HOUSE OF ASSEMBLY.

Tuesday, February 12, 1957.

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

QUESTIONS.

FRUIT FLY.

Mr. O'HALLORAN—Has the Minister of Agriculture any further information on the question I asked last week concerning the advisability of further restricting the stripping area involved in the fruit fly infestation discovered in an eastern suburb?

The Hon. G. G. PEARSON—As undertaken by me last week, I have discussed this matter with my technical advisers. When the Department of Agriculture embarked on the first fruit fly eradication campaign in 1947, the only guide to measures which should be taken was the successful fruit fly eradication campaign conducted in Florida in 1928. In that campaign a radius of ten miles was employed.

Entomological advice tendered to us by the Waite Institute pressed for fruit removal and spraying measures over a radius in excess of the one mile eventually decided as being practically within our resources of man-power and equipment. The complete eradication of Mediterranean fruit fly from several suburbs in 1948 to 1950 with no subsequent appearance, and the non-recurrence of Queensland fly in a number of suburban areas where it was established, indicates that eradication measures based on the compromise radius fixed in 1947 are effective.

Our experience in South Australia has guided fruit fly eradication campaigns in other places, and in some cases where working areas were less than the one mile radius the pest persisted in the same area into the second fruit season. This has not happened in our experience in South Australia. We have so far been successful in limiting fruit fly outbreaks in both area and frequency, and thus kept control measures within practicable limits. We are convinced that it would be dangerous to vary a proven procedure.

Mr. KING—Can the Minister of Agriculture outline the steps being taken to prevent the entry of infested fruit into the Upper Murray districts and how the regulations designed to prevent the entry of fruit fly are being policed?

The Hon. G. G. PEARSON—I went into this question previously and can assure the honourable member that active steps have been, are being, and will be taken to prevent the entry of infested fruit into the River Murray areas from eastern States. The usual procedure applies: a warning sign and receptacle are placed on the Renmark-Mildura road, just beyond the Loxton turnoff, and are regularly inspected by a police officer stationed at Renmark, who acts on behalf of the Department of Agriculture. That is similar to steps taken at other points on the South Australian border, which I have examined from time to time and found to be serving a useful purpose. During last year's flood special arrangements were made for the constable, together with his motor cycle, to cross the river on the shuttle service. Therefore I assure the honourable member that active steps are being taken to produce the results desired.

COUNTRY WATER SUPPLIES.

Mr. HEASLIP—Last Thursday I directed a question to the Minister of Works about the cessation of boring operations which were being undertaken in an attempt to supply Wirrabara with water. Has the Minister anything further to report on possible means of providing northern towns such as Wirrabara, Booleroo Centre, Appila and Melrose with a water supply?

The Hon. Sir MALCOLM McINTOSH—I indicated last week that boring operations were not stopped because of the proposed duplication of the Morgan-Whyalla main. As a result of the honourable member's repeated and earnest requests for a water supply for these districts I have prepared a statement on the matter. Investigations are currently proceeding as to when and where the duplication of the Morgan-Whyalla Pipeline can be put forward as a definite project, bearing in mind that the Government is already committed to many major works such as the completion of the Yorke Peninsula reticulation system; the South Para reservoir, providing water for the new town of Elizabeth and country lands in between; the Mannum-Adelaide pipeline completion to improve pressures in the metropolitan area and to supply water to adjacent hills towns and country lands; the Kimba District water supply to provide storage for sparsely settled areas on the West Coast; the Onkaparinga valley scheme which can take water to Lobethal, Hahndorf, Nairne, Mount Barker, Aldgate, Bridgewater and other towns and country lands intervening; and extensions north and south of the Mannum-Adelaide pipeline to supply a large area of farmlands on the Murray Plains.

All these works are in progress. It has never been the intention of the Government nor, I believe, the desire of Parliament to stop one for the purpose of starting on another major work. Completion of these schemes will involve an expenditure of more than £7,000,000.

Other schemes under immediate consideration are: replacement and enlargement of the Warren trunk main, which has become an urgent necessity; an entirely new system in the southern areas with a reservoir at Myponga serving the whole of the area from Yankalilla to Happy Valley; further works recommended to deal with the problem in the hills area around Clarendon, Blackwood and Belair.

The total cost of these latter works will probably run into £10,000,000. It will be seen, therefore, that there is a vast amount of planned works which must, on the basis of the greatest good for the greatest number, receive priority over lesser works which are so numerous that I have not attempted to classify them. The Government is already committed to the expenditure of millions of pounds for work in hand, or already endorsed.

A study of the question of the duplication of the Morgan-Whyalla pipeline has not by any means been put in the background, and this is a work involving an expenditure of about £5,500,000, which, in itself, could easily absorb the whole of one year's expenditure allocated to this department for water and sewerage works. The route of this new line must automatically affect intervening towns, particularly Wirrabara, Melrose, Booleroo Centre, Booborowie and Appila. If the existing line is followed, these towns are beyond what can be regarded as economic spurlines from the existing route, but adoption of a more northern line would bring the pipeline within practicable range of these centres.

The Government is actively prosecuting the idea of the duplication of the Morgan-Whyalla main but considers it would be far more advisable to deviate from the route of the existing main to provide water supplies for towns that have none rather than to give better supplies to those which are already supplied.

Pending the construction of this duplication which is ultimately inevitable, but not immediately feasible, every effort has been made to find water supplies for these towns, but without success. Boring has proved ineffective; geological reports on reservoirs are likewise adverse, and, although Booleroo Centre has some supply, the other towns are to the present without any reticulation scheme whatever. In respect of Booleroo Centre, a new one million gallon tank is being installed at a cost of approximately £25,000. This will be filled in the winter months and sufficient water will be conserved to carry the district during the peak period of the summer. There is no favourable report on the possibility of finding any reservoir sites that would serve the area mentioned by the honourable member, and that could only be done at the expense of robbing the great Willowie Plains of its natural replenishment of underground water.

I have been assured that we dare not attempt to establish a reservoir and seal it because if we did, people who had underground water supplies might be deprived of them.

The problem is a complex one. I will give the honourable member a further and more confidential reply on the matter so that he can forward it to the people in his area. Booleroo Centre is only one of the towns in the north suffering from dry conditions owing to the lack of rain.

GLEN OSMOND TO GLENELG BUS SERVICE.

Mr. FRANK WALSH—Will the Minister of Works request the Municipal Tramways Trust to provide from its own fleet a regular bus service between Glen Osmond and Glenelg forthwith, and also a suitable time table to enable the following approximate numbers of children to attend school and return home?

	Morning.	Afternoon.
Dominican Convent, Cabra	105	105
Primary School, Westbourne Park	25	20
Primary School, Highgate	25	15
Unley High School	40	40
Presbyterian Girls' College	80	120
Woodlands Girls' College	30	30
Urrbrae High School	25	25

The Hon. Sir MALCOLM McINTOSH—The services to be provided by the trust are not dictated by the Minister. I will place the honourable member's comments before the trust and bring down a reply.

TURNING RIGHT AT INTERSECTIONS.

Mr. MILLHOUSE—My question follows on an experience that I and other members and pedestrians have had. I experienced it as late as this morning. At present there is a rule that at an intersection where there are traffic lights in operation a motor vehicle can make a right-hand turn on one traffic light if there is no traffic coming across the path along which the vehicle must move. That is all

right, but the trouble occurs when pedestrians cross with the light. If a motorist sees no motor traffic coming the tendency is for him to barge through the stream of pedestrians moving across with the light, as they are entitled to do. This is a danger to pedestrians. Some motorists even have the effrontery to sound their horns at the crossing pedestrians. Will the Premier take up this matter with the State Traffic Committee to see whether the rule should be altered?

The Hon. Sir THOMAS PLAYFORD—As I understand the law, the motorist has no right to turn if there is any pedestrian traffic.

Mr. Lawn—A lot of them do not know that.

The Hon. Sir THOMAS PLAYFORD—Then the police should take action against the people who break the law. There is no necessity to alter the law, only to enforce it.

COMMERCIAL COURSE AT SCHOOLS.

Mr. LAWN—My question concerns a complaint I had last week from the parents of a child attending the Findon High School. This is the year when the child will sit for the Intermediate Certificate examination but she is permitted to take only six subjects. The one she cannot take is history, a subject in which (I understand) it is considered she would pass with credit. I made inquiries of the department last week and found that in some high schools the students can sit for seven subjects, but that the decision is entirely one for the headmaster. In this case the child is taking the commercial course. Shorthand is not taught in the first year and the headmaster takes the view that more time should be given to shorthand in the third year, and the number of subjects reduced to six. In the first year the students have to take science, which a large number do not want to take. It is considered that if the students were allowed to take shorthand in the first year, less time would have to be devoted to it in the third. Shorthand is a vital subject in the commercial course. Will the Minister of Education look at the matter from the point of view of having greater uniformity between the various schools as to the number of subjects? Secondly, will he inquire whether at the Findon High School science or some other subject can be cut out in the first year and the time devoted to shorthand?

The Hon. B. PATTINSON—Following on the honourable member's enquiry by telephone I obtained the following report from the Director of Education, which does not wholly cover all the points raised by the honourable member:—

Two questions are raised here (a) should all students in the intermediate year take seven subjects? and (b) should shorthand and typing be given in the first year of the secondary course? On the first question there is no doubt that students vary in ability. More able students can and do take seven subjects in each of the first three years of the Intermediate course. The less able students would, in many cases, find it a burden to take seven subjects and in consequence it is considered sufficient for them to take six subjects. Normally the decision on such matters is left to the headmaster of the school concerned. It may be noted that all students have music (singing) and physical education, in addition to other subjects. On the second question, it has been found by experience that the first year of the secondary course should be spent on subjects of a more general nature than shorthand and typing, which are of particularly vocational value. This general first-year course normally consists of the following subjects for girls who aim at a commercial course—English, Social Studies or Geography, Bookkeeping, Maths I or Arithmetic, General Science (which counts as two subjects), together with music (singing), and physical education. In the second and third years girls taking a commercial course would normally take the following subjects—English, Social Studies or Geography, Bookkeeping, Arithmetic or Maths I, Shorthand, Typing, together with Music and Physical Education. To add a seventh subject, for example one of the sciences, would, it is considered, prove an excessive burden for many of these girls.

I will be pleased to discuss with him the matters now raised by the honourable member regarding the course at secondary schools generally and also the girl at Findon High School. As stated in the report, it is primarily a question for the headmaster concerned. I will thoroughly investigate the matter and later inform the honourable member.

TUNA FISHING.

Mr. TAPPING—Yesterday's *Advertiser* contained a report under the heading of "Tuna Schools close to Shore," which stated that there had been a steep increase in the supply of blue fin tuna in South Australian waters, and concluded:—

The captain of the South Australian tuna-fishing vessel *Tacoma* (Mr. W. Haldane) said yesterday that the tuna-fishing industry could not expand while there were only two boats operating. The two boats now in operation, the *Fairtuna* and the *Tacoma*, were inadequate to survey the prospects of the industry fully, he said.

In view of the statement by Mr. Haldane, who is an authority on this matter, can the Minister of Agriculture say whether the Govern-

ment has prepared plans to cope with the increase of tuna in South Australian waters?

The Hon. G. G. PEARSON—The matter of tuna fishing has exercised the Government actively over a long period and considerable sums have been spent from Government sources to foster the industry, on both the fishing and the canning sides. It appears that it is a case of either too much or too little. Last year, following the Jangaard experiment, which was fairly successful, we had a lean period in the availability of tuna, and the fishermen concerned were of the opinion that it would be difficult to maintain the industry on the basis that then applied; but this year, fortunately, tuna have appeared rather earlier and in plentiful numbers, and excellent catches have been taken by both the vessels mentioned by the honourable member. The appearance of the fish in the gulf off Adelaide beaches, although I do not know that it is a new occurrence, indicates that this year the fish are rather plentiful. It is not merely a matter of catching the fish to maintain a successful industry: other aspects, namely processing and selling, are involved. Everything that can be done to foster an industry that waxes and wanes materially over a short period is being done. Whether more boats should be invited is a matter for consideration. Fishermen will generally congregate where fish are to be caught, but as the tuna season on the east coast of Australia has already ended and as there are boats there, the owners of which may have heard the news of good fishing in South Australian waters, they would have already arrived if it had been their desire to come.

MAIN NORTH ROAD.

Mr. COUMBE—In view of the reported statement by the Highways Commissioner, which appeared in yesterday's *Advertiser*, on the urgent need to widen the Main North Road through Nailsworth and Enfield and his further statement that, if this is not done now, the work will cost 10 times as much in the future, will the Minister of Works ascertain from his colleague, the Minister of Roads, whether plans are being prepared to widen the road and when this project is likely to be put into effect?

The Hon. Sir MALCOLM McINTOSH—Yes.

FLOOD RELIEF: PRIVATE SWAMPS.

Mr. BYWATERS—Private swamp holders on the River Murray have been informed, by statements in this House and by correspondence, that they will have to apply for assistance individually to the Lord Mayor's Fund and they have received a letter from the fund, through Sir Kingsley Paine, telling them what is required of each individual settler. An extract from the letter states:—

> The information as to actual or estimated cost submitted by the applicant will be referred to an officer of the Engineering and Water Supply Department for a report.

Seeing that an inspector or an engineer from the department will have to report on this aspect, can the Minister of Works say whether that officer could be made available now to assist those settlers in assessing their damage?

The Hon. Sir MALCOLM McINTOSH—Consistently with the work of the department in other directions that will be done. The honourable member uses the word "now": it will be done as soon as men are available for the work.

HIGH SCHOOL FOR HENLEY AND GRANGE.

Mr. FRED WALSH—For some time the residents of Henley and Grange and contiguous areas have been under the impression that the Education Department intended to construct a high school in that area, but recently the department advised that that had not been intended at any time. These people believe—and I agree with them—that a high school will soon be essential in this fast developing area, particularly because of the inadequacy of the transport that can be arranged to and from the Findon high school, either soon or in the far distant future. That makes it all the more necessary to construct a high school in the Henley and Grange area which would at the same time cater for children in West Torrens, Lockleys, Underdale and surrounding parts. Will the Minister of Education, or the department, consider the advisability of acquiring land so that it will be available for the construction of a school when the department thinks the time appropriate? If that is not done soon it may be difficult to get a suitable site.

The Hon. B. PATTINSON—I do not know where the honourable member's constituents gained the impression that it was intended to construct a high school in the Henley area in the near future, for they did not gain it from me, but, on the other hand, I have considered the matter from time to time. I agree with the honourable member that at some time it will be necessary to build a high school in that locality and, if I remember correctly,

some months ago, in reply to the mayor or town clerk of Henley and Grange, I suggested that the council make a survey of any suitable area so that a site could be obtained in anticipation of building a school. I do not think I have received any intimation from the council, but I have considered a list of priorities for building in the immediate future. I shall be pleased to consider the honourable member's request and discuss it with him at our mutual convenience.

MIGRANT DOCTORS.

Mr. SHANNON—Has the Premier, representing the Minister of Health, any further reply to the question I asked last Tuesday about assisting some of our migrant doctors to practise their profession in this State?

The Hon. Sir THOMAS PLAYFORD—I have discussed this matter with the Minister of Health, and I find he has already made a statement on it in another place this session. That was made on February 5, and it dealt particularly with the opportunities that exist here for migrant doctors to be registered. I know the honourable member is conversant with the law and the difficulties that migrant doctors have under it because the universities where they have been trained are not in countries which reciprocate with this State by accepting doctors from here as being qualified for practice in their countries. The difficulty in adopting the practice of Victoria or New South Wales arises from the fact that we in South Australia have no shortage of medical officers in our hospitals, so we are not in a position to have New Australian doctors working under observation and guidance as we would have if we had a shortage. I refer the honourable member to the statement made by the Minister of Health, and if there is any further information I can give him after he has perused it I shall be pleased to try to supply it.

RAILWAY GUARD'S DAMAGES.

Mr. HUTCHENS—From press reports during the latter part of November it seemed that resulting from the action of the railways traffic manager in posting an anonymous letter on a notice board the local court awarded damages amounting to £40 to a guard by the name of Mr. Till, and that the traffic manager was represented at the hearing by a solicitor of the Crown Solicitor's Department. Can the Minister representing the Minister of Railways say whether the amount awarded was paid by the Crown?

The Hon. Sir MALCOLM McINTOSH—I cannot say, but I will make inquiries and let the honourable member know.

PAYNEHAM PRIMARY SCHOOL.

Mr. JENNINGS—Last week the Minister of Education said that the new Payneham primary school would be opened today but that it would not be really finished and that there would be some difficulties for a time. I think I then undertook not to pester him too much for a while about minor details, but an inspection of the school yesterday showed that four temporary classrooms which are to be transferred from the old school have not yet been transferred, which means that four classes out of the eleven are still going to school at the old site and are not under the control of the headmaster and are away from the rest of the scholars. I think the Minister will agree that this is unsatisfactory, and I ask him will he endeavour to have these four temporary classrooms transferred to the new school as soon as possible?

The Hon. B. PATTINSON—Yes.

BRANDING OF PIGS.

Mr. HAMBOUR—My question relates to the body tattooing of pigs. Owing to the high incidence of disease in pigs, does the Government intend to legislate to make the branding of pigs compulsory so that the source of disease can be traced and, if not, why not?

The Hon. G. G. PEARSON—Last year a deputation waited on me regarding this matter, and submitted a case for the tattoo branding of pigs so that if pigs were found when slaughtered to be diseased the ownership could be determined and the disease traced to its source. The question was fully considered and taken to Cabinet, which decided to take no action because the problems of administration and the number of people who would be put to considerable inconvenience outweighed the probable benefits. Although the Government desired to assist in the eradication of disease, it felt that the incidence of disease was not unduly high and that, on balance, it would not be advisable to bring down legislation involving much administration machinery and inconvenience to stock producers.

CAFETERIA CAR ON PORT PIRIE SERVICE.

Mr. DAVIS—Can the Minister representing the Minister of Railways say why the cafeteria

car was removed from the Port Pirie line and when it will be replaced?

The Hon. Sir MALCOLM McINTOSH—I will make inquiries and advise the honourable member immediately I get a reply.

COUNTRY AMBULANCE SERVICES.

Mr. LAUCKE—A review of Government grants for ambulance services reveals a position most favourable to metropolitan services through the St. John Ambulance Brigade. In 1955, of total grants of £40,200 only £134 15s. 9d. was allocated to country services. I believe a similar proportion applies to 1956. Will the Minister representing the Minister of Health ascertain whether consideration will be given the whole system of the allocation of grants with a view to ensuring more equitable treatment to country ambulance services?

The Hon. Sir THOMAS PLAYFORD—I do not know from what source the honourable member secured his figures. The St. John Ambulance Brigade specifically undertook the task of co-ordinating ambulance services and of assisting country services. I have attended functions at which such services have been assisted by the Brigade. I believe the figures quoted by the honourable member, for some reason or other, are not accurate. I will have an investigation made and secure further information from the Minister of Health.

RIVOLI BAY FISHING FACILITIES.

Mr. CORCORAN—Has the Minister of Works any further information concerning the question I asked last week regarding the proposal to build a jetty at South End, Rivoli Bay?

The Hon. Sir MALCOLM McINTOSH—I secured a report on the question, as promised. The General Manager of the S.A. Harbours Board reports that in October last the Director of Lands was approached to make available as a reserve an area of land at the site of the proposed landing at South End and through which it would be necessary to excavate the approach cutting. At the same time, the district council of Millicent was apprised of the proposal to construct the landing and asked to advise whether it would have opened and constructed a roadway between the proposed reserve and the township of Grey which would be necessary for the transport of heavy materials and gear for the construction of the landing.

The Director of Lands having advised that there would be no objection to the reserve being made available, the district council of Beachport was approached in November and undertook to affect for the board the excavation work and filling for the platform and dinghy ramp. About two-thirds of this work has been done, but it was found that the soil was unsuitable for the formation of the area at the shore end of the proposed landing for which stone must be carted. The result is that further progress by the board is dependent on the making of the essential approach road by the district council of Millicent which body is understood to be negotiating with the Highways and Local Government Department.

ZINC ORE RAIL TRAFFIC.

Mr. O'HALLORAN—A report in last Saturday's *Advertiser* indicates that the Sulphide Corporation proposed to build new smelting works near Newcastle. Has the Premier any knowledge of this proposal, and can he say whether the zincs which, I understand, will be treated at the proposed smelting works will come from the mines at Broken Hill and whether they will be transported—as the production from those mines is now being transported—over South Australian railways to Port Pirie, or be taken direct to Newcastle from Broken Hill on the New South Wales railways?

The Hon. Sir THOMAS PLAYFORD—I heard something about this project several months ago. I believe the zinc concentrates will be mined at Broken Hill and taken to Newcastle for treatment. I do not know the extent to which our Broken Hill rail traffic will be affected. I was interested to read that while this industry has been announced for New South Wales, it is all subject to a satisfactory freight rate being arranged. I thought that possibly was a method of bringing some pressure to bear on the New South Wales Government to reduce the rate, which at present is uneconomic. I have no information other than that. It would be a serious matter for South Australia if she lost her zinc traffic. Personally, I believe the freight rates, unless directly subsidized by the New South Wales Government, will be so high as to at least limit the amount of ore diverted to the New South Wales railways.

PORT AUGUSTA SCHOOLS.

Mr. RICHES—Has the Minister any reply to the question I asked last Wednesday relating to the building programme for the Port Augusta High School? I expressed dismay at

the delays taking place. I am amazed at the progress in the last week and believe it will be possible for the department to maintain the programme originally laid down. In addition, can the Minister supply any information concerning the closure of the opportunity class at the Port Augusta Primary School?

The Hon. B. PATTINSON—In relation to the first question, I obtained, through the Deputy Director of Education, a report from the officer in charge of the building division, which reads as follows:—

The two rooms have been dismantled at Port Augusta High School because they are on the site where the new domestic arts centre is to go. A team of men is now at Port Augusta and they will be re-erecting these two rooms with two new rooms, making a quadruple unit in all and Mr. Bermingham still thinks that these will be ready before the end of February. There will be some congestion, but this has been unavoidable because of the very heavy demands on the Building Division. The men are working as fast as possible to get the new rooms ready for occupation.

I have been advised that the closure of the opportunity class as Port Augusta is purely a staffing question. The view of the Chief Psychologist is that the class has not been conducted as satisfactorily as it should have been and it has been arranged for a change of teacher. The man hitherto in charge will transfer to ordinary straight teaching and a specialist will be sent to the opportunity class. Unfortunately, a specialist is not available at the moment, but the position will be filled as soon as possible.

METROPOLITAN DIESEL RAIL SERVICES.

Mr. FRANK WALSH—Has the Minister of Works obtained a reply to the questions I asked on February 5 about diesel train services on the Adelaide-Woodville and Adelaide-Commercial Road railway lines, and also in regard to running times?

The Hon. Sir MALCOLM McINTOSH—I am advised that improvements in the services will take place during the next financial year. Regarding the time table, I have a lengthy report showing the time lapses on these lines. They substantiate the times given by the honourable member and I ask that the report be incorporated in *Hansard* without being read.

Leave granted.

The report was as follows:—

(*a*) (i) The distance between Adelaide and Woodville is 4 miles 48 chains.

(ii) The timetable prior to 17.12.56 allowed a running time, including stops, of 11 minutes at an average overall speed of 25.09 m.p.h.

(iii) The running time since 17.12.56 has been 13 minutes at an average overall speed of 21.23 m.p.h.

(*b*) (i) The distance between Adelaide and Commercial Road is 7 miles 22 chains.

(ii) The timetable prior to 17.12.56 allowed running time of 17 minutes with an average overall speed of 25.67 m.p.h.

(iii) The running time since 17.12.56 has been 21 minutes with an average overall speed of 20.79 m.p.h.

PRINTING OF SCIENTIFIC BOOKS.

Mr. BYWATERS—The following is an extract from a letter in the Advertiser of January 25:—

It is impossible to buy *The Fishes of South Australia*, Volume II of *The Shells of South Australia* and *The Flora of South Australia*. These are volumes in a series which has been prepared gratuitously by various South Australian biologists and geologists for The British Science Guild (S.A. Branch). The State Government makes available an annual sum for the publication of these excellent and useful books, but; we believe, with the proviso that they shall be printed by the Government Printer, and that he shall place them at the bottom of his list of priorities. Repeated inquiries over a period of years have produced in us no hope of their republication in near future.

I have been approached by various people interested in getting copies of these books, which I believe are printed in a cheap edition and are essential for agricultural teachers at various high schools, Waite Research Institute and other places. Will the Premier see whether the books can be printed and made available for these people?

The Hon. Sir THOMAS PLAYFORD—I will investigate the programme of the Government Printer, who always has urgent printing to do. For instance, Parliamentry documents are marked urgent and receive a priority. I am informed there is a limited call for the publications mentioned.

HARBORS BOARD FINANCES.

Mr. TAPPING—Can the Minister of Marine indicate the effects on Harbors Board finances of losses in interstate shipping freights to road hauliers and of import restrictions?

The Hon. Sir MALCOLM McINTOSH—I can say nothing with regard to the import

restrictions, but in regard to the other matter it is a case of "I told you so." The hold-ups on the wharves reacted unfavourably to users of sea transport and they found other means of transport. Without any doubt the people using the roads today are doing so because of past hold-ups on the wharves. I am sure the effect is great indeed.

Mr. Tapping—Has section 92 anything to do with it?

The Hon. Sir MALCOLM McINTOSH—I do not think so. The section is only a secondary consideration. It is a matter of being able to go direct from the warehouse here to the corresponding place in another State. The chickens are coming home to roost. I will obtain for the honourable member the position in regard to import restrictions. I do not think much will be gained by making the pious statement that the hold-ups have set a new system into being. I believe that in most cases transport on the high seas, which do not wear out, is the most economical. I say to the people concerned that they should not hold up ships and expect to get business and occupation.

Mr. Tapping—Are you referring to the shipowners?

The Hon. Sir MALCOLM McINTOSH—To both parties.

CROYDON GIRLS TECHNICAL SCHOOL.

Mr. HUTCHENS—Can the Minister of Education report the progress made in regard to the construction of the new Croydon Girls Technical School?

The Hon. B. PATTINSON—Tenders have been called for the construction of the foundations and they are due tomorrow. Plans and specifications are being completed for the remainder of the building and tenders for this work will be called separately. I cannot say when those tenders will be called, but it will be when the plans and specifications are ready. I have approved of the work being put into operation as soon as possible.

BUSH CHURCH AID SOCIETY.

Mr. LOVEDAY—My question relates to a request I made last year for an increase in the grant to the Bush Church Aid Society. Then the Auditor-General required certain information, the last of which was supplied by the secretary of the society on January 10 last. Will the Premier ascertain if consideration has been given to the request and whether it is favourable?

The Hon. Sir THOMAS PLAYFORD—I have not seen the report of the Auditor-General. I will make inquiries.

ORE TREATMENT AT PORT PIRIE.

Mr. O'HALLORAN—Can the Minister of Works say whether any complaints have been received by the Harbors Board or the Railways Department regarding out-of-date methods of handling concentrates at Port Pirie recently, and whether anything is contemplated to improve such methods if improvements are considered desirable, because it might be the means of retaining the ore traffic for the South Australian railways instead of losing it to the New South Wales railways?

The Hon. Sir MALCOLM McINTOSH—A very comprehensive scheme is now before the Public Works Committee for improvements to the Port Pirie wharves, particularly in relation to the ore traffic. Probably this is a long range programme that has not been taken into account. I will give a more definite reply as to what is contemplated and what effect it is likely to have on the traffic. Obviously it would be futile to make comprehensive improvements if we are not to get any benefit from the expenditure.

WHYALLA WEST SCHOOL APPROACH.

Mr. LOVEDAY—Has the Minister of Education a further reply to my recent question concerning the approach road to the Whyalla West school?

The Hon. B. PATTINSON—I brought the docket down and intended to discuss this matter with the honourable member. I will do so, and if he wishes to ask a question tomorrow, I shall be pleased to reply then.

POLICY ON ABORIGINES.

Mr. RICHES—Has the Minister of Works the report he promised last Thursday on the policy of the Aborigines Protection Board concerning the re-housing of a family at Port Germein and other matters?

The Hon. Sir MALCOLM McINTOSH—The question has not been lost sight of; it has been forwarded to the board and will receive its consideration.

PORT AUGUSTA HOSPITAL.

Mr. RICHES—For some time the board of management of the Port Augusta Hospital has

requested additions to the midwifery block there, and these have been promised for the past two or three years. Will the Minister of Works obtain a report on when this work is likely to be put in hand?

The Hon. Sir MALCOLM McINTOSH—Yes.

UNEMPLOYMENT FIGURES—

Mr. LAWN (on notice)—

1. How many males and females were registered as unemployed with the Commonwealth Employment Service on February 4, 1957?

2. How many of these persons were in receipt of Commonwealth unemployment relief at this date?

The Hon. Sir THOMAS PLAYFORD—The Regional Director, Department of Labour and National Service reports—

1. On February 1, 1957, there were 2,228 males and 737 females registered as unemployed with the Commonwealth Employment Service.

2. On January 26, 1957, there were 578 males and 125 females in receipt of unemployment benefit.

RUTHVEN MANSIONS.

Mr. O'HALLORAN (on notice)—

1. To what use does the Government propose to put the building known as Ruthven Mansions?

2. Does the Government propose to put the building to that use in the near future?

3. What provisions, if any, does the Government propose to make for the housing of tenants now occupying flats in the building?

The Hon. Sir THOMAS PLAYFORD—The replies are:—

1. It is proposed to use the ground floor for the headquarters of the T.B services. The remainder of the building is to be used for nurses' accommodation.

2. Plans and estimates are now being prepared, and it is anticipated that work can be started on the ground floor at the end of September.

3. The tenants are mainly on monthly tenancies, but the latest date of the expiration of other tenancies is the end of June. Enquiries are now being made by the Architect-in-Chief's Department as to when the tenants will be required to vacate.

RAILWAYS SIGNALLING SYSTEM.

Mr. FRANK WALSH (on notice)—

1. Is the Railway Signalling Engineer on long service leave for a period of two years prior to his retirement?

2. If so, has this any connection with the unsatisfactory signalling system and recent accidents on the Adelaide-Port Adelaide railway route?

The Hon. Sir MALCOLM McINTOSH—The Railways Commissioner reports—

1. Yes.

2. No, nor is the signalling system unsatisfactory.

OIL SEARCH LICENCES.

Mr. FLETCHER (on notice)—

1. What companies have been granted oil search licences in the lower south-east of this State?

2. How long have these licences been in operation?

3. If searches are being undertaken, is the Mines Department being kept informed as to the findings?

The Hon. Sir THOMAS PLAYFORD—The Director of Mines reports—

1. Three, as follows:—
   (1) D. L. Kitto—1,000 square miles in extreme South-East.
   (2) Frome Broken Hill Co. Pty. Ltd.—4,600 square miles south of latitude through Kingston.
   (3) Murray Basin Oil Syndicate Ltd.—14,000 square miles north of Frome Broken Hill area and extending to latitude 35°S, just south of Adelaide.
2. (1) Commenced 1/9/50. Expired 31/8/52.
   (2) Commenced 5/2/54.
   (3) Commenced 1/11/54.

3. Technical reports as required under the Mining (Petroleum) Act, 1940, have been furnished and officers of the Mines Department keep in close touch with operations by the licensees.

ENTRY OF SPEAKER INTO CHAMBER.

Consideration of the following report of the Standing Orders Committee:—

In view of the anticipated presentation of a mace to the House of Assembly to mark the centenary of responsible government in South Australia, your Standing Orders Committee met to consider what changes the acquisition of a mace might entail in our present practice, and what amendments (if any) were deemed desirable in the Standing Orders. It is proposed to vary the ceremonial practice so that at the appointed hour for meeting on each sitting day, the Speaker, preceded by the Sergeant-at-Arms bearing the mace, will enter the Chamber through the southern doors. At the bar the Sergeant-at-Arms will announce "Gentlemen, the Speaker," whereupon members will rise. On reaching the bar the Speaker will bow to each side of the House in turn

and members will bow in response. Then the Speaker will proceed to the dais, take the Chair and the Sergeant-at-Arms will place the mace upon the table. The Speaker will then rise and read prayers. At the end of the day's sitting members will stand and the Sergeant-at-Arms, with the mace, will precede the Speaker when he leaves the Chamber through the rear exit.

Your Committee is of opinion that authority for the use of the mace should be incorporated in the Standing Orders and has the honour to recommend that the following amendments be made:—

Standing Order No. 15 (Opening of new Parliament—Speaker takes the Chair)—

At the end thereof add the following words:—"whereupon the mace, which before lay under the table, shall be laid upon the table."

Standing Order No. 413 (Committee of the Whole—Chairman takes the Chair)—

At the end thereof add the following words:—"and the mace shall be placed under the table."

The Hon. Sir THOMAS PLAYFORD (Premier and Treasurer) moved—

That the report be adopted.

Motion carried.

The Hon. Sir THOMAS PLAYFORD moved—

That the amendments of Standing Orders No. 15 and No. 413 be laid before the Governor by the Speaker for approval, pursuant to section 55 of the Constitution Act, 1934-1955.

Motion carried.

STATUTES AMENDMENT (PUBLIC SALARIES) BILL.

Adjourned debate on second reading.

(Continued from February 6. Page 1597.)

Mr. O'HALLORAN (Leader of the Opposition)—This Bill simply increases the salaries of certain high-ranking public servants, whose salaries are fixed by statute, in the same ratio as those of other high-ranking public servants whose salaries are fixed under the Public Service Act. Because of the delay in granting the increases to the officers mentioned in the Bill, they are to be made retrospective so that the officers will not be at a disadvantage compared with other officers. I do not object to the Bill.

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

LANLORD AND TENANT (CONTROL OF RENTS) ACT AMENDMENT BILL (No. 2).

Adjourned debate on second reading.

(Continued from February 6. Page 1596.)

Mr. O'HALLORAN (Leader of the Opposition)—The Bill seeks to correct a position created by the enactment of section 55c earlier in the session. That section provided that if an owner proposed to sell a dwelling-house he could secure vacant possession for that purpose after the expiration of six months' notice duly given, but the Opposition strenuously objected to it and pointed out that unless adequate safeguards were included great hardship would ensue. Unfortunately, the Government was adamant and refused to heed the Opposition's warning, with the result that we have to provide the necessary safeguards now. I will not take up time with an "I told you so" speech, but there is ample justification for the Bill.

It would not be out of place to refer to some of the instances that have been brought to my notice, but I shall not read the correspondence because the persons concerned desire to remain anonymous, for they fear there might be repercussions if their names were published. One tenant was paying £2 11s. a week for a flat, but after the passing of section 55c she received notice that possession was required within six months so that the property could be sold with vacant possession. She was also told that if she accepted an increase in rent the notice would not be given effect to; and she signed a lease in which the rent was increased to £5. There were four other tenants in this group of flats, and I understand they were treated similarly. Another person occupied a cottage for which the rent fixed by the Housing Trust was £1 10s. a week, but it has been increased to £4 10s. In another case the rent was increased from 13s. a week to £3 10s., and in another the tenant is being asked to accept an increase from 18s. to £5. I have received the following letter which is indicative of what happens:—

In our case we received notice to quit immediately the amendment was passed. We have been living in this house for the last 17 years, the house at that time being valued at £350. When the owner said he would have to sell the place two years ago, he offered it to us for £1,300. As we had no hope of buying it, he sold it to a land agent who repeatedly advertised it for £1,850 because it was tenanted. Since our notice to quit has been served on us he has told me when we are gone he will be asking £2,650 vacant possession. We know of many cases in the same class as we have given here, but time does not permit to do so at this stage.

In another instance the owner of a group of 10 houses has sent letters to all tenants asking them to agree to leases, otherwise he will

repossess the property for the purposes of sale. Naturally, the landlord is seeking to considerably increase the rents. This Bill will correct that position, but I am rather concerned as to whether it will assist those people who have been induced, under threat of dispossession, to enter into agreement for increased rentals. I doubt whether this legislation will nullify those agreements. If it does not the Government should amend it. It obviously will not help those persons who have been already evicted. The housing position is still so desperate that people are prepared to go to almost any lengths to retain the accommodation they are enjoying.

Another matter not covered by the Bill will soon require consideration. People who, as a result of the amendments in 1953 and 1954 providing that where leases for two or more years are effected the premises are removed from rent control legislation, entered into leases are now being asked to pay astronomical rents when their leases expire. I have received a letter from the executive of a large undertaking. He took possession of a flat in 1947 on a monthly rental basis without an agreement, and spent a considerable sum in furnishing it as a permanent home. On July 14, 1954, he made an agreement with the landlord to pay an additional £1 a week for a further three years. When this agreement still had a year to go the landlord suggested making a fresh three-years agreement with a further rent increase of 25s. a week, otherwise he would dispose of the property. The tenant did not sign a fresh agreement and the property was sold. On January 17 last the new owner took possession of one of the flats in the premises and on January 22 the tenant received notification that the owner desired vacant possession of his flat at the expiration of the existing agreement on July 14. No protection is afforded to the tenant, nor to many others similarly situated.

Something should be done to meet the two types of cases I have mentioned. Those who have signed leases because of the threat contained in the notice they received issued under section 55c should be given the protection that is given to others by the Bill, otherwise a shocking injustice will be done. I believe there is a legal possibility of something being done in these cases. If there is anything in the old English common law that remains worthwhile, agreements such as these, made under duress, should be voided by the court. It is in this regard that the Government could assist if it is not prepared to put the additional safeguard in the legislation in order to cover such cases. I agree with the general principles of the Bill and support the second reading.

Mr. MILLHOUSE (Mitcham)—When I first heard of this amendment I was surprised, but, although I do not like landlord and tenant control, I accept the principle behind this amendment because apparently it rectifies an anomaly in the earlier legislation. However, there are two points I want to mention. In the present Bill they work unjustly. In clause 3 a period of three months is mentioned. That means that after vacant possession of the property has been obtained and it is not sold within three months it must be offered back to the tenant at the same rent and so on. The period is not long enough. No doubt three months has been inserted to safeguard the interests of the tenant.

Mr. O'Halloran—It is a long time to be camped under a tree waiting to get possession again.

Mr. MILLHOUSE—That is all right from the point of view of the tenant, and I shall say no more about it, but from the point of view of the landlord the time is not long enough. Often a house let to a tenant is owned by an estate and administered by a trustee. Often the tenant has been in possession for many years, during which time no major renovations or repairs have been carried out. It could easily be that when the vacant possession is obtained the trustee desires to have the repairs carried out, and for that purpose tenders have to be called. This all takes time, at least six weeks. Then the repairs have to be done and that will take probably half the period of three months. Not much time is then left. Where the estate is the owner the trustee in almost every case is obliged to offer the property at auction. To do that it is the normal practice to advertise the property for about three weeks. This means that another three weeks have passed before the auction takes place. If it is not sold then, and is subsequently sold by private treaty, it could well be that the three months have gone. Thus, despite the best intentions of the people concerned the property will not have been sold within the specified period.

Take the instance where the owner, not a trustee, desires to sell and has difficulty in getting the price he is entitled to get. As the period of three months passes the more honest the seller is the more worried he will get as to whether he will be able to sell in the prescribed period. The price is likely to be unduly depressed by the owner's thought that the time will have passed before the sale takes place. I am assuming that no steps will be taken to sell before the owner gets vacant possession, and it is likely that the property will need renovating and repairing.

Mr. John Clark—Usually the landlord intends to do nothing until he gets the tenant out.

Mr. MILLHOUSE—Yes. It is fair to assume that in many cases it is not possible to carry out repairs whilst the tenant is in occupation, and that is the reason why no effective steps can be taken to offer the place for sale before the tenant gets out and the repairs are made. Look at the matter in another way. If a six months' notice to quit is given, the tenant might vacate within a week or he might not vacate until a court order is made. The time under this provision runs from the actual date when he gets out, and the landlord may not have an opportunity before he gets out to take any steps to offer the place for sale if it needs renovation.

Mr. John Clark—He could have nine months.

Mr. MILLHOUSE—He could, but it would depend on the date fixed by the tenant, not the landlord. Allowing only three months from the time when the tenant vacates for the sale results in a hardship, and I believe the period should be lengthened to six months.

My second comment is in relation to the provision in new section 55d that lays down that if a new owner puts in a tenant within 12 months of the original sale allowed by section 55c, the rent of the property is to be subject to fixation by the Housing Trust. I believe that is a totally unfair provision because its effect is to put the purchaser of an older property in an inferior position compared with one who buys a new property or one who happens by some fortuitous circumstances to obtain vacant possession. If a landlord offers his property for sale and it is sold the purchaser has a house with vacant possession. He may intend to live in it himself, and that is undoubtedly what the original amendment was designed to provide for. However, if he is unable to live in it and lets it within 12 months of his purchase, it is subject to rent control by the Housing Trust, but if he buys a new house or one that is not subject to the Act, it is not subject to rent control. In other words, this provision, which is designed, I suppose, to stop dummy sales, can in fact work a severe hardship on a *bona fide* purchaser simply because he happens to buy a property not exempt from the Act. I do not believe the evil that this amendment is designed to overcome merits this provision, and I would very much like to see it knocked out.

Mr. JENNINGS (Enfield)—I support the Bill and I think we can all be thankful that the Government has eaten humble pie in introducing it, although earlier it was most adamant in maintaining that the difficulties foreshadowed by the Opposition would never arise. This Bill represents an apology by the Government for its mistake, but in a spirit of magnanimity in victory the Opposition is not rubbing it in as it could. The member for Mitcham (Mr. Millhouse) said that although he does not believe in this legislation, he feels that these amendments are designed to rectify an anomaly. He said he would not oppose the measure even though it increases in severity legislation that he opposes in principle. He then went to great lengths to find some obscure way in which the provisions of the Bill could react to the detriment of the people he represents, but I doubt whether he convinced the House.

His argument about the three-month period did not even have superficial appeal because we all know it really means nine months—six months' notice at the start, and if a person makes a statutory declaration that he is going to sell the place at the end of six months, he has a further period to enter into negotiations for the sale of the property. If repairs are required, they can be done in many cases while the tenant is in occupation, but even if they cannot, once the tenant delivers up possession there is still three months to effect repairs. Houses are so hard to come by that even if the repairs were not properly completed at the end of three months anyone who was able to purchase a property would still do so, even if he had to wait a month or two more to go into occupation. I doubt whether any colleague of the honourable member

believes he did his case much good by using such an argument.

Although the honourable member did not expressly say so, he implied that a person buying a home with vacant possession must pay considerably more than the purchaser of a tenanted house, and that the purchaser of an older house would be at a disadvantage compared with the purchaser of a more modern home that is not covered by the Act. That is admitted, but the distinction should be overcome by bringing all houses under the control of this Act so that a person will not be at a disadvantage merely because he purchases, at an inflated price, a house built before a certain year. The remedy is not to inflict an even graver hardship on a greater number of tenants, but to ensure that the Act is extended to cover all homes irrespective of the year in which they may be built.

I most humbly apologize for the fact that the Opposition was responsible for introducing this amendment last year. Of course, although the influence of the Opposition for good is fairly considerable, it has not a majority in this House, and it seemed strange last year that merely because a certain amendment was introduced by the Opposition the Government, in spite and in almost childish petulance, saw fit to oppose it. Merely because Opposition members raised their voices against legislation they believed was vicious, the Government, in a fit of pique, ignored their plea; yet only a couple of months after passing the legislation it has discovered the State-wide repercussions that have followed its callous disregard of the interests of the ordinary people in the community. It now seeks to rectify the position, but I feel that this legislation does not go far enough.

There are many ways in which a tenant may be intimidated into signing a lease or surrendering possession, but this legislation will not help safeguard that position. For example, a tenant may still be intimidated under the threat that the landlord will make the statutory declaration and, if necessary, sell the place at the end of six months, and when a tenant has nowhere else to go he can be easily intimidated into signing such a lease. True, it may be a slight gamble on the part of the owner, for if the tenant does not sign he is forced to go ahead and sell. On the other hand, however, it is not so much of a gamble, because if the tenant does not sign a lease at a highly inflated rental, then at the expiration of six months the landlord may sell the house with vacant possession at a greatly increased price. Therefore, the very fact that we allow tenants to be evicted merely because the owner wishes to sell may have disastrous results. True, instances of grave hardship to landlords exist, but they are not the general rule, and intimidation of the kind I have described may be inflicted on a tenant at any time. Even without such intimidation, a tenant of 20 or 30 years' standing may be evicted merely on the grounds that the owner wishes to sell the property. Surely that inflicts a grave hardship on the tenant who, although he may have paid for the property over and over again by means of rental payments, may be evicted after six months, even though he has nowhere else to go.

We are discussing this measure in an atmosphere of a grave housing shortage and we must distinguish between two sets of people whose interests conflict because of that shortage. Unfortunately, South Australia has done little to overcome the shortage; indeed, our housing achievements bear unfavourable comparison with those of every other State. Yet this Government, to gain public support, pretends that it is protecting the tenant, whereas it has emasculated this Act to such an extent that it now means nothing. To say the least, this Government has been guilty of cowardly administration.

I support the amending legislation as I supported it only a short while ago. The difference is that today I am not supporting it against the wishes of the Government, because it has woken up to itself. I only regret that the Bill will only correct the error made earlier this session and not go further back and correct the other grave errors that have weakened this important legislation over the past couple of years.

Mr. SHANNON (Onkaparinga)—Having listened to the member for Enfield (Mr. Jennings), who spoke so modestly, I feel that I must correct his statements concerning the unconscionable landlord who fattens at the expense of the unfortunate tenant. I ask Mr. Jennings to consider his statement that a house brings more when it is available for sale with vacant possession than when subject to tenancy. He made that point two or three times, but does he appreciate who suffers because of the restrictive legislation? Does he not know that the unfortunate seller of a

tenanted house must sell at a deflated price because he cannot get vacant possession? In spite of this, Mr. Jennings still alleges that the people who enjoy the privileges under this legislation are the property owners and not the tenants. I cannot understand his line of reasoning.

It was obvious that he was embarrassed in his own voluminous statements about the sins of the Government. He was out to vilify the Premier for his attempt in the earlier parts of the session to rectify a hardship on property owners, particularly deceased estates when properties have to be sold to pay succession duties and other charges. The honourable member made other rash statements, but I am coming to expect them every time he rises. He said that a tenant who had been in a house for 20 or 30 years had paid for it over and over again. How nice if we could pay for houses by just accepting the rent and not having to worry about maintenance, rates and taxes, or even interest on our investment! I am afraid that under our present laws the landlord is heavily subsidizing every tenant whose rent is fixed.

Mr. Jennings—Are you opposing the legislation?

Mr. SHANNON—I am saying a word in season for the honourable member's benefit, but I do not think it will penetrate. It is difficult to get it through wood. I am surprised that the House is being asked to consider what is for all practical purposes the same problem that has already been resolved this session. We are now amending the effects of what was done earlier. The member for Mitcham made a good speech, but I do not agree with one of his statements. He said, in effect, that the amendment agreed to earlier this session was designed to make it possible for a property owner to secure a house for his own use, but it was nothing of the sort. No mention was made of how he should use the property. A purchaser could buy a house and let it immediately without let or hindrance. However, the amendment assisted people who administered deceased estates because they could secure the full value of the home for beneficiaries. The purchaser could resell the property if he wanted to, so there were no tags placed on him, but now we are putting in all sort of ifs and ands.

I agree with the member for Mitcham that three months is too short if justice is to be done to the people we want to assist. I stress that this legislation is designed to assist property owners, not tenants. A property owner, for various reasons, may want to convert his property to cash. This is not so simple in deceased estates as the member for Enfield suggested. He said that certain preliminaries might be commenced before possession could be obtained, but those handling deceased estates are frequently embarrassed for ready money. The fact that they have to sell a property is an indication that the estate has virtually no liquid assets. Some large estates may be able to obtain advances, but small estates find it hard to get money to put a property in repair for sale.

People who wish to sell property and put the money to some other form of investment usually do so because they find that maintenance and other charges are so eating into the rent that the return does not even equal Savings Bank interest. Why should we deny these people ample time to put a house into proper condition for sale? The owner is faced with a heavy penalty if, having evicted the tenant, he does not sell the property within the prescribed time. If we limit that time to three months the owner may experience difficulty in getting the necessary repairs done. It is almost impossible to secure the services of tradesmen. They are not particularly concerned about repair jobs because they are fully occupied with new buildings. It has been alleged that this Bill has been introduced to rectify a mistake made by the Government earlier in the session. I suggest that if a mistake was made this Bill goes too far the other way because the property owner will receive little or no benefit.

Mr. Corcoran—What do you consider a reasonable time?

Mr. SHANNON—I have had some experience of trying to get a tradesman to undertake small painting and plumbing repairs and, as a result, I suggest six months as a minimum. A man could not be expected to get a house into a saleable condition in less time, particularly as most of the houses concerned in this legislation will be in a shocking state of repair. I appreciate that there are some good tenants who care for the property they occupy and who, if the owner supplies the paint, will paint the house. They establish and maintain good gardens. However, a landlord is not likely to evict such tenants. He is only

concerned with getting rid of the tenants who flit by night, as it were.

Mr. Millhouse suggested that the purchaser of such a home should be free from rent control. I entirely agree. If we are to permit the person selling a property to secure the full market value of it, we should not restrict the purchaser. If we apply restrictions to him he will, in effect, be buying a tenanted house. He can pay a premium on the assumption he is getting vacant possession of a home, but when he applies to the authority for a new rent, unless he can introduce new factors proving that an increase on the old rent is justified, the rent will probably remain the same. If that happens purchasers will not pay the full market price. I hope certain amendments will be agreed to in Committee to afford some justice to those who have a legitimate reason for selling their homes. It is quite easy to look after the mass of voters and forget about those who represent but a few votes. I have never worked on that principle. If an injustice accrues to one person this House should attempt to rectify it. With those reservations I support the second reading.

Mr. TAPPING (Semaphore)—I support the Bill. I listened with interest to Mr. Millhouse who said he was surprised to learn of this amendment. When section 55c was adopted by Parliament we who represent industrial areas were amazed that Parliament should be so harsh on tenants. Mr. Millhouse is opposed to controls of this nature. I agree that if there were an abundance of homes no controls would be necessary, but at present they are essential. It was only natural that Mr. Shannon should introduce politics and say that we supported the measure because by so doing we would secure more votes. That was the inference to be drawn from his concluding remarks. This is humane legislation and should be divorced from politics. It protects those who cannot secure homes because of the acute shortage.

In today's press we read that the Housing Trust constructed 250 homes more than last year. At first sight that appears commendable but when it is realized that most of those homes were erected at Elizabeth for the occupation of people living and working there, it is obvious that the metropolitan housing position has not been improved. Since last year when the landlords realized that section 55c would help them many notices have been sent out to tenants. In a number of cases the landlords were sincere in their desire to sell but it has been proved by the Leader of the Opposition that some resorted to bluff and threats. Members from industrial areas have been told that tenants have been bludgeoned into signing leases at increased rents. It may be said that people can refuse to do that but most of the tenants are forced to sign because of the extreme housing shortage. To some extent the Bill rectifies the anomaly created last year. Under section 55c when a case goes to the court the judge must uphold the eviction because of the passing of the period of six months. In cases of extreme hardship the judge should be able to allow a longer time for people to get accommodation. Mr. Shannon said this was one-sided legislation and in favour of the landlords, but I believe tenants are still on the worst end of the stick. In Kent Town and other places homes are being demolished in order to erect industrial premises. Because of panic and confusion tenants are now doing things they would not do otherwise.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—"Restriction on certain lettings of dwellinghouses."

Mr. O'HALLORAN (Leader of the Opposition)—Earlier I referred to people, who had received notice that possession of premises was required to facilitate the sale, agreeing with the landlord to sign another lease for a period at a higher rental. When that has been done notices have been withdrawn. Has the Premier anything to say on this matter?

The Hon. Sir THOMAS PLAYFORD—If a landlord says on oath under the Act that he intends to sell the house and then tells the tenant that if he agrees to pay more rent the house will not be sold, he is not *bona fide* in his oath. If such a case were reported to me I would ask the police to take action under the Oaths Act because of the false declaration. In these cases that procedure should be followed.

Mr. MILLHOUSE—I move—

In new section 55d (1) (*c*) to delete "three" and insert in lieu thereof "six."

I explained earlier that this amendment would increase the specified period to six months.

I said that three months was not long enough to allow a *bona fide* seller to sell and I set out the reasons for believing that. I referred to the trustee who wants to make repairs but cannot do so whilst the tenant is in occupation and showed how three months could expire before a sale could take place. Take the case of the owner of a property who obtains vacant possession and then has the renovations carried out but does not get the property sold within three months. Must he give the place back to the same tenant at the same rent, after the renovations have been made? Would that not be unfair? What is the position if a sale is negotiated subject to the prospective purchaser obtaining the necessary finance? I am told that a limit of 60 days is the usual time. In that period the prospective purchaser may not be able to get the money. Then the seller would have to start all over again because through no fault of his the three months would have expired. A longer period than three months should be provided to guard against the frequent occurrences I have mentioned. Further, it may not be possible to carry out repairs while the tenant is in possession. Indeed, an antagonistic tenant may not allow a tradesman to effect repairs. Renovations and repairs vitally necessary for a good selling price may not be legally possible while the tenant is in possession. An owner may enter into a treaty for sale while the tenant is still in possession, but under such circumstances how can a definite date of possession be given to the purchaser? After all, one does not know when the tenant will vacate. For all those reasons I ask that the period be increased to six months.

The Hon. Sir THOMAS PLAYFORD (Premier and Treasurer)—Parliament considered this matter and decided that where a sale was to be arranged the seller should have the advantage of being able to sell with vacant possession because tenanted houses frequently did not bring what was regarded as a fair price. I believe that those amendments were fair and reasonable, but unfortunately, some people have seen in them a chance to break down the legislation as a whole and to use it in a way never intended by Parliament. That immediately posed a difficult problem because one does not desire to penalize people who are playing the game, merely because other people are not playing it.

The member for Mitcham (Mr. Millhouse) said that a period of three months would be too short, but whenever limitations of time or place are fixed there is always the difficulty of a person who is outside the ordinary case. I am, however, prepared to meet the general case stated by the honourable member and to accept an amendment providing that the period of three months shall operate after the completion of any repairs necessary to effect the sale. In other words, if a person is willing to renovate his house, two months may be necessary, but after the repairs are completed, he must sell within three months. If the honourable member will frame an amendment along those lines I will accept it.

Mr. GEOFFREY CLARKE—Under the amendment suggested by the Premier a house must be sold within three months after it has been put into a saleable condition. I support that, because it goes a good way toward meeting the valid criticism of some people, particularly those engaged in the buying and selling of property who, although not objecting in principle to the objects of the clause, nevertheless feel that the limitation of three months is too severe. The suggested amendment will relieve some of the hardship that will be occasioned if the clause is passed in its present form.

Mr. MILLHOUSE—I ask leave to withdraw my amendment.

Leave granted; amendment withdrawn.

Mr. MILLHOUSE—I now move—

In proposed new section 55d (1) after "months" in paragraph (*c*) to insert "or if the lessor within the said period of three months undertakes repairs to the dwellinghouse within three months after the time those repairs are completed."

This would overcome many of the difficulties I outlined earlier and I think it would meet the Premier's suggestion.

Amendment carried.

Mr. MILLHOUSE—I move—

In proposed new section 55d (1) to strike out "of three months" in placitum i.

This is a consequential amendment.

Amendment carried.

Mr. SHANNON—I move—

To delete subsection (3) of proposed new section 55d.

This part provides for the continuance of rent control on a property after it has been

bought. In other words, it means that the purchaser is subject to the same rigid conditions as the seller suffered. Obviously, the Bill is designed to afford relief to people who find they have to sell their properties for various reasons. Tenanted houses bring less on the open market than those with vacant possession, and the buyer knows that the authority charged with the duty of fixing rents will stipulate the same rent that applied before the sale. Therefore, he would not be prepared to offer so much for the house as he would otherwise, so this provision gives no relief to a person desiring to sell a house.

The Hon. Sir THOMAS PLAYFORD—The purpose of the amendments carried earlier this session was to place the seller of a house on an equal footing with the buyer. We have had cases where a seller could not get vacant possession before selling his property, but the purchaser could buy it cheaply, give six months notice, and then live in it. The earlier amendments were not for the purpose of abolishing rent control on houses that had been sold, but Mr. Shannon has placed a new interpretation on the intention of proposed new section 55d (3). It was not intended that we should provide a loophole to evade the provisions of the Act. This provision was designed to ensure that tenants were not forced into entering into leases. The legislation was amended in an endeavour to right an injustice that sellers had been suffering under for a number of years.

Mr. SHANNON—If the Premier examines the legislation we considered last November he will discover none of those restrictions on the person who purchases under this provision. Apparently we now propose to take away the privileges we offered last year. There is no doubt that the purchaser will be well acquainted with the conditions of sale and will know that the rent is already fixed. The only small benefit he will secure is the right to choose the new tenant. If we are concerned with ensuring that people do not abuse this privilege whereby the owner may receive the full benefit from the sale of his property, why worry about this provision that fixes the rent the purchaser may charge? If we fix the rent the seller is immediately denied the additional value available to him for a house sold with vacant posession. I was disappointed when this legislation was introduced last year, but am more disappointed that new provisions which were not discussed or thought of last year have been incorporated in it.

Mr. MILLHOUSE—I support Mr. Shannon. Quite apart from the argument adduced by him—with which I entirely agree—my opposition to this provision is that the purchaser of a property which has been vacated under the provisions of 55c will be in a worse position than the purchaser of a property not subject to the Act and that is unfair.

Mr. HEATH (Wallaroo)—I support the amendment. This provision was introduced last year to enable the legitimate seller the right to receive full market value. If this proposal is accepted we will deprive him of that. Many people would be prepared to purchase properties today if they could secure a legitimate return. There is no doubt that homes built prior to 1939 are much better structurally and architecturally than those erected nowadays by the Housing Trust and other contractors and if restrictions were not imposed on their sale would bring good value on today's market. We should ensure that a home purchaser secures a fair return—certainly as much as he would receive if he invested in Commonwealth loans.

Mr. HAMBOUR—If a husband sold his home to his wife, son, daughter or other close relative, would that be an easy means of increasing its rental?

The Hon. Sir Thomas Playford—Yes.

Mr. HAMBOUR—In that case I cannot support the amendment because it would defeat the whole purpose of the Act.

Mr. MILLHOUSE—This clause is obviously put in to stop dummy sales. That is probably a laudable aim, but the evil which it seeks to overcome is less than the evil which it perpetrates, and that is why I oppose it. If there were some other way of preventing the dummy sales I would probably support it.

Mr. SHANNON—It is quite obvious that this clause was not designed to do what the honourable member for Mitcham suggested.

The owner of a house could have been denied the right to sell to a member of his family if that is what the clause aimed to do, but I do not believe that was the aim. I believe that its aim was the continuation of rent control, and it says so in so many words.

Mr. Hambour—The House has accepted that.

Mr. SHANNON—The House has also agreed to release certain properties from rent control.

We have relieved a lot of people from the onerous duty of going to the Housing Trust to have rents fixed.

Mr. Hambour—We still have rent control.

Mr. SHANNON—Yes, but I hope we are gradually moving out of that field. This provision had never been thought of and certainly never mentioned, but now a Bill is brought before us like a bolt from the blue, and all we are doing, as I see it, is revoking our decision of three months ago, in the same session of Parliament. It is most unusual, and could be ruled out of order by the Chairman and not considered at all. The Committee should not be invited to express a contrary view to one which it has already agreed to. To do so is not in the best interests of Parliamentary government and does not add to the prestige of Parliament. We are here to give considered judgment on all matters, but we are now importing into this legislation an idea which is quite foreign to what was previously intended, which was to give the full benefit of the market value of a property to a person forced to sell. Now we propose to take away that benefit.

The Committee divided on the amendment:—

Ayes (6).—Messrs. Bockelberg, Brookman, Harding, Jenkins, Millhouse, and Shannon (teller).

Noes (24).—Messrs. Bywaters, John Clark, Corcoran, Coumbe, Davis, Fletcher, Goldney, Hambour, Heaslip, Hincks, Hutchens, Jennings, King, Laucke, Lawn, Loveday, Sir Malcolm McIntosh, Messrs. O'Halloran, Pattinson, Sir Thomas Playford (teller), Messrs. Stephens, Tapping, Frank Walsh, and Fred Walsh.

Pairs.—Ayes—Messrs. Geoffrey Clarke and Heath. Noes—Messrs. Pearson and Dunstan.

Majority of 18 for the Noes.

Amendment thus negatived. Clause as previously amended passed.

Title passed. Bill read a third time and passed.

LOCAL GOVERNMENT ACT AMENDMENT BILL (MOTOR PARKING).

The Legislative Council intimated that it had agreed to the House of Assembly's amendments.

ADJOURNMENT.

At 5.15 p.m. the House adjourned until Wednesday, February 13, at 2 p.m.