

**HOUSE OF ASSEMBLY.**

Wednesday, September 4, 1957.

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

**WATER RATES REMISSION BILL.**

The SPEAKER—I draw the attention of the House to the fact that the Water Rates Remission Bill was yesterday passed by the House before being recommended by the Governor.

The Hon. C. S. HINCKS (Minister of Irrigation) moved—

That the Standing and Sessional Orders be so far suspended as to allow the resolution of the House of September 3:—“That this Bill do now pass and that the title be an Act to provide for the remission of water rates payable under the Irrigation Act 1930-46 in respect of the financial year 1956-57” to be read and rescinded and the motion for the passing of the Bill to be again made after the receipt of a recommendation from His Excellency the Governor.

The SPEAKER—I have counted the House and there being present an absolute majority of the whole of the members of the House, the motion is accepted.

Motion carried.

The Hon. C. S. HINCKS moved:—

That the resolution of the House of September 3—“That this Bill do now pass and that the title be an Act to provide for the remission of water rates payable under the Irrigation Act 1930-46 in respect of the financial year 1956-57” be read and rescinded.

Motion carried.

Later:

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

The SPEAKER—I now put the question:—“That this Bill do now pass and that its title be an Act to provide for the remission of water rates payable under the Irrigation Act 1930-46 in respect of the financial year 1956-57.”

Motion carried.

**QUESTIONS.****DIESEL OIL TAX.**

Mr. FRANK WALSH—As a result of the Federal Treasurer's Budget address last night, this morning's press indicates that the Federal Government has decided to impose customs and excise duties amounting to 1s. a gallon on automotive diesel oil used by road transport. I understand this oil is known as distillate and

is used for high speed vehicles. In view of the conversion from trams to buses in our metropolitan transport system, as a result of which large quantities of distillate are used, is the Premier in a position to comment on the impact the Federal decision will have on it, and will it have any effect on fares?

The Hon. Sir THOMAS PLAYFORD—The new tax is 1s. a gallon on diesel oil used for motor transport purposes. The Tramways Trust does use diesel motor vehicles upon the roads and, therefore, I presume, will have to pay the tax. The amount is not definitely known, but it would be between £25,000 and £35,000 a year.

**LEAD POISONING.**

Mr. MILLHOUSE—This morning's *Advertiser* contains a report of a statement by Professor Lorimer Dods (Professor of Child Health in Sydney) concerning the danger of lead poisoning in South Australia. He is reported as saying that South Australia should introduce regulations to protect children against lead poisoning and that lead poisoning should be classed as a notifiable disease. Will the Premier, as Acting Minister of Health, examine these suggestions with a view to deciding whether they should be given effect to?

The Hon. Sir THOMAS PLAYFORD—Since I have been Acting Minister of Health no cases of lead poisoning of children have come to my notice, but I read the remarks attributed to the Professor and am calling for a report to see if action is necessary.

**HAMPSTEAD PRIMARY SCHOOL.**

Mr. JENNINGS—The Minister of Education previously told me that work on the filling, levelling and grading of the Hampstead primary school grounds would be done within a certain time, but it has not been done. Will the Minister get a report on this matter?

The Hon. B. PATTINSON—Yes.

**NEW ERA PRISON FARM.**

Mr. HAMBOUR—Will the Premier obtain a report on the progress of work on the New Era Prison Farm?

The Hon. Sir THOMAS PLAYFORD—Yes.

**LOAN MONEYS.**

Mr. LOVEDAY—Can the Treasurer say what proportion of the total Loan money from the Commonwealth referred to in this year's Loan Estimates consists of funds raised by Commonwealth taxation and give the rate of interest on that amount?

The Hon. Sir THOMAS PLAYFORD—It will not be known until the end of the year what proportion of money will come from the public and what proportion from the Commonwealth Government. For a number of years the Loan Council has set out what it believes to be an essential programme, and the Commonwealth Government has agreed to support the programme to a certain extent. Last year it agreed to support it partly and review the matter in January, and in January it agreed to support the entire programme. It agreed to support the present programme with payments to the States until the end of the year, when it will advise whether it is prepared to support the full programme. I cannot, therefore, say what proportion of the money will come from the Commonwealth and what proportion will be raised from the public. It will depend on how well conversions are carried out, for any short-ages in conversions come from current raisings, and have affected current raising to that extent. Probably 50 per cent of the total Loan programme will be subscribed by the Commonwealth Government, but the honourable member must not take that as a precise figure. The rate of interest charged by the Commonwealth Government is the current rate of interest for the short term loans raised from time to time. That policy is carried out in its entirety, even to the extent of providing for issues below par if the short-term loan provides for that.

#### USE OF BLOODHOUNDS BY POLICE.

Mr. BROOKMAN—In 1950 and again in 1953 I suggested that the police use blood hounds for finding missing persons and pointed out that these animals had great powers of following trails, were docile and were worked on a lead. At the time, however, my suggestion was not adopted, probably because of the expense involved; but because of the recent establishment of the police rescue squad and recent press reports about the use of dogs by the police, I ask the Premier whether the use of bloodhounds could be considered? These dogs are much superior to any other kind of dog for this purpose and I can supply a list of cases over the last few years where lives could have been saved had bloodhounds been available.

The Hon. Sir THOMAS PLAYFORD—I will refer the honourable member's question to the Commissioner for a report and advise him in due course.

#### ART EDUCATION.

Mr. HUTCHENS—Has the Minister of Education a reply to my question of July 25 concerning the ability of children under the care of the Children's Welfare Department to undertake courses in music and other arts?

The Hon. B. PATTINSON—Inquiries of the Children's Welfare Department show that very few applications are received on behalf of children under the care of the department for training in arts and music, and any such application is, and will be, considered on its merits and approved if considered reasonable. Any child with special aptitude in art, either under the care of the Children's Welfare Department or not, may attend appropriate classes at the School of Arts or at some other suitable school free of charge. All children attending schools of the Education Department are trained in musical appreciation and choral singing.

#### EGG PRODUCTION.

Mr. LAUCKE—Between 1955 and 1957 tests have been held at the Parafield Experimental Poultry Station covering the period from the hatching of the chickens to the completion of the laying test, and the average production figure is 194.32 eggs a bird for 50 weeks. The poultry industry is in a parlous condition mainly because of high production costs and the rejection by the Federal Government of an application for a subsidy on feed wheat and it would appear that relief to the industry can only come from more efficient production. Has the Minister of Agriculture any information concerning laying tests in America and England; if so, and if it is shown that production figures in those countries exceed ours, will he investigate the possible importation of such superior stock in order to lift production figures per bird in this State?

The Hon. G. G. PEARSON—I cannot speak off-hand as to the superiority, if any, of production from similar stocks in the countries the honourable member mentioned, but my impression from reading reports by several people who had visited America recently under the aegis of the Federal Government is that in practically every respect the Australian poultry industry is at least as efficient as the industry in the United States. Another impression from reading the reports was that we could not expect to improve our conditions, production and efficiency very much in Australia, either on the egg side or on the meat side, by adopting more closely the methods

employed in the United States of America. At any rate, the figures relating to our Parafield strain of poultry have been recognized for many years as being extremely good, and I therefore doubt from that angle too whether very much help can be obtained by the importation of other stock.

There is also the danger of bringing disease into this State by importing stock, though we are fortunate in that some of the more virulent forms of poultry diseases and diseases of other stock are not present in this country. We go to considerable lengths to keep such diseases out, and there is a strict embargo on the importation of stock and poultry. If it were possible to overcome the problem of the embargo and if any benefit could be obtained from importing other strains we would endeavour to do so, but I think the first thing to do is to find out whether there are stocks or conditions in existence in other parts of the world that could lift our production, and I will make enquiries towards that end.

#### STANDARDIZATION OF RAILWAY GAUGES.

Mr. RICHES—When the Premier was at Port Augusta at the celebration of the opening of the standard gauge line to Marree some discussion took place concerning the possible standardization of railway gauges throughout Australia, and the opinion was expressed publicly by the Commonwealth Railways Commissioner that if the railway between Albury and Melbourne were standardized as a first step that would be the end of standardization of gauges throughout the rest of Australia, because the eastern States would immediately lose all interest in standardization elsewhere. I got the impression from remarks made subsequently by the Premier that he agreed somewhat with that contention and he offered to meet the Victorian Government in a proposal to standardize the railway between Adelaide and Melbourne. I notice from the report of the Budget Speech delivered by the Federal Treasurer last night that the Commonwealth Government has agreed to go on with the standardization of the gauge between Albury and Melbourne. Can the Premier say whether any further negotiations or discussions have taken place on the question of standardization generally and has he any comment to make on the Commonwealth's decision about the line between Albury and Melbourne?

The Hon. Sir THOMAS PLAYFORD—There have been no further discussions since the meeting at Port Augusta. The position in

South Australia is covered by an agreement with the Commonwealth under which the whole of our main line system will be standardized. The financial arrangements have been set out and the necessary legislation ratified by both Parliaments, and the agreement is binding. I am not quite sure where the honourable member got the idea that I agreed with the view of Mr. Hannaberry that if the line between Albury and Melbourne were standardized that would be the end of standardization in Australia. I do not hold that view. I believe the opposite will be the case because the moment a standard gauge line runs into Melbourne the problem of working Victoria's railway system will be intensified, and the Victorian Government will be much more prone to listen to standardization than it is now. We have had advice that the agreement with South Australia is binding, the Commonwealth Government is providing money each year for further standardization and I have no doubt that the agreement will go on and in due time the improvements proposed will be effected in South Australia. This State has no control over any arrangements with Victoria, and it is within the powers of the Commonwealth to assist Victoria in exactly the same way as it is assisting South Australia.

#### PARINGA BRIDGE.

Mr. STOTT—Some time ago when the Minister of Local Government was in my area, together with other members representing the Upper Murray, he inspected the Paringa Bridge and gave an undertaking that its redecking would be considered urgently. This morning the bus operator who drives children to school was greatly concerned because the bridge had broken down and he is involved in risk in transporting the children to school. The parents, too, are greatly concerned. Notwithstanding that undertaking the Minister has done nothing about the bridge, but he announced in another place yesterday that there was some question of priority involved with other bridges. The people in the district consider repairs to the Paringa Bridge extremely urgent, and surely no other bridge across the river is involved. Will the Premier inquire into this matter urgently and have repairs carried out promptly so as to make it safe for the people at Renmark and Paringa?

The Hon. Sir THOMAS PLAYFORD—I understood that this bridge had the highest priority, but I will take up the question with the Minister and get a report.

## IRRIGATION WATER RESERVES.

Mr. KING—In view of the reported prolonged dry season in catchment areas of the River Murray and its tributaries, and as fears have been expressed regarding the adequacy of water reserves for irrigation in South Australia, will the Minister of Irrigation obtain a report on the state of our water supplies as it affects the irrigation programmes, in this State?

The Hon. C. S. HINCKS—Yes.

## POLICE MOTOR CYCLE SIDECARS.

Mr. DUNSTAN—The Supply and Tender Board recently called tenders for a number of sidecars for the Police Department, but specified the Dusting sidecar, a brand manufactured in Victoria. In my district a company manufacturing sidecars on a larger scale than the Dusting company wants to tender but cannot because it does not manufacture these particular sidecars, although its sidecars are as well-known and as satisfactory. Will the Premier, as Acting Chief Secretary, have this matter investigated to see whether tenders can simply be called for sidecars to specifications set forth by the department?

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

## FIRE BRIGADE CONTRIBUTIONS.

Mr. TAPPING—On September 26 last year in reply to my question regarding Fire Brigade contributions by councils the Premier said that replies from the metropolitan councils showed that only four supported any alteration in the method. As the Port Adelaide City Council paid £13,000 this year as against £12,000 last year, will the Premier give the matter further consideration for the purpose of making the contributions more equitable?

The Hon. Sir THOMAS PLAYFORD—The present contributions are set out in the Act and as far as I know have a long history. Several attempts have been made by various metropolitan councils to have the system altered, but we come up against the fact that any alteration providing for a lower payment by one council automatically means a higher payment by another, which immediately objects. We have not been able to get unanimity amongst the councils on the basis of rating and an equitable way of collecting the money. A similar position arose in connection with contributions towards the maintenance of the Royal Adelaide Hospital. After some discussion all the councils except two, I think, agreed to accept

the Waterworks Department rating system, which is now in operation because of the general support for it. If the councils could agree on some other reasonable form of fire brigade rating the Government would be prepared to accept it, but until there is agreement it is difficult to get arbitrarily a new form that would not be strenuously opposed by many districts. It is not merely a question of population or of the value of buildings in any fire area, because some areas have a high fire risk owing to the nature of the industries there, whereas other areas with the cottage type of construction have a relatively low fire risk. There are many complicated factors. If any useful suggestions come from the Municipal Association the Government will be pleased to consider them.

## POORAKA RAILWAY HOUSE.

Mr. JENNINGS—It has been brought to my attention that a railway house at Pooraka was vacated by the stationmaster and that several employees applied to the Railways Department to occupy it. I understand that amongst the applicants was a fireman stationed at Port Pirie, who sought a transfer to Adelaide in order to get treatment for a spastic child, one of five children in the family. Another application came from a man with six children, but the house was subsequently let to a childless couple, both employed by the department. Will the Minister representing the Minister of Railways call for a report to see if the information I have given is correct, and, if so, ascertain why this preferential treatment was given to what was obviously the least deserving case amongst the applicants?

The Hon. B. PATTINSON—The matter appears to be purely a domestic one within the jurisdiction of the Railways Commissioner, but I will ask the Minister of Railways to call for a report from him.

## LOTTERY AND GAMING ACT RULES: SETTLING OF DEBTS.

Adjourned debate on the motion of Mr. Frank Walsh—

That paragraphs (1) and (2) of the amendments of rules of the Betting Control Board made under the Lottery and Gaming Act, 1936-1956, on 10th January, 1957, and laid on the table of this House on 5th February, 1957, be disallowed.

(Continued from August 21. Page 395.)

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

that this motion should not be carried. I listened to the points advanced by Mr. Walsh, and as I did not think they were conclusive, and in order to get the full story, I got a report from the Betting Control Board which I think answers all the questions raised by Mr. Walsh. It is as follows:—

It appears that the main points made in support of the motion to disallow the amendments to Rule 60 are:—

1. It is not desirable that the board should make a rule permitting bookmakers to settle bets on licensed premises because this would be contrary to the spirit of the Act as evidenced by section 38.
2. It is Parliament, not the board, which should say whether bets might be settled on licensed premises, and Parliament should be generous in this aspect.
3. The privilege of settling on licensed premises, if granted, should be granted to all, not a section of bookmakers.

Before rule 60 was made it was lawful for licensed bookmakers to settle bets made on a racecourse in accordance with Part IV anywhere. For while section 62 (1) made it unlawful to bet upon a street or public place, and while section 62 (3) defined "betting" as including settling, it was expressly provided that settling bets made on a racecourse in accordance with Part IV was not betting within the meaning of the section. In this state of the law bookmakers did settle racecourse bets on licensed premises, especially, if not exclusively, on the licensed premises of a certain club. That club was declared a common gaming house, and bookmakers then began to settle in the street and elsewhere. The board, being of opinion that indiscriminate settling in hotels would be undesirable and would add to the difficulties of the police in detecting breaches of the Act, made rule 60.

Racecourse bets were then settled in premises occupied by the South Australian Bookmakers' League. These premises were not licensed under the Licensing Acts. After this practice had continued for some years, the board was asked by the Grandstand Bookmakers' Association whether the board would permit racecourse bets to be settled in certain licensed club premises. The board saw no objection in principle and made the amendments now under review. It should be noted that permission was only to extend to specific premises, and that it extended to bookmakers and course agents generally. Dealing with the main points of the motion to disallow:—

1. It is conceived that the amendments are not contrary to the spirit of the Act, because section 62 expressly provided that settling racecourse bets in streets or public places, which includes licensed premises, was not betting and not unlawful.
2. It was conceded that the board had the power to make rule 60 and the amendments. Because of section 62 (3) there was no reason why the board should not make the rule.

3. New rule 60A is general in expression. If, under it, the board should specify licensed premises of a club a bookmaker, *i.e.*, any bookmaker, could lawfully settle there as far as the board and its rules are concerned.

The following comment is made on the two minor points:—

- (a) If Parliament should provide for the licensing of the premises of the Bookmakers' League the board would, with respect, approve, and it would specify those premises for settling under rule 60A.
- (b) The rule about course agents, which was made in 1952, limited—it did not enlarge—the class of persons who could in certain circumstances act on behalf of a bookmaker.

I have personally examined the rules and can see nothing objectionable in them. As far as I know there have been no difficulties in connection with them and there is no reason for this House to interfere. I oppose their disallowance.

Mr. TAPPING secured the adjournment of the debate.

#### COUNCIL BY-LAWS: POULTRY KEEPING.

Adjourned debate on the motion of Mr. Millhouse:—

That by-law No. 67 of the corporation of the city of Adelaide made on August 20, 1956, and laid on the table of this House on February 5, 1957, and by-law No. 57 of the corporation of the city of Woodville made on July 23, 1956, and laid on the table of this House on June 25, 1957, both in respect of the keeping of poultry, be disallowed.

(Continued from August 7. Page 279.)

Mr. HUTCHENS (Hindmarsh)—I bitterly oppose the motion. Whilst I have the highest regard for the personnel and work of the Subordinate Legislation Committee I believe that on this occasion it has made an error in recommending the disallowance of the by-laws. I am not interested in this matter only because it affects a council in my electorate, but because I believe the desires of all councils should be seriously considered. I am sure every member and all other reasonable people applaud the valuable work councils do and admire them for the fair way they use their powers. I have discussed this matter with the Town Clerk and members of the Woodville Council: their sole desire is to protect the residents of their area. It has been established to my satisfaction that the council has received a number of complaints about the offensive conditions under which poultry have been kept—conditions which

have encouraged rats and flies, to the discomfort of many ratepayers.

The grounds Mr. Millhouse relied upon in moving this motion were quite peculiar. He drew attention to the minimum distances fowl-houses can be built from roads and dwellings. The Adelaide by-law states it shall be 20 feet from a dwelling: the Woodville by-law makes it 40 feet. The Town Planning Act lays down the minimum size of a block in the metropolitan area as 7,500 square feet. If a house is built 20 feet from the alignment of the front fence and is 60 feet in depth, in normal circumstances a resident would have a reasonable area in which to build a fowl-house but would be limited in respect of the number of birds he could keep.

Many people buy day-old cockerels and keep them in conditions that would constitute a breach of the legislation relating to cruelty to dumb animals. Others apparently regard the garbage man as non-existent and empty all kitchen refuse into the fowlhouse. The birds can only eat a certain quantity and the remainder lies about until it becomes offensive, encouraging rats and flies, to the detriment of other residents. I have been assured by members of the Woodville council and other councils that it is difficult to make out a case under the Health Act to prohibit these people from carrying on in this way. Surely no member would say that a few eggs a week are more valuable than the health of the residents of an area.

Mr. Millhouse had much to say about the discretionary powers granted to councils, but I am amazed that anyone should suggest that a council should have no discretion in this matter. All local councils realize that they must answer to the people for their misdoings, and if a council errs at any time in exercising its discretion it is in favour of the resident; therefore to say the granting of discretionary powers to a council is wrong is surprising, because Parliament has given councils discretionary powers of many kinds. For instance, section 10 of the Building Act contains a provision similar to that of the by-law, for it gives a council power to disapprove plans for buildings within its area. In this case the Woodville council merely asks that it be given discretionary power in respect of fowlhouses. Mr. Millhouse said that the by-law was stringent, but that is an even greater reason for discretionary power because if this by-law becomes law the council should be able to give residents who no longer wish to keep fowls time to sell them at a reasonable price. The council should have

discretionary power to make the area under its control one where healthy conditions prevail, and I ask the House not to depart from its usual practice of granting such power to councils. After all, the history of councillors, who serve voluntarily in the interests of the people, proves that they serve well and exercise their powers in the best interests of all concerned.

Mr. LAWN (Adelaide)—I support the motion. I listened attentively to the member for Hindmarsh (Mr. Hutchens) and thought that, although he opposed it, all his arguments supported the motion. What is the attitude of the Government to this matter? On more than one previous occasion when local government matters have been before the House a Government spokesman has said that the Government always supports councils, but that is not true: only recently the Government opposed a by-law passed by at least two councils relating to unsightly structures. I hope the Government will not say on this occasion, "We support local government," because that would be unsatisfactory. If it desires to support local government it should support it all the time, whereas it seems that if it suits the Government it supports local government and if it does not suit it, it does not support it. I hope the Government would not support local government on this occasion merely for the sake of doing so. It should rather be guided by the reasons advanced by the committee and members in this debate.

The fact that the committee has recommended disallowance of the by-law must carry much weight in the House. I previously moved for the disallowance of a by-law although the committee recommended that it be approved, and the general feeling in the House was that the committee had thoroughly investigated the merits of the by-law and felt it was justified; therefore, generally speaking, the House supported the committee's recommendation. In this case one by-law was passed by the Adelaide City Council and the other by the Woodville Council, which is in Mr. Hutchens' district.

Although I do not claim to be a poultry expert I have had some experience with poultry and on one occasion kept as many as 200 fowls. I have kept fowls continuously for many years and have read articles by poultry experts that appear each week in such newspapers as the *Sunday Mail*. I have also obtained literature from the Department of Agriculture on the question, and all these press and departmental articles stress the rat menace.

I understand that the rat menace was the sole reason for the passing of the Adelaide City Council's by-law. I have read that by-law and know from experience that it was not necessary to pass it in its present form. The member for Hindmarsh (Mr. Hutchens) pointed out that under the Building Act blocks must be at least 7,500 square feet, which is about 50 feet by 150 feet. However, hundreds of blocks in the city would not be any bigger than 30 feet by 100 feet: in some backyards one could not swing a cat and many houses are built almost on the street, with no path down the side of the house: they are built almost alongside the house next door. A pensioner couple living in the city have two adjacent blocks. They live in a house on one, with a backyard of only a few feet, and on the block next door they run a dozen fowls and grow vegetables and a few fruit trees.

I have heard at least one member opposite say that pensioners should help themselves by growing vegetables, and this couple are doing that. If this by-law is passed that couple will not be able to keep fowls. The fowlhouse is more than 50 feet from the front of the block and more than three feet from any fence, but it could not possibly be 20 feet from any other building. The by-law prescribes that the fowlhouse must be built of iron and penetrate the earth to a certain depth. I gave evidence before the Joint Committee on Subordinate Legislation and referred to an article in one issue of the *Mail* that was published in January. The expert who wrote that article said that although it was necessary to make a fowlhouse ratproof, the most important thing was to look after the food bins.

Mr. Shannon—You didn't convince the committee?

Mr. LAWN—The honourable member should get some advice on that from his colleagues. I told the committee that I did not profess to be an expert on poultry, and suggested that it take evidence from one of the poultry advisers in the Department of Agriculture. I understand that such evidence was taken, and that it indicated that the provisions of the by-law were not necessary to take care of the rat menace. The committee also took other evidence, for the mover of the motion (Mr. Millhouse) said that Dr. Fry appeared before the committee on behalf of the City Council and said that under this by-law no-one would be able to keep fowls in the city area.

Subsequently another person from the city council gave evidence and said that after he had made a check he believed that some small number would be able to do so. That evidence indicates that if the by-law is passed by the House practically no-one will be able to keep fowls in the city. I have kept fowls for years, but for a period this year I had only two and when they stopped laying we were forced to buy eggs for the first time for years. We found quite a number of the eggs that we bought were inedible. Many people keep fowls so that they can be assured of getting new-laid eggs.

Mr. Fletcher—And fowls help the garden.

Mr. LAWN—Yes, and they eat food scraps that would otherwise be put into the garbage tin. The member for Hindmarsh (Mr. Hutchens) commended the committee for the time it gave to the consideration of this by-law, and I am satisfied that it considered the question carefully. I think it came to a unanimous decision that it was not in the best interests of the people. I take it that the committee generally approves council by-laws if objections are not raised, and that this one would have been approved if no objections had been raised. I assume that it considered the by-law was not necessary to combat the rat menace. I opposed it mainly on the ground that it would set a precedent. I told the committee that no-one in the city would be able to keep fowls if the by-law were approved and that, to be consistent, we would have to approve of similar by-laws of other councils if this one were passed. That would mean that no-one in the metropolitan area would be able to keep fowls.

We should not go that far. I do not object to councils having the power to pass proper by-laws on the keeping of fowls. If they wanted to prohibit the keeping of cockerels I do not think I would raise any objection, but I object to councils telling people that they must not keep fowls as this means that everyone would have to buy eggs. The food scraps of most families are sufficient to keep a few fowls and ensure that they get eggs. There would be no need to buy much feed. I will not be a party to taking from people the right to keep fowls, but those who do keep them should see that their food bins do not attract rats. Mr. Hutchens said the council would look after all the people in the area. I was not aware that so many people kept fowls in the City Council area, and if their right to keep them were taken away the council would not be looking after their interests.

Mr. Hambour—They complain about the crowing of roosters.

Mr. LAWN—No. The by-law was based on the rat menace, but evidence given to the committee showed that it was not necessary to go as far as was proposed to combat that menace. Under the Health Act a council has power to tell a poultry keeper if he is contravening the Act. Apparently the City Council wants to ban the keeping of fowls in its area. Mr. Hutchens also said that no member would put the value of a few eggs before the health of the people. Apparently he does not place any value on eggs. I represent many workers in industry and pensioners and if they can assist the family budget by throwing their food scraps with a little wheat and mash, to their fowls in order to avoid buying eggs they should be able to do it. When I worked in industry I had mainly eggs for breakfast and I think that still applies to workers. When eggs have to be bought at 4s. to 5s. a dozen there is certainly some value in the eggs produced in the backyard. Some people have been told by their doctors that they must eat new-laid eggs every day, which is another reason why the people should be allowed to keep fowls. Mr. Hutchens also said he was amazed that councils should not have discretionary power in the matter. If the City Council is sincere about the by-law and believes it will combat the rat menace it has no right to ask for a discretionary power. It would not waive the by-law to allow pensioners to keep fowls, but it might do it for big commercial houses. I would be opposed to that sort of thing. If the council believes that the keeping of fowls should be banned it should not ask for power to exempt people from the operation of the by-law. Some members may think I am biased in favour of workers and pensioners, and that Dr. Fry of the City Council was biased in his evidence, but the committee had the benefit of evidence from experts who opposed the by-law.

Mr. DAVIS (Port Pirie)—I oppose the disallowance of the by-laws. The Government interferes too much in council affairs. If these two councils did not think the by-laws necessary they would not have been promulgated. Previously when regulations on other matters were before the House we were misled because we were told that the councils wanted them disallowed, but we learned later that it was not true. I hope it does not happen in connection with these by-laws. The councils concerned think it desirable to have distances of 20ft. and

40ft. respectively. Although I think 40ft. may be a little too far, it is desirable to have greater control over fowlhouses. The Port Pirie council had much trouble with poultry keepers. Mr. Lawn said that people in the metropolitan area have only small blocks, and if that is so they should not be allowed to have fowlhouses in their backyards. They cannot keep fowls properly in a yard under 50ft. in length.

Mr. Quirke—Yes, they can.

Mr. DAVIS—Of course they *can*. They can keep them in the dining room if they want to. I remember going to a hotel not far from Port Pirie where I had to put my hands over my face as I entered the front door to prevent fowls flying into my face. I have known people to keep fowls under the bed. Some people are not particular where they keep them. Some poultry keepers try to keep their fowlhouses in good condition but others do not. We had trouble in getting some Port Pirie people to keep their yards clean.

The Hon. Sir Thomas Playford—You did not bring in a regulation like this.

Mr. DAVIS—We should have done.

The Hon. Sir Thomas Playford—Why didn't you?

Mr. DAVIS—It must have been oversight on the part of the council. Mr. Lawn said that a health inspector could deal with the matter, but he should not have any power because, although the presence of rats may be a menace, it may not be detrimental to the health of the people. It must be realized that it is unpleasant, if not unhealthy, to have a fowlhouse against someone's back door. We must consider the health of our people. Most people obey instructions from the authorities but there are some who completely ignore them. Mr. Lawn objected to councils having discretionary powers.

Mr. Lawn—I did not.

Mr. DAVIS—I understood the honourable member to say he did not agree with a council having discretionary powers because it could favour the business man as opposed to the old age pensioner.

Mr. Lawn—I said that in respect of this particular matter.

Mr. DAVIS—And that is what I am dealing with. A council should have discretionary powers to enable it to deal with the person who does not do the right thing. If he will not keep his fowlhouse clean the council should be enabled to prevent him from keeping fowls.



Mr. Lawn—The object of this by-law is not related to the cleanliness of a fowlhouse.

Mr. DAVIS—It is. That is the reason for stipulating the distance a fowlhouse must be from a dwelling. Some members have referred to rats, but I remind them that they can find rats anywhere. If a person does not carry out a council's instruction the council should have power to deal severely with him. I sincerely hope the Government does not support the motion. Governments interfere too much with councils. No council brings down a regulation unless it considers it desirable. Councils should be enabled to function effectively and that is one reason why they have regulation-making powers.

Mr. HAMBOUR (Light)—Although many members have spoken, it is not clear precisely what the by-laws provide, but they are tantamount to almost completely disallowing the keeping of poultry. Members said that with certain modifications they would favour the by-laws, but the Joint Committee on Subordinate Legislation has no power to amend them. It must either accept or reject them. There would be some wisdom in providing certain conditions for the keeping of poultry in the metropolitan area, but I certainly do not subscribe to those laid down in these by-laws. One provision is that each bird shall have at least 4 sq. ft. I suggest that the councils should have discussed that question with the Department of Agriculture as American poultry keepers advocate a more intense population in a small area because it contributes to the health of the birds.

Probably the worst feature of the by-laws is the distance a fowlhouse must be from a dwelling. That makes it virtually impossible for people to keep fowls. If a fowlhouse is well roofed it can be kept quite clean, particularly if the deep litter system is used. Vermin can be kept out, but in any case, the vermin angle can adequately be controlled under the Health Act. Each council is virtually the Board of Health for its own area and if it consider any fowlhouse is insanitary it can exercise its powers under the Health Act. Any new construction of fowlhouses can be dealt with under the Building Act. If the position were thoroughly examined I believe it would be found that most fowlhouses could be dealt with under existing legislation.

It is desirable for all householders to keep a few fowls for the supply of fresh eggs. It can be good for the education of children to pay attention to the poultry husbandry and the

production of eggs. They can be taught to take a pride in keeping fowls clean. I am opposed to any unnecessary restrictions such as are provided by these by-laws. The councils should take this question up with the Department of Agriculture and decide on a reasonable type of fowl pen and circularize their ratepayers accordingly. As the by-laws stand I support the motion for their disallowance.

Mr. QUIRKE (Burra)—I support the motion for the disallowance of these by-laws which are clearly aimed at preventing the keeping of poultry. It is absolutely unnecessary to suggest that fowlhouses should be 20 or 40ft. from dwellings. Fowls kept under the deep litter principle could be housed up against a paling fence and they would not be smelt on the other side of that fence. That is no exaggeration, but an absolute fact. If people do not provide hygienic conditions for their poultry it would not matter if the by-laws provided a distance of half a mile from a dwelling because they would still be objectionable. Under the deep litter system, sawdust and straw can be used and there is no rat menace.

The by-laws provided for sinking iron in the ground. What ridiculous nonsense! I would oppose the by-laws because of that provision alone. The deep litter principle is the cleanest possible way of keeping fowls and if rats depended upon getting food from fowls kept under such conditions they would starve. I agree with Mr. Hambour that the councils should confer with the Department of Agriculture and then circularize their ratepayers by leaflet. I sympathize with the councils because I know the conditions under which fowls are kept by some people who have not the slightest idea of hygiene. One of the worst things that can be done is to provide open fowlhouses on ground level and then to throw scraps into it. In no time there is an inch of mullock on the ground and the fowls—which are normally clean birds—are forced to live under unhygienic conditions, which, however, could be adequately handled under the Health Act. This problem can be handled by laying down principles on how fowls should be kept and by charging offenders under the Health Act. The running of fowls outside the shed should be banned, particularly if the run is open to the weather, for that is where the smell and the trouble arises from an insanitary cluttering up with scraps of food. If fowls are fed exclusively on household scraps few eggs will be obtained. Scraps fed to the fowls should be chopped up finely and

mixed in the form of a mash with a little bran and pollard. The best mash is made from two parts pollard and one part bran in the winter, with the reverse proportions in the summer. One quarter ounce of meatmeal per bird forms a necessary addition, together with a pinch of salt. Oats at midday and wheat at night together with plenty of green feed both with the mash in the morning and during the day completes the ration.

Mr. Fred Walsh—It's cheaper to buy eggs.

Mr. QUIRKE—Far from it. I would like the honourable member for Adelaide (Mr. Lawn) to tell me the breed of fowls he has in mind when he says that by keeping two of them he can keep his family in eggs. The method of achieving the objective sought by the by-law should be laid down so that fowls can be kept under sanitary conditions. People keeping them under any other conditions could be charged under the Health Act. As many as six fowls can be kept in a small backyard in Adelaide under the system I have outlined without a neighbour knowing they are there. All country members know that this problem can be handled satisfactorily; indeed, it is apparently handled better in the wide, open spaces of country districts than in the city. Little nuisance is created in the country, and the rare nuisance can be handled with no trouble under the Health Act. I support the motion and hope that the councils concerned will undertake to see that people are allowed to keep fowls under the right conditions so that no nuisance will be created.

Mr. SHANNON (Onkaparinga)—I was a member of this House when it set up the Subordinate Legislation Committee in the 1930's. Members then realized that a large volume of legislative action was taken by various Government departments in the form of regulations and by councils in the form of by-laws and that the average member, if he applied himself to a thorough understanding of all of them, would have little or no time to attend to his duties in the Chamber, for he would be employed practically solely on keeping an eye on the executive powers granted by legislation to various bodies. It was considered wise to have these matters reviewed for all members felt that in delegating these powers Parliament was in fact giving away to the Government authority or local council duties it should have performed; the Subordinate Legislation Committee was therefore set up. Indeed, I believe this was the first Australian Parliament to set up such a body to safeguard the interests not only of members, who in the final analysis

are responsible, but also of the public who must live under the laws we make.

I must say at this stage that as I entered the Chamber after the member for Adelaide (Mr. Lawn) had started to speak, I was under the misapprehension that he opposed the motion; but as I listened to him I found myself agreeing with him so much that I knew I must have been wrong. On general grounds this House should be very careful in rejecting a recommendation of a committee comprising members of this Chamber who have been appointed to do a specific job, particularly when they make a unanimous finding. In fact, I would have to have strong facts put before me by people who knew very much about the matter before I would oppose a recommendation of the committee. After all, it has access to all the interested parties, and I point out to the member for Port Pirie (Mr. Davis) who is so enthusiastic about local government, that the Subordinate Legislation Committee heard the case put by the councils in favour of the by-law, yet despite all those arguments it unanimously recommended that it be disallowed. In fact, I believe that even the honourable member might have had some difficulty in convincing members of that committee, including members of his own party, that this type of by-law was proper, for it is prohibitive. Of course, now that the honourable member has been superannuated from his council he may nominate for a metropolitan council and make by-laws there.

I point out further to the honourable member that most of the provisions reviewed by the Subordinate Legislation Committee are regulations made by Government departments under which civil servants have to operate, therefore it cannot be said that the committee concentrates its attacks on council by-laws. I am convinced that those who oppose this motion have not given sufficient thought to what should be done, if commonsense is to prevail in this Chamber, to ensure that we do not undermine the good work being done by the Subordinate Legislation Committee. You, Mr. Speaker, were once a member of that committee and know as much about its work as any other member. By virtue of the experience you gained on it, you, Sir, would be the first to agree that it assisted you materially in your approach to legislation. As members, we should be the first to support the people we have appointed to do this task, rather than to criticize them for asking us to disallow what, after hearing all the evidence, they consider is an undesirable by-law.

Mr. RICHES (Stuart)—I regret very much the attitude of members who address themselves to a motion such as this merely to take the opportunity, under the guise of advancing arguments, to voice cheap gibes that are unfair and have no relation to the subject-matter against members who sincerely express a view contrary to theirs. I particularly resent the cheap gibes directed by the member for Onkaparinga (Mr. Shannon) against the member for Port Pirie (Mr. Davis) and the reference to the fact that if he became a member of the Adelaide City Council things might be different. I think that remark was in bad taste and should not have been allowed by the Chair.

Mr. Brookman—The honourable member has a sense of humour.

Mr. RICHES—If that is the honourable member's sense of humour it is not very intelligent.

Mr. Shannon—Have you any opinion on the by-law?

Mr. RICHES—The honourable member for Onkaparinga said very little about the by-law. He spoke of the general work of the committee, but surely we can disagree with its recommendations without reflecting on its general work. I agree with the value of that committee, but in this case I believe its finding was wrong and, although I do not set myself up as an expert on poultry keeping, I do not think that is necessary, because when the member for Mitcham (Mr. Millhouse) asked this House to disallow the by-law, he admitted the by-law was partly justified. He read the report of the evidence given by the Chief Poultry Adviser of the Department of Agriculture (Mr. Anderson). When asked whether he would suggest disallowing the by-law, Mr. Anderson said he did not think he would. The reason why Mr. Millhouse asked for the disallowance of the by-law had very little to do with the contents of the by-law itself. He said:—

The ground of the committee's objection is that it would be entirely in the discretion of the council whether fowls might be kept. The conditions could have been harsher or less harsh, but they are nullified by the words "without written consent of the council" in paragraph 2. In other words, members of my committee feel that the working of this by-law would depend on an administrative decision by the corporation of the City of Adelaide and not upon the conditions laid down in the by-law.

I believe in local government and I believe that this matter is a responsibility which Parliament has rightly given to local govern-

ment. It is a responsibility that local government can and should shoulder. It can be more easily administered by local government than by Parliament because conditions differ from place to place. The by-law would not have been drawn up without much prior consideration and careful thought. If this discretionary power had not been included in the by-law it would not have been acceptable to me. The Joint Committee on Subordinate Legislation says that it is not desirable that the council should have this discretionary power, but I say that it is. Without it we would be looking for trouble.

Mr. Hambour—That is not suggested.

Mr. RICHES—It is. The member for Burra (Mr. Quirke) stipulated that, and the Joint Committee said it was not prepared to have the by-law unless it were enforced in every instance. That is the objection of the member for Adelaide (Mr. Lawn): he does not want the City Council to have the discretionary power. My experience proves that it will be an excellent thing for councils to have these powers, so that if a fowlyard is found to be dirty and fowls are not kept properly a council officer can require those concerned to keep them properly. Every member who has spoken so far has qualified his statement by saying that there can be no objection if fowls are kept properly. Without the authority that the City Council seeks under its by-law it will be impossible to see that fowls are kept properly.

Mr. Hambour—Wouldn't the conditions laid down by the by-law have to be enforced?

Mr. RICHES—The by-law contains power for the City Council to waive the conditions laid down. Such provisos are written in the Building Act and almost every other Act that councils are required to administer. Without that discretion to meet special circumstances the Building Act would be ineffective.

Mr. Lawn—Some poultry businesses are conducted in the city area, but why should they be exempt from the by-law?

Mr. RICHES—The City Council would have to consider any applications for exemption, and the question is whether we believe that these matters should be administered by local government or not. The member for Adelaide (Mr. Lawn) has no confidence in the City Council.

Mr. Lawn—I would not say that.

Mr. RICHES—I do.

Mr. Hambour—Don't you think some of the conditions laid down are too onerous?

Mr. RICHES—I think they would be if they were enforced in every instance.

Mr. Hambour—Then why should they be in the by-law?

Mr. RICHES—They might be enforced in some cases, and they are there so that poultry keeping will be kept within reasonable bounds. The member for Burra (Mr. Quirke) instanced several ways in which poultry may be kept properly and without being a nuisance to other people. Not all people agree on the best way to keep poultry. Not everyone in Adelaide can give poultry greenfeed. We have no evidence before us that the City Council wants to prevent people, especially pensioners, from keeping fowls. The member for Burra said that this by-law does not affect country areas. I think there would be few places in the country where fowls are kept within 20ft. of someone's house, and I would not like a fowlhouse within 20ft. of my bedroom window. The thing that commends itself to me is the elasticity of administration of the by-law, but it is on that point that the Joint Committee on Subordinate Legislation is asking us to throw it out. It would be impossible for anyone to draw up a regulation to govern the keeping of fowls in every instance in every part of the city, or any other council area. We must accept the fact that the by-law might result in hardship on some people, otherwise we cannot remove the nuisance that the by-law is designed to remove. The only way out of the difficulty is to give the council a discretionary power. For instance, the council might say, "We will not enforce the by-law for 12 months so as to give people the opportunity to improve the method of keeping fowls."

Mr. Hambour—You could not discriminate.

Mr. RICHES—The by-law says that the provisions laid down can be dispensed with by the council in certain circumstances.

Mr. Hambour—Do you think the council could discriminate?

Mr. RICHES—Yes.

Mr. Hambour—You would not like discrimination.

Mr. RICHES—Every council has had to discriminate in the application of the Building Act, and many other Acts.

Mr. Hambour—You cannot compare the Building Act with this by-law.

Mr. RICHES—Why not? A fowlhouse is a building.

Mr. Hambour—But a fowlhouse is so small. Only 4 square feet has to be provided for

each fowl. Would you let one man provide only 2 square feet and make another man provide 4?

Mr. RICHES—It depends on the circumstances. The City Council can waive that provision about the 4 square feet under any condition it lays down, but if the person keeping the fowls continues to create a nuisance to other people the by-law can be invoked. All members are agreed that the City Council has a discretion. That is a good thing, but the Joint Committee on Subordinate Legislation said that is why it wants the House to throw it out.

Mr. Hambour—Perhaps the committee does not believe in that principle.

Mr. RICHES—It does not believe that local government should have this discretion, but local government cannot work without it. If the day ever comes when Parliament adopts the principle that local government should have no discretion there will be no longer any reason for the existence of local government.

Mr. Millhouse—There is no more reason why there should be any discretion in a by-law than in an Act of Parliament.

Mr. RICHES—Except that Acts of Parliament give discretion to local government, but the honourable member is asking Parliament to throw out this by-law because it gives a discretion.

Mr. Millhouse—It is too wide.

Mr. RICHES—It is a matter of administration by the City Council. Whether the powers are too wide is a matter of opinion, but there is nothing in the evidence to suggest that they will not be exercised wisely or for any other purpose than to improve the conditions under which poultry are kept. If the enforcement of the by-law would inflict hardship I believe the City Council would use its discretion. Local government can be trusted to use the discretionary power fairly. After all, local government is answerable to the people and to these very poultry keepers. Councillors are not inhuman monsters. They will not deprive old age pensioners of their right to keep fowls, but they might say to them, "See that you keep the fowlhouse clean and that the fowls do not become a nuisance to other people, or the provisions of the by-law will be invoked." That is a necessary power, and a power which Parliament thinks necessary in connection with legislation to be administered by local government. The committee's objection is to the exercise of discretionary power, and nothing else.

Mr. Millhouse—That discretion makes the rest of the by-laws irrelevant.

Mr. RICHES—There is the recognition of a principle.

Mr. John Clark—No.

Mr. RICHES—The honourable member does not agree with the rest of the committee.

Mr. John Clark—The by-laws are too harsh, but I think they are desirable.

Mr. RICHES—I will agree that if they had to be enforced in every instance, and to the very letter, they could be too harsh.

Mr. John Clark—Do you realize that in Adelaide not one person keeping fowls could comply with the by-law?

Mr. RICHES—I have heard it said that a person could not carry any ordinary business if every law, regulation and by-law were enforced. It depends on the method of administration. Every instrumentality or public work can be stopped by a regulation strike. These by-laws could be applied to prevent a nuisance. The City Council would have the right to tell the poultrykeeper that if he did not improve the fowl yard conditions the by-law would be enforced, and then he would have to carry out the conditions imposed by the council. If the council did not have the discretion I would think that the by-laws would be too rigid for application, but the discretion is there and I am surprised that the Joint Committee has recommended their disallowance. The committee objects to the by-laws because the power is entirely in the hands of the council. If an investigation were made I would be surprised if some councils did not already have a similar by-law. I understand the Unley Council has one and I do not know that it has caused a revolution in the district. I assume that it is exercised with discretion. I trust local government, which should have the discretion, and so long as it is there I will accept the by-laws. I oppose the motion.

The Hon. B. PATTINSON (Minister of Education)—I hold views substantially similar to those expressed by Mr. Shannon, but like Mr. Riches I trust local government. As a former municipalist who enjoys the unique experience of having served as mayor of a country municipality, and as mayor of a metropolitan municipality, I have the greatest respect for the system of local government, and for councils, which include the corporations of the cities of Adelaide and Woodville. However, as a Parliamentarian I feel obliged to pay due

regard to the recommendations of the Joint Committee on Subordinate Legislation, which is an extremely important and responsible committee, set up under the authority of the Constitution Act. The genesis of the committee is extremely well set out by the Clerk of the House of Assembly, Mr. Gordon Combe, in his excellent book *Responsible Government in South Australia*. Page 165 contains the following:—

Prior to 1938 the scrutiny of subordinate legislation—regulations, rules, by-laws, orders and proclamations made pursuant to statute—was left largely to individual members and to a degree everybody's business was nobody's business and it was felt that insufficient Parliamentary supervision was being exercised over delegated legislation. Following investigation and report by a Government appointed committee the Constitution Act was amended in 1937 to enable the appointment the next year of a Joint Committee on Subordinate Legislation comprising three members from each House of Parliament. The duties of the committee are to examine the State's subordinate legislation and consider whether it is in accord with the general objects of its parent Act, whether it unduly trespasses on rights previously established by law or unduly makes rights dependent upon administrative and not upon judicial decisions, or contains matter which ought to be dealt with by statute. Where it considers the course desirable the committee recommends to Parliament the disallowance of any delegated legislation. The committee provides an additional safeguard to secure the constitutional principle of the supremacy of Parliament.

I draw attention particularly to one aspect of the committee's duties—to examine the State's subordinate legislation and consider whether it makes rights dependent on administrative and not upon judicial decisions. It seems to me that is what the committee is doing. It is endeavouring to safeguard the rights of Parliament by saying that these rights are not made dependent on administrative decisions. According to page 279 of *Hansard*, paragraph 6 of the Woodville by-law states:—

- (a) The council may in special circumstances (which shall be in the sole and absolute discretion of the council) dispense with the compliance by any person with any provisions of this by-law on such terms and for such period as the council may think proper.
- (b) Such dispensation shall be in writing under the hand of the Town Clerk but shall not otherwise be valid.
- (c) Such dispensation may be revoked at any time without any reason being given.

The comment of the committee was that it believes the by-law gives an unlimited administrative discretion which should not be

allowed and considers it to be an undesirable provision. According to page 278 of *Hansard* Mr. Millhouse said of the city council by-law:—

The ground of the committee's objection is that it would be entirely in the discretion of the council whether fowls might be kept. The conditions could have been harsher or less harsh, but they are nullified by the words "without written consent of the council" in paragraph 2. In other words, members of my committee feel that the working of this by-law would depend on an administrative decision by the Corporation of the City of Adelaide and not upon the conditions laid down in the by-law.

Later the Premier interjected—

The corporation could allow one person to keep fowls under certain conditions, yet prevent another person from keeping them under identical conditions.

Mr. Riches—Do you think any council would do that?

The Hon. B. PATTINSON—I seriously doubt it but it has been laid down by the very highest authority in law, a former Chief Justice of England, that law should not only be just but should undoubtedly and manifestly appear just. That is the point I take in reply to the interjection. From my long experience in local government I do not know of any council that would deliberately do an injustice to any person or group of persons. However, I and the Government take the stand that it is unnecessary for these two by-laws to be as wide as they are, and that it is unwise for them to be based on the administrative discretion of the council, and as it may well be on the administrative discretion of the town clerk.

Mr. Riches—Yet you would give control over the building of houses for human habitation.

The Hon. B. PATTINSON—That is an entirely different matter, which comes under the Building Act.

Mr. Riches—There is the same discretion as in the by-laws.

The Hon. B. PATTINSON—It has been said by the committee that some of the conditions appear to be very stringent, and that the conditions in the Woodville by-law appear even more stringent than those in the City Council by-law. I am not very much concerned with the details of either by-law, whether they prescribe 4ft. or 40ft. areas or any of the other minor provisions. I make my stand on the one basis which was promulgated by the Subordinate Legislation Committee, namely, that it is an unwise practice

to allow these by-laws which are based on administrative discretion.

The Minister of Local Government quite voluntarily communicated with both corporations through their town clerks, notifying them of the motion moved by the member for Mitcham (Mr. Millhouse) and asking them as a matter of courtesy whether there was anything they would like to submit to this House by way of explanation. On two occasions the communication was made to the Town Clerk of the Corporation of Woodville who said that the council had nothing further to add to what it had put before the committee, and therefore I am not in a position to stress its latest opinions on the matter. The Minister received the following letter from the Town Clerk of Adelaide (Mr. Veale):—

It has been brought to my notice that there is a motion before the House for disallowance of the City Council's proposed by-law in respect of the keeping of poultry, and in answer to some of the comments that have been made concerning the by-law I desire to state that in one of the city wards there are approximately 140 fowlyards, 40 of which infringe the requirements of the proposed by-law, leaving an estimated 100 which could be brought to the desired standard without any great expense to the owners. As previously pointed out, the by-law is not designed to prohibit the keeping of poultry in the city, but has been drawn up to meet conditions which often cause complaints to be made by owners or occupiers of premises in close proximity to fowlhouses and yards which leave much to be desired. With regard to a suggestion put forward in evidence before the Subordinate Legislation Committee that the by-law could affect poultry auctions such as that conducted by the South Australian Farmers' Union, I would say unhesitatingly that this would not be the case as the operations of such marts could not be described as "keeping" poultry. Poultry kept under cover in dry conditions are less likely to become objectionable than those allowed to run in open wet yards, hence the 6 sq. ft. for each bird in an unroofed enclosure. Experience over many years has shown that a by-law such as that now before the House is necessary to ensure that poultry may be kept under such conditions that they do not offend owners or occupiers of premises close to them. I believe that a clause in the tenancy agreement entered into between the South Australian Housing Trust and its tenants entirely prohibits the keeping of poultry. It is difficult to understand, therefore, the contention that this council's by-law, which makes provision for poultry keeping in circumstances designed to protect ratepayers against nuisances, can be described as harsh. The argument that the proposed by-law gives the council discretionary power is also hard to understand, as I should imagine there are few laws which are not administered by public

and semi-public bodies in this manner. The City Council is hopeful that the by-law will be passed in its present form.

I sympathize with the objectives enunciated in the by-law, but with the very greatest respect to my friend the Town Clerk of the Adelaide City Council I do not think his letter adds very much to what has already been placed before the committee and this House. While I sympathize with the objectives of the by-laws, I think the opinion of a large number of members, and certainly of the Government, is that they should be disallowed by this House. There is ample opportunity for the two corporations to draft new by-laws which, I think, would give them all the protection they desire, and which would remove the objections of the Subordinate Legislation Committee and of what I hope will prove to be the majority of the members of this House.

Mr. KING secured the adjournment of the debate.

#### DECENTRALIZATION.

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

That in view of the alarming concentration of population in the metropolitan area of South Australia, an address be presented to the Governor praying His Excellency to appoint a Royal Commission to inquire into and report upon—

- (a) Whether industries ancillary to primary production, such as meat works, establishments for treating hides, skins, etc., and other works for the processing of primary products should be established in country districts; and
- (b) What other secondary industries could appropriately be transferred from the metropolitan area to the country; and
- (c) What new industries could be established in country districts; and
- (d) Whether more railway construction and maintenance work could be done at country railway depots; and
- (e) What housing provision should be made to assist a programme of decentralization; and
- (f) What amenities, particularly sewerage schemes, are necessary to make country towns more attractive.

(Continued from August 28. Page 495.)

Mr. JOHN CLARK (Gawler)—I am reminded of 1952 when a motion on very similar lines to this one was introduced. On that occasion I was what could probably be classed as a new chum in this House, and I waited for some weeks and listened to three instalments by the Premier in reply to the remarks of the Leader of the Opposition on

that motion. This afternoon I have been in a somewhat similar position, and although I have not waited weeks I have waited for what appeared to me to be hours. I am a member of the Subordinate Legislation Committee and, like the Minister of Education, I also know its value, not only to the members of the Committee but to the House in general.

I have very grave regrets that private members' time should be taken up with debate on the disallowance of regulations as it has been this afternoon. I am not reflecting for one moment on the quality of the debate, the members who have spoken, or the importance of the subject matter of the motion, but I register a formal protest on behalf of the Opposition that private members' time should be taken up in this way. I suggest that Standing Orders could be amended to allow matters such as those brought forward by a committee to be dealt with at some other time than private members' day, which comes only once a week and which should be devoted to matters submitted by private members. I stress again that I am not objecting to the motion; indeed, I intend to support it. My contention is that it would be better, particularly for private members, if such matters, discussion on which often takes a long time, could be dealt with at some other time than Wednesday.

I support the motion, but not for selfish or parochial reasons, though it is well known to members who have some knowledge of the town of Gawler that Gawler is one of the towns in the State which has suffered most grievously through the Government's centralization policy. I am not supporting the motion particularly for that reason, although of course that is obviously in my mind when I speak, but because I owe a duty to the State to do so. I think that we should all support it for that reason. Anyone with reasonable intelligence would support the motion of the Leader of the Opposition. I will not repeat its terms which should be well known to everybody, although after hearing the remarks of some Government members I have very grave doubts whether they have even condescended to read the motion. The members for Alexandra (Mr. Brookman) and Chaffey (Mr. King) debated the motion. I am very happy that they condescended to speak at all, even though they could be described as being little Sir Echoes simply following the line taken by the Premier, which unfortunately is the normal practice on that side of the House.

I was not surprised at the line taken by the member for Alexandra, and indeed it was exactly the line that I would have expected him to take. I think possibly he may thank me because I will be of some assistance to him and quote some of his remarks. Possibly that may encourage some people in South Australia to read his speech, a thing that probably would not otherwise happen. He said:—

The Leader of the Opposition cited some country towns that once had big populations, but they depended on mines which are now worked out or no longer used.

He was possibly thinking of an event which is about to take place in a former mining area. Has the honourable member heard of such places as Booborowie, Caltowie, McLaren Flat, Melrose, Hawker, Edithburgh, Port Broughton, Wilmington, or Wirrabara and a host of others which I could name? All those places are declining in population, but to my knowledge not one of them is a former mining town. I suggest that if a member makes absurd statements such as that he should have something to back them up. If he had something in support of his remarks he neglected to tell the House what it was, and I think his mind was possibly obsessed with Wallaroo, which is something that we were accused of having at the back of our minds when this motion was brought forward. However, even the Premier himself said that this was a stock motion, although the member for Alexandra apparently thought that the motion was introduced with Wallaroo in mind.

With regard to the remarks of the member for Alexandra, the truth is that in 1933 there were 112 country towns in South Australia with a population of over 500. Today—24 years later—with all the advances that we have made in that time, and despite the statement by the member for Alexandra that the population of country towns has increased rapidly, we find that there are 115 towns with a population over 500, exactly three more than there were in 1933. I submit that this does not give very much evidence of our country towns growing with great rapidity. Members should not let the growth of such towns as Whyalla, Mount Gambier, Port Augusta and Elizabeth blind them to the fact that 17 towns that had populations of over 500 in 1933 have well below that number now, and very few of them are mining towns either—they are just country towns. That is not a distortion of facts, but the plain truth.

The Hon. C. S. Hincks—But it is true that there are over 60,000 more people living in country areas now.

Mr. JOHN CLARK—Later I will deal with populations of the city and country, and I think my remarks will answer the interjection. The honourable member for Alexandra (Mr. Brookman) said:—

The only way to speed up decentralization would be by compulsion.

I do not want members to believe that for one minute, because it is just not so. If we make a real attempt to give amenities to the country even remotely comparable with those in the city we shall see whether compulsion is necessary.

Mr. Jennings—The compulsion is the other way.

Mr. JOHN CLARK—Yes, Government policy at the moment forces it to work the other way. I was not surprised at the remarks of the member for Alexandra, who ran true to form, but I was immensely surprised at the remarks of the member for Chaffey (Mr. King). I regret to see that Parliament can make such a change in a member's opinions in such a short time. I remember with admiration his maiden speech, which I thought particularly good, perhaps because he advocated decentralization. I have many good friends in his district and know that many of his constituents were very pleased with his remarks then. In his Address in Reply speech last year, which was his maiden speech, he said things that bear out my point that at that stage of his career he was, quite rightly, advocating decentralization, for his district in particular, and for the State in general. He said:—

Centralization brings with it the twin evils of social disease and political danger.

Later he said:—

Rather than take the water from the river by costly pipelines to the city, let us take our industries to the river and build our towns on its banks.

Those remarks were not made by the member for Murray, but by the member for Chaffey, and these are the very things we are advocating in this motion, the very thing we hope will result from the suggested Royal Commission. What I have said indicates that I was disappointed with the remarks Mr. King made on this motion, because I expected him, in view of his previous statements, to support it. However, during this debate he said:—

I do not mean necessarily by decentralization, but: by natural production.

This reminds me of an old verse I learnt as a school boy:—

It's grand to be a rabbit,  
And breed till all is blue,  
And then to die in heaps because  
There's nothing left to chew.



I am not suggesting there is nothing to chew in his district, but after the numbers are found by natural production these people will find there is nowhere to work. Apparently the idea is to increase our country population by leaps and bounds by natural production so that the young people will be able to go to work in the city and further swell the metropolitan population. I regret that his statements during this debate conflict with what he said in the past, and I suggest that some of the constituents, who are intelligent people, must wonder about them. It is very hard to know whether he has been channelled into the Liberal and Country League pattern or not. Possibly it could be so from self-preservation, by which I mean self-preservation on Party lines. However, his constituents believe in self-preservation too. His attitude might be unwise, but after all it is his business if he likes to change his mind as to the mode of increasing the population.

Mr. Jennings—I think he prefers the present method, doesn't he?

Mr. JOHN CLARK—He prefers the natural one. He also said in this debate:—

People live in the metropolitan area of their own free will.

I suggest that very many people live there because they have nowhere else to work.

Mr. Hambour—Absolute rubbish! That is not true.

The SPEAKER—Order!

Mr. JOHN CLARK—I hope to satisfy the member for Light, who is casting reflections on my veracity, that what I say is so. I did not intend to quote further from what Mr. King said, but as a result of the interjection I must do so. He said:—

We prefer to let the people decide where they want to live and work.

That is exactly what they cannot do under present conditions in this State. Let me give an example, without in any way gloating over what happened in Wallaroo. When I was in that town a few weeks ago in the course of my duty to help democracy, I had the pleasure of talking to two ladies whose husbands had worked in Adelaide for nearly seven years and who, in company with 11 other men, had purchased a motor lorry so that they could run backwards and forwards over the week-ends. These men could not find any work in that area and were living apart from their families all the week because they had to work in Adelaide. The member for Light (Mr. Hambour) obviously disagreed with me when I said that a great number of people live in the

city because that is the only place where they can get work, but I assert that that is so. Mr. King said that his Party preferred to let the people decide where they want to live and work. We believe in that if it is possible, but thousands have no choice and have to live where they can find work.

My home town is better off than many others, but most Gawler men work away from the town. At the annual show last week I spoke to an old friend of mine who has been working in Adelaide for 40 years. He worked out that he has travelled the equivalent of two and a half times around the world by having to travel so far to work.

The Hon. G. G. Pearson—In New South Wales people travel every day from Katoomba to Sydney.

Mr. Jennings—But they have a good train service there. Talk about something you know something about.

The SPEAKER—Order!

Mr. Hambour—The Gawler train service is good, isn't it?

Mr. JOHN CLARK—It is excellent, but it has only been excellent for exactly two months. However, that does not alter the fact that these men are forced to travel 50 miles a day, and others who work at Holdens and places of that nature have to travel further, so the people in Gawler are better off than those in many country towns. I mentioned Kadina and Wallaroo previously, and I now mention Wasleys, for which I fought for years for a railway service to allow people to come to the city each day. However, that could not be arranged, and during the week there are very few people in the town. They are there only for week-ends. They work in the city, not because they desire to, but because they are forced to work where they can get a job. I suggest that the Government's policy causes this state of affairs. Strangely enough, the Opposition is accused of trying to compel people to live in certain areas, but Government policy is to compel them to work in the city and often to live away from home.

Many young people—16 or 17 years of age—have had to leave their homes and live apart from their parents because they could not obtain employment in their home towns. At that age it is desirable that they should live with their parents who can exercise effective control. When I was at Wallaroo a union secretary—and I realize that most Government members will condemn these

remarks immediately—told me that when young people go to the employment office seeking work they are unable to secure it in that town and the young men are advised to join the Railways. If they do, they have to live in barracks at Peterborough among older men. That is no place for young lads, but they cannot get work in their home district.

In the Address in Reply debate the member for Chaffey (Mr. King) said he did not think that industries would go to a city of less than 30,000 people. It will take a long time to build a town of that size by way of natural production and, in any event, the big majority of people born in such a town would have to live away from it. They would be forced to flock to the city. It appears to me that the honourable member's eyes were open when he first came to this House, but now they are shut. I hope it is not a permanent injury. It has been said that no-one is blinder than the man who refuses to see. However, possibly a man who is not allowed to see could be blinder. I have spent a long time dealing with the remarks of two Government members and regret that I have not the time to deal with the remarks of the member for Light (Mr. Hambour). However, as he and other Government members merely echoed the Premier's remarks, it will be simpler if I refer to them.

In 1952 the Premier's contribution to this subject—which, by the tenor of his remarks, he considered worthless—occupied 22½ columns of *Hansard*. I was almost pleased to see that this year he devoted 27 columns and took only two instalments. Notwithstanding this, the Premier has attempted to write the motion off as valueless. From the length of his remarks it is obvious that it is becoming increasingly difficult for him to do so. As a matter of fact, in view of recent events he must be starting to think he may have to change his approach to this question of decentralization. In a similar debate in 1952 the Premier said:—

From one point of view it will have the support of every member. Every country in the world is seeking a solution of this problem.

He should have said, "Every country in the world, except South Australia." He also said:—

I believe that every political party and organization of any standing in Australia would support the motive of the Leader of the Opposition.

He should have said, "Every political party except the South Australian Liberal Party,"

but possibly he realized that it did not have much standing. Apparently his Party is not concerned with the subject, but it is becoming increasingly evident that country people are concerned with decentralization. After all, you cannot keep the blinkers on people for ever: eventually they fall from their eyes. In 1952 the Premier damned our motion with faint praise, but this year he has not even condescended to give us faint praise, and his reply was purely political, and bad politics at that. That has been proved to be so, and yet he accused us of politics in moving this motion. There is no necessity to defend ourselves from such a charge because our decision to move this motion was made long before the lamented death of Mr. Heath. However, if the motion were intended to be political, it was jolly good politics, as has been proved by recent events.

The Premier said that Mr. O'Halloran had brought his figures up-to-date. Mr. O'Halloran usually has his figures up to date, but no one can accuse the Premier of doing so in this debate. Indeed, he said, "It is not true that there has been a concentration of population in Adelaide." Does the Premier honestly expect anyone to believe that? He did not attempt to give figures to support his contention. He admitted that the Leader's figures were up to date and we must accept them as correct. The Leader stated that in 1938-39 the number of individual holdings in South Australia was 31,123, whereas 1954-55 there were only 28,092—a decrease of almost 3,000. The overall population of South Australia has increased by 45 per cent in that time. The metropolitan population increased by 201,000 (66 per cent of the total increase) and the country population by 66,000 or 34 per cent. Is not that evidence of a concentration of population in the city? The Premier's followers with one accord, despite the Leader's up-to-date figures, have agreed with the Premier's contention.

The Premier gave a dissertation on the establishment of industry and members will recall that he mentioned that the Government was prepared to build 4,000 homes at Mount Gambier to persuade an industry to establish itself there. Unfortunately it did not go there. He did not mention any assistance offered to Murray Bridge, Gawler, Wallaroo and other country towns. We must assume he did not do so because offers had not been made or were unsuccessful. He did supply a long and informative list of investigations carried out in South

Australia, principally by the Mines Department. That department is rendering a wonderful service, but I am reminded of the frustration of the former Director of Mines because his expert and scientific knowledge were useless against Government policy inspired by selfish political ends, as is its centralization policy. In main, the Premier's details related to work being done by Government departments in every State. I am prepared to believe that possibly more is being done in South Australia than in most States, but surely that is to the credit of the department and not the Government? We are fortunate that our Public Service continues to operate no matter what Party is in power.

From the Premier's remarks it would appear that he only favours Royal Commissions when he is in a position to appoint them. He implied that we only wanted this commission to promulgate our policy, but surely that would not be possible with the commission we advocate. The commission would make the investigation—not the Labor Party—and would make the decisions—not members of the Opposition. All we seek is an inquiry by means of a Royal Commission. We simply want yes or no after an investigation of the various matters we have suggested in the terms of reference. Perhaps I should give them briefly, because I realize that there may be some who have not read them and others who, having read, have not comprehended. We ask for an inquiry as to:—

- (a) Whether industries ancillary to primary production, such as meat works, establishments for treating hides, skins, etc., and other works for the processing of primary products should be established in country districts; and
- (b) What other secondary industries could appropriation be transferred from the metropolitan area to the country; and
- (c) What new industries could be established in country districts; and
- (d) Whether more railway construction and maintenance work could be done at country railway depots; and
- (e) What housing provision should be made to assist a programme of decentralization; and
- (f) What amenities, particularly sewerage schemes, are necessary to make country towns more attractive.

All of the decisions would be those of the Royal Commission and would be reported back to Parliament. We do not demand anything. We simply seek an investigation for the good of the State, and we are not by any means afraid of what the findings might be. We welcome them, but I wonder whether Government

members are afraid of the findings that this commission might make. Obviously, of course, they have no need to be afraid because they have the numbers in this House, but possibly they fear that as the working of a Royal Commission takes a certain amount of time, they will not always have the numbers—and the writing is on the wall.

As I said earlier, this motion is particularly interesting to me as it stirs a very strong chord in my heart. I have lived for so many years in the town of Gawler, and Gawler is an outstanding example of a town that was once industrially great and now is no longer so. There are other towns in the same condition and some of them are not decaying mining towns. I think Gawler is a notable example of a town that became industrially great because of private enterprise and industry allied to Government support, and it lost its industrial greatness because the Governments of the day failed to realize that the time had come when more Government assistance was required to keep it at its peak of greatness. There was a time when Gawler was the most important industrial town in Australia. That may sound a very sweeping statement but it can be verified. Gawler is still waiting for the Government to make use of its potentialities—for amenities, such as sewerage, to assist industry. We were told only last week that if we had any ideas for helping industry to bring them along to the Government and it would do something about it. I have brought the matter of sewerage to the Government's notice *ad nauseum*, but we are still waiting for it, and so are the industries in Gawler and the potential industries. We have everything else there for industry.

I suggest that what happened to Gawler's industries need not have occurred; indeed, should not have occurred, but at that time the Government made a wrong decision. It lacked forethought, and it appears from the reactions to this particular motion that the Government of the present day lacks forethought also. I believe, however, it is not so much lack of forethought; that there is an additional very cogent reason in the minds of Government supporters. It may not be in the minds of all because I suggest that possibly some of them simply do not understand the ramifications of their Party, but as far as the Government is concerned it does not pay to introduce additional works into safe Government seats. If anyone can tell me of any safe Government seat where there has been a big influx of population under the regime of the present

Government I shall be most happy to hear about it.

We hear of numbers going to Whyalla, of increases in population in Port Augusta, Mount Gambier and Elizabeth. The member for Edwardstown (Mr. Frank Walsh) reminds me that the population in his constituency is increasing very rapidly also, but we do not hear of it in any of the areas represented by Government supporters, yet the Premier—and it could be funny I suppose, depending on the angle from which one looks at it—accused us of trotting out special figures for political interests in Wallaroo, and then set out to give a mass of details about mining investigations in that area. Of course, he did not give that list for political reasons but from a purely disinterested point of view. But even had he done it for political reasons it did not have much effect; for apparently the strange sight of the Premier north of the Hummocks frightened the people into supporting the Opposition.

The Premier was then good enough to give us figures for the number of houses erected by the Housing Trust in country areas, and very commendable figures they were. We knew them anyway from the Housing Trust's reports. A Royal Commission might inquire whether there were enough houses in a particular area. It might find that more house building in particular areas would be an advantage to the State, and that is one of the things we are seeking in this motion. All we are seeking is an independent judgment, not to help ourselves as we have been accused of, but to help the State. We are not demanding that our policy be put into effect.

With this Parliament as at present constituted we cannot put a great deal of our policy into practice so we are doing the next best thing; simply seeking a Royal Commission to inquire into the matter, and a commission could not possibly be a waste of money as has been suggested in some quarters because whatever its findings they would be of value to the State. Surely all members must agree that the ultimate benefit of the State should be our paramount consideration. It certainly is on this side of the House and I trust it is on the other. If it is all members opposite must support the motion, but so far they have not shown much desire to do so.

We have never desired to force people into the country, but if we give country towns and districts amenities similar to those in the cities—sewerage, electric light, and so forth—industries will go there and people will follow. Surely things were happier when so many

people did not have to live away from home and family; when young people were not forced to live away from their parents at an age when they should be with them. In conclusion, all we want—and if I have repeated it so much it is because I want to convince members opposite about something on which they should not need convincing—is an inquiry to ascertain the things that we have set out in the motion. I have lived in the country all my life, as have both the Leader of the Opposition and the Premier, and I believe that most country people are happier in the country, providing they can make their living there. All we ask is an opportunity of seeing that it is possible to give them that chance. The State must benefit. The Opposition believes in this, and it was made fairly manifest last Saturday that at least one particular area believes in decentralization; that we should attempt to do something about decentralizing industry and population. One country area last Saturday gave its answer and I believe that this House should support that particular answer. I therefore appeal to members, not only on this side of the House, but on the other to support the motion.

Mr. JENKINS (Stirling)—I oppose the motion because I do not believe that the appointment of a Royal Commission would do anything to solve the problem of decentralization. Secondly, I do not approve of paragraph (d). This does not ring true to me. The Labor Party says it does not wish to use compulsion, but wishes to achieve decentralization by encouragement and inducement. If that is their intention paragraph (d) is very misleading. We already have an Industries Assistance Committee designed for the very purpose for which members opposite wish to appoint a Royal Commission. It consists of members of both Parties and in the past years the committee has done a very good job. The member for Semaphore (Mr. Tapping) used Victoria as a comparison and stated that Melbourne was being decentralized and that the populations of country towns are increasing as a result. However, that applies also in South Australia and is common in all States. The Leader of the Opposition submitted a list of towns where population had decreased, but they were all small towns with decreases of below or just over 100. The Premier mentioned 56 towns whose population had increased, so the member for Gawler (Mr. Clark) was wrong when he said no figures had been produced to prove that country

towns had expanded. The member for Semaphore referred to the efforts of the State Development Committee in Victoria and said that it was responsible for decentralization and that if a Royal Commission were appointed by this Parliament it would do the same kind of work here, but it is interesting to compare the supposed decentralization in Victoria with what is going on in other places. According to the 1951 *Year Book of the Commonwealth of Australia* (page 525) metropolitan populations increased as follows between 1933 and 1947:—Sydney, 20.14 per cent; Melbourne, 23.64 per cent; Brisbane, 34.12 per cent; Adelaide, 22.34 per cent; Perth, 31.38 per cent; and Hobart, 26.70 per cent. Those figures prove that South Australia has a favourable record in decentralizing population away from the metropolitan area because it is the second lowest figure in that list. At page 528 the volume states:—

At June 30, 1947, the metropolitan divisions contained 50.72 per cent of the total population of Australia as compared with 46.87 per cent at the 1933 census. Victoria had the largest percentage of population residing in the metropolitan area (59.69) but was closely followed in this respect by South Australia (59.20). During the intercensal period, however, the highest rates of increase in metropolitan population were experienced in Queensland and Western Australia.

Those figures prove that South Australia compares favourably with other States in this matter, especially as it has so much low rainfall country. The 1954 census gives another picture, but as the figures are compiled differently from the method used in the 1933 and 1947 censuses, it is difficult to compare the latest results with those obtained earlier. According to the 1954 census, however, 62.15 per cent of Victoria's population was in the metropolitan area of Melbourne, whereas only 60.66 per cent of South Australia's population was in the Adelaide metropolitan area, and that despite the fact that because of the natural increase and immigration South Australia's population had increased in proportion more rapidly than that in other States.

In supporting the motion the member for Semaphore (Mr. Tapping) used as an example the appointment of the Victorian committee and said that it operated on similar lines to the way the Royal Commission advocated by Labor members would operate, but under the Victorian legislation the committee known as the State Development Committee was appointed in 1941 to deal with industries in the metropolitan area as well as those in the country.

Indeed, its reports seem to indicate that it investigates projects similar to those investigated by the Public Works Standing Committee in this State. Further, its preamble states:—

An Act to make provision for the appointment and constitution of a State Development Committee and the functions thereof and for other purposes.

The title of the Act is "The State Development Act" and it provides that six members of Parliament shall be appointed members of the committee by the Governor in Council. The Act provides that—

The functions of the committee shall be to inquire into and report to the Governor in Council upon:—

- (a) The balanced economic, industrial and rural development of the State;
- (b) The decentralization of industrial activities and the distribution of the population of the State;
- (c) The improvement of the conditions of industrial and rural life in the State;
- (d) the amelioration of the conditions of industrial and rural life in the State;
- (e) The organization and development of primary, secondary and other industries in the State to meet conditions arising from the present war, and the reorganization of such industries after the present war, and other relevant matters and things.

In 1949 the State Development Committee reported on a proposal for a sugar factory at Maffra, noxious weeds, a suggested extension of electricity from Mansfield to Woods Point, and a Geelong district water supply. In 1950-51 the committee investigated a project for skiing and tourist resorts in the Victorian alpine regions and two other tourist projects. In 1951-52 it investigated transport requirements in the Sandringham, Mentone and Black Rock districts. As these are metropolitan suburbs, I doubt very much if this project would assist decentralization to any great extent.

I believe the methods adopted by the South Australian Government have had far-reaching effects in decentralizing industry and population. Financial assistance has been given on the recommendation of the Industries Development Committee to any industry that is considered an economic proposition. The committee in this State comprises members of both Parties. The policy of the Playford Government has been to provide electricity, water, housing, roads and transport facilities to assist the establishment of industries in country areas, and this policy fills the bill in helping decentralization without the necessity of a Royal Commission, for the industries automatically follow the provision of these facilities.

Much mention has been made of ghost towns such as Wallaroo, Moonta and Burra, but there are similar places in Victoria and other States. In a book entitled *Country Towns of Victoria*, A. J. and J. J. McIntyre state:—

Of 180 towns surveyed, 59 (or 33 per cent) were increasing, 39 (or 21 per cent) were decreasing, 82 (or 46 per cent) were stationary. The position there seems to be similar to that obtaining in South Australia and other States, as well as in other countries. The account continues:—

Of the 39 decreasing towns, three (or 8 per cent) were over 1,000, 36 (or 92 per cent) were 250-1,000. The three towns over 1,000 which were decreasing (Rushworth, Wonthaggi, Broadford) are respectively an old gold town, a coal mining town of limited life and a town in which an industry has declined.

Such statements could well apply to South Australian ghost towns mentioned in this debate, for Moonta, Wallaroo and Burra have all derived a living for their population from mining industries that have operated there. In view of the vast expanse of low rainfall country in South Australia, the following statement concerning Victorian towns having increasing populations is interesting:—

Of the 22 small towns which are increasing, six are in prosperous dairying districts, four are in districts in which closer settlement is taking place, three are in prosperous farming districts other than dairying, three are tourist resorts, three have had recent gold discoveries, two are manufacturing centres, one is a centre for retiring farmers.

The story in Victoria, therefore, is similar to that in South Australia, but it must be remembered that Victoria has a better average rainfall and a larger percentage of fertile country than we have. The account continues:—

In general, the larger towns are growing and the smaller ones declining.

That proves my argument. Members opposite had much to say about the great drift of population to the Adelaide metropolitan area, but statements in the *Year Book* show that there has been a decrease in the population of all rural areas in every State. True, the drift in South Australia may be greater than in some other States, but some of our provincial towns are growing and I believe the drift from the rural areas is towards those towns because many young men from our farms are going to work in those towns and not in the metropolitan area. I refer particularly to Whyalla, Elizabeth, Radium Hill, Leigh Creek and other places that are developing. This must be the case because the figures prove that the percentage increase in the

metropolitan population is lower in this State than in most of the other States.

When I came to Australia in 1912 I worked hard on a farm for 15s. a week, and on that farm were a father, two grown up sons and two other men. I had the pleasure of visiting that place two years ago and found one man working all the land. The only time he has to engage outside labour is for seeding, harvesting and shearing. That is indicative of the reason for the drift of labour from rural areas.

The member for Gawler (Mr. John Clark) had much to say about politics not entering into the issue at the recent Wallaroo by-election, but he immediately qualified that statement by saying that if politics were introduced they were good politics. I agree that decentralization served a good purpose for members opposite; they used it admirably. Now they have some new blood, which will be a good thing for it will make possible a blood transfusion for the Party opposite. The *News* of last Thursday reported a statement about decentralization by the newly elected member that was similar to those made so frequently by members opposite during the last few weeks. I think that the newly elected member for Wallaroo may do a good job. He worked in a fertilizer factory, so he should be used to dusty conditions. The member for Gawler (Mr. John Clark) mentioned dusty conditions, and although the newly elected member for Wallaroo may reasonably expect to be rid of the dust to which he has become accustomed, he will find that members opposite produce a lot of dust and fertilizer of the farm yard variety. I regret that those members have been prepared to write down and decry their own State in order to promote a Party line. No case has been made out for the appointment of a Royal Commission to inquire into decentralization, and I oppose the motion.

Mr. HARDING (Victoria)—I oppose the motion, though I would support any practical scheme to halt centralization because I do not think that the appointment of a Royal Commission would solve the problem. I have obtained statistics about the population of other States. The member for Semaphore (Mr. Tapping) said that Victoria was a good example of decentralization of population, but the percentage of the population in the metropolitan area of Melbourne (62.43) is higher than that of any other State capital city. If we add the population of two large cities that are almost adjacent to Melbourne the percentage would exceed 70. The population

of the Sydney metropolitan area is 54 per cent of the State's population, and if we include the population of the South Coast and two other large cities near Sydney (with populations totalling 277,570) that would account for 3,500,000 people.

Mr. Fred Walsh—Are you referring to Wollongong?

Mr. HARDING—Yes. The population of Sydney, Newcastle and Wollongong totals 2,213,450. The Government has done a marvellous job on decentralization in this State. The member for Murray (Mr. Bywaters) mentioned Kanmantoo and other ghost towns, but we find them in all States.

Mr. Fred Walsh—Did you say Kanmantoo?

Mr. HARDING—Yes. One can find all sorts of ruins there. The surrounding country was once used for farming, but today Kanmantoo is a ghost town. We have been told that the population of Murray Bridge has increased by only 700 in 21 years, though it is a well kept town. Mannum can give us a clue on why the appointment of a Royal Commission could not solve our problems. We cannot tell industries

that they must go to certain places if they want to come to the city. John and David Shearer started a business in Mannum years ago. When they dissolved partnership John Shearer considered commencing at Murray Bridge, but he did not receive a welcome, which was a tragedy. The people of Murray Bridge were not looking for industries in those days, so he started in business at Kilkenny. Palmer had a capable blacksmith who wanted to expand his business. He came to Port Adelaide and founded a firm which is now known as the Port Adelaide Implement Company. That sort of thing has been going on for years. One may find many ghost towns in the north of this State. The town where I lived as a boy has declined greatly. Those towns had their heyday about 50 years ago, but there is little we can do to combat this trend. The figures that I have extracted on the population of various States support my contentions, and I ask leave to have the table inserted in *Hansard* without reading it.

Leave granted.

The table was as follows:—

*State and Metropolitan Populations, 30th June, 1956.*

	State.	Metropolitan.	Percentage Metropolitan to State.
New South Wales . . . . .	3,553,432	1,935,880	54.47
Victoria . . . . .	*2,605,088	1,595,300	62.43
Queensland . . . . .	1,370,697	527,500	38.48
South Australia . . . . .	848,526	514,000	60.57
Western Australia . . . . .	677,389	369,000	54.52
Tasmania . . . . .	319,648	99,540	31.01

\* December 31, 1955.

*Estimated Population of Cities and Towns in Australia, 1955.*

New South Wales.	
Newcastle . . . . .	181,740
Wollongong . . . . .	95,830
Broken Hill . . . . .	32,000
Blue Mountains . . . . .	23,330
Maitland . . . . .	21,630
Goulburn . . . . .	19,740
Wagga Wagga . . . . .	19,640
Penrith . . . . .	18,790
Orange . . . . .	18,570
Lismore . . . . .	17,620
Albury . . . . .	17,100
Bathurst . . . . .	16,390
Lithgow . . . . .	15,270
Cessnock . . . . .	14,630

Victoria.	
Geelong . . . . .	78,530
Ballarat . . . . .	49,500
Bendigo . . . . .	38,130

Western Australia.	
Kalgoorlie . . . . .	23,000

Tasmania.	
Launceston . . . . .	50,690

*Queensland.*

Toowoomba . . . . .	44,000
Rockhampton . . . . .	41,300
Townsville . . . . .	41,200
Ipswich . . . . .	40,100
South Coast . . . . .	21,900
Cairns . . . . .	21,400
Bundaberg . . . . .	20,400
Maryborough . . . . .	18,210
Mackay . . . . .	14,880

Mr. HARDING—More secondary industries can only be encouraged and fostered where they have a reasonable chance of being a success economically. I said during the Address in Reply debate that we have one-third of our workers working in industries which could not continue except under protective tariffs. If we establish industries a considerable distance from the river or water supplies, the higher will the cost of pumping water become. Of course, if an economic method could be evolved of converting sea-

water into fresh water one of the major problems along our coast line would be partly solved.

A Royal Commission or the Government cannot direct or transfer any industry to the River Murray, or anywhere else against its wishes. People in primary production in the river districts and other places must continue to play a vital role in the welfare of this State. I advocate the establishment of more co-operative distilleries, packing and processing floors, canneries, community hotels and clubs, and other ventures. More amenities should be provided in the country, and the Government is doing much in this respect. The progress of a district depends largely on the vigilance and initiative of its residents, local government bodies and members of Parliament. They can best assess the potential of their own districts, and they will no doubt press their claims before the Government for the establishment of suitable industries.

I have said before that one of the soundest and cheapest ways to decentralize population and industry is through land settlement. Recently much has been said about the extra carrying capacity of the South-East as a result of the drainage of the western district. I understand that 2,000,000 more sheep will be carried in that area. This will result directly in an extra annual income of about £6,000,000 for this State and indirectly, through the industries and factories that will be established, about another £6,000,000.

We were told recently that the use of lime will enable the development of a great deal of poor, sandy country in the South-East near Bordertown. About 1,000,000 acres of country is useless now, but the Lands Department and the Department of Agriculture have been experimenting on this country, and they have found that if it is given sufficient lime, superphosphate and trace elements it can be brought into economic production and carry 2,000,000 sheep. This will not be a shaky proposition, though it will be costly. The Government is convinced that private enterprise will be able to develop this country. It has promised to establish a large land settlement scheme in that district and blocks will be thrown open for application. This is a further example of what the Government is doing in decentralization. A Royal Commission could only report on projects that are continually receiving the Government's attention and being investigated by experts in Government departments. I shall vote against the motion.

Mr. CORCORAN secured the adjournment of the debate.

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

#### ASSOCIATIONS INCORPORATION ACT AMENDMENT BILL.

Received from the Legislative Council and read a first time.

#### APPROPRIATION BILL (No. 2).

A message was received from His Excellency the Governor recommending the House to make appropriation of the several sums set forth in the accompanying Estimates of Expenditure by the Government during the year ending June 30, 1958, for the purposes stated therein.

Referred to Committee of Supply.

#### THE BUDGET.

In Committee of Supply.

The Hon. Sir THOMAS PLAYFORD (Premier and Treasurer)—I desire to place before the House estimates of revenue and expenditure for the financial year 1957-58. In the aggregate the expenditure proposals amount to £71,615,000 as compared with revenue estimates of £71,095,000, thus leaving a prospective deficit of £520,000. The two major factors in the State's financial position are the tax reimbursement grant and the special grant recommended by the Commonwealth Grants Commission. The former this financial year will be £17,500,000 approximately, or £1,738,000 more than for the past year, whilst the special grant will be £5,700,000, or £100,000 less than last year. In the aggregate, therefore, these two grants will make up £23,200,000, or 33 per cent of the anticipated receipts from all sources—the same proportion as last year.

Last year I referred to the uniform tax arrangements and pointed out that this State's finances were particularly prejudiced both because the State is deprived of an adequate and flexible source of income under its own authority and because it is deprived of the natural return through income taxation arising from the State's development and prosperity. The recent decision of the High Court upon the challenge to the validity of Commonwealth legislation supporting the uniform tax arrangement would appear to have done little to change the situation. It is hoped, however, that the Commonwealth may see fit to meet the States and endeavour to work out new arrangements which may provide better for the States and at the same time protect the taxpayer



against any unnecessary impost and inconvenience. It would, in any case, be quite impracticable for the States to consider re-entering the income tax field unless the Commonwealth voluntarily withdraws to a sufficient extent to avoid higher combined imposts upon taxpayers and also co-operates by sharing administrative facilities. The South Australian Government is not happy with the present arrangements because its ability is restricted to arrange its own finances in the manner which it believes most desirable in the interests of the State, because the present arrangements are not the most conducive to responsibility in finance, in either the State or Commonwealth, and because as a result it would seem that our taxpayers are paying more heavily than would otherwise be necessary. From the more narrow viewpoint of funds available to the State Government for essential services I do not suggest we are badly treated. In some ways, of course, it may be considered an advantage not to have to administer income taxation. South Australia's share of the amount distributed in the form of tax reimbursement is fairly determined in accordance with relevant and proper considerations, and its proportion has latterly been increasing because this State has experienced the most rapid expansion of population of all States.

South Australia is still dependent upon a special grant recommended by the Grants Commission, though with its progress in recent years the State's relative dependance thereon has been consistently reducing. So long as the special grant is determined in accordance with the present principles of the Commonwealth Grants Commission any reduction therein is no matter for concern but rather one for considerable satisfaction, for it means that the State is still progressing more rapidly than Australia as a whole. I would remind members that, under the present principles adopted by the Grants Commission, the special grant of £5,700,000 recommended for 1957-58 is not necessarily its last word upon that subject. This recommendation was about £500,000 less than the amount which was notified to the commission in July as my best estimate of the State's financial needs. The commission has not decided that my estimate was unjustified or erroneous, but has subtracted what it calls a "margin of safety" in case subsequent events and reviews should show the State did not require quite so much. The commission will, after the close of the present financial year, review the actual results of the State Budget, and if it thinks it justified

will make a recommendation sufficient to recoup all or part of the actual deficit of the year.

Members will notice from the relevant financial papers that both last year and this year there has been included in the special grant to this State a sum in respect of deficits for prior years. In 1956-57 we received £40,000 on this account and during 1957-58 we will receive £842,000. In the grant for next year the deficit of £49,000 in 1956-57 will be considered and in the subsequent year the 1957-58 deficit, which I now estimate at £520,000, will be further considered for a supplementary payment. This procedure of the Grants Commission does not mean, however, that a claimant State will automatically qualify for an additional grant to the extent of any deficit which may occur irrespective of its magnitude or its cause. In part the commission's decision will depend upon how well the larger Australian States may have fared. But in particular the commission must be satisfied that the claimant State has made a genuine effort to meet its financial necessities out of its own resources, as well as ensuring that its control and economy in expenditure compares satisfactorily with expenditure in the larger States, and that taxes and governmental charges are maintained at levels comparable with those elsewhere in Australia. If a claimant State does not make such reasonable effort and does not keep its expenditure levels, its taxes and its charges, within standards determined from the actual experiences in the larger States, then it cannot expect from the Grants Commission a recommendation which will secure to it a budget balance. In consequence, so long as this State is prepared to budget within standards so determined by the commission, then it is entitled to expect a grant sufficient to secure budgetary equilibrium, but not otherwise.

South Australia has for many years budgeted in such a fashion as to be within the standards adopted by the commission, with the result that accumulated unrecouped deficits will amount to £677,000 after crediting the £842,000 to be received this year on account of those deficits. Of this, £620,000 arose from a special appropriation from consolidated revenue to the Highways Fund in June, 1953, which the commission regarded as abnormal provisions, as roads expenditures are ordinarily restricted to funds derived from motor and petrol taxation, and £49,000 represents last year's deficit which is subject to further consideration by the commission. This

means, that, apart from the Highways appropriation and last year's £49,000 yet to be considered, South Australia has qualified for special grants over the past ten years sufficient to balance its accounts except for the very small amount of £8,000.

Although the Estimates with which we are now concerned contemplate a deficiency of £520,000, the expenditure proposals have been determined with due regard to the reasonable requirements of the State as well as proper economy, whilst the revenue proposals are such as to compare on balance reasonably with taxes and charges levied elsewhere in Australia. In such case members may be confident that necessary financial assistance will be forthcoming sufficient to ensure that any deficit will be at least substantially recouped: in any case the eventual result will not be less favourable than the Budget results actually secured by the three larger States of Australia.

One further matter of concern to a Treasurer arising from the manner of determination of special grants is the time which will elapse between the incurring of the necessary expenditure and the eventual recoup of the deficit. When State revenues are buoyant and predictable, and expenditures follow the normal pattern, the State can finance a deficit of small or moderate proportions pending the commission's review. If, however, the State should experience a serious disaster such as a drought, whereby revenues are seriously reduced and expenditures necessarily increased, the lack of actual funds to finance temporarily a large deficit may create a most difficult situation. In the present situation, where loan funds are barely adequate to meet the essential works and development programme, it is not practicable to finance a substantial revenue deficit even temporarily from that source. Because of the risks involved in the present situation, particularly as it is possible for the seasonal outlook to deteriorate seriously, I regard an estimate deficit of £520,000 on the assumption of a reasonably good season as the limit to which I am justified in budgeting.

Members will recall that at this time last year I indicated that the Government was faced with the prospect of a shortage of ready funds with which to finance a heavy accumulated deficit, and also would have to meet considerable costs in protective and relief measures for the River Murray floods. Accordingly, it felt bound to increase a number of its charges and taxes beyond what it would otherwise have contemplated in order

to keep the deficit within manageable proportions. Fortunately, I was able to prevail upon the Commonwealth to share with the State the necessary expenditures in combating the flood and restoring damage, and the public response to an appeal for funds to relieve hardship was magnificent. Also it was not possible to complete the restoration work as rapidly as had been expected. As a result of these factors, combined with a good season and prosperous conditions elsewhere in the economy, the State finished the year with a minor deficit of about £49,000, far less than was to have been expected.

After the adjustment in taxes, fees, and public utility charges made in last year's Budget, the Government does not propose any widespread increases this year. As a number of last year's increases operated for only part of a year they will be effective in securing some extra revenue in 1957-58 beyond that secured in 1956-57. The following are the adjustments proposed:—

- (1) This year the Engineering and Water Supply Department will complete its revision of assessments of rated properties in line with post-war increases in property values. It is expected that metropolitan and country town assessments will increase by about 14 per cent, and this will result in increased revenues for water-works and sewers of about £300,000 as a contribution toward added costs of extending and maintaining these essential supplies and supplementing water supplies by pumping from the River Murray.
- (2) Railway fares in both the metropolitan area and on country lines will be increased by an average of 12½ per cent from the middle of this month. This increase is in line with the recent increase made by the Municipal Tramways Trust which, though the revenues do not come directly into the State Budget, has reduced the necessary grant to that authority. It is estimated that rail revenue from these adjustments will be increased by £100,000 this year and £120,000 in a full year.
- (3) Fees for registration of factories and shops, which have not been revised since 1927, have become in many respects anomalous. New regulations are at present on the table of the House providing for adjustments which are expected to secure £20,000 additional revenues this year and £26,000 in a full year of operation.

The Government has persisted in its previous decision to avoid so far as is possible the re-imposition of entertainment taxes and the imposition of taxes on hire-purchase transactions. It regards both as undesirable taxes

falling upon consumers generally and impinging relatively more heavily upon persons less able to bear the taxes. As such taxes have been imposed by several other States they come within the consideration of the Commonwealth Grants Commission in determining its standards against which this State is measured. Accordingly the State can only continue to avoid them if it makes up the difference by extra effort or extra economies elsewhere, or is prepared to forgo loan money from financing works so as to finance a deficit.

The Government is aware that in a number of categories the railway freight rates, even after the modest increases a year ago, are somewhat below those in other States. However, apart from those items which are subject to special contracts containing clauses for periodical adjustments in accordance with a cost formula, there will at present be no upward revision of freight rates. In the light of the competition with other forms of transport and the particularly obscure position with regard to interstate road haulage, it has been decided that little, if any, increased revenue can be secured by increasing freight rates. To improve the railway finances the administration will continue to concentrate upon reduction and control of operating costs and making arrangements with customers for the handling and transportation of freight in the most economical fashion. The Government is satisfied that this policy has been very successful over recent years.

#### THE YEAR 1956-57.

When presenting my Budget last year I estimated that the deficit would amount to £853,000. Receipts were estimated at £65,129,000 and payments at £65,982,000. Actual receipts amounted to £65,761,000 and bettered the estimates by £632,000, the principal single factor being that subsequent to the submission of the Budget to Parliament I was able to convince the Commonwealth Government of the magnitude of the task of protecting the river areas from the flooding of the River Murray and of the subsequent problem of rehabilitation. As a result of submissions then made the Prime Minister agreed that the Commonwealth Government would match the State Government's expenditure pound for pound subject to certain maximum amounts, on prescribed types of expenses associated with the flood. The sum of £402,000 was received from the Commonwealth last year in consequence of this arrangement. Other revenues that bettered the Estimates were water

and sewer rates, irrigation rates, interest and sinking fund recoveries, and mineral royalties. Actual payments for the year amounted to £65,810,000, which fell short of the Budget estimate by £172,000, so that the actual deficit for the year amounted to £49,000 as compared with the original estimated deficit of £853,000.

#### ESTIMATES FOR 1957-58.

##### RECEIPTS.

The Estimates of Revenue, which have already been tabled, show under the various headings the estimates of receipts for this year compared with actual receipts for 1956-57, and the comments and explanations I now propose to make have reference to this document. In total I estimate that revenue will reach £71,095,000, which is £5,334,000 greater than actual receipts last year.

State Taxation.—I have estimated that State taxation will this year yield £9,769,000, which is £459,000 more than was actually received last year, and the principal increases are estimated to come from—

	£
Stamp duties . . . . .	55,000
Succession duties . . . . .	128,000
Motor vehicles registration and licence fees . . . . .	212,000
Publicans' licences . . . . .	38,000

In the case of stamp duties and publicans' licences the increases arise in part from the operation during the whole of 1957-58 of increased charges which were effected last financial year. No provision is made for any increases in State taxation rates this year.

Public Works and Services and Other Receipts.—The estimate of receipts from operation of public utilities and from other recoveries of a departmental nature is £36,866,000, which is £3,162,000 greater than receipts from the same sources last year.

Harbors revenue is estimated at £2,275,000, and the increase of £154,000 in this line arises from the operation for a full year of increased charges which came into force on October 1, 1956.

I have estimated railway revenue at £18,700,000—an increase of £1,103,000 over last year. Apart from the transfer from Treasury which is £100,000 higher at £4,300,000, this increase arises from adjustments to contract rates for carriage of Broken Hill ore, and certain other commodities, from the proposed increase in fares which I have already mentioned, and is also due in part to the fact that as June 30, 1957, fell on a Sunday a number of payments from

customers remitted during the last two or three days of June did not reach the Treasury until Monday, July 1. As June 30, 1958, falls on a week day, cash receipts for 1957-58 will be greater not only to the extent of the abnormal carry-over from 1956-57, but also because all remittances up to June 30, 1958, may be expected to reach the Treasury.

Revenue from Waterworks and Sewers has been estimated at £4,328,000 and the increase of £799,000 derives in part from the increased prices for rebate and excess water which were announced last year but became fully operative this year, in part from the completion of the review of assessments, and in part from the further increase in the number of new connections made to the water reticulation and sewerage systems.

The estimate of Hospitals revenue is £1,344,000, which is £134,000 more than was received last year. Charges for in-patient treatment at government hospitals commenced from September, 1956, so that this year will see a full year's collection of these charges. In addition, the increased accommodation at Queen Elizabeth Hospital will attract more revenue.

Interest and Sinking Fund Recoveries at £6,387,000 represents an increase of £673,000 over 1956-57 receipts. This increase is a direct result of increased loan moneys made available as advances to semi-governmental bodies, for housing, and to finance the activities of the various government departments.

Departmental Revenue.—Details of the various anticipated receipts are set out in the Estimates and the increases shown arise from increase in activity rather than revision of charges, although action is now in course to increase charges made by the Factories and Steam Boilers Department.

An amount of £525,000 is included under "Miscellaneous—Minister of Irrigation" as an estimate of the amount to be received from the Commonwealth in accordance with its undertaking to assist in financing River Murray flood protection and rehabilitation costs. Members will be aware that both Commonwealth and State Governments contributed £50,000 to the Flood Relief Fund which was opened by the Lord Mayor. Public reaction to this appeal was such that within a short space of time a further £350,000 was contributed to the fund. A special committee under the chairmanship of Sir Kingsley Paine was set up to arrange the distribution of these moneys and this committee, aided by district committees representing the affected areas, has now had an assessment made of the losses of all the appli-

cants. This has been a long task because it will be appreciated that the full extent of losses could not be determined until the river had receded and until reclaimed areas had been dewatered. Pending the completion of this assessment interim grants totalling approximately £100,000 have been made in urgent cases, and as the final assessment of losses has now been completed the distribution of the balance of the fund will be made within the next few weeks. When the fund is distributed, over 1,000 applicants will have benefited from the public's generosity.

Territorial Revenue is estimated at £556,000, an increase of £29,000 over last year.

Commonwealth Grants.—Grants from the Commonwealth of £23,904,000 are estimated to exceed last year's actual receipts by £1,683,000. It may be noted that I have estimated the tax reimbursement grant at £17,500,000 whereas the Commonwealth estimate is £80,000 less. However, an examination of the population data underlying the formula which will be applied in the ultimate determination of South Australia's share of the grant leads me to believe the higher estimate will be closely realized.

#### PAYMENTS.

I have tabled also the Estimates of Expenditure which contain itemized estimates of payments for all departments for 1957-58. The total amount which is estimated to be spent this year is £71,615,000, which is £5,805,000 greater than last year's payments. This total is made up of:—

	£
Annual payments for which appropriation is already contained in special legislation . . . . .	17,830,000
Proposed payments in respect of the various departments for which appropriation will be sought in an Appropriation Bill which will be introduced at the completion of the Budget debate	53,785,000
	£71,615,000

The first category is detailed on pages 4 and 5 of the Estimates of Expenditure and the total of this section exceeds last year's actual payments by £1,322,000. The principal items shown in this section are—

	£
Government contribution to the South Australian Superannuation Fund . . . . .	839,000
Transfer to Highways Fund of net proceeds of motor taxation for expenditure on roads . .	3,043,000
Interest and Sinking Fund payable in respect of State Debt	13,693,000

A summary, under Ministerial Heads, of the estimated expenditures of the various departments appears on page 7. The estimate of payments for 1957-58, £53,785,000, is £4,483,000 in excess of last year—an overall departmental increase of the order of 9 per cent. I now propose to mention some of the more important features of proposed expenditures.

The amount provided in the Estimates for the Police Department is £1,885,000, which represents an increase of £199,000 over the actual payments made last year, and will permit the force to be brought up to and maintained at the strength consistent with efficiency. Funds are also provided for the replacement of all high mileage motor vehicles.

The sum of £4,255,000 is provided for Hospitals Department. This is £397,000 more than actual payments made last year. The principal feature of the increase is that this year the Queen Elizabeth Hospital maternity block will be in operation for a full year, and will require £113,000 more than last year. With the transfer of the maternity section to the new block the number of beds will increase to 114, as compared with 55, which was the number available under the temporary arrangement when the nurses' block was used as a maternity hospital. In addition funds are included in the Estimates for payment of such salaries and wages increases as are required to staff adequately the various hospitals, and also for purchase of special X-ray equipment at Royal Adelaide Hospital (£25,500) and Queen Elizabeth Hospital (£25,000) as well as minor items of surgical and general equipment at the various other Government hospitals.

The sum of £651,000 is provided for Children's Welfare and Public Relief Department. This is £47,000 more than was spent by the department last year, and the increase is required principally to meet increased costs associated with payment of an increased scale of relief to a greater number of applicants and to an increase in the rate of subsidy payable in respect of State wards placed in private homes.

The amount provided for Department of Public Health is £232,000, which includes £8,000 to meet the cost of preparing and supplying influenza vaccine to key personnel during the epidemic which South Australia has recently experienced and is still currently passing through. The amount provided in the Estimates for this department will permit further expansion of medical services to schools,

particularly in respect of dental inspection and treatment in country areas.

Chief Secretary, Miscellaneous—£1,752,000—an increase of £69,000. This section of the Estimates details the grants and subsidies to be made towards the establishment and maintenance of hospitals, and for other health, charitable and social purposes. The principal grants included in the Estimates this year are:—

	This Year. £	Last Year. £
Adelaide Children's Hospital . . . . .	453,000	440,000
Home for Incurables (including special grants towards new buildings) . .	95,000	55,000
Institute of Medical and Veterinary Science . . . .	168,000	130,000
Keith Hospital Extensions	5,500	3,500
Mothers' and Babies Health Association . . . . .	60,000	58,000
Queen Victoria Maternity Hospital . . . . .	261,000	212,000
New Salisbury Hospital . .	65,000	150,000
S.A. Blood Transfusion Ser- vices . . . . .	40,000	38,000
Whyalla Hospital . . . . .	10,500	10,500

The sum of £95,000 is provided for subsidies to institutions this year. The comparable amount paid last year was £91,000. The principal proposals for this year are:—

	£
Crippled Children's Home, Somerton	2,000
Spastic Centre, Ashford . . . .	2,000
District and Bush Nursing Society	17,000
Kalyra Sanatorium . . . . .	64,000
Minda Home . . . . .	5,000
Northcote Home . . . . .	3,500

Conditional subsidies to hospitals, where the amount paid is contingent upon the hospitals raising a certain proportion of their maintenance requirements from fees and other revenues, will require £139,000, which is an increase of £5,000 over the amount paid for similar purposes last year. Special subsidies to hospitals towards the purchase of equipment or towards alterations and additions will require £40,000. Other special payments to be made from the Chief Secretary—Miscellaneous vote this year are:—

	£
For ambulance services (including £10,000 for country services . . . .	40,000
Royal Institution for the Blind . .	25,000
South Australian Institution for the Blind, Deaf, and Dumb . . . . .	10,000
Rail fares of blind persons . . . .	4,000
Rail fares of blind and incapacitated soldiers . . . . .	60,000
Sir Ross and Sir Keith Smith Memorial . . . . .	3,500

Under the Ministerial head Attorney-General it will be noted that a considerable increase is proposed for the Registrar-General of Deeds Department. This increase relates to the setting up of a new section to deal with Town Planning.

Under Treasurer, Miscellaneous, the amount provided is £6,673,000—an increase of £952,000 over similar payments last year. The principal item contributing to this increase is the transfer of £842,000 of this year's special grant towards meeting the deficit of 1955-56, the circumstances of which I have already explained to you.

Other items which require increased provision this year are—

	£.
Payments to the Commonwealth of principal and interest, pursuant to the Commonwealth State Housing Agreement . . . . .	635,000
(This amount, which is £143,000 in excess of last year's payment, is recoverable in full from the South Australian Housing Trust)	
Payments to the Commonwealth of principal and interest pursuant to the Railway Standardization Agreement . . . . .	74,000
(an increase of £7,000 over last year)	

The sum of £420,000 is provided as a contribution towards the working expenses of the Municipal Tramways Trust. This amount is £90,000 less than the amount paid last year and is the fourth successive annual reduction. These reductions have been made possible by the economies achieved by the trust in the course of its rehabilitation and conversion programme. Over the period the increases in fares on trams and buses have been considerably less than the increased unavoidable costs arising from basic wage increases, new awards, and higher prices of fuel and materials.

The amount provided for transfer to railways towards working expenses at £3,500,000 is £100,000 greater than the actual subsidy paid last year.

An amount of £740,000 is included for Lands Department. This includes £120,000 for payment to the Commonwealth of the State's share of amounts to be written off when valuations are made of properties developed under the War Service Land Settlement Agreement. An amount of £10,000 is contained in the Lands Department estimates for maintaining water supplies on travelling stock routes. In

particular, £9,000 will be set aside for reconditioning bores on the Marree-Birdsville route. Provision was made in last year's Estimates for aircraft charter in connection with photogrammetric survey, but due to the non-completion of necessary modifications to the aircraft the chartering will now commence this year. £67,500 is provided in the Estimates for payments in connection with the photogrammetric survey.

Included in the £111,300 shown under Minister of Lands—Miscellaneous are:—

£61,000 for maintenance and special projects at the Botanic Garden.
£16,490 for grants to the National Park Commissioners.
£12,850 for grants to the Royal Zoological Society towards operating and improving the Zoological Gardens.

The amount provided for Engineering and Water Supply Department this year is £3,390,000, an increase of £722,000 on actual payments last year. The principal increase is in Adelaide water district, where, because of the lack of adequate rains in catchment areas and consequently of reservoir intakes, provision has been made for extensive pumping from the Mannum pipeline. Pumping has been continued on a full capacity 24 hours a day basis since early July in an endeavour to build up storages, but even if we do get reasonable spring rains it appears at this juncture that off peak pumping will have to be continued throughout the year. The Estimates have been framed upon the basis that it will be possible, following reasonable spring intakes, to so reduce pumping, but should those intakes not be achieved additional provision will have to be sought to permit full scale pumping to be continued.

The sum of £261,000 is included in the Estimates for Aborigines Department. The expenditures of this department relate to the maintenance, housing, education and medical care of Australian natives, and the amount provided in the Estimates is 20 per cent higher than last year's payments and over three times the provision of five years ago.

The section in the Estimates shown as Public Works covers the provision necessary to effect maintenance to and provide replacement furniture for all Government buildings. The principal amounts to be provided this year are for:—

	£.
School buildings . . . . .	385,000
Hospital buildings . . . . .	336,000
Police and courthouse buildings . .	66,000
Other Government buildings . . . .	278,000

Education Department, £7,509,000—an increase of £700,000.—Of the increase indicated £535,000 is required to meet an increased salaries and wages bill which arises in the main from the urgent necessity to recruit further teachers and trainee teachers to cope with increasing school enrolments. During the past decade the number of children enrolled at our State schools has nearly doubled and the extraordinary expansion has placed an enormous strain on our school accommodation and upon teaching staff. The Government has spared no effort in endeavouring to overcome these problems and during this same period has spent from the Loan Fund over £9,000,000 in providing some 75 new schools and 1,800 portable classrooms and in providing additional accommodation by additions and alterations to existing schools. As a result, despite the doubling of school enrolments the average number of pupils per classroom is now lower than was the case 10 years ago. In similar fashion the Government has actively canvassed for teachers both through normal recruiting channels and also from overseas so that the number of pupils per teacher has remained practically stationary. The Government is still seeking to enlist the services of teachers from overseas, and £7,500 is provided in the Estimates to meet the fares of teachers who come from overseas to accept appointments with the department this year.

It is opportune, I believe, to reflect that despite the difficulties the department has had to face, it has acquitted itself with distinction. That it has done so is a tribute to our teachers who have displayed rare devotion and zeal in carrying out their duties. It is opportune, too, to pass a word of praise and thanks from the Government to the many school committees who have for years worked to raise funds to provide school amenities and special equipment. I do not know precisely the value of such equipment but I would not be surprised if it reached £2,000,000. The Government subsidizes these purchases £ for £ and is deeply appreciative of the efforts of these committees. Last year subsidy payments of this nature amounted to £107,400. An amount of £130,000 is included in the several contingency votes of the various types of schools this year.

Minister of Education, Miscellaneous—£1,220,000.—This amount, which is £95,000 more than actual payments last year, includes

special grants to various educational institutions, the principal ones being:—

	£
University of Adelaide .. .. .	*815,000
S.A. School of Mines .. .. .	225,000
Kindergarten Union of S.A. .. ..	120,000
Institutes Association .. .. .	22,800
National Fitness Council .. .. .	5,750
Townsend House School for Deaf and Blind Children .. .. .	14,000
Suneden Retarded Children's Wel- fare Association .. .. .	1,500
S.A. Oral School .. .. .	1,650
S.A. Spastic Paralysis Welfare Association .. .. .	600

\*In addition to £44,000 payable pursuant to the University of Adelaide Act.

The provision in the Estimates for Agriculture Department is £756,000—an increase of £62,000 over last year. This provision will permit some measure of expansion of important services to primary producers. Provision has also been made for further expenditure in connection with fruit fly eradication. There has been an outbreak of fruit fly in each of the last 10 years excepting 1951 and whilst it is to be hoped that we will be fortunate enough to avoid a further occurrence this year the Government has deemed it prudent to provide funds in the Estimates so that immediate and effective steps can be taken to isolate affected areas and destroy this pest should we once again have an outbreak.

The sum of £283,000 is provided for Minister of Agriculture—Miscellaneous, and the principal items contributing to the increase of £98,000 over last year's payments from this section are:—

	This Year. £	Last Year. £
Grant to Waite Agri- cultural Research Institute .. ..	200,000	135,000
Fruit fly compensa- tion .. .. .	50,000	20,000

An amount of £458,000 is provided for Irrigation Department. This exceeds last year's payments by £78,000 and practically the whole of this increase relates to irrigation areas where provision is made for a full year of normal activity in providing irrigations, operating pumping stations, and maintaining channels and pipelines, as compared with last year when operation was perforce on a restricted basis owing to the flooding of the River Murray.

The sum of £640,000 is provided under Minister of Irrigation—Miscellaneous for payments in connection with the flood. It is estimated that £220,000 will be received from the Commonwealth as its share of restoration

of flood-damaged roads and bridges. The amount will be credited to Consolidated Revenue and this appropriation will enable the amount so received to be transferred to recoup the State roads funds. £420,000 is provided for restoration and rehabilitation of the Government reclaimed areas and for removal and re-siting of embankments in other areas up river.

The provision for Mines Department—£739,000—exceeds last year's payments by £50,000 and will enable the department to accelerate its search for new mineral deposits in South Australia. In particular, an extensive search will be conducted for new uranium occurrences in the Radium Hill area and new iron ore deposits in the Middleback Ranges. Seismic exploratory work and test drilling for oil will be continued on Yorke Peninsula.

The amount shown in the Estimates for Harbors Board is £1,450,000, which is £124,000 more than was spent last year when, due to difficulties associated with the letting of contract works, the maintenance programme was not fully achieved. It is hoped to recover this situation this year.

Provision is made under Minister of Marine—Miscellaneous for construction of groynes at certain localities which are specially subject to erosion by sea, and £6,000 is provided as a grant to the district council of Port Germein which has undertaken, in return, to accept responsibility for the future maintenance of the Port Germein jetty.

Railways—£15,800,000—an increase of £603,000. Whilst this increase is, in the absolute, a substantial amount, it represents an increase of only 4 per cent over last year's actual payments. This is an achievement of real merit because, in addition to meeting increased costs associated with wage increases and increased prices for materials, the department has also provided for carrying out a considerable programme of deferred maintenance both in respect of rollingstock overhaul and a heavier relaying and re-sleepering programme.

#### PUBLIC DEBT.

The public debt of the State as at June 30, 1957, was £276,440,000, which represents a net increase of £20,350,000 for the year. This net increase is made up as follows:—

Loans raised—	£	£
New moneys . . . .	22,568,000	
Exchange on debt repatriated to Australia from London	966,000	
Conversions . . . .	24,948,000	
		48,482,000

Less—	£	£
Conversion or redemption of matured securities . .	24,936,000	
Redemptions by National Debt Commission . . . .	3,196,000	
		28,132,000
Net increase in public debt . . . . .		20,350,000

#### NATIONAL DEBT SINKING FUND.

Under the Financial Agreement both State and Commonwealth Governments are required to make contributions to the National Debt Sinking Fund for redemption of State debts. During 1956-57 the National Debt Commission received £603,000 from the Commonwealth and £2,512,000 from South Australia as contributions in respect of this State's public debt. At the beginning of the year the commission held a balance of £242,000 for debt redemption purposes on behalf of this State. During the year, in addition to contributions from the respective Governments, interest amounting to £3,000 was also earned by the fund. From the total of £3,360,000 available, the commission, during 1956-57, purchased and redeemed securities on behalf of this State at a cost of £3,220,000. At June 30, 1957, a balance of £140,000 was in the hands of the commission for further redemption of debts.

#### GENERAL FINANCIAL AND ECONOMIC MATTERS.

The present state of the economy would appear to be poised between the previous situation of slow cost and price rises under moderate inflationary pressures on the one hand and some tendency toward a mild recession on the other. The Commonwealth financial and trade measures, coupled with a good export season and high wool prices, have at least temporarily rectified the serious lack of balance in overseas trade and have curbed the internal inflationary pressures. It is, of course, normal in Australia that economic activity and employment are somewhat below average during the winter months. This winter the number of persons actively seeking employment through official agencies, and the number in receipt of unemployment relief, are greater than for some time although the figures are not so large as to cause immediate concern. Nor does the trend suggest that we will fail to experience the normal upswing of activity and employment in spring and summer. The number registered for employment at the end of July last in South Australia was barely 3,600, whilst the number in receipt of unemployment relief was 1,345. This latter number is only about 15 in every 10,000 of the total population, or



about 36 in every 10,000 of working population in the State. These figures were proportionately lower than for any other Australian State and only 70 per cent of the over-all Australian proportion.

Mr. Lawn—That's no consolation.

The Hon. Sir THOMAS PLAYFORD—At least it reflects some activity here which has not been maintained in other States. The number in receipt of unemployment relief in Australia at the end of July was 20,291, which is about 21 in every 10,000 of the total population, or about 50 in every 10,000 of working population. Railway loadings, which are ordinarily a good barometer of business activity, in South Australia during the months of June and July last were above normal for those months. During August they fell back somewhat but not markedly. Business and productive activity were undoubtedly adversely affected during August by an abnormal amount of absenteeism due to sickness. I would see no reason to suggest, however, that the State is necessarily facing a recession in economic activity, though it will be necessary for the Commonwealth to operate its financial, trade and associated controls with great care and the minimum of rigidity so that steady and balanced progress be resumed.

The seasonal outlook in this State is also such that the immediate future cannot be confidently predicted. The State experienced an extraordinary dry and warm autumn, and the opening rains did not arrive until the last week in June. Prior to the break of the season there was necessarily fairly extensive resort to hand feeding of stock, and stock generally (particularly lambs) were in rather poor condition. Rains since the opening have been barely adequate. They have in most areas sufficed to keep the pasture green and the crops growing, but they have been inadequate to supply a reserve of moisture in the soil or to promote a first-class growth. Consequently there is an urgent necessity for follow-up and late spring rains. An early warm spell of any long duration could wreak havoc in rural areas, whilst good rains, well timed and spaced, could still ensure a season approaching normal.

South Australia has not faced for twelve years a season with such threatening possibilities to its rural economy. The State has, in fact, had a remarkable run of good seasons. If it should happen that the good run be now broken, real comfort can be taken in the fact that over the last two decades rural South Australia has been able to build up substantial reserves against such a catastrophe. In latter

years, moreover, the balanced development of the State in secondary industries of all kinds has so broadened and strengthened the economy that the repercussions of a drought will be neither so widespread nor anything like so severe as was the case before the war.

The development of secondary industry in the State still proceeds most favourably. Apart from the expansion of many existing organizations there is still a gratifying volume of inquiries from projected new undertakings considering establishing in this State. These include several very large projects which could form a valuable basis for an even wider and more balanced development.

It is now twelve years since the end of the Second World War. During that period the South Australian population has increased by almost 40 per cent and the population of Australia as a whole by 31 per cent. Migration brought about a 20 per cent increase in South Australian population over this period and a 12½ per cent increase in Australia as a whole, the remainder of the increase having arisen from an excess of local births over deaths. At the end of the war there was a very heavy back-lag of work which required to be undertaken, particularly in housing, schools, hospitals, water supplies, and power supplies. Industry, both secondary and rural, needed re-equipping and the people were justifiably looking for better living standards than pre-war. In the course of these twelve years the effort and productivity of the people of the State have provided for greatly increased living standards for 40 per cent more people and at the same time greatly reduced or overcome the back-lag of requirements, provided for the education of more than double the number of school children, and re-equipped and vastly expanded productive capacity in city and country alike. This was not achieved without difficulties and even occasional hardships. In particular there were the unfortunate results of the inflation which was at its worst in 1951 to 1953, but now seems curbed, if not overcome.

In the light of these achievements I have every confidence that progressive effort of the people of this State will ensure that the next twelve years will record accomplishments even more extensive than those of the immediate past.

I thank the Treasury officials for the wonderful way in which they carry out their duties in controlling State finances. Few people realize that since I have been Treasurer the volume of State business, because of natural

expansion, alteration in the value of money, and new activities, has increased from about £15,000,000 to £70,000,000. It is significant that in that time the Treasury staff has not increased. In fact, it is slightly smaller now than it was 15 years ago, yet the work of the Treasury is without parallel in the Commonwealth or any other State. I express to Mr. Drew, the senior officers and the remainder of the Treasury staff my sincere thanks for the way in which they control the financial affairs of the State. They carry a heavy responsibility and do their work excellently. I assure members of the Opposition that if ever they have occasion in the dim and distant future to want financial advice there will be available to them a Treasury staff that is without parallel in Australia. I move the adoption of the first line.

Progress reported; Committee to sit again.

#### LONG SERVICE LEAVE BILL.

Adjourned debate on third reading.

(Continued from September 3. Page 545.)

Mr. FRED WALSH (West Torrens)—I support Mr. Frank Walsh in his opposition to the third reading. During the various stages of the debate we have been criticized for our attitude towards the Bill.

Mr. Hambour—I am not surprised.

Mr. FRED WALSH—We look at this Bill from an entirely different angle from Government supporters. We believe in the principle of long service leave and have fought for it in various spheres, irrespective of the group or category in which the workers may be. We do not think the Bill is correctly named. It is not a long service leave Bill; it should be called an annual leave Bill. Government members would have us believe that this proposal was first thought of by the Government, but the fact is South Australia lags far behind the other States. The provisions of the Bill do not go as far as the leave the Government gives its own employees. The measure does not conform to the policy accepted by our Party—13 weeks after 10 years' service.

Mr. Heaslip—Is that why you won't support the Bill?

Mr. FRED WALSH—Not entirely, because we hope to get something from it. We say the Bill does nothing but give an extra week's annual leave. We have been trying to get three weeks' annual leave, which many industries have given to their employees. Many

sections of the industry with which I have been associated have granted this, plus long service leave. One Government supporter made up his speech by referring to reports in a local newspaper. Through illness I was not present and did not have the opportunity to reply to him. He referred to what happened at the annual conference of the Labor Party. My name was mentioned in the paper.

Mr. Geoffrey Clarke—It was printed in black type in the paper.

Mr. FRED WALSH—I was not responsible for that, or for publication of the statement about locking up the president.

Mr. Geoffrey Clarke—It would have been a good idea.

Mr. FRED WALSH—I do not know about that, but it may be a good idea if many other people were locked up. Perhaps it is not our fault that some of us are not. We have not departed from our principles.

Mr. Heaslip—You are not allowed to.

Mr. FRED WALSH—We were all in accord with the conference's decision and subscribed to a policy that was determined about three or four years ago, long before long service leave was expected to become universal.

The ruling which you gave yesterday, Mr. Speaker, with regard to debate on the third reading leaves us very little scope for discussion, because we must confine ourselves to the provisions of the Bill as reported to the House by the Committee. However, I am assuming that it gives me some latitude in regard to criticism of certain clauses of the Bill, otherwise it would be a waste of time for me to be standing on my feet. Clause 6 is really the basis of our opposition to the Bill, and if it were not for that clause many aspects of the Bill could be accepted with a good deal of enthusiasm by members on this side of the House. Clause 6 (2) provides that a worker shall be entitled to seven consecutive days in the eighth and in each subsequent year of his continuous service with his employer, and I maintain that that is not long service leave in the real sense of the term. The object of long service leave is that after a man has completed a given number of years with the one employer he should be given a certain amount of time to relax and recuperate from the effects of his 10 or 15 years' service, whatever it may be.

One of the main arguments we have used in regard to the desire for long service leave is that a man or a woman should have an

opportunity, if finances permit, to go for a holiday overseas. This would be quite within the means of an ordinary person, because apart from the actual fares a person could live just as cheaply in London as he could in Sydney and he would get the benefit of seeing many different places *en route* and could even travel on the Continent. A person would have to cut his suit according to his cloth, and would be able to enjoy himself according to the amount of money at his disposal. However, where leave is given in this proposed instalment plan a person would have no chance of going anywhere. An employer may not wish to grant this so-called long service leave at the same time as the annual leave, and therefore the opportunity of the worker to go outside the State or spend any time with his family on a long vacation is further reduced. That fact in itself kills any enthusiasm there may have been on this side of the House.

Another objection to the Bill is that, by agreement with the worker, an employer may pay the worker the amount of pay in respect of the leave which the worker would be entitled to take under this legislation. The very principle of long service leave is condemned by allowing a man to take payment in lieu of the leave which it is intended he should have in order to recuperate from his long service to his employer. I was associated with the drafting of an agreement with regard to long service leave early in 1952. That agreement provided for a longer period, namely, 13 weeks' leave after 25 years' service, and reads as follows:—

All persons who from time to time shall complete 25 years of continuous service with the company shall be given long service leave. Such long service leave shall be taken at the conclusion of 25 years of continuous service and shall comprise 13 weeks' leave of absence for recreational purposes. After the employee shall have become entitled to such long leave the employee shall become entitled to further long service leave (hereinafter called additional long service leave) at the rate of three weeks' leave for each five years' service to be computed in respect of each completed year of continuous service after the first 25 years.

I assure members that it is the intention of our Party to approach employers with a view to getting them to improve this agreement in respect of the period of qualification, and if I have any influence in it the agreements will not be based on similar terms to this Bill. The approval of the Minister must be obtained for exemptions from the provisions of this measure, and the terms of any agreement must

not be worse than that contained in the legislation. The very nature of these agreements is such that they have no force of law behind them.

The point I was going to make was that this agreement provides that a person shall not under any circumstances be engaged in any gainful employment whilst on long service leave, that he shall return to the active service of the company forthwith at the expiration of the leave and shall not draw any sick or accident pay simultaneously with long service leave. It should be provided in any legislation that a person should not under any circumstances be engaged on gainful employment while on long service leave. If people are permitted to be paid for long service leave when it becomes due it destroys the very nature of the leave. Unfortunately we have to protect some people from themselves. We have to enact laws to protect some people from endangering their lives when walking across a road. There is not much difference in principle in denying a person the right to accept pay in lieu of long service leave.

It is true that in certain awards and agreements there are exemptions provided in special circumstances. The Bill provides that by agreement a worker may receive payment in lieu of his leave, but there is nothing to demand that that agreement be in writing. An oral agreement can be disputed. The employee could say he did not make an agreement and the employer that he did. Who would determine such a dispute? Must people indulge in costly litigation? If they do then it is a case of whose word is to be accepted. If an agreement is to be made it should be in writing and in the event of a court dispute the agreement would be available.

During the Committee stages the member for Mitcham (Mr. Millhouse) introduced several amendments that did, to some extent, improve the Bill although they were not of any great consequence. Clause 4, which relates to the continuity of a worker's service, was amended. Paragraph (b) provided that the continuity of a worker's service should not be deemed to have been broken by:—

... absence of the worker from work for not more than fifteen consecutive working days on account of illness or injury other than injury arising out of and in the course of the worker's employment:

That was amended by deleting the words "for not more than 15 consecutive working days."

While it improved that paragraph such a provision was not included in paragraph (e), but I point out that in the event of an extended dispute people indirectly involved through no fault of their own could suffer. Although their service is deemed to be continuous the period they lose through the dispute would not be counted and after their return to work they would have to make up the time lost.

The same applies to paragraphs (f) and (g). For the last six years persons employed in seasonal occupations have been permanently employed, but because of the present season, with slackness in the trade, many have been stood down. They may not return to work until perhaps October or November. The time they are absent will have to be made up before they become eligible for long service leave. I believe that if the amendment is good enough for inclusion in paragraphs (b), (c) and (d) it should apply in paragraphs (e), (f) and (g).

I referred a short time ago to an agreement in the industry with which I have been associated and which is not registered in any industrial court. The workers in that industry are not a party to an award and their working conditions are covered by what may be termed a "gentleman's agreement." It has no force of law behind it, but it has operated for 40 years and there has not been one industrial dispute that has meant the loss of any time. That reveals that those bound by it honourably accepted it. I do not know how that agreement would be affected by the provisions of this Bill. In the interpretation clause "industrial agreement" is defined as meaning:—

An industrial agreement filed in the Industrial Court pursuant to the Industrial Code, 1920-1955, or in the office of the Industrial Registrar, pursuant to the Conciliation and Arbitration Act, 1904-1956, of the Commonwealth.

That can be readily understood. Agreements such as this are filed and registered in the courts have all the force of law behind them, as provided in the Bill, but the hundreds of people working under the agreements to which I have referred will have no protection, so some sort of case will have to be established for them—to whom I do not know, although under certain circumstances the Minister can grant exemptions from the operation of this Bill. We feel we have just reason to fear these things because employers might take the stand and say that their agreements have no force in law as they are not covered by this Bill, but that they will abide by the provisions of this

legislation. Yesterday the Premier moved to insert new clause 10A as follows:—

(1) Where an employer, as part of, a worker's ordinary remuneration, provides for the worker or members of his family any benefits being board, sustenance, lodging or the use of land or premises, the employer shall if the worker so requests continue to provide such benefits for the worker or such members during any period while the worker is on leave under this Act.

(2) An employer who fails to comply with this section shall be guilty of an offence.

So far as it fits in with the provisions of the Bill, I believe this new clause is quite all right, because it covers the situation. I have yet to learn of any award that does not provide that when a worker is absent on annual leave, sick leave or for any other cause except from his own misconduct, and he normally has a deduction made from his wages for board and lodging, he shall be paid the full award rate. The same will apply to a worker who is away from his employment on long service leave due to him under this Bill. If he normally has a certain amount deducted for board and/or lodging, he will be entitled to the full award rate when on long service leave. An appropriate award is the Hotels, Clubs and Coffee Palaces Board Determination, which provides:—

The monetary value of the allowance for board and/or for lodging made by an employer and enjoyed or received by an employee bound by this determination shall be as follows:—

	£	s.	d.
Three meals per day, plus lodging for seven days . . . . .	3	2	3
Three meals per day for seven days without lodging . . . . .	2	12	3
Lodging for seven days without meals . . . . .	10	0	

The monetary value of meals not supplied to an employee during his day or other time off shall be credited to the employee in reduction of the said weekly allowance at the rate of 2s. 5d. per meal: Provided that an employer may by writing request an employee to state if he requires meals on his day or other time off, and unless the employee not later than the day before his day or other time off informs the employer that he will not so require meals, no credit for meals as above shall be made.

That means that if any hotel or coffee palace employees have two days off they shall be allowed the amount provided for each meal for the period that they are not living in the hotel or coffee palace. There is no actual deduction for the time they are not receiving their meals, and they are receiving it in the form of cash.

Mr. Heaslip—Also their board.

Mr. FRED WALSH—That is so, and I think the position is fully covered. I am only dealing with this clause, and the worker is adequately

covered by new clause 10a (2), which is satisfactory to me. In conclusion I point out that we are not opposed to the principle of long service leave but we are opposing the Bill because we do not consider it to be in any way a Long Service Leave Bill. We consider it will take the place of an extra week's annual leave. During the last few weeks considerable negotiation has been going on between representatives of the national trade unions through the A.C.T.U., and national groups of employers—the Chamber of Manufacturers and the Employers' Federation—to deal with the question of uniformity of long service leave. I hope that agreement will be reached by all parties, as it will affect those working under Commonwealth awards. That being so, we in South Australia will find ourselves in a ridiculous position, for employees under State awards will be working under a different set of long service leave conditions from those enjoyed by other workers throughout the Commonwealth. Let me assure every Government member that, if the time ever comes when the Labor Party is in office, one of our first moves will be to extend to employees in private industry the same long service leave benefits as are enjoyed by Government workers.

Mr. DAVIS (Port Pirie)—Like the member for West Torrens (Mr. Fred Walsh), I oppose the third reading. I hope that in so doing I shall be able to keep on the straight and narrow path, Mr. Speaker, although it may be difficult for me to deal with the Bill as you desire. Members on this side, however, will be able to compare this Bill with other legislation. Labor members oppose this Bill because it is not a long service leave Bill: it provides only for an extension of annual leave. When the Bill was discussed earlier, Government members should have explained its real meaning and why they supported it, but all they talked about had nothing to do with the Bill. They could tell us only of happenings outside this House, and unfortunately, the people they accused of doing certain things were unable to defend themselves. Labor members oppose this Bill not because they have been instructed to do so by anybody outside, but because of a principle. We claim that every worker is entitled to the period of leave referred to by our Leader in moving his amendment to the second reading motion.

Mr. Millhouse—Then how do you explain the reports in the *Advertiser* of June 17?

Mr. DAVIS—My young friend should learn that he cannot always take notice of what he reads in the press. When he has had as much experience in reading newspaper reports as I have, he will realize that, whether they deal with this Bill or any other matter—

Mr. Millhouse—I would have expected an outright contradiction before this.

Mr. DAVIS—The honourable member is taking a rather mean advantage of me now for he knows I am not allowed to reply to his interjection as I am on the straight and narrow path in this debate, but I shall be happy to answer him if he will allow me to.

The SPEAKER—The honourable member had better stick to the Bill.

Mr. DAVIS—I was surprised to hear the few reasons given by Government members for opposing the amendment moved by my Leader. They told a story I have heard many times before, for the arguments used in favour of this Bill were used by the representatives of employers against the reduction of working hours in this State. When men worked 10 hours a day and asked that their hours be reduced they were told that such action would probably ruin industry. The hours were reduced from 48 to 44, however, and the same arguments were used in reply to a request for a reduction to 40 hours, yet, although we work 40 hours a week today, industry still prospers. Although I do not claim that the introduction of long service leave would not hit somebody, I believe that the workers are entitled to share in the profits of industry.

Mr. Hambour—Under private control?

Mr. DAVIS—Under private control the worker has little hope, although some good employers are willing to give long service leave that is far superior to what is prescribed by this Bill. In view of the provision made by some employers in this respect, the Government should consider the scheme referred to in the amendment moved by my Leader. The provisions of this legislation are to apply to all industries where the workers are operating under a long service leave scheme that is inferior to that prescribed in the Bill, but who will decide whether a scheme is inferior? It is said that the Minister has that right, but I object strongly to any individual deciding what is best for a group of men. The employer and the employee could disagree on this point, and I suppose that the gentleman concerned would act as referee, but is that fair? Surely the workers are the people to decide.

All sorts of arguments are used against long service leave legislation. We are told about the inconvenience to the public, which is the sort of argument we are hearing at present about shopping hours. I remember when unfortunate shop assistants worked late, and I have no doubt that the employers will soon try again to force those conditions on them.

Mr. Hambour—They didn't kill me, or others either.

Mr. DAVIS—No, but I do not think the honourable member would like to go back to the old hours because wealth is rolling in for him now. He knows that people will spend their money in the hours available to them. I am disappointed with the Government for introducing this Bill because I, and the workers, were in high glee when the Premier said he would bring down a long service leave Bill. We all expected that he would introduce a Bill similar to those of the other States, but this is only an annual leave Bill. An extra week's annual leave is of no great benefit to the workers.

Mr. Hambour—You will soon be applying for three weeks' annual leave for all workers.

Mr. DAVIS—Many good employers already grant that.

Mr. Hambour—Isn't that worth while?

Mr. DAVIS—As annual leave it is, but it is not long service leave. The member for West Torrens (Mr. Fred Walsh) pointed out that a man cannot take his family far in three weeks. If he knew he would have three months' leave after 10 years' service he could make provision for spending his long service leave as it should be spent. He could go on a long trip, but he cannot travel far in three weeks. About one week would be spent on travelling if he went a long distance.

Mr. Millhouse—You can get to Sydney in two days by train.

Mr. DAVIS—The honourable member must travel by a different train from the one I use.

Mr. Millhouse—You can get there by air in four hours.

Mr. DAVIS—That is all right for the wealthy class, from which the honourable member comes. The ordinary worker cannot afford to travel by air because he has to save hard to pay for his holidays. It would take him 10 years to save enough money for a good holiday.

Mr. Hambour—He can do it under this legislation.

Mr. DAVIS—But he does not get three months' long service leave after 10 years under this legislation. One member opposite said that a worker might lose his long service leave if he allowed it to accumulate because his employer might go insolvent.

Mr. Hambour—That applies under any legislation, and there may be some cases of insolvency in the years ahead.

Mr. DAVIS—It will not be the result of this Bill because it will not break anyone, though it might break the hearts of employees. It is heartbreaking for workers to think that they have a Government that would introduce a Bill such as this and deprive them of something to which they are justly entitled.

Mr. Hambour—We shall all be crying soon if you go on like that. Would you like me to lend you a handkerchief?

Mr. DAVIS—If the Government introduced many Bills like this one we would all need a handkerchief. I wonder whether the honourable member is such a good employer that he has a better long service leave scheme than this one.

Mr. Hambour—My employees are under a better one.

Mr. DAVIS—If that is so he would have told the House it was necessary to treat all workers as he is treating his own.

Mr. Hambour—In 18 months I will give you a job, and then you will find out.

Mr. DAVIS—Can anyone imagine me working for the honourable member? I do not think I would do very well, but I think he would be delighted to get a man of my calibre, for he might make a little more money. If I was responsible for improving his position I would desire a greater cut of the profits. Before there were any long service leave schemes I was working for £2 3s. a week.

The SPEAKER—I ask the honourable member to get back to the Bill.

Mr. DAVIS—I am disgusted at the action of the Government introducing a Bill such as this. When speaking on the second reading I said that if the Government accepted an amendment moved by the Leader of the Opposition the workers of Wallaroo would be delighted.

Mr. Millhouse—What about my amendment?

Mr. DAVIS—It made a slight improvement to the Bill, but then the honourable member wanted to penalize apprentices. However, after listening to members on this side he withdrew that amendment. I am glad that some of the younger members are taking notice of members on this side. If they listen long

enough we will have soon a Parliament of enlightened members. I disagree with the remarks made by the member for West Torrens (Mr. Fred Walsh) on the matter of the payment made to the employee who lives in. I was inclined to agree with him until the Premier gave his interpretation of the provision. As the member for West Torrens said, if the Labor Party is ever returned to power one of the first things it will do will be to repeal this legislation. The worker can look forward to proper long service leave in 20 months' time.

Mr. HUTCHENS (Hindmarsh)—There is little I can add to what Mr. Fred Walsh said in opposing the third reading. The Opposition believes in the principle of long service leave and it is wrong for something else to be granted to the workers. This Bill provides only for extended annual leave. The long service leave granted to Government employees is the only true long service reward. What is good for Government workers should be good enough for other employees. Clause 6 (2) provides seven days' long service leave in the eighth and subsequent years of service, and that is the core of the measure. Employees of woolbrokers, after a much shorter service, are entitled to an extra week's leave, but this will be absorbed by the provisions of this Bill. It will be wrong to take it from them. The Opposition strongly objects to the provision in clause 8 under which a payment can be made in lieu of long service leave. This leave is granted to allow an employee to have a rest from his work, but the extra week granted under the Bill will not permit that, therefore it is useless. We on this side believe that employees and employers alike do not want the Bill. It contains a foundation on which it is impossible to build true long service leave. In the near future, when the Labor Party occupies the Government benches, legislation will be introduced granting the long service leave that the Opposition believes is necessary. I oppose the third reading.

Mr. LAWN (Adelaide)—I oppose the third reading. The Bill has been amended but is in substantially the same terms as when it entered the Committee stages. I indicated my opposition to the Bill during the second reading debate and am just as bitterly opposed to it now. One could not say that it is class legislation, but one can say that there is no justice in it whatever. Nobody in the community seems to want it, and therefore on that basis one can say that it is the result

of bad government. The Government has legislated in a manner which is not acceptable to anyone else in this State, and in a manner contrary to the legislation of all the other States.

Mr. King—Do you think anyone will refuse the leave when it falls due?

Mr. LAWN—That is a stupid suggestion. The honourable member is trying to suggest that I am wrong in the statement I made. I remind him that the employers themselves told the Government that they did not want this legislation. The Trades and Labor Council in South Australia welcomed the announcement by the Premier that his Government intended to legislate for long service leave, but protested against the principle contained in clause 6 and appointed a deputation to tell the Premier that they opposed the principle of the Bill and desired a different formula.

Mr. Hambour—Do they speak for all the workers?

The SPEAKER—Order! I ask the honourable member not to pursue the debate on that particular line, but to adhere to the contents of the Bill, as I indicated earlier.

Mr. LAWN—I am speaking to the contents of the Bill and in particular to clause 6 which provides for leave on the basis of one week a year after seven years' service, and I am saying that nobody wants a Bill of that nature. The Australian Labor Party, of which I am proud to be a member, has also opposed it and it was made a point of the campaign in the recent by-election at Wallaroo. While the Bill has been in this House there have been deputations by employers to the Government seeking amendments. The criticism is not confined to the Australian Labor Party but embraces the whole of the community. The Bill in its present state is a bad one because Parliament is passing legislation which nobody wants, and it does not speak for the reputation of Parliament when we find such a state of affairs.

A good deal of discussion took place in the Committee stages with regard to interpretations. As a result of the discussion with regard to "ordinary pay," the Premier re-committed the Bill with the intention of making certain amendments. The Premier himself moved a new clause 10a to clarify the position in certain circumstances, but the position is not clarified with regard to employees who live in. The Bill now reads:—

"Ordinary pay" in relation to a worker means remuneration for that worker's normal weekly number of hours of work calculated at his ordinary time rate of pay.

Other long service legislation in Australia includes a similar provision, but with the addition of the words "and includes board and lodging." As a result of discussion in the Committee stages the Premier moved the addition of new clause 10a clarifying the position with regard to employees who continue to occupy a residence or to receive board and lodging provided by the employer during the worker's period of leave, leaving the position of the employee who does not continue to occupy such premises during the leave period in the same position as existed previously. I suggest that anyone attempting to interpret this legislation, including the courts, will have to base their reasoning upon the definition of "ordinary pay." As a special clause has been provided in the Bill making it quite clear to any court or any person what the position is regarding a person who continues to occupy premises during the leave period, and as the legislation is silent in regard to the employee who leaves the residence during the period of leave, I can only say that the court has no other alternative than to conclude that Parliament definitely intended to exclude board and lodging.

The point was made during the debate that this provision is contained in awards. Many employees not covered by an award or determination will benefit if there is any benefit under the terms of this long service leave Bill. It is this legislation which will cover the period of long service leave, and not awards or determinations. In my opinion those people taking their period of long service leave will be governed by the provisions of this Bill and not by any award or determination. The position could quite easily have been clarified during the Committee stages, instead of its being clarified for only one section of the workers who would be involved in this interpretation of "ordinary pay."

In other State Acts the definition "worker" includes persons who have not a contract of service. In this Bill it means a person employed under a contract of service. Unless he has a contract of service he will be excluded from this legislation. I have in mind those who do not have an award covering their occupation—commission agents and persons in that category. They have not a contract of service.

Mr. Millhouse—Of course they have.

Mr. LAWN—I have made inquiries from legal men and have been assured that commission agents are not under a contract of

service. I take it that when Mr. Millhouse says they are he is giving us the benefit of his legal knowledge. Clause 4, relating to what constitutes continuous service, falls far short of the provisions applying in other States. It is beyond my comprehension why employees in this State have to lag behind in industrial legislation. The provisions relating to continuity of service in all other State Acts are preferable to those in this Bill. This clause has been dealt with in detail by Mr. Fred Walsh and I do not intend to refer to it paragraph by paragraph. However, paragraph (e) states:—

Interruption of the worker's service arising directly or indirectly from an industrial dispute, but only if the worker returned to work in accordance with the terms of settlement of the dispute.

There is a vast difference between this provision and those in the Acts of Queensland, New South Wales, Victoria, and Tasmania. I have no doubt the legislation about to be introduced in Western Australia will follow those four States. The provision in those Acts reads:—

Interruption of the worker's service arising directly or indirectly from an industrial dispute.

They do not add the words "but only if the worker returned to work in accordance with the terms of settlement of the dispute." Why are those words included in this Bill? There has been no agitation for their inclusion in other States and there has been a change of Government in Victoria from Labor to Liberal but the legislation has remained the same. I have no doubt that the change of Government in Queensland will not result in an alteration of its legislation. Those with industrial experience know that it is not always possible for employees to return to work strictly in accordance with the terms of settlement of a dispute. The inclusion of these words will enable an employer to take advantage of the situation and deprive an employee of his rights.

It frequently happens that during a dispute an employee obtains other employment and, because of our laws, he is required to give a period of notice before he can return to his normal occupation. Most employers accept that situation and restore such an employee on the same conditions as they do other employees. Paragraph (f), relating to the dismissal of a worker, refers to his being re-employed within three months. Legislation in other States provides for six months. Why



is there a difference in South Australia—a difference that always operates against the employee?

There are occasions when even employers will be adversely affected by this legislation. Clause 6, which is the whole basis of the legislation, in some respects works against their interests. It states:—

(1) Subject to this Act, every worker shall be entitled to long service leave on ordinary pay.

(2) The amount of long service leave to which a worker is so entitled shall be seven consecutive days in the eighth and in each subsequent year of his continuous service with his employer.

Nobody wants this type of legislation, but if it is enacted it will cause confusion in various industries. There are firms in South Australia which operate on an interstate basis and their employees are governed by long service leave legislation. A firm operating in South Australia could have an employee in Victoria who has worked 19 years and nine months and who, in three months, would be due for 13 weeks' long service leave under Victorian law. If he were to be transferred back to South Australia he would be entitled to only one week's long service leave on his return. Conversely, if that firm had an employee working in this State with six years and 11 months' service, and who would be entitled to one week's long service leave in another month, and transferred him to Victoria, he would be required to work for another 13 years and one month there to qualify for any long service leave.

Employers are obliged to give their employees annual leave, generally for 14 days each year, and they have decided to have an annual close-down at Christmas so that they can avoid rostering the workers for leave during the year. Those who have only a week's leave due to them receive a week's pay, and those with a fortnight's leave obtain two weeks' pay, and then all start off work together in the new year. If this Bill becomes operative employers could not do that, because some employees would have to stay away for an extra week unless they availed themselves of payment in lieu of leave as provided by clause 8.

The points I am putting are not merely from the viewpoint of trades unions, but from that of employers who have placed these facts before the Premier. They want uniformity, even on the basis of 13 weeks' leave for 20 years' service, because they want to be able to transfer employees from State to State

and do not believe they should suffer from such transfers. The member for Mitcham (Mr. Millhouse) said that his Party represents 43 per cent of electors, but we represent 57 per cent.

Mr. Millhouse—When did I say that?

Mr. LAWN—Yesterday. Actually, I think the honourable member claimed his Party represented a greater number of electors, but if he looked at last night's *News* he would realize he represents only 43 per cent. It is bad for the Government to discriminate between sections of the community. When it framed this Bill it knew that its own employees were entitled under the Public Service Act to 13 weeks' leave after 10 years' service. Originally that Act provided for six months' leave.

The SPEAKER—Order! The honourable member cannot refer to that particular matter and deal with it *in extenso*. He has made passing reference to it, and I think he should now go back to clause 6, the clause that he is dealing with.

Mr. LAWN—I was about to refer to the original Act, but if that is out of order it does not make any difference to my argument. The Government has provided 13 weeks long service leave after 10 years' service for public servants, and councils have made agreements with unions for long service leave on the same basis. Also, such bodies as the Electricity Trust and Housing Trust have provided similar leave. There are also private agreements between employers and employees, and even now some of the largest employers in this State are making agreements with employees to provide 13 weeks' leave after 20 years.

Mr. Hambour—Do you agree with that?

Mr. LAWN—I do not, but it is preferable to the provisions of this Bill, which provides for long service leave to people other than those I have just mentioned. That is bad government and bad legislation for Parliament is discriminating between employees, whereas laws should be made to apply with equal force and be of equal benefit to all citizens. Government supporters claim that 13 weeks' leave at the end of 10 years would be a heavy burden on industry, but I remind them that many industries have commenced operating since the end of World War II., and had the principle of 13 weeks leave at the end of 10 years been enacted, such firms would not have had to provide for long service leave immediately: they could have set aside funds against eventual long service leave

commitments, whereas this Bill imposes an immediate burden on them. I claim, therefore, that many employers do not want clause 6 in its present form. Further, the suggestion that Parliament would not pass clause 6 in any other form is merely telling South Australians that they have a dictatorship that cannot be changed and that the people have to take what Parliament passes, whether it is good, bad or indifferent. Such a state of affairs falls far short of what the people of this State should expect of their Government leaders.

I now turn to clause 7, which provides for postponement of leave. Earlier we were told that the possible insolvency of an employer was a strong argument in support of clause 6 and against 13 weeks' leave at the end of 10 years' service; yet clause 7 provides not that the leave must be taken every year while the firm is solvent, but that it may accumulate. This means that by the time the employee wishes to take his accumulated leave his employer may be insolvent, so that the argument used by Government members in support of clause 6 falls down when we consider clause 7. The Premier said disputes had arisen in the Public Service on whether an employee had taken long service leave, so if the Public Service can err in this matter, what may happen in some smaller firms that have little or no idea of bookkeeping?

Clause 8 is one of the worst provisions. Long service leave legislation has been passed by other Parliaments in order to benefit both employer and employee. Its main object is to give the employee a period of respite after long service. Victoria was the first State to introduce long service leave legislation covering employees under a Federal award, and during the court case I met many people who, although not trade unionists, knew that their chances of getting 13 weeks' long service leave hinged on the High Court's decision. They wanted the leave so that they could go away on a long holiday, something they could not enjoy previously. The long service leave was to them a blessing from heaven and they prayed that the legislation would be validated. Clause 8, however, provides that an extra week's pay may be given to the employee each year. Government members have condemned that practice by saying that a worker who works 40 hours a week for one employer should not take another job in his time off, yet they support the provision in clause 8.

Reference to legislation passed by other State Parliaments shows how important is this provision. The Victorian and New South Wales legislation makes it clear that no payment in lieu of leave may be made except in the case of the death of the worker or termination of employment. The Queensland Act follows the Victorian and New South Wales legislation and specifically provides that no payment shall be made to an employee in lieu of leave. The Victorian Act states:—

It is a breach of the Act for a worker to engage in any employment for hire or reward when he is on long service leave and for any employer to knowingly employ any worker for hire or reward during any period when such worker is on long service leave.

The principles contained in our Bill are quite different from those of other Acts. A South Australian employer can tell an employee that he must take an extra week's pay in lieu of his long service leave, but in other States that cannot be done. In Victoria an employee cannot work for anyone else and an employer cannot employ a worker that he knows is on long service leave. The intention in that legislation is that the employee shall have a respite from his work so that he can come back after a good break of 13 weeks and give better service. Therefore, both the employer and the employee benefit, and that principle has been accepted by all arbitration courts in regard to annual leave. Clause 12 states:—

- (1) A worker who under an industrial award or industrial agreement has a right to long service leave shall not be entitled to long service leave under this Act.
- (2) If the Minister, after obtaining and considering a report from the Public Actuary, is satisfied that a scheme established or conducted by or on behalf of an employer provides for long service leave for any workers employed by that employer on a basis not less favourable than that prescribed by this Act, he may, subject to such conditions as he thinks fit to impose, exempt that employer from the duty to grant long service leave or payments in lieu thereof to those workers under the other provisions of this Act.

That means that those who are covered for long service leave by an industrial award or agreement are exempt from this legislation, and that employers having any other long service scheme must receive exemption by the Public Actuary, otherwise they are subject to this legislation. I think that during the Committee discussions representations were made to the Premier by some large employers seeking an alteration to this clause. Although

the Bill was re-committed the Premier did not move for the re-consideration of this clause.

The SPEAKER—The honourable member may not debate that.

Mr. LAWN—I want to draw the Premier's attention to that matter because it seems that he overlooked it, but that is his responsibility now. In Committee I drew attention to the fact that the penalties provided for failure to observe the provisions of this legislation were higher in other States. The maximum penalty laid down by clause 18 is £50, which is substantially lower than the £500 prescribed in other States. Where this Bill differs from the Acts of other States it is in favour of the employer.

Clause 20 was canvassed considerably in the Committee stages. The Premier did not satisfy me and other Opposition members on the question that if an employer commits an offence against the legislation someone has to apply to the Minister to get permission to prosecute. Perhaps some forms of legislation require something of that nature, but there is no such provision in any industrial legislation. An employer has the right to prosecute a union for a breach of an award or an agreement, and on the other hand unions or employees have the right to prosecute employers for breaches without getting the consent of any Minister. I think that this provision in the Bill has been inserted with the object of ensuring that no prosecution will be launched against employers while we have an L.C.L. Government. I make no apologies to anyone for my objections to the Bill or for the way I voted or for the decisions of the A.L.P. Convention.

The SPEAKER—The honourable member cannot go into that matter again. I think he made his position clear during the second reading debate.

Mr. LAWN—I bow to your ruling, Mr. Speaker, but I have been told by the Premier in other debates that it is unethical to refer to people outside the House.

The SPEAKER—I ask the honourable member to refrain from saying any more on that subject.

Mr. LAWN—I make no apology to any member opposite for my attitude and the attitude of my Party to this Bill, and I join with the members for West Torrens and Port Pirie in giving an assurance that when the Labor Party occupies the Treasury benches—and I hope it will not be long—we will amend this legislation. We will introduce a Bill to stop the discrimination between various groups of employees.

Whether they work for private employers or the State, after employees have rendered a reasonable period of good and faithful service, which may be 10 years or less, we will provide true long service leave. I hope that even at this late hour the third reading will not be passed.

Mr. JENNINGS (Enfield)—I oppose the third reading for the reason that the Bill is now little better than when introduced. Most members who have spoken agree that Opposition members are opposing the measure because they realize that it would militate against their chances of getting true long service leave legislation. There are many things I want to say. One is that the debate on the second reading centred on the A.L.P. conference. I would not have been so anxious to speak if the name of Mr. Bannister had not been bandied around.

The SPEAKER—Order! I say again that I will not allow that subject to be introduced into this debate. The matter was dealt with in the second reading debate. The honourable member is aware that he must confine his remarks to the contents of the Bill. I have ruled this way previously and I ask the honourable member to abide by that ruling.

Mr. JENNINGS—I am aware of your previous ruling, but Mr. Millhouse was aware of it too when he made his remarks in the second reading debate, realizing as he does—

The SPEAKER—Order! I again draw the attention of the honourable member to my previous ruling and I ask him to refrain from introducing that subject into this third reading debate. He must discuss the contents of the Bill itself.

Mr. JENNINGS—We oppose the Bill because it does not provide true long service leave. We believe it is only an extension of annual leave and that it has been designed to cut the ground from under the argument that must come within a few years in support of three weeks' annual leave generally in industry.

Mr. Dunstan—It will come sooner than that.

Mr. JENNINGS—Yes, and in many industries it has already come. In referring to a deputation the Premier said that a certain person had advocated something, and also that that person happened to be the person who had given a ruling in another place. I imagine that we have not got so low in this place that what happens in a deputation, which should be privileged, should be proclaimed publicly in debate in this House. We heard the Premier tell the House what I said to an officer of the

Housing Trust. Then the Premier said what a certain gentleman said when he came to the Premier as a member of a deputation. He used his remarks as an argument against the views advanced by members on this side. It is bringing this Parliament to an all-time low when matters which should be under privilege and confidential can be bandied around in public debate, just because it happens to suit the Premier.

Mr. Geoffrey Clarke—The member for Adelaide (Mr. Lawn) told us what he thought the employers said.

Mr. JENNINGS—He might have done that, but at least he did not disclose anything spoken in confidence. Mr. Lawn would not do that. I will now comment on what was said by the member for West Torrens in another place in a purely facetious manner—that someone should be locked up. It was referred to in this House by Mr. Millhouse.

The SPEAKER—Order! I have indicated previously that the honourable member cannot refer to matters other than those contained in the Bill. I will not allow extraneous matters to be brought into this debate.

Mr. JENNINGS—I will not weary the House for very long.

Mr. Millhouse—Why not speak about the improvements I made to the Bill?

The SPEAKER—Order!

Mr. JENNINGS—Mr. Speaker, am I not entitled to answer that interjection by Mr. Millhouse?

The SPEAKER—I called the honourable member to order.

Mr. JENNINGS—The honourable member's interjection will be recorded in *Hansard*, yet I cannot answer it.

The SPEAKER—I called the member for Mitcham to order, and in any case interjections are out of order. The honourable member is not obliged to reply and I ask him not to do so.

Mr. JENNINGS—I am deeply incensed at some of the things said in the second reading debate and I register my protest against them. They are reflections upon a man who is not here. They traduce an honourable man who has no chance of replying to the bandying about of his name and contain the snide suggestion that the Leader of the Opposition was not in favour of the decision of the conference.

The SPEAKER—If the honourable member persists in this strain I will name him. He is disobeying the Chair and has already been

called to order on several occasions. Standing Orders provide that the Speaker can name any honourable member who disobeys the ruling of the Chair.

Mr. JENNINGS—The last thing I wish is that members of the House would think that I was disobeying any instruction which you, Sir, have given, and therefore I feel I cannot pursue this matter any further. I rose to speak on the third reading because of the statements made by members opposite on the second reading after they had given us *carte blanche* for the first afternoon and then come in with their damnable statements when there was no chance to answer them.

The SPEAKER—Order! The honourable member is using unparliamentary language. I ask him to withdraw the word "damnable."

Mr. JENNINGS—I withdraw that remark, Sir. As I indicated before, I oppose the third reading.

Mr. CORCORAN (Millicent)—I rise to indicate very briefly my opposition to the third reading. As I indicated when I spoke on the second reading, I oppose the measure because it is not in conformity with the policy of the A.L.P., namely, the granting of three months' leave for 10 years' service. I criticized the inconsistency of the Bill in that regard compared with the provision of long service leave for public servants, thus causing discrimination between two sections of employees. I expressed the opinion that what was good for public servants was also good for people in private industry. I offer no apologies for my attitude to this Bill because of those facts, and I am sorry that the Government could not see its way clear to withdraw the Bill and agree to the amendment moved by the Leader of the Opposition. In its wisdom the Government refused to support that amendment, and I therefore refuse to support the Bill. I definitely and emphatically oppose it for the reasons I have given, and hope the time is not far distant when the policy advocated by the A.L.P. with regard to long service leave will be implemented.

Mr. DUNSTAN (Norwood)—I oppose the third reading. During the second reading debate, when members opposite were constrained to break the silence that had fallen upon them with such great weight during the early stages of the debate, I listened with very great interest to hear them give some small, some slight, some tiny indication why it was that the people of South Australia should have had placed upon them not a long service leave

provision but a provision for one week's annual leave with a qualifying period which none of them has asked for and none of them want. I did not get it. Honourable members opposite were very vociferous during the debate and had a great deal to say which was not germane to the subject matter under discussion.

Unfortunately, honourable members on this side of the House have had no opportunity to reply to some of the quite extraordinary statements made during that debate, but there will be other opportunities and one or two members opposite may at a later stage of this session be moved to some feeling of regret for some of the things that were said. One or two of them would have been well advised not to have made suggestions of dissension between members on this side of the House and their Leader upon this or any other subject. Those who live in glass houses are little qualified to throw stones. The member for Mitcham (Mr. Millhouse) will have certain of his previous public pronouncements, particularly the one about his own leader, thrown up to him at a later stage in this session, which he will very much regret. If honourable members like to play that sort of politics they are going to get it back again.

Government members produced some of the more comic scenes of the Shakespearean tragedy which we suffered from during the Committee stages of the Bill, when they played around with a few of the clauses. At the same time we heard no debate from them on the subject of long service leave, and indeed we have had no provision for long service leave. I feel I am in a situation of complete despair about long service leave from this Government, and the people of South Australia are also in the same position. The Bill was not intended to be brought in at this stage of the session but was hurried on because of a recent event.

Mr. Hambour—What clause are you speaking on?

Mr. DUNSTAN—I am speaking on clause 6, if the honourable member would like to read it. This measure was brought in hurriedly because of what was soon to take place when some of the electors of South Australia were able to pass their opinion on this and other matters. This Bill has the extraordinary provision that people are to have one week's extra leave after a seven-year qualifying period, but this qualifying period will prevent them from receiving three weeks' annual leave that many of them are waiting for.

The electors of Wallaroo had their opportunity to express their opinion about it, and they did so in no uncertain fashion. After the Government had introduced the subject of this Bill into that election, there is no doubt what the electors of Wallaroo had to think about it. It is not surprising that members opposite are perhaps not quite as enthusiastic—

The SPEAKER—Order! I ask the honourable member not to pursue this subject. I have already ruled that honourable members must confine their remarks to the contents of the Bill.

Mr. DUNSTAN—I am not surprised, in all the circumstances, that members opposite are not quite as enthusiastic about clause 6—or indeed any other clause—as they appeared to be a little while ago. I cannot find in any clause of this Bill anything that really appeals to the working people. None wants it.

Mr. Jenkins—Do you see many workers?

Mr. DUNSTAN—I see more than the honourable member does. I not only address factory meetings and go from door to door in my own district, but visit other districts, as the honourable member will find out. I cannot find any organized or unorganized body of workers who want it. In fact it is something the people do not want because it is not a long service leave provision and it is an obstacle to the obtaining of a proper long service leave provision. There remains one alternative to the people whereby they can get both long service leave and three weeks' annual leave and that is to vote for the only Government which will give it to them—the Government they will have after the 1959 elections.

Mr. STEPHENS (Port Adelaide)—I recognize that it is useless for members to try to have their wishes accepted once the Government has decided on a course. There has been no public demand for this Bill, although a Minister recently refused to introduce other legislation because there was no public demand for it. The Bill is no good to anyone and is a smokescreen over the eyes of the electors. The workers do not want it, neither do the employers. After it passes this House it will go to another place and after it passes there it will go to the Governor for his assent. However, the Bill need never become law because clause 2 states:—

This Act shall commence on a day to be fixed by the Governor by proclamation.

The Government can prevent the Bill from becoming law. I can recall an occasion when

legislation was accepted by both Houses and received the Governor's assent, but the Government was too afraid to implement it. I have been in the Labor movement for many years and have seen scraps thrown to the workers—scraps they have been glad to accept—but if the trade union movement accepts this Bill and it becomes operative the Government will subsequently blame the Labor Party for it.

This State has lagged behind other States in industrial laws for too long and this is one of the most disgraceful Bills ever introduced here. Members opposite have used it as a means of making malicious statements against my Party in an effort to divide the workers. However, they have never made a bigger mistake because the workers have their eyes open and are watching what is being done. I wholeheartedly oppose the Bill and trust the Premier will do the wise thing and drop this legislation because it could cause one of our biggest industrial upheavals. I hope the Bill will be rejected.

Mr. JOHN CLARK (Gawler)—I would not have risen to speak on the third reading except that all my life I have been of the opinion that nobody is very happy about people or things masquerading under something that is not true. This Bill is masquerading under the name of long service leave legislation, a complete *non de plume* to which it is not entitled. I think every member must agree that all it does is extend annual leave from two weeks after 12 months' service to three weeks after seven years' service, and that is not long service leave. If there is any doubt about what the Government should have called the measure, the Premier should have consulted the Leader of the Opposition who would have had no difficulty in providing a good name for it. I do not believe that anyone in this House, including members opposite as well as members of my Party, believes that the Bill has any right to be called a Long Service Leave Bill, and I do not believe anyone likes it, with the possible exception of one or two members opposite. As we have been told over and over again, the employers and trades unions do not like it, and as has been proved in the last week the people in the country areas do not like it; they do not want this sort of thing, but want some occupation in their areas that can give them the right to work and qualify for long service leave.

This measure should have been withdrawn and redrafted, and the Opposition has striven towards that end without any success right from the start of the debate. We have had to stand malicious sneers from certain members

opposite, and have had to put up with our friends being maligned in this House without their having any possibility of replying. Possibly they also had to put up with considerable noise, conversation and laughter, as we, the elected representatives of the people, did. This poor misbegotten orphan thing should be withdrawn and replaced by a true long service leave Bill. It would have been a waste of time to try to amend it piecemeal, so we attempted to have it redrafted. Government members may think we failed in that task, and from some points of view it might be conceded that that is so, but we have not failed when we consider this legislation in the widest sense, because we have registered the strongest possible protest at every opportunity. The people of this State realize this measure is just another attempt to hoodwink them and, as recent events have shown, the time has come when they will not be farther hoodwinked. In conclusion, I register an emphatic protest against any legislation of this type that is masquerading under a name to which it is not entitled. I oppose the third reading.

Mr. RICHES (Stuart)—It will be obvious to the House that the objection of members of my Party is that this Bill, from its title, is being held out as being a Long Service Leave Bill. The Opposition realizes that it confers benefits on some employees that they do not now enjoy, and we have no desire to deny them any advantage they may be able to obtain. In addressing himself to the second reading, the Leader of the Opposition said:—

We on this side of the House are unequivocally in favour of long service leave in its true sense.

However, we do object to this measure being called a Long Service Leave Bill, because it does not confer long service leave benefits on anyone in the sense long service leave is understood by any of our industrial awards, or by the provisions of the Public Service Act. Men in industry, who are constantly looking for improvements in conditions of employment, are constantly moving in two directions: firstly, for additional annual leave, particularly for men who are confined to two weeks' annual leave and who work alongside men who obtain three weeks, and secondly, for genuine long service leave provisions that would enable them to have a reasonably long respite from work that in many instances becomes monotonous and arduous. I believe this Bill was cleverly designed by the Premier, who is a master of compromise, to try to meet both situations,

but in fact it does not meet either. Admittedly, the Bill confers on some men advantages they do not enjoy today, but if to accept those advantages they must forgo their claims to long service leave, it is a bad bargain that we would advise them to reject. My chief quarrel with the Bill is with its title, and if that is altered to read "A Bill to Provide for the Granting of Additional Annual Leave" it would be much more acceptable to me because it would not then interfere with what I believe is the legitimate claim of the workers to long service leave. That has been the contention of members on this side ever since the measure was introduced, for in his opening remarks the Leader of the Opposition (Mr. O'Halloran) said:—

It is not really a Bill to provide for long service leave and it is extremely unlikely that any long service leave will accrue, as such, under it. All the Bill does—and, I believe, all it was ever intended to do—is to increase by one week the annual leave of some employees.

Mr. O'Halloran then said that the Bill was sailing under false colours, and later said:—

Except for the fact that the short title of the Bill alleges that it is a Bill to provide for long service leave, no one would really think it was such . . . The Bill is perilously close to a confidence trick.

Those statements, which were not made lightly, all support my contention that the title of the Bill should be altered. The Leader moved an amendment to the motion "That the Bill be now read a second time" and asked the Government to withdraw and recast the Bill, but that amendment was defeated. This third reading debate will be followed by another question regarding the short title, and because so many members feel that the title does not conform with the clauses of the Bill and does not truly and honestly indicate the purpose of the Bill, they should alter it by deleting the words "long service" and inserting in lieu thereof "additional annual" or some other appropriate words that would be more in keeping with the provisions of the Bill. It has been the practice that, when a Bill is amended so much that its provisions do not conform with the title, the title is altered and on this occasion the House should consider the arguments advanced by members who have spoken on the third reading. This is not a long service leave Bill and cannot be accepted as such.

The Hon. Sir THOMAS PLAYFORD (Premier and Treasurer)—I do not intend to take

very long in debating the third reading. Indeed, I was rather surprised that a Bill with such provisions should be debated at this stage, for although it may not go as far as some members desire, it is the most beneficial legislation that has had any chance of being passed by this Parliament in the last 20 years, and members know that is so. Although some members have said that clauses 4, 6, and 10a are not good and that the legislation is bad, they did not move amendments but merely debated the provisions very strongly in Committee. They knew that those clauses gave much advantage to South Australian workers.

It is futile to argue that the Bill has the wrong title. This Parliament has no power to pass a Bill dealing with annual leave where the Commonwealth Arbitration Court has made an award dealing with annual leave, but this Bill provides that the leave may accumulate and prescribes more generous leave conditions than any provided by any Government, Labor or Liberal, in Australia. Members know that, and they also know that this legislation covers a much wider field than any legislation accepted by any other Australian Parliament. The 13 weeks' leave after 20 years service provided in other States covers only about nine per cent of the workers, whereas this legislation will cover about 33 per cent. The legislation in other States operates only after a long period of service, whereas this legislation is available to the worker very quickly.

Notwithstanding all the political attempts that have been made to disparage this legislation, there is growing evidence that South Australian industrial workers strongly support it. In fact, I had evidence of that only today when a strong supporter of the Labor Party said he could not understand the attempt to hold up the third reading of a Bill that was obviously designed to give benefits to industrial workers. I go further than that and say that the Bill is not limited to industrial workers: it covers every worker whether he is under an award or not. If he is under a contract of engagement he is covered by it, and I cannot understand what my friends of the Opposition have sought to do this evening. Are they trying to talk out this legislation? Quite frankly, I do not believe that the industrial workers of this State would thank them for one moment for doing so. Members who have been in this place for any time and who have taken an intelligent interest in the proceedings

know that all legislation is a matter of compromise. No legislation that has ever been introduced has been wholly acceptable to every member, but the interesting thing is that although this measure has been opposed by members opposite not one of them was prepared to move an amendment to improve it. When I indicated to a member that I was prepared to consider an amendment he could not resume his seat quickly enough in case he became implicated.

I am surprised at the opposition evinced tonight. The legislation will be beneficial to all workers, and I point out that if members want to improve it in the future they will have the opportunity to do so. Every member knows that all legislation is subject to amendment. Most of our laws have been the result of evolution, but because someone has said, "We will have the final thing or nothing at all" members opposite say they will have nothing at all. I cannot understand that viewpoint. I believe that the Bill's provisions are good and that they will be enjoyed and greatly appreciated by the workers. Notwithstanding some of the statements made tonight I believe that of the two classes of legislation under consideration this is more beneficial to both sides of the contract. It is easy for us, who are not paying for long service leave, to determine what the other man shall provide, but this Bill provides

the most beneficial conditions for all concerned, and I have evidence of that from employers and employees. I hope that members will not persist in their opposition to the Bill because even if it does not go as far as they would like—and I am not sure that that is the main ground of objection—I believe it will prove in the future to be one of the most advantageous pieces of social legislation that this House has ever passed. I strongly support the third reading.

The House divided on the third reading:—

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

Noes (13).—Messrs. John Clark, Corcoran, Davis, Dunstan, Hutchens, Jennings, Lawn, Loveday, Riches, Stephens, Tapping, Frank Walsh (teller), and Fred Walsh.

Pairs.—Ayes—Hon. Sir Malcolm McIntosh, and Hon. B. Pattinson. Noes—Messrs. O'Halloran, and Bywaters.

Majority of 6 for the Ayes.

Bill read a third time and passed.

#### ADJOURNMENT.

At 11.31 p.m. the House adjourned until Tuesday, September 17, at 2 p.m.