. We do not suggest the State should repudiate the agreement, but that a Royal Commission should ascertain what has been done and what can be done to rectify the situation that all members admit exists. None denies that we are faced with the exhaustion of our most valuable mineral asset.

The next point made by members opposite was that if we appoint a commission no other company will invest in a steelworks here. What nonsense! What has happened in the United States through the existence of the Sherman Act and other similar Acts? They were introduced to curb the operation of monopolies and to ensure that steelworks conformed with the national interest. Have those Acts stopped persons investing in additional steelworks? Of course not! Has any action that has ever been taken by a Government to curb monopolistic action and action not in conformity with the welfare of a State ever prevented further investment in similar projects? Of course not! It is sheer nonsense to suggest that because an inquiry is commenced—and even if such inquiry recommended that an alteration be made to the Indenture Act—that nobody else would dream of investing money in a steelworks. Apart from that aspect, would this Parliament ever again venture into a similar agreement such as the Indenture Act? Would it not make certain that if another company wanted to establish a steelworks, the agreement would be perfectly clear that the iron ore would be used as desired by the State and that certain obligations would be laid down in reference to a steelworks? Surely it will not be suggested that this Parliament would be so foolish as to be caught twice on this sought of thing? The idea is positively ridiculous and only indicates to what lengths members opposite have been driven in an attempt to find some argument against the motion.

Other Government members resurrected the time-worn device of attempting to claim that this was a socialistic move. That contention has whiskers on it. The motion is alleged to be socialistic. If this is socialistic then the action of the United States Government in relation to the Sherman Act and other Acts referring to monopolies is also socialistic. I do not think any member opposite would dare suggest that.

Mr. O'Halloran—The Churchill Government took similar action in the United Kingdom to control steel.

Mr. LOVEDAY—It set up a board to control the activities of the steel companies. That cannot be claimed to be socialistic. The member for Torrens (Mr. Coumbe) went so far as to say that Government loans to iron and steel companies would be an entirely socialistic device. I remind the House that Mr. Coumbe claimed that we made extravagant statements. If Government loans are a socialistic device then the Adelaide Cement Company, Brookers Limited, Nairne Pyrites and other companies that have received Government loans must be happy with socialism. None is too proud to take advantage of this socialistic device. If we desire to give this type of financing a label it can best be described as "State capitalism" and it is time members opposite got their labels correct instead of putting forward this hoary old suggestion of socialism. It is another instance of their introducing the smear attitude that applies at election time to Opposition members individually. In this House it applies to ideas and not individuals.

Government members suggested that sufficient labour could not be found if a steelworks were established. The member for Onkaparinga (Mr. Shannon) said:—

After all, the operation of a steel plant depends on the skill of the operators. In this field the company employs the most skilled men available. I do not think anyone could buy them away from the company and if a brilliant man were brought here from overseas I am quite sure the company would attract him to its employment.

He was obviously speaking out of the wealth of his ignorance. He apparently does not know that many of the company's highest officers have left its employment in the last few years because they have been dissatisfied with their employment with the company. If he imagines that the company is an irresistible magnet to every man who is brilliant in this industry he has another think coming. As a matter of fact, many have migrated to far better jobs elsewhere in the Commonwealth. I happen to have some knowledge on this particular subject and those who have left the company's employment were among the best the company ever employed. Apart from staff men, is it not a fact that the Newcastle and Port Kembla steelworks are now manned to a large extent by migrants who have come to Australia in the last few years? We have a large-scale migration programme and would it not be possible to get manpower from that source for a steelworks? We have an increasing army of unemployed at present. Would not that help meet the situation? Skilled men need only be offered an incentive to accept employment. How has the B.H.P. Company managed to find the necessary men for the £100,000,000 programme upon which it is now embarking? How have the oil refineries managed to find the men for the £100,000,000 programme they have just completed? It is obvious that manpower could be found if necessary. The whole question boils down to our wanting to do things and not seeking to put up Aunt Sally's to be knocked down.

An attack on the economic conclusions of the Director of Mines has been a prominent feature of Government members' remarks because they realize full well that I sought out the most authoritative source for my statements on this question and they felt they had to discredit Mr. Dickinson's economic conclusions in order to break down the arguments I advanced. They admit that Mr. Dickinson is a most eminent metallurgist. They could not in any way dispute his opinions as a metallurgist or a mining authority, but they have attacked his economic conclusions because he is not a business man. There is apparently an aura about the term "business man." They regard a business man as capable of making infallible decisions on almost everything. It is interesting to note, however, that the Government has been quite prepared to accept the business advice of Mr. Dickinson in respect of the Nairne Pyrites project and other projects even where the expenditure of Government money was involved.

I had best deal now with suggestions that the price of steel would increase if another company established steelworks in South Australia. Mr. Shannon said that the price of steel would rise by £10 a ton because the capital equipment for a new steelworks would naturally cost considerably more than the capital equipment of the old steelworks. I think it is perfectly obvious to anyone that capital equipment for a new steelworks would cost more than the capital equipment of works erected years ago. Are we to deduce from his statement that because a new steelworks would cost more, we are never to build one, or that we should continue importing steel *ad infinitum* because a new steelworks would cost more? Apparently he would just as soon we continued to import steel costing at least £20 to £30 a ton more than the home-produced article rather than erect a new steelworks which would supply

steel costing only £10 a ton more. Presumably that is an indication of the business efficiency of a business man belonging to the Government Party. The interesting aspect of this question of an increased price for steel if we had another steelworks is that members opposite in advancing this argument have posed themselves as superior judges to Mr. Essington Lewis. I did not hear any member opposite suggest that Mr. Essington Lewis was not a business man. In fact, they spoke in highly appreciative terms of his ability. In the *Advertiser* of June 11, 1948, under the heading "Steel Industry for Whyalla. Vast Expansion Plan Outlined" the following article appeared:—

The establishment of a fully equipped steelworks at Whyalla as part of the steel industry's policy of decentralization, was announced last night by the Chief General Manager of the B.H.P. Coy. Ltd., Mr. Essington Lewis. He said the project would involve the erection of coke ovens, open hearth facilities and rolling mills—in fact a completely integrated steelworks. The nucleus already existed in the wharf facilities, blast furnace and machine shops, declared Mr. Lewis. Much fresh water was used in a steelworks, and before the plant could be built it would be necessary to negotiate with the South Australian Government for further supplies. Mr. Lewis was delivering the 1948 Joseph Fisher lecture on "The Importance of the Steel Industry to Australia" in the Bonython Hall when he made this announcement.

Mr. Riches—The Premier said steelworks were never the basis of the negotiations.

Mr. LOVEDAY—That is correct. The article continued:—

When the Newcastle steelworks were established it took approximately 1½ tons of ore and 3 tons of coal to make a ton of finished steel. The economics were then in the direction of taking the ore to the coal. In the intervening 30 years great progress had been made in the art of fuel conservation and now an Australian steelworks took about 1½ tons of ore and only 1½ tons of coal to make a ton of finished steel. The economic position had therefore changed and it had become a practical proposition to carry coal to the ore under some circumstances.

Of course, members opposite know better than Mr. Lewis. Mr. Shannon said it was not an economic proposition to have steelworks at Whyalla. The press report also said that the Premier was present when the lecture was given. The leader in the *Advertiser* of that day finished in this way:—

This State happily, is to have an important place in the steel industry's expansion plan. The broad goal is a stable, secure and prosperous Australia.

That answers the nonsense that this is a parochial idea. Mr. Coumbe made a determined attack on the Director of Mines but I will show that it had no basis. It will not be difficult to do that, despite the effort Mr. Coumbe put into the preparation of his remarks. He said that inflation was the main cause of the rise in steel prices and he took Mr. Dickinson to task about a graph which appeared in his last report. Mr. Coumbe said:—

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 graph was not intended to show capital and administrative charges. At the bottom of the graph there is the statement "Exclude capital and administrative charges" and at the top there is the notification that it is a comparison between production costs and selling prices of Australian structural steel, and that the term "production costs" means actual basic production costs excluding capital and administrative charges.

Mr. Coumbe—They still take them into account.

Mr. LOVEDAY—Yes, but the graph is not what the honourable member said it was. It shows production costs and selling prices, starting from before 1940, excluding capital and administrative charges. The whole point of the graph is that the lines run parallel from that first period until 1946 at least, when there is a slight divergence. Then the selling price rose steeply, whereas there was only a slight increase in the production costs line. Mr. Dickinson made the point that 80 per cent of the costs of production in iron and steel are in the assembly costs of the raw material.

Members opposite are fond of pointing out that the real cause of inflation is the rise in wages. The major element in wages in iron and steel production costs is the assembly costs of the raw material. In other words, it covers 80 per cent of the actual production costs. Therefore, the line, if inflation were the main cause, should show a steep upward rise and run parallel with the selling price, but it does not do that. It rises gently, whereas the selling price rises steeply. This shows that the selling price has gone up for some other reason, which was the intention of the Director in including the graph in the report. This is

borne out by another publication, the *Australian Mineral Industry Review* issued by the Minister for National Development. It is not Mr. Dickinson's report. At page 112 there is the following:—

To meet continued rising costs and to finance current expansion programme from internal funds as far as possible the price of steel products has continued to rise.

That substantiates entirely what Mr. Dickinson said in last year's report. Mr. Coumbe also referred to the relatively small amount of money being obtained by public subscription, which showed that the fiscal policy of the company was the retention of the present shareholders' equity. Then Mr. Coumbe gave some figures as to how the shares were distributed and said "Do these figures suggest that the major shareholders control the activities of the company?" They do not suggest anything to me. I would want to know who were the major shareholders, and some of the others, and how many and who attended the meetings. Then I might have some idea who controls the policy of the company. I think Mr. Coumbe is sufficiently a realist to know that those things have something to do with the matter. His statements on these questions are simply not proven. He did not make the point that there is something wrong with the Director's report on this matter. I do not think that he knows any more than anyone else who controls the company's policy in this respect.

Mr. Coumbe—Do you?

Mr. LOVEDAY—No, I said that if I knew these things I would have a better idea. On the face of it, the fiscal policy of the company, as shown by the graph, bears out the point conclusively. The next attempt to discredit the Director's report came in this way. Mr. Coumbe said that the Director, in dealing with the matter of internal financing as opposed to going on to the open market for funds, referred to the activities of steel companies in other parts of the world, and mentioned the United States Steel Corporation. He said:—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."

I will not complete that quotation. Mr. Coumbe went on to say that he had perused the June issue of the *Harvard Business Review* and that one Thomas Dimond had said:—

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.

Here he made a comparison between the United States Steel Corporation and the United States steel companies in general. That is a comparison between two different things. It is borne out by Mr. Dickinson's report on this matter, which Mr. Coumbe did not quote. Mr. Dickinson's report shows conclusively the fallacy of the honourable member's argument. It said:—

In this regard United States Steel Company sets an outstanding example. No individual in the United States Steel owns as much as three-tenths of one per cent of either the outstanding or preferred stock. The shares are owned by men and women of all walks of life and by organizations of all descriptions—insurance companies, trustees, charitable institutions, educational, medical, religious, and other organizations. They are the only ones who receive part of the profits in dividends for the money they have invested in shares. The remaining part is re-invested in the business. In the immediate post-war period the profits of United States Steel amounted to 6.3 cents per dollar on sales and the income re-invested in the business averaged less than 1.0 cent of every dollar sale. The policy of United States Steel of procurement 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 stockholders.

Mr. Dickinson made an overseas trip on a large scale. Does the honourable member suggest that he imagined all these details in relation to the steel corporation? Does he suggest that they are figments of Mr. Dickinson's imagination? Mr. Coumbe compared that corporation with Australian steel companies in general in order to discredit Mr. Dickinson's report, but far from doing that, he has merely strengthened the view of the Director because it has drawn our attention to his words on this corporation. It shows that Mr. Dickinson must have examined its working to the last detail.

Mr. Coumbe—Do you suggest that these people do not invest in the company?

Mr. LOVEDAY—I suggest that Mr. Dickinson's references to steel corporation's activities are correct.

Mr. Coumbe—That does not answer my question.

Mr. LOVEDAY—I am not concerned about that matter. I am pointing out that the attempt to discredit Mr. Dickinson's report has failed completely. These attempts to prove that Mr. Dickinson's report is not a sound one from an economic aspect have no basis. Mr. Coumbe said:—

I submit that as the first part of my argument that the authority they quoted is patently false.

I have said enough on this subject to show that the attempt to discredit the Director's report has failed miserably. I said earlier that his report remains unchallenged, as do his sources of information. Another curious objection raised to the establishment of steelworks at Whyalla is that we would be faced with the greater expense of sending our steel products to New South Wales and Queensland—a greater cost than sending the ore to New South Wales to be made into products there. Here we have another case of experts on the other side of the House knowing more than Mr. Lewis. Why should we cart steel to New South Wales and Queensland? The point has already been made that we have a tremendous unsatisfied demand for steel in Australia and, obviously, if we had another steelworks here it would supply Western Australia, South Australia and Victoria to a large degree, as it is just as cheap to take steel to Victoria from South Australia as it is from New South Wales. New South Wales could then supply its own requirements and those of Queensland. I am surprised that the honourable member for Torrens, as a business man, did not think of that himself.

The survey conducted by the Department of National Development revealed that markets for steel in Western Australia, South Australia and Victoria comprised 45 per cent of the Australian market, and considering the requirements of the Northern Territory and sundry Commonwealth users, a Whyalla steelworks would be favourably situated to 50 per cent of the Australian market. Further, the rapid industrial development in this State, which has been greater relatively than in any other, points to an even greater demand for steel and even greater markets in the future, which will mean a greater proportion of the Australian market.

Mr. Riches—A steelworks at Whyalla would be closer to that market.

Mr. LOVEDAY—Yes. It has been said that a new company could not compete with the B.H.P. Company, but I point out that the factors pointing to the possibility of successful competition by another company are the low costs of raw materials associated with the present limited supplies of South Australian high-grade iron ore, the comparatively high price in relation to operating costs being obtained by the B.H.P. Company for steel produced in Australia, and the great unsatisfied demand on the home market. That market must now rely on a large volume of imports at a much higher price than that of the Australian produced steel, and the demand has little prospect of being satisfied by any present or future planning of the B.H.P. Company. Indeed, there is little chance of the demand being fulfilled because, so far as we can see, the company does not intend to satisfy the peak demand of the Australian market. The *Survey of Selected Materials* states:—

Since the second world war, with the rebuilding of war devastated countries, the development of backward countries, and an intense rate of industrial activity in the western nations, the demand for steel has risen rapidly, and at present is running at a high level. Despite considerable expansions in steelmaking capacity in every country having a steel industry, supply of 293,000,000 tons in 1955 is not meeting the demand. With this world shortage of steel it is becoming increasingly difficult for Australia to import steel in the quantities required.

Therefore, we are faced with difficulties concerning not only the production of steel in Australia, but also imported steel. In moving this motion my opening remarks were based on reports of the Director of Mines, because I considered they were the most authoritative material available, and I believe that this matter should be considered only on the basis of the most authoritative sources, for it is a vital question. Despite attempts to discredit those reports, Mr. Dickinson's conclusions have not been challenged, for they are sound.

The motion seeks a Royal Commission to clear up certain questions. An expert committee was promised two years ago, but the situation relating to our iron ore resources and the prospects of a steelworks at Whyalla have since gone from bad to worse. If the Government was sincere in its statement two years ago it should not object to this motion. Our high-grade iron ore resources are moving out faster every year. Indeed, only in the last month a record tonnage was shipped to Newcastle and every effort is being made to

step up these exports so that next year's figure will again exceed the previous year's. A new steelworks would be able to obtain the advantage of using high-grade low-cost ore so that the works could be firmly established by the time we were forced to work the lower-grade ores in the Middleback Ranges where we have vast quantities of material, but material which will necessarily cost more to process.

From the economic point of view Whyalla is clearly the most favourable site for a steelworks. The statement by Mr. Essington Lewis substantiated that view, and all the remarks of members opposite cannot shake the truth of that statement. The Indenture Act gave the company great privileges which no other Australian mining company has ever been granted and which must have been given on assurance that this Parliament believed would be honoured. The Royal Commission may consider many alternatives, and the suggestion by Government members that its recommendations would necessarily mean that the company would be deprived of its iron ore supplies is entirely wrong.

Throughout all the debates on this question no one has suggested that the company would be deprived of the ore necessary to carry out its production in New South Wales. Throughout the whole of the negotiations prior to the passing of the Indenture Act and the construction of the Morgan-Whyalla pipeline, the basis was steelworks, and the statements by Mr. Essington Lewis in his Joseph Fisher lecture prove that the ultimate goal of the parties at that time was undoubtedly steelworks. This motion should have the complete support of all members if they are anxious to do what is best in the interests not only of this State, but of the Commonwealth.

The House divided on the motion:—

Ayes (15).—Messrs. Bywaters, John Clark, Corcoran, Davis, Fletcher, Hutchens, Jennings, Lawn, Loveday (teller), O'Halloran, Quirke, Riches, Stephens, Tapping, and Fred Walsh.

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

Pairs.—Ayes—Messrs. Stott, Frank Walsh, and Dunstan. Noes—Messrs. Harding and Pattinson, and Sir Malcolm McIntosh.

Majority of 2 for the Noes.

Motion thus negatived.

COURSING RESTRICTION ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 24. Page 1190.)

Mr. HEASLIP (Rocky River)—Those opposing the Bill have said it would lead to gambling and cruelty. I said previously that I had received no requests from anyone about this measure, but I received a pamphlet headed "The Menace of Tin Hares." It opposes the measure and I will comment on the arguments put forward. The first is that the Bill provides another means of gambling. The Bill does not provide for gambling; in fact, it prohibits gambling on coursing. The second argument is that there is no public demand for this type of sport. I point out that there has been no demand for an increase in water rates, railway freights, or anything else that increases prices. Just because there is no demand we should not conclude that a measure should not be passed.

Mr. Hutchens—Do you deny that necessity creates demand?

Mr. HEASLIP—I do not see that the demand for any measure necessitates our passing it, but I say also that because there is no demand for a measure does not mean that we should not implement it. The third argument put forward in the pamphlet is:—

The Coursing Restriction Act, 1927, was placed on the Statute Book for the purpose of suppressing a new form of gambling.

Again, I point out that there is no mention of gambling in the Bill. The fourth argument is:—

The 1938 Royal Commission recommended that no betting facilities be granted for speed coursing.

That Commission said:—

We attended meetings in Sydney, Melbourne and Launceston, observed the manner in which the racing was carried out, and generally obtained information about attendances, betting and like matters. We were in no way impressed with the racing as a spectacle. We recommend that it would be undesirable to permit any form of betting on speed coursing and the Act be amended to make it clear that coursing does not include speed coursing. Our reasons are:—(*a*) there is no real demand for the sport as an entertainment; (*b*) it would be merely another medium for betting; (*c*) night trotting already offers sufficient facilities for those who desire to bet at night.

In other words, it is all right to go to the trots and bet, but all wrong to go to the dogs and bet. However, I do not know how that can be reconciled. This measure does not provide any

facilities for betting, and the Royal Commission's recommendations have nothing to do with the Bill. The fifth argument put forward in the pamphlet is:—

In 1945 the State A.L.P. refused to sponsor any action for the introduction of mechanical dog racing with betting facilities.

Again, I say that there is no mention of betting in the Bill. The sixth argument is:—

It is the thin edge of the wedge for the establishment of wholesale gambling on tin hare racing.

I do not know why it should be, but if the law is broken and gambling takes place the Minister can cancel the licence.

Mr. Hutchens—Do you make that statement on the basis of fact, or is it wishful thinking?

Mr. HEASLIP—The Minister will have power to cancel the licence if the law is broken. If someone sells liquor without a permit he breaks the law and can be penalized. No one can tell me that wholesale gambling on dog racing could go on without being apparent. Another argument put forward in the pamphlet against coursing is:—

Tin hare racing or speed coursing has become a menace in New South Wales and Victoria and district councils have declared greyhounds "noxious animals."

If they are noxious animals they should be destroyed, but no one has suggested that greyhounds should be destroyed. The last argument put forward in the pamphlet is:—

Diabolical cruelties have been associated with the training of greyhounds for speed coursing in New South Wales and Victoria.

Most of the arguments relate to gambling, which is not mentioned in the Bill, and the other arguments relate to cruelty. The *News* of October 18 contained a report from Buenos Aires under the heading "Three Thousand Pigeons Die." It stated:—

About 3,000 carrier pigeons, worth about £13,393, died from lack of air after being put into a railway van on the way to a contest. The van was closed hermetically.

If that is not cruelty I do not know what is. That sport is carried on in South Australia today. Apparently it is not considered cruel to take pigeons 300 miles from home and release them. They endeavour to fly home, but it does not seem to matter if they hit telephone wires on the way or are shot and wounded.

Mr. Stephens—What about hawks?

Mr. HEASLIP—Hawks may attack the pigeons. Evidently that is not considered cruel, but it is considered cruel to make a greyhound chase a mechanical lure.

Mr. Hutchens—The writer of that pamphlet did not say pigeon racing was not cruel.

Mr. HEASLIP—He said tin hare racing was cruel. We allow rabbits to be shot and then crawl to their burrows to die.

Mr. Hutchens—Are you arguing that it is cruel to race pigeons?

Mr. HEASLIP—I say I cannot see anything cruel in a greyhound chasing a mechanical lure. Many cruelties take place in the name of sport, but we do not take any notice of them, so why take any notice of any cruelty in this measure? Today it is legal to allow a greyhound to chase an imitation hare drawn by an animal or a human, but illegal if the lure is propelled by some mechanism. I cannot see why one is right and the other wrong. On previous occasions I supported measures similar to this. I know little about coursing, but if there is a section that enjoys it why should we deny that section? I support the second reading.

Mr. SHANNON (Onkaparinga)—Members will appreciate my interest in this measure because I introduced a similar Bill in 1951. Certain features of this Bill were fairly attacked by the Premier. In my view all organized sport should be conducted by a recognized authority which is above suspicion with regard to its honesty and integrity. Parliament should be assured that it will conduct the sport properly, but that is not provided in this Bill. When I attempted to pass similar legislation through Parliament I indicated that the National Coursing Association was the right body to control this form of sport. It is an old-established body in which reputable citizens take an interest. Greyhound racing would be properly policed if that were the authority to grant a licence for a club to conduct racing and to ensure that the races were conducted fairly and honestly.

The Bill does not limit the number of clubs that may be formed. I would not like to see small clubs springing up like mushrooms all over the country, particularly if they may not be patronized by sufficient dogs. If this Bill reaches Committee I will move to limit the number of clubs that may be licensed by the National Coursing Association not only in the metropolitan area, but in the country. It is impossible to ascertain the number of clubs that would seek registration, but on a previous occasion I discussed this matter with breeders and owners of racing dogs and they agreed that the number registered in country areas should be limited to 10 and I will suggest that we adopt that number.

It is important that this sport should be maintained properly. Under the rules of the Adelaide Greyhound Racing Club there is no possibility of dogs being tampered with prior to a race. A dog has to be in the stewards' hands many hours before the commencement of a race, and if during that period the dog reveals any abnormality it is prevented from racing. Many members have referred to the possibility of cruelty resulting from this sport. I have discussed this question with knowledgeable people and, indeed, I have some personal knowledge of it as I was born in the country and my father was a judge of open coursing. A live lure will not be used. I think the present law would permit of the use of a live lure if practicable, but it is not practicable because as soon as a greyhound catches a live lure it stops racing. There is no cruelty associated with coursing. When a greyhound catches a rabbit or hare, with one shake of its head it kills the quarry.

This sport will afford an opportunity for people who are not on a high range of income to own animals and experience the pleasure of racing them. Certain elements in our society apparently regard this as undesirable. If a man can afford to keep a greyhound and race it in a fit condition he should be permitted to do so. Many dog owners could not afford to keep and maintain a trotter or galloper which is much more expensive to feed and train. This sport is popular in all parts of the world and I cannot understand why our Royal Society for the Prevention of Cruelty to Animals objects to this proposal to use a mechanical lure. It has been suggested that the training of animals to chase a mechanical lure can result in cruelty because the dog must be blooded. I invite any person to come forward with evidence of cruel practices arising from training in this State. The instances of cruelty that have been mentioned in this House have all referred to other States.

At present greyhounds in this State are racing under a childish system. A boy runs along the track trailing a stuffed hare on a piece of string. He is pursued by a pilot dog. The boy slips through an opening in the track fence and pulls the stuffed hare in with him. The pilot dog continues racing expecting to catch up with the hare just around the next bend and the racing dogs are then released to chase the pilot dog. Mechanical lures are used in other parts of the world. The dogs imagine that they are chasing a live animal and they do not know the difference. The sport is conducted in such a manner that patrons gain the utmost enjoyment from it. They do not witness the sideshow that is conducted under our present system. We must be reasonable and afford people the opportunity of conducting the sport in a manner that will attract patronage. Some years ago the Royal Agricultural and Horticultural Society conducted a few greyhound races at Wayville and they were a great success. However, the society was apparently asked to discontinue them because it was not considered politic to have them. I believe certain amendments will improve the Bill and overcome some of the objections raised during the debate.

Mr. CORCORAN (Millicent)—I wholeheartedly support the Bill. I have examined what members have said about the possibility of cruelty arising from this sport, but I cannot agree with them. If a section of the community desires to indulge in this type of sport its desires should be gratified. The Premier put up a great fight to defeat the Bill. He painted a gloomy picture of what might happen. He mentioned cruelty and claimed that betting would result from the conduct of greyhound racing. If betting does result, he may be able to extract revenue from those who invest on that sport as he does now from those who punt on horse racing. I realize that no matter what I say I will not influence the debate and I will content myself with supporting the Bill.

Mr. FLETCHER (Mount Gambier)—I support the Bill. Many of the stories we have heard about cruelty are just so much eyewash. As Mr. Shannon said, the greyhound is in many respects the poor man's race horse. I suggest that there is no more noble animal than a well-built and fit greyhound. Greyhound racing is a wonderful sport. I have had considerable experience with open coursing, which has been described as a blood sport. However, I have repeatedly seen hares that have bested the dogs. In the breeding of these dogs there is a prolific income for men on the lower rung of the wage ladder. All sorts of cruelty bogies have been put up in this debate, but is there anything more cruel than the steel rabbit trap? Often the rabbit remains in pain for hours before dying. Coursing should be encouraged. In these days our young people are in strife because they say they have nowhere to go and nothing in which to take an interest. Forty and 50 years ago young lads had their dogs for coursing and for accompanying them when out shooting, and then we did not have the same troubles as we have today with our young people.

Mr. JENKINS (Stirling)—I want to refer briefly to the remarks of several honourable members. I appreciate that Mr. Hutchens a fortnight ago curtailed his remarks because he thought a vote would be taken that day. He mentioned a certain pressure group in this House operating in support of the Bill but the only pressure group I know of opposes it. I did not think that the Premier would support the Bill. He spoke about the drafting of clause 4 that deals with licences and I understand that Mr. Shannon intends to move to amend it. The alleged evidence produced by Mr. Jennings came totally from New South Wales and Victoria. Not to my knowledge has any evidence been produced to show cruelty in South Australia although we have had coursing for years. We should not be concerned about what has happened in New South Wales and Victoria, but since Victoria has licensed tin hares there has not been to my knowledge one instance of cruelty. Mr. Jennings said the sport cannot survive without gambling, but I believe it can do so. Recently there were two meetings at Waterloo Corner conducted by the Adelaide Greyhound Racing Club where £300 at 2s. a head entrance fee was raised. The money was used to assist northern hospitals. No legalized gambling took place at those meetings, but we all know that at every kind of sporting meeting there is illegal gambling, and it is accepted by all people. Mr. Jennings said there is no demand for the sport, but when I was giving my second reading explanation of the Bill a petition with many hundreds of signatures was placed before me. About 500 came from the honourable member's district. I did not know that the petition was being prepared and glancing at it casually I saw the name of a reverend gentleman. I understand that he inquired why the petition was being prepared and signed it when hearing the reason. That is the only person I know who signed it. I think Mr. Jennings has put the kudos obtained from representing a society above the demands of people in his district.

Mr. Jennings—There are 20,000 people in my district, and I will not submit to about 500 in this matter.

Mr. JENKINS—There was a reference to the noise at coursing meetings made by the barking of dogs and the blaring of microphones. In the last five or six weeks three coursing meetings have been held on the British Tube Mills oval at Kilburn. These meetings raised money by subscription towards assisting northern hospitals. I think the honourable member would have made some complaint if there had been considerable noise from the barking of dogs and the blaring of microphones. In 1927 the then Attorney-General, Hon. H. Homburg, introduced a Coursing Restrictions Bill and said the restrictions were not to curtail the sport but to curtail betting. My Bill provides that betting shall not be legalized. I stand by what I said earlier that if another Bill should be introduced to provide for legalized gambling I would oppose it. Members say that gambling should be provided for those who want it, but I do not favour it in this Bill. When speaking on the mining inquiry motion and referring to the granting of leases to the Broken Hill Proprieary Company, the Premier said he warned members that they could expect exactly and precisely what was embodied in the legislation, nothing more and nothing less. Mr. Jennings said, when referring to clause 4 dealing with gambling, "Who are we fooling?" The 1927 Bill has stood until now, and I think the provisions in my Bill will stand until future legislators alter them, but that is no concern of mine. I commend the Bill to members.

The House divided on the second reading.

Ayes (15).—Messrs. Bywaters, Corcoran, Davis, Hambour, Heaslip, Jenkins (teller), Laucke, O'Halloran, Quirke, Shannon, Stephens, Stott, Tapping, Frank Walsh, and Fred Walsh.

Noes (13).—Messrs. Brookman, Geoffrey Clarke, Coumbe, Dunnage, Goldney, Hincks, Hutchens, Jennings (teller), Lawn, Millhouse, Pearson, Playford, and Riches.

Pairs.—Ayes—Messrs. Bockelberg, Heath, and Fletcher. Noes—The Hon. Sir Malcolm McIntosh, Messrs. Pattinson, and Harding.

Majority of 2 for the Ayes.

Second reading thus carried.

In Committee.

Clauses 1 and 2 passed.

Clause 3—"Amendment of section 3 of principal Act."

Mr. SHANNON—I ask members to vote against the clause. I have already given my reasons.

Clause negatived.

Clause 4—"Licences."

Mr. SHANNON—I move—

In proposed new section 3a to strike out subsections (1) to (6) with a view to inserting in lieu thereof the following:—

(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 metings, at which dogs race after a mechanical quarry, at any place outside the metropolitan area on the afternoon or night of any Saturday or public holiday not being Good Friday or Christmas Day.

(4) The National Coursing Association of South Australia may in respect of any year grant—

(*a*) one licence authorizing a club to hold meetings under this section within the metropolitan area on the night of any Friday or public holiday other than Good Friday or Christmas Day:

(*b*) ten licences each of which may authorize the club to which it is granted to hold meetings under this section outside the metropolitan area at a place specified in the licence on the afternoon or night of any Saturday or public holiday not being Good Friday or Christmas Day.

(5) Where a club holds a meeting under this section on an afternoon, it shall not hold a meeting on the night of the same day.

(6) Every licence granted under this section shall expire on the thirty-first day of December next after the day on which it takes effect.

(7) An annual fee of three guineas shall be payable for the grant of a licence under this section.

(8) Where a club holding a licence under this section applies for another licence to take effect on the expiration of the first-mentioned licence the National Coursing Association of South Australia shall not capriciously refuse the application.

My amendment will have the effect of getting away from the difficulties mentioned by the Premier in the original Bill, which did not provide sufficient assurance that the sport would be adequately controlled by a reputable body, or that it would not be conducted for profit. My amendment places the control under the National Coursing Association of South Australia, and imposes a limit on the number of licences. The amendment limits meetings in the metropolitan area to Friday nights, except Good Friday or Christmas Day, and in the country to Saturdays and public holidays, except Good Friday or Christmas Day. It will not be possible to hold two meetings on one day. The other part of the amendment deals with matters agreed to by this House in 1951. The National Coursing Association of South Australia is a non-proprietary body. If the amendment is carried, this will be the controlling body for the issuing of licences, and it will not issue any licences to an individual who seeks to set up a private course for the purpose of profit. It is not the intention of the Dog Owners' Association that this sport will be commercialized, and the method they propose to ensure this is to place the whole control in the hands of the National Coursing Association.

Mr. Jenkins—I accept the amendment.

Mr. RICHES—If this measure is completely innocuous, as its sponsors ask us to believe, why should there be the restriction that meetings cannot be held in the country on any evening in the week?

Mr. Jenkins—There must be some control.

Mr. RICHES—If the measure is completely innocuous, I cannot see why there should be any restriction.

Mr. SHANNON—The owners of dogs have formed various country clubs, and there is one club in the metropolitan area. These clubs all agree that one meeting a week is adequate for their needs. Even if it were desirable to have a meeting every night of the week, there would not be enough dogs to conduct it.

Mr. Riches—Why do meetings have to be on specified days?

Mr. SHANNON—To fit in with country requirements.

The Hon. T. PLAYFORD (Premier and Treasurer)—I am intrigued about the days mentioned by the mover of this amendment. If it is carried, races will only be conducted in the metropolitan area on Friday nights or public holidays, but why Friday nights? Meetings will have to be held on Saturdays in the country. We have been told that Saturday is the day that workers in the country can attend meetings. It seems to me that the object of the amendment is to ensure that greyhound racing meetings will not compete with racing and trotting in the metropolitan area, but such competition is to be permitted in the country.

Mr. SHANNON—These clubs are out to entertain the public and to conduct country meetings on Saturday afternoons and evenings. To do so in the metropolitan area would mean competition with racing and trotting clubs, which would not be advantageous to any party. The provision for the times of meetings in the country is designed to avoid clashing with country trotting and racing.

It is not desired to take away patronage from existing sports. If a racing or trotting meeting is to be held in a country town on a Saturday afternoon, the dogs may race there in the evening.

Mr. DAVIS—I oppose the amendment because I do not know why the Bill should provide that a country meeting must be held on Saturday afternoon or evening. Surely country people have the right to say when meetings shall be held. Many other sports are conducted on Saturday afternoon and a club conducting greyhound races then would have to compete with established fixtures. Country clubs should be able to race on any evening.

Mr. RICHES—If Mr. Shannon's amendment is accepted I intend to move the following amendment to it:—

In paragraph 4 (b) to delete all the words after "licence."

I cannot see why a meeting should be held on a specified night. Surely the clubs should be entitled to determine the best night for a meeting.

Mr. SHANNON—I do not object to that amendment, for it leaves the matter entirely in the club's hands.

The Hon. T. PLAYFORD—Mr. Shannon's amendment prohibits the racing of dogs on Christmas Day and Good Friday, but Mr. Riches' amendment will delete that provision, which will mean that dogs may race on any day of the year, including those days.

Mr. HUTCHENS—As the amendments have created confusion, I suggest that progress be reported.

The Hon. T. PLAYFORD—If Mr. Riches' amendment is carried, all controls will be eliminated, and I remind members that they have been told that one of the most vital provisions in the Bill is that the sport will be controlled by a Minister. The sections we are asked to strike out are those which give the Minister the opportunity to look at these things and see that they are fair and above board. We should at least have some control over what is happening.

The Committee divided on the motion to strike out subsections (1) to (6) of proposed new section 3a:—

Ayes (14).—Messrs. Bywaters, John Clark, Corcoran, Davis, Hambour, Jenkins, O'Halloran, Quirke, Shannon (teller), Stephens, Stott, Tapping, Frank Walsh, and Fred Walsh.

Noes (14).—Messrs. Brookman, Geoffrey Clarke, Coumbe, Goldney, Heaslip, Hincks, Hutchens, Jennings, Laucke, Loveday, Millhouse, Pearson, Playford (teller), and Riches.

Pairs.—Ayes—Messrs. Bockelberg, Heath, and Fletcher. Noes—The Hon. Sir Malcolm McIntosh, Messrs. Pattinson and Harding.

The CHAIRMAN—The numbers being even, after consideration I give my casting vote to the Noes.

Amendment thus negatived.

Clause passed.

Title passed. Bill read a third time and passed.

METROPOLITAN LOCAL GOVERNMENT ADMINISTRATION.

Consideration of the motion of Mr. O'Halloran:—

That in view of—

(*a*) the great and increasing problems associated with the construction and maintenance of roads, the provision of drainage, the control of transport and other functions of local government in the metropolitan area;

(*b*) the financial difficulties encountered by the metropolitan councils in their attempts to solve these problems; and

(*c*) the untoward consequences of the existing system of local government now obtaining in the metropolitan area—

His Excellency the Governor be requested to appoint a committee consisting of four members of the House of Assembly and three members of the Legislative Council for the purpose of investigating these matters and recommending such amendments of the Local Government Act as it may deem desirable for the better administration of the affairs of the metropolitan area.

(Continued from September 26. Page 752.)

The House divided on the motion—

Ayes (15).—Messrs. Bywaters, John Clark, Corcoran, Davis, Fletcher, Hutchens, Jennings, Loveday, O'Halloran (teller), Quirke, Riches, Stephens, Stott, Tapping, and Fred Walsh.

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

Pairs.—Ayes—Messrs. Dunstan, Frank Walsh and Lawn. Noes—The Hon. Sir Malcolm McIntosh, Messrs. Pattinson, and Harding.

Majority of two for the Noes.

Motion thus negatived.

[*Sitting suspended from* 6.05 *p.m. to* 7.30 *p.m.*]

FISHERIES ACT AMENDMENT BILL.

Read a third time and passed.

ADMINISTRATION AND PROBATE ACT AMENDMENT BILL.

Returned from the Legislative Council without amendment.

ROAD AND RAILWAY TRANSPORT ACT AMENDMENT BILL.

Returned from the Legislative Council without amendment.

WEEDS BILL.

Adjourned debate on second reading.

(Continued from October 30. Page 1296.)

Mr. JENKINS (Stirling)—I support the Bill. In preparing this measure the Minister has made a realistic approach to the problem of controlling noxious and dangerous weeds. Last year another similar Bill was drafted and I am pleased that the Minister has accepted certain suggestions from various councils who disagreed with some of the provisions of that measure. A draft of the present Bill was sent to the Municipal Association over a fortnight ago, but up to last Friday councils in my district had not had the opportunity to peruse the draft, so I am not in a position to say how they regard it. I am quite in accord with what several other speakers have said about clause 17 (2), which provides that councils shall be responsible for keeping clear of weeds unoccupied Crown lands within their districts. I am not altogether happy about that because I think this should be done at the cost of the Government, for when the Bill comes into operation councils will have their hands full and have to meet considerable expenditure in carrying out its provisions in keeping roads and other places free of noxious weeds. In some places noxious weeds have been established for years and have spread over large areas, so councils will have a big task in administering the legislation.

I am confident that councils will use common sense and suitable methods for the destruction of weeds on roads. There has been some comment on the fact that councils may use machines to control weeds and that farmers abutting roads may use other methods, but I think councils may be depended upon to exercise commonsense in dealing with noxious and dangerous weeds. Some members have commented on the division of cost of clearing weeds on roads, but I am prepared to give the Bill a trial, though I think there is some justification for the comments that have been made on this question.

I draw the Minister's attention to the fact that on Eyre Peninsula, particularly in the district of the member for Eyre, there are some old stock routes 10 or 15 chains wide. It may be a burden on adjoining landholders to keep them clear of weeds, and I suggest that, where these old routes are no longer required or not serving any useful purpose, they be allocated to adjoining landholders to be incorporated in their farms. The roads could then be brought back to a width of three chains. District councils in my area are becoming more conscious of the necessity for keeping weeds under control, and they have appointed inspectors who have done a good job. Though some landholders did not take this question too seriously, after a few court cases resulting from their failure to comply with inspectors' directions they realized the necessity to control weeds. Some councils are loth to take action, and that is one of the weaknesses of the Bill, and I am prepared to give it a trial because it is an improvement on previous measures.

Mr. QUIRKE (Burra)—This Bill reminds me of the story of the curate's egg—it is good in parts. Where it is good it is very good, and where it is bad it is very bad indeed. Because the bad parts are so very bad I will not even support the second reading. I do not think any member who has any respect for his district councils can support it. The district of Clare is infested with the most dangerous and noxious weeds, and it would be impossible to carry out the provisions of the Bill in that area. Clare is infested with hoary cress, Cape Tulip, bind weed and St. John's Wart, and this Bill will break any council in that area. The provisions relating to the power of the Minister to subsidize councils are not sufficient. The Government should not go on with the Bill, but take a more realistic approach and redraft it. One good part of the Bill is that relating to the appointment of a Weeds Advisory Committee. It will be the duty of the committee to:—

(*a*) advise the Minister on matters relating to the control and destruction of proclaimed weeds;

(*b*) make recommendations to the Minister as to what plants should be declared dangerous or noxious weeds.

It will certainly be necessary to have an advisory committee and to appoint authorized officers. Clause 13 could not be supported by

any member who has any regard for the district councils in his area. In respect of it the Minister said:—

Clause 13 deals with the position of what may be termed occupied lands of the Crown, that is, land vested in or occupied by a Minister or a Government department. Clause 13 provides that, if any weeds are upon land of this kind, and the Minister controlling the land is satisfied that the adjoining land is free from weeds or that action is being taken to clear the weeds from the adjoining land, the controlling Minister may take steps to clear the weeds from the land of the Crown under his control.

In other words, the Minister will only take action to clear Crown lands after the surrounding lands have been cleared. It may take years to completely clear the surrounding areas and after one portion has been cleared the seeds from the untouched Crown lands will blow on to it and reinfest it. Clauses 14 and 15 empower the Governor to declare weeds to be either "dangerous" or "noxious." When a weed is so declared it is deemed to be either "dangerous" or " noxious," as the case may be, throughout the entire State.

What is Cape Tulip? It is a toxic weed and poisonous for stock, although stock raised on it generally do not suffer. Cape Tulip is widespread in the Clare district and I have seen the road alongside Bungaree strewn with the dead carcases of travelling stock that have grazed on it overnight. Cape Tulip can only be described as a "dangerous" weed and as such must be eliminated by every possible means. Councils must destroy it. Thousands of acres in Clare and surrounding areas are infested with it: it extends even to the top of the rough ranges. The poison sprays used for its elimination costs £240 a 44-gallon drum, but who can afford to pay that and what an impossible task it would be to clear it? If it were declared a "noxious" weed a person would only be required to take reasonable precautions to prevent its spread and this would not be nearly so expensive as eliminating it. I suggest that a weed should be declared "dangerous" or "noxious" according to the district in which it is found. In and around Clare, Cape Tulip, Hoary Cress and St. John's Wort are so widespread that they would be almost impossible to eradicate except at colossal expense, but if they were declared "noxious" every effort could be made to restrict their spread. However, in other areas where there are only isolated patches they could be declared "dangerous" and then they would have to be eradicated. If these weeds are declared "dangerous" in the Clare district every district council there will be rendered bankrupt.

I do not think councils appreciate the full implications of this measure. I have forwarded copies of it and of the Minister's second reading speech to the councils in my district but I have not received a reply from them. Councils usually meet only once a month and they have not yet had time to consider this matter. I know that the councils in my district will not want this legislation accepted this session. If this becomes law the district councils of Jamestown, Spalding and Clare will be faced with an impossible task. I agree that we should endeavour to control these weeds before they control us, but we should not try and control them by this means. Where it is impossible to eradicate weeds they should be declared "noxious."

Mr. *Shannon*—The Minister has power to grant exemptions.

Mr. QUIRKE—Clause 27 does not give the Minister sufficient power. If a weed is declared "dangerous" it is regarded as such throughout the State.

The Hon. G. G. Pearson—The clause gives complete power for exemptions from the Act.

Mr. QUIRKE—Where is that power to reside? A dangerous weed is a dangerous weed all over the State.

The Hon. G. G. Pearson—It doesn't say anything about dangerous weeds.

Mr. QUIRKE—The provision says that the council must destroy all dangerous weeds and may destroy or control all noxious weeds.

The Hon. G. G. Pearson—The honourable member is arguing around the point. Clause 27 is quite clear.

Mr. QUIRKE—It does not say that all dangerous weeds may be destroyed. Clause 16 says that councils "must" destroy them.

The Hon. G. G. Pearson—Have another look.

Mr. QUIRKE—Yes, it does. If it concerns the Clare district there will be no action.

The Hon. G. G. Pearson—I did not say that.

Mr. QUIRKE—It will mean that. In a place like Clare that is infested with weeds there will be an exemption.

The Hon. G. G. Pearson—Who said we would give an exemption?

Mr. QUIRKE—The weeds cannot be eradicated without spending thousands of pounds.

The Hon. G. G. Pearson—The clause says the Minister shall exempt under certain conditions, and we would do what you suggest.

Mr. QUIRKE—What the Minister has just said makes me feel inclined to vote against

the Bill, for it is useless to do what it is designed to do. Under it both Clare and the weed would have to be exempt. How else could the matter be dealt with?

The Hon. G. G. Pearson—You know.

Mr. QUIRKE—I do not. I know the danger from weeds. The Minister's explanation shows that the legislation will be completely futile because the councils cannot find the money, and then the Minister has power to exempt an area. The escape clause is an escape from the responsibility of providing money for the job.

The Hon. G. G. Pearson—Nothing of the kind.

Mr. QUIRKE—Then how can the dangerous weeds be controlled? It cannot be done unless the Minister provides the necessary money. The whole thing is futile. A council may have to control a road 10 miles long in its area, and it is not unusual for a council to have that length of road. Along it may be 10 landholders on either side, each of whom is responsible for one-third of the individual cost, but the council has to meet one-third of the cost over the 10 miles. How will it find the money? That is another reason why the legislation should be further considered before being passed. The escape clause in regard to such places as Clare neutralizes the legislation.

The Hon. G. G. Pearson—What do you want?

Mr. QUIRKE—Give the councils some money to get on with the job. The Government has no responsibility at all except that it may give a few pence here and there, but the councils have to find the money for the work to be done. In view of all the weeds in South Australia the councils will not be able to get the money they need. The whole thing will be farcical unless the Government helps.

The Hon. G. G. Pearson—Have a look at clause 17, subclause (5).

Mr. QUIRKE—I have seen it, and under it no money is to come from the Government. It provides for a rate being imposed on the ratepayers. The weeds will not be eradicated in this way. The Bill is nothing but a hotch potch and does not tackle the problem at all. We would have something effective if we had legislation permitting councils to strike special rates and then have the money subsidized by the Government. That is how I see it, and my district is possibly the most cursed with weeds. I can see how futile this matter is, yet we go on with it hoping that we shall be able to achieve something. Under the Bill the advisory officers can report back to the Minister, and if councils do not do their job it can be done for them, and they can be charged with the cost. I am not prepared to support that. Every council will claim an exemption, and even if the Minister grants it he will be kept busy receiving deputations telling him that it is impossible to clear weeds from the roads with the amount of money provided. Unless this money is supplemented and the matter is tackled on a State-wide basis by providing subsidies we shall never get anywhere.

Hoary cress is a weed that is sweeping over big areas of beautiful farmland. It is extremely costly to eliminate, and there are no effective means to control it. It can be sprayed, but the spray costs up to £8 a gallon. Landholders have not had the chance to control it up to the present; although they can spray, usually many hundreds of acres are affected before they can take any measures to eradicate it. They have not the money to tackle the problem, but if a State-wide attack were made we might get somewhere. It is an impossible task to eliminate these weeds without money, and until some definite finance is proposed I will not support the second reading.

Mr. GOLDNEY (Gouger)—The provisions of this Bill will be very hard to carry out because, however desirable it may be that certain kinds of weeds should be controlled, it will be very difficult to control them. Some of our most dangerous and troublesome weeds were brought here many years ago by people who thought they would be of benefit to the country, but unfortunately they took kindly to our soil and climate. They have spread until they are a real menace and, as pointed out by the member for Burra (Mr. Quirke), there is very little chance of controlling them without spending a great deal of money. Some have been spread in rubble carried by the Highways Department for use on road construction. Wild turnip, which can be controlled to a great extent by sprays, in some cases has been spread from railway trucks carrying wheat containing the seeds. We have been too complacent about noxious weeds. The only way to control them is to realize in the early stages that they are noxious, and eradicate them then.

Most noxious weeds grow from seeds; exceptions are Cape Tulip, soursob and onion weed. The latter is only a menace in certain classes of soil. Soursobs are not regarded as a noxious weed in this State, but they spread very quickly, and have caused the death of a large number of sheep, although some people would not admit that. I know that many people in

the North regard soursobs as an early means for feeding stock. This weed is hard to eradicate. Sprays will kill the foliage, but not the bulbs.

We do not know what the future may hold in this respect. Our chemists are continually making fresh discoveries and, as a result of certain weedicides and hormones, weeds that some years ago were considered impossible to eradicate other than by cultivation may now be controlled. Mr. O'Halloran said that the Bathurst Burr was a great menace in the far north, particularly along water courses. True, however careful a man may be in looking after land on the lower reaches the seed will be brought down and his land will be infested all over again. The same thing may happen with other weeds. Some landholders are keen on keeping their land free of noxious weeds and even grub them out when they first appear; yet adjacent landholders may allow weeds to grow on their properties.

Weeds such as the three-corner jack may be spread by the rubber tyres on motor vehicles. This has applied particularly in recent years when trucks have been used to carry grain from the paddocks and the farmer has travelled around the farm in a motor vehicle to look after his sheep and lambs. Our agricultural officers should watch the country for any fresh type of weed and deal with it in the early stages. Only by that method will we have a reasonable chance of maintaining adequate control, but I am afraid that some weeds that have a hold today will be difficult to eradicate. I support the Bill.

Bill read a second time.

In Committee.

Clauses 1 to 12 passed.

Clause 13—"Weeds on land of the Crown."

Mr. HAMBOUR—Penalties are to be imposed on private landholders and even on councils, and the Government should set a good example by clearing the weeds from Crown lands. Will the Minister assure the Committee that Government departments will comply with the legislation? The Government should clean up its weeds and also compel adjoining landholders to clean up theirs.

Mr. HEASLIP—I move to strike out "may" in line 12 and to insert "shall." If we are to eradicate dangerous weeds everyone must take appropriate action. It would be useless for landholders and councils to clean up their weeds if the Minister were left with the option of doing so or not on Crown lands.

Mr. QUIRKE—The amendment will not help the position. Whether "may" or "shall" appears in the clause, the Minister will take action only after the adjoining landholders have taken action. If anything is to be achieved, concerted action should be taken.

The Hon. G. G. PEARSON—I ask the Committee not to accept the amendment. The Minister has under his control only moneys voted by Parliament, and in that regard the Railways Commissioner, unless he is voted money by Parliament, will not be able to take action to destroy weeds. As the control of moneys is in the hands of this Parliament such a Bill as this should not take that control away and place it in the hands of a district council or some other authority. The clause sets out the intention of the Government instrumentality, and to that extent it is an admission of liability by Government authorities in that they shall do their utmost to control weeds on the Crown's property. I am prepared to give that assurance. As Parliament controls the money, the insertion of any mandatory provision would be improper. If the landholders are prepared to do their job, the clause provides that the Government instrumentality adjoining may do certain things to meet its obligations. I ask the Committee to retain the clause in its present form.

Mr. HAMBOUR—The Minister says that the Government or its instrumentality may not have the money to do the necessary cleaning up. Let us assume that the Railways Department has no money and that an adjoining landowner to portion of its property cleans up his weeds, his work will have been of no avail unless the Railways Commissioner takes similar action. There are plenty of landowners without much money and how many district councils have any money? I am prepared to vote for the clause as drafted, because I do not think it will change the position.

Mr. HEASLIP—I supported the second reading, but if all parties do not have to pull their weight the Bill will be ineffective and we might just as well not pass it. It provides that councils and landholders must eradicate noxious weeds, but there is no compulsion about Crown lands. Landholders and councils may discharge their obligations, but seeds could blow on their properties from Crown lands. The railways spread weeds, but the penalty clauses do not apply to them, yet it is proposed to penalize road transport for spreading weeds. We vote huge sums to the railways every year and surely they should eradicate weeds on their land. Noxious weeds cost the country a tremendous sum every year, and

until they are controlled effectively that huge waste will continue and even increase.

Mr. SHANNON—I support Mr. Hambour's remarks. The Government is anxious to pass legislation to deal with noxious weeds, and in quibbling whether we should substitute "shall" for "may" we are querying the Government's goodwill. We cannot ask the Minister to accept an undefined responsibility. Some speakers have said that the railways spread weeds, but the railways are common carriers that cart everybody's stock or produce. Obviously, most of the infestation that occurs along railway lines comes from the cartage of stock. Should we prohibit the transportation by rail of stock that is likely to be carrying noxious weeds? The Railways Commissioner has attempted to control noxious weeds, but reinfestation often occurs within a few years, and I am sure from the same source. The Minister understands the problem of noxious weeds and we would be well advised to accept the clause as it stands.

Mr. QUIRKE—I am not satisfied with the clause. Mr. Shannon said the railways are common carriers and cart stock from infested areas, but the railways will not be forced to eradicate noxious weeds. Steps to eradicate weeds should be taken simultaneously by all parties responsible. When landholders destroy noxious weeds any weeds on adjoining roads or railways should be destroyed at the same time. Clause 13 will defeat the whole object of the Bill.

Amendment negatived.

The Committee divided on the clause—

Ayes (22).—Messrs. Bockelberg, Brookman, Geoffrey Clarke, Corcoran, Coumbe, Goldney, Hambour, Heaslip, Heath, Hincks, Hutchens, Jenkins, King, Laucke, Messrs Millhouse, O'Halloran, Pearson (teller), Playford, Shannon, Stephens, Tapping, and Frank Walsh.

Noes (9).—Messrs. Bywaters, John Clark, Davis, Dunstan, Fletcher, Jennings, Loveday, Quirke (teller), and Riches.

Majority of 13 for the Ayes.

Clause thus passed.

Clauses 14 to 17 passed.

Clause 18—"Subsidy to councils."

Mr. SHANNON—I move—

To delete the words "upon lands of the Crown."

The amendment will broaden the Minister's powers and enable him to render assistance to councils in special circumstances. At present the clause only permits him to make subsidies when Crown lands are involved. It may be that a council will be faced with heavy expenditure in eradicating a dangerous weed. The infestation may not be extensive, but its extermination would be in the State's interests and, under those circumstances, the Minister should be able to subsidize the council if it cannot afford to undertake the work. The Minister will be the arbiter of these special cases. I remind members that the money for these subsidies will be provided by Parliament and, as a result, Parliament will be fully cognizant of what is happening.

The Hon. G. G. PEARSON—I do not think the honourable member realizes the effect of his amendment. The words proposed to be struck out should stand. In connection with policy on this matter the Government intends to stick to the Bill, the provisions of which were investigated by the Weeds Advisory Committee. The Bill has been drafted largely on its recommendations.

Amendment negatived.

Mr. QUIRKE—At the request of Mr. Stott I move:—

To delete the words "a subsidy on."

The Minister has already indicated that the Government intends to stick to the Bill. Clause 17 places on councils the responsibility of destroying weeds on Crown lands and it says that the Minister may out of moneys provided by Parliament for the purpose pay to a council a subsidy on the amount of money spent for this purpose. Mr. Stott says that under his amendment the Government would pay the councils for all the expense incurred in destroying weeds on Crown lands. If a private landowner fails to destroy weeds on his land the Council can destroy them and charge the landowner for the work done. If a council does not clear the weeds from one of its roads the Crown can do the work and charge the council. If the council will not destroy weeds on Crown lands will the Government do the job and charge the council?

Mr. LOVEDAY—I support Mr. Quirke in his objection to this clause, which is an attempt to sheet home to the respective parties their responsibilities. It will mean greater expense for the councils concerned. Most of them are already in financial difficulties and will not be able to stand additional expense. I cannot see why councils should bear the expense incurred in clearing weeds from Crown lands. The Government should bear it all.

Mr. HEASLIP—I support the amendment. If it is right for district councils to be compelled to clear weeds from Crown lands the Crown should bear all the expense incurred.

The Hon. G. G. PEARSON (Minister of Agriculture)—There are two points I would like the Committee to consider; firstly, the words "a subsidy on" do not necessarily mean that the Government does not propose to reimburse councils up to the full amount they expend on this work, but if the words are taken out, it will be obliged, without any other consideration, to pay the full amount. In many cases councils have the right to derive revenue from Crown lands mentioned in this clause. The member for Burra (Mr. Quirke) suggests that my room will be constantly occupied by deputations from district councils, but I am always pleased to see representatives of councils. Some time ago I sent a copy of this Bill to the secretary of the Local Government Association, and I received a reply in relation to various points. In general terms he raised no serious objections to the Bill. I do not suggest that councils will not have certain obligations placed on them, but they appear to have accepted them in the spirit that, after all, if we are to eradicate or control weeds it will involve some work for someone. The councils are prepared to accept the responsibilities that the Bill provides, so I ask the Committee to accept the clause as drawn.

Mr. SHANNON—I do not altogether agree with the Minister's interpretation of the word "subsidy." I do not think that word is used in any other sense than to mean some portion; it does not envisage the whole. Secondly, none of this money can be expended unless it has been approved by the Minister. All the Crown is doing in this matter is to employ councils as agents, because they have plant and manpower in places where the department has not, and as a result councils do the job, but they are instructed by the department how they should spend the money. That does not seem to me to be very risky from the department's point of view.

Mr. Hambour—Except that your interpretation is all wrong.

Mr. SHANNON—I do not think it is. If the Minister does not agree to extend the scope of this matter it is appropriate that he should pay the bill.

Mr. LOVEDAY—I could not quite follow the Minister when he said that some of these lands are fenced in and leased to people, because clause 17 (2) specifically excludes such land.

Mr. HAMBOUR—The member for Onkaparinga (Mr. Shannon) made one statement with which I agree—that he could see nothing wrong with the clause. I have no objection to the Minister paying for weed eradication, and he has power to do so under this clause. Councils are not quibbling about their responsibilities, although later in the Bill there are items to quibble about. If it gets beyond the financial capacity of councils to do the work this clause provides that they will be compensated, but I think they will be expected to do precisely what they are doing today, and they will receive compensation for doing it.

The Committee divided on the amendment:—

Ayes (16).—Messrs. Brookman, Bywaters, John Clark, Corcoran, Davis, Fletcher, Heaslip, Jennings, Laucke, Loveday, Quirke (teller), Riches, Shannon, Stephens, Tapping, and Frank Walsh.

Noes (14).—Messrs. Bockelberg, Geoffrey Clarke, Coumbe, Goldney, Hambour, Heath, Hincks, Hutchens, Jenkins, King, Millhouse, O'Halloran, Pearson (teller), and Playford.

Pairs.—Ayes—Messrs. Lawn, Fred Walsh, and Dunstan. Noes—Sir Malcolm McIntosh and Messrs. Pattinson and Harding.

Majority of 2 for the Ayes.

Amendment thus carried; clause as amended passed.

Cause 19—"Contributions by owners and occupiers towards cost of destroying weeds on roads."

Mr. LAUCKE—I move—

To delete all the words in paragraph I.

If this amendment is passed I will move the following amendments on page 7:—

Line 3—strike out "remaining two-thirds of the."

Line 6—strike out "one-third" and insert "one-half."

Line 8—strike out "one-third" and insert "one-half."

Lines 15 and 16—strike out "as to one-third by the council and as to two-thirds."

Clause 19 throws an unfair responsibility and financial burden on councils as it provides that the cost of the destruction of weeds on any public road shall be borne one-third by the council, and one-third by each landholder on either side of the road. My amendments are designed to provide that the landholders on either side of the road shall each bear half of the cost.

Mr. O'HALLORAN—I support the amendment. The existing provision in the Noxious Weeds Act in respect of ordinary roads under which the adjoining landholders shall be responsible for the destruction of noxious weeds on the half of the road adjoining their property is better than the proposal contained in the Bill, under which a landholder who has completely cleared his property of weeds may be mulcted in part of the cost of clearing the weeds on the road adjoining the property opposite.

Mr. HAMBOUR—I take a serious exception to the clause as framed because I consider that the cost should be shared by adjoining landholders. Why should an assiduous landholder be asked to subsidize the cost of work done by the council on behalf of a neighbour who does not observe the provisions of the legislation? I agree with the Leader of the Opposition that we should retain the present provision. I oppose the clause unless it is amended along the lines set out by Mr. Laucke.

Mr. QUIRKE—I am in agreement with the amendment. Individual landowners should be responsible for the weeds on the road alongside their properties. I see no reason for a change of the present law. A council should have authority to see that the work is carried out on both sides of the road.

The Hon. G. G. PEARSON—The councils will still be under the obligation to do the work if it has not already been done. If the amendment is carried instead of the cost of clearing being shared equally by the adjoining landholders and the council, it will be recoverable by the council from the landholders in the proportion of half each. So that members can consider the implications of the other amendments proposed I ask that progress be reported.

Progress reported; Committee to sit again.

POLICE PENSIONS ACT AMENDMENT BILL.

In Committee.

(Continued from October 30. Page 1282.)

Remaining clauses (3 to 5) passed.

Title passed. Committee's report adopted.

MARRIAGE ACT AMENDMENT BILL.

The Hon. T. PLAYFORD (Premier and Treasurer), having obtained leave, introduced a Bill for an Act to amend the Marriage Act, 1936-1950. Read a first time.

ADJOURNMENT.

At 9.33 p.m. the House adjourned until Thursday, November 1, at 2 p.m.