

HOUSE OF ASSEMBLY.

Thursday, October 10, 1957.

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

QUESTIONS.

ATOMIC WEAPON TESTS.

Mr. FRANK WALSH—Today's *Advertiser* contains a report under the heading "Balloon A-Test Best of Series." It states in heavy type:—

Pressmen standing with backs turned felt on their skins a terrific flash heat and were then severely punched by shock waves within 23 seconds.

The people at Cook were warned of this test. Will the Minister of Lands, representing the Premier, ascertain from the Commonwealth Government what effect, if any, it had on the people at Cook and on those people who felt a terrific flash heat on their skins, and whether any damage was caused by radio-active fall-out? Will he also ascertain, in the interests of the people of South Australia, whether this will be the last atomic weapon test, for we have reached the stage where we should consider the health of our people instead of continuing as at present?

The Hon. C. S. HINCKS—Naturally I have not an up-to-date report on the recent explosion. I think the honourable member would agree that these tests are very necessary in the interests of mankind for if other powers were allowed to proceed with this type of experiment and we did not our scientists would be severely criticized. I did not read the article and have not heard of any detrimental effects on the health of the people, but I will endeavour to obtain a report as requested.

FLOOD RELIEF ALLOCATIONS.

Mr. JENKINS—My attention has been drawn to a statement reputed to be circulating in the Murray River swamp areas to the effect that Mr. Dave Manning was dismissed from the department before the relief allocations were made and that a number of settlers consider they have suffered as a consequence. I asked the Minister this morning if he would get a report and would like to know if that is now available.

The Hon. C. S. HINCKS—I have obtained a report which indicates that Mr. Manning retired from the department on account of age either early in the flood period or just before it, but because of his ability and the high esteem in which he was held by the department—

Mr. Bywaters—One of the best men you ever had.

The Hon. C. S. HINCKS—He was one of the finest officers we have had in that locality, and he was asked to come back to assist the department during the flood period. To this he readily agreed, and he proved of great assistance. I regret that there has been adverse criticism of the Flood Relief Committee and of the termination of his appointment. The secretary informed me that Mr. Manning's appointment terminated on September 30, 1957, and that he came to the city to see the flood relief apportionments from the Lord Mayor's Fund. At the inaugural meeting at the Town Hall, at which the Premier and the Leader of the Opposition were present, it was agreed that the fund should be allocated to those suffering hardship, and that is what the committee has endeavoured to do. The secretary states that the committee approved of the allocations on September 18 and that the cheques were posted the following week—the last on September 27—and before they were posted Mr. Manning saw the allocations, so that he was quite aware of what was being done. I hope that if anyone hears a report detrimental to Mr. Manning or the committee, and cannot scotch it himself, he will make it known to me so that I may do so. Over 1,000 applications were received and I have not heard one complaint; on the contrary, I have heard many say how pleased they were with the assistance given them.

DOCUMENTARY FILMS.

Mr. HUTCHENS—During the Budget debate I asked the Minister whether he could give particulars regarding the availability of documentary films to be used by reputable organizations and under what conditions they were made available. Has the Minister a reply?

The Hon. B. PATTINSON—There are two distinct film libraries conducted by the Visual Aid Section of the Education Department. One is the Education Department's films library for schools, which contains approximately 1,000 sound films and 500 silent films. All these films are available on loan to schools, both city and country, and in 1956, more than 15,000 sound films and 6,500 silent films were so lent. The other is the documentary film library, which has been greatly extended in the last two years from the grant of £4,000 that the Government has made available each year to purchase documentary films. This library now contains nearly 900 films, almost all of which are sound films and many of which are in colour. Last year 6,300 films were borrowed

by adult education centres, organizations and societies throughout the State. In addition to the films included in the State documentary film library, 1,300 were obtained from interstate sources for the use of South Australian borrowers last year. The visual aids section also undertakes the training of members of registered groups in the use of 16 mm. projectors, and occasionally makes available the services of a projectionist. In 1958, a 16 mm. sound projector will be available for lending to small registered groups that are not able to purchase a projector for themselves. I confirm what I said last week—that the Visual Aid Section of the Education Department is ready, willing and anxious to give these services to all reputable organizations desiring them.

ROAD TRANSPORT PERMIT.

Mr. BOCKELBERG—Has the Minister of Lands a reply to the question I asked of the Premier in September relating to the transport of stock by road between Eyre Peninsula and the mainland?

The Hon. C. S. HINCKS—I have received a reply from the chairman of the Transport Control Board, who states:—

Annual permits issued by the board for the carriage of goods and livestock expire at March 31, 1958. Prior to this date the board will review all current permits for the ensuing 12 months. Special permits issued for a six months' trial period for the transport of stock between Eyre Peninsula and the mainland will expire on January 31, 1958, and will be extended for a further two months in order that this class of permit, together with the annual permits, may be considered simultaneously.

HENLEY HIGH SCHOOL.

Mr. FRED WALSH—It is expected that the Henley Beach High School will be opened early in the new year, and a number of parents who contemplate sending their children there desire to set up a school committee as early as possible before the opening because they believe that between November and January is a very good time to raise funds to provide amenities that the department does not provide for the children. A representative of parents asked me whether it would be possible for a school committee to be set up, even of a provisional character. It is the usual custom for school committees to be formed after a school is opened and the headmaster appointed. Can the Minister of Education say whether it is possible for such a committee to be set up with his approval, as suggested?

The Hon. B. PATTINSON—The honourable member refers to the new Henley Beach

High School. I recently approved of its being named the Henley High School, which I think is a better name. I will be pleased to comply with the honourable member's request, and I am sure that arrangements could be made for the formation of a provisional committee or council, whichever may be desired. The appointment of Mr. McPherson, headmaster of the Riverton High School, as headmaster of the Henley High School, has been approved and I think that anyone by the name of McPherson would be very interested in the honourable member's idea of getting in as early as possible to raise funds. I will be only too pleased for the Superintendent of High Schools to arrange for Mr. McPherson to meet the parents of children already nominated, the honourable member as well, and also representatives of the Henley and Grange Council. I think it is an excellent idea and that profit and pleasure will be the result.

NANGWARRY SHOPPING CENTRE.

Mr. HARDING—Will the Minister representing the Premier obtain a report as to when it is expected that building operations will commence on the proposed shopping centre at Nangwarry?

The Hon. C. S. HINCKS—I will get a report as requested.

OUTER HARBOUR TOURIST ATTRACTIONS.

Mr. TAPPING—At the Outer Harbour we have an excellent beach, a diesel rail service and fishing facilities and I believe these attractions should be publicized. Will the Minister of Works take up with the Railways Commissioner and the Tourist Bureau the publicizing of Outer Harbour and its virtues for the benefit of the people, and also in order to supplement railway income, which is so much needed these days?

The Hon. Sir MALCOLM McINTOSH—The Tourist Bureau comes under the Treasurer and I will refer that part of the question to him. I will take up the other matter personally with the Minister of Railways.

PORT PIRIE TRUCKING YARDS.

Mr. DAVIS—Has the Minister representing the Minister of Railways a reply to the question I asked last week concerning the trucking yards at Port Pirie?

The Hon. Sir MALCOLM McINTOSH—Yes, through the Minister of Railways I have

received the following report from the Railways Commissioner:—

The reference is to the location of the 3ft. 6in. gauge livestock yards at Port Pirie, which are situated centrally in the main goods yard at Port Pirie South and have been there for many years. Mr. Davis presumably has in mind the danger associated with the movements of cattle, unloaded from this yard, through the streets. If it is desired to avoid the walking of livestock through the streets, this could be accomplished by providing loading ramps for both sheep and cattle from these yards into motor vehicles. It would be reasonable for the council to ask that the Master Butchers transport their stock from the railway yards to the abattoirs in road vehicles rather than walk them through the streets. I am prepared to incur the expense of providing the loading ramps should they be desired.

SUBDIVISIONS IN COUNTRY AREAS.

Mr. LAUCKE—Country district councils suffer a serious disability compared with metropolitan councils in the matter of the provision of roads by subdividing organizations. I understand that under the Town Planning Act a subdivider has to provide roads of a given standard before disposing of allotments when subdivision is undertaken in the metropolitan area. These conditions do not apply to country councils, which imposes a heavy burden on them. Will the Minister ascertain from the Attorney-General whether the Government will consider introducing legislation to provide that the conditions applying in the metropolitan area similarly apply to country district council areas?

The Hon. B. PATTINSON—I shall be pleased to refer the statement and question to the Attorney-General who, in turn, I am sure, will be pleased to confer with the Town Planner. The Government will finally consider whether the request can be entertained. I will let the honourable member know as soon as possible.

SALE OF SUBSTANDARD COTTAGES.

Mr. DUNNAGE—Has the Minister of Lands a reply to the question I asked last week concerning the sale of multiple dwellings? I asked the Premier whether he would obtain a report from the Registrar of Deeds.

The Hon. C. S. HINCKS—I have received the following report from the Attorney-General:—

1. The method of purchase mentioned by Mr. Dunnage, namely, the transfer to several purchasers of a property as tenants in common in unequal shares, has been employed for a long time and, in many instances, has served a useful purpose; *e.g.*, where a mother and a son purchase a house in shares equal to proportion of finance provided by each party.

2. Within the limits set by the law of contract, people may enter into such agreements as they desire. This is a principle which has been jealously safeguarded for many years, and it would not be wise to interfere with it.

3. This present problem was raised with me earlier this year and I have brought the matter to the personal notice of the President of the Real Estate Institute and also to the Good Neighbour Council and have asked them to make certain that purchasers of property are fully advised as to the consequences of a purchase as tenants in common in unequal shares.

Mr. DUNNAGE—That was a good reply, but I was concerned mainly with the problem caused by the purchase of rows of cottages. In my area there are a number of long rows of cottages and they are being purchased as separate dwellings by separate people. That is quite legal, but it will lead to a big problem in the future. My council would have condemned these houses but for the great shortage of homes. The cottages are being renovated and sold separately, and I ask what would be the position if any one of them was burnt out, as they are not insured and the purchasers have no money to do anything with them? The property is too small to build another house on, and I can foresee quite a lot of problems, not only in Unley, but in many other of the inner suburbs. I would like a report from the Registrar of Deeds on this problem if possible.

The Hon. C. S. HINCKS—I will endeavour to obtain a report as requested.

WOMMA RAILWAY STATION.

Mr. JOHN CLARK—Has the Minister of Works (representing the Minister of Railways) a further reply to my recent question concerning the name of the station known as Womma at Elizabeth North?

The Hon. Sir MALCOLM McINTOSH—The Minister of Railways has furnished the following reply:—

The Railways Commissioner reports that because of the extension of the residential area at Elizabeth in a northerly direction towards Smithfield, it has been decided to provide four railway stations instead of the three originally intended, and it is proposed to name these, in order from the south, Elizabeth South, Elizabeth, Womma, Elizabeth North.

ACQUISITION OF LAND IN SOUTH-EAST.

Mr. QUIRKE—The Land Settlement Act Amendment Bill now before the House amends a section that was enacted in 1948 giving power to acquire land in the South-East following its drainage. That legislation followed a report of the Land Settlement Committee made about that time. It covered 237 landholders and

402,000 acres in the western division of the South-East. As it is now time to know what has transpired under the legislation, will the Minister of Lands bring down a report on how much of that land has been acquired in the nine years since the legislation was passed?

The Hon. C. S. HINCKS—Yes.

BOTANIC PARK ROADS.

Mr. FRANK WALSH—Has the Minister of Lands a report concerning the spoon drains on roadways in the Botanic Park?

The Hon. C. S. HINCKS—On November 8, 1956, I advised the honourable member that the Director of the Botanic Gardens (Mr. Lothian) had reported as follows:—

The question which the honourable the Minister of Lands was asked by Mr. Frank Walsh in the House of Assembly on October 9 and as reported in *Hansard* was tabled at the last meeting of the board of governors, Botanic Garden. I have been instructed to forward to you the following answer in reply to the question raised. Most of the spoon drains have been eliminated and at the present moment only three remain. These are essential still to curb the activities of certain irresponsible motorists. It is most important that the speed limit of 20 m.p.h. be observed because the park is used not only by pedestrians, but by families which include small children. Unless traffic regulations within the park make it safe for them to wander about the park and on the roads, a dangerous condition could arise.

There is now a spoon drain at each entrance to the park. Over the years the depth of these drains has been reduced and they are not now dangerous to motorists travelling at the prescribed speed of 20 miles an hour. Last Saturday week I drove over these two drains at 20 miles an hour and did not find it at all uncomfortable.

SIGN ON VICTOR HARBOUR ROAD.

Mr. JENKINS—Has the Minister of Roads a reply to the question I asked on September 26 with regard to a direction sign at Myponga?

The Hon. Sir MALCOLM McINTOSH—The Minister of Roads has furnished the following reply:—

The Commissioner of Highways has advised that the traffic engineering section has been instructed to investigate the request for a direction sign at Myponga.

LORD MAYOR'S FLOOD RELIEF FUND.

Mr. BYWATERS—I understand from the newspapers that there is a small amount of money remaining in the Lord Mayor's Flood Relief Fund. Can the Minister of Lands tell me that amount?

The Hon. C. S. HINCKS—I believe it is only about £2,000 or £3,000. I will verify that and let the honourable member know.

SURVEY OF FARMING LANDS.

Mr. BOCKELBERG—In the area west of Kimba some farmers have been using unsurveyed land and have been told by officers of the Department of Lands that they can use land one mile by two miles in area and it will be surveyed when the department can do it. Some of this land has been worked for four years and longer. Will the Minister of Lands consider using outside surveyors, if available, to do this work?

The Hon. C. S. HINCKS—It is true that the Government is very short of surveyors. I was pleased to hear that authority had been given for these farmers to continue with their work of clearing. If the honourable member can give me the names of the farmers concerned I will do my utmost to see that that area is surveyed.

DISPOSAL OF MEAT FROM OUTSIDE ABATTOIRS AREA.

Mr. FRANK WALSH—It appears from this morning's *Advertiser* that the Metropolitan and Export Abattoirs Board will consider at its next meeting, some time next week, what it will do with the 31 sheep carcasses seized by the board's inspectors which, it is said, were to have been given away. The Minister of Agriculture indicated in a reply to me that though it is illegal for meat to be brought to the metropolitan area for sale the Act does not prohibit its being brought in as a gift, and that if the inspector is satisfied about that there is no difficulty. In view of the Minister's indication that in his opinion it would appear to be a gift, is there any necessity to wait until some time next week before the gift can take place?

The Hon. G. G. PEARSON—The position which I outlined yesterday is correct. I have not made a particular inquiry this morning with regard to the disposal of these 31 sheep, but I understand that there is a difference between this matter and the gift of beef to charities last week. I expressed the opinion yesterday that as far as I was aware the Act did not contain any complications and that it prohibited meat being brought in for sale. I assumed that the meat to be given to charities was not involved, and so far as I am aware that meat is only being held until it can be established that there is a *bona fide*

intention to give it to charity. However, in view of some doubts I will ask the board what the position is.

PADTHAWAY SCHOOL RESIDENCE.

Mr. HARDING—Can the Minister of Education say what progress has been made on the acquisition of land at Padthaway for the erection of a school residence?

The Hon. B. PATTINSON—Mr. D. E. Penny, of Padthaway, called at the Education Office at the end of July and verbally made an offer on behalf of himself and his mother of half an acre of land facing the main Padthaway-Bordertown highway and directly opposite the Padthaway school as a site for a head teacher's residence. Mr. Penny and his mother have been asked to confirm their offer in writing, but up to the present no confirmation has been received.

ADDITIONAL LAND FOR KALANGADOO SCHOOL.

Mr. HARDING—Is it expected that more land will be purchased at Kalangadoo to provide larger school grounds for future expansion there?

The Hon. B. PATTINSON—I have approved of preliminary steps being taken to see whether six acres of land are available for purchase and, if so, at what price. The Property Officer of the Education Department has written to the owner and we are at present awaiting an answer.

MONARTO-SEDAN RAILWAY LINE.

Mr. BYWATERS—Has the Minister representing the Minister of Railways a reply to the question I asked last Tuesday about the Monarto-Sedan railway line?

The Hon. Sir MALCOLM McINTOSH—The Minister of Railways has supplied me with the following report:—

With reference to the question asked by Mr. Bywaters, M.P., the Minister is advised that no consideration has been given by the Railways Department to the desirability or otherwise of closing the Monarto-Sedan railway. Investigations of this nature are the responsibility of the Transport Control Board, and I have no doubt that the board would make all necessary inquiries before reaching a decision.

GERANIUM PLAIN SCHOOL.

Mr. HAMBOUR—Has the Minister of Education any information on the Geranium Plain school (which has been closed for this school year), as local people are getting anxious about the position? I have spoken to

Mr. Harris, the department's Transport officer, about this matter, but I think it would require his personal attention on the spot. Can the Minister make him available in the near future to see these people and try to help with their problem?

The Hon. B. PATTINSON—I shall be pleased to do that. I endorse what the honourable member said concerning Mr. Harris, the Transport Officer, who is a very busy man because the school transport section of the department is an extremely large one. It controls about 400 school bus services; 250 of them are run by independent contractors, 90 by the department, and 60 are subsidized. These buses travel about 19,000 miles and convey about 13,000 children to and from nearly 250 schools daily. That is a big job for any man to supervise, but recently the Government approved of the appointment of an assistant to Mr. Harris, and that will free him to visit school committees and other interested parties and discuss school transport services. I have found in the past that once Mr. Harris goes out and meets the people on the spot and discusses problems with contractors and school committees he almost invariably obtains satisfaction, which is not readily obtainable by means of correspondence.

Also, in order to create a wider pool of experience and responsibility on school transport services, I have appointed a school bus transport contracts committee, consisting of the Deputy Director of Education, the secretary and the accountant of the department, with the Transport Officer as the executive officer of the committee. All recommendations that come to me concerning school contract services are now referred to that committee, which goes into the pros and cons of every particular contract and, if necessary, contractors or groups of contractors will have the right of access to that committee. I do not want that to be taken in any way as a reflection on the Transport Officer, Mr. Harris, who is an excellent officer, but it will be in the best interests of the department and relieve Mr. Harris of the personal responsibility of making many difficult decisions. I hope that his services will be readily available to investigate problems on the spot throughout the State.

BIRD TRAPPERS IN PARKLANDS.

Mr. DUNNAGE—A few days ago the following article appeared in the press:—

Trappers were denuding the parklands of wild bird life, the secretary of the R.S.P.C.A. (Mr. P. Colley) said yesterday. The Chief

Inspector of the Fisheries and Game Department (Mr. F. W. Moorhouse) said that certain parrots, including galahs, rosellas and budgerigars, were unprotected.

I have always understood that the parklands were a bird sanctuary. If that is not so, what steps would have to be taken to make them a sanctuary?

The Hon. G. G. PEARSON—I cannot give the honourable member an answer now, but I will make inquiries and let him know.

RESUMPTION OF LAND FOR AFFORESTATION.

Mr. LAUCKE—Has the Minister of Agriculture arrived at any decision regarding the contemplated resumption for afforestation purposes of Crown lands now held by farmers under miscellaneous leases?

The Hon. G. G. PEARSON—The honourable member, and you Mr. Speaker, have made representations on behalf of constituents on this question. At the outset I could see that it was of some moment and probably involved a matter of policy as the rival claims as regards the use of the land are interesting and important to the people concerned. Therefore, I decided that no hasty decision should be arrived at and that a full investigation was needed. I have accordingly asked the Conservator of Forests to give me an appreciation of the land in question for afforestation purposes, and an indication as to how it fitted into his programme and what disabilities he would incur if land which he had expected to use for his purposes were taken from him. I have also asked officers of the Agricultural Department to make an investigation and appreciation of the same land and give me their ideas of it and its value used for agricultural purposes. I have not those two reports yet. They are being collated and I hope to take them to Cabinet early next week so that this matter of policy can be resolved.

AGRICULTURAL SEEDS ACT AMENDMENT BILL.

The Hon. G. G. PEARSON (Minister of Agriculture) having obtained leave, introduced a Bill for an Act to amend the Agricultural Seeds Act, 1938. Read a first time.

The Hon. G. G. PEARSON—I move—

That this Bill be now read a second time.

The Agricultural Seeds Act, 1938, contains many references to noxious weeds and the Noxious Weeds Act, 1931-1939. Members will

recall that the Noxious Weeds Act was repealed last year by the Weeds Act, 1956, and that a new classification of weeds, defined as dangerous weeds, was introduced for the first time. The amendments of the Agricultural Seeds Act proposed in this Bill are of a consequential nature and are brought forward for the purpose of deleting references to provisions of the repealed Acts and substituting references to the appropriate provisions in the new Act. This short Bill is entirely consequential on the Weeds Act which this House accepted last year. No new matter is involved; it is simply a question of altering words so that the two Acts will continue to be in alignment.

Mr. FRANK WALSH secured the adjournment of the debate.

ROAD TRAFFIC ACT AMENDMENT BILL.

Read a third time and passed.

VERMIN ACT AMENDMENT BILL.

Read a third time and passed.

CROWN LANDS ACT AMENDMENT BILL.

Read a third time and passed.

REMARK IRRIGATION TRUST ACT AMENDMENT BILL.

The Hon. C. S. HINCKS brought up the following report of the Select Committee, together with minutes of proceedings and evidence:—

1. Your committee met on three occasions and examined as a witness the Parliamentary Draftsman, Sir Edgar Bean.
2. The Secretary of the Renmark Irrigation Trust (Mr. R. H. Waters) was contacted and he signified the trust's support for the Bill.
3. There was no response to advertisements inserted in *The Advertiser* and *Murray Pioneer* inviting interested persons to give evidence before the committee.
4. Your committee is of opinion that there is no objection to the Bill, which it recommends should be passed in its present form.

Report received and read, and ordered to be printed.

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

That the Speaker do now leave the Chair and the House resolve itself into a Committee of the Whole for the consideration of the Bill.
Motion carried.

Bill taken through Committee without amendment, read a third time and passed.

ACTS INTERPRETATION ACT AMENDMENT BILL.

Second reading.

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

That this Bill be now read a second time.

The Commonwealth Government has recently introduced a new mail service known as the certified mail service which will in many cases be used by the public in preference to the registered mail service. The purpose of this Bill is to allow those who are authorized or required, pursuant to any Act, to serve a document by registered mail, to take advantage of this new system and serve it by certified mail. For the information of members I will explain the new system by reading an extract from a letter dated December 10, 1956, from the Secretary to the Prime Minister to the Secretary to the Premier:—

When an article is sent by certified mail a receipt of posting is issued to the sender. At the delivery office a receipt is obtained from the addressee and will be held for a period of 12 months so that proof of delivery may be obtained should this become necessary. Should the sender wish to obtain an immediate acknowledgment of receipt, this can be secured by completion of the necessary documents at the time of posting and payment of an additional fee of 9d. Certified mail will not be subject to the same security handling and documentation as applies in the case of registered mail and is therefore not suitable for articles of monetary value. It is, however, just as suitable as the registered post when the main considerations are proof of posting and delivery and it will, therefore, be suitable for transmission of certain types of documents, including legal papers of no cash value and postal ballot papers. As the minimum fee for the registered post is 1s. 3d. and that for certified mail 6d., both exclusive of normal postage, the certified mail service offers some economies to the public where it is suitable.

The Government believes that the new service will be of benefit to the public. It therefore proposes in this Bill to give it legal recognition so that citizens may use it in any case where the law would normally require or permit a registered letter to be used.

Mr. FRANK WALSH secured the adjournment of the debate.

STATUTE LAW REVISION BILL.

Second reading.

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

That this Bill be now read a second time.

As its long title indicates, this Bill is for the purpose of repealing some obsolete Acts and

making consequential and minor amendments to other Acts. As regards the repeal of obsolete Acts from time to time, probably most members would agree that this should be done. One reason for doing it is that the continued existence of obsolete Acts in the Statute Book without express repeal creates a certain amount of confusion and trouble. People who have to look up the law on a particular topic necessarily look at all the Acts which appear to deal with that topic and if there are obsolete but unrepealed Acts apparently dealing with a topic under consideration some time is wasted in perusing them. To take an example, the old Wheat Products Prices Act of 1938 might at first sight have some bearing on the subject of price control although, in fact, that Act is part of a scheme for stabilizing the price of wheat, and went out of existence when the Australian Wheat Board was created. Or again, people looking into the law of landlord and tenant and finding that there are on the Statute Book Landlord and Tenant Rent Reduction Acts of the years 1932 to 1936 might think at first sight that these Acts were relevant to current problems whereas, in fact, the Acts and orders made thereunder had no operation after June 30, 1957.

Another reason for repealing obsolete Acts is that when volumes of Acts are reprinted the repealed ones can be omitted with an appreciable saving in the cost of printing and paper. All that need be said about the sixteen Acts which are proposed to be repealed by this Bill is that they are all obsolete except one section in the Bread Act Amendment Act and the reason for repealing this Act is that the particular section is proposed to be inserted in the Local Government Act where it properly belongs because it deals with the by-law making powers of local governing bodies. The three Acts about the National Bank of Australasia which it is proposed to repeal do not deal with the present National Bank of Australasia but with a defunct organization which went out of existence about seventy years ago.

The amendments proposed are all technical or minor ones, but if they are not made problems of interpretation will sooner or later arise, and these could lead to trouble and expense. The proposed amendments to the Juries Act will not alter the existing practice in any way, but they are for the purpose of harmonizing the language of the Juries Act with that of the Supreme Court Act and the Electoral Act. Since the Juries Act was passed the old circuit courts, which were

separate courts distinct from the Supreme Court, have been abolished and what are commonly called circuit courts nowadays are in reality circuit sessions of the Supreme Court. It is desirable that the language of the Juries Act should be in accordance with this change in the nature of circuit courts.

There are also a number of references in the Juries Act to "sub-districts." These used to exist as separate sections or parts of electoral districts but, as a result of changes in the Electoral Laws, their place is now taken by subdivisions, and it is desirable that the Juries Act should refer to these electoral areas by their proper names. The other amendments are consequential, or for the purpose of removing words which became superfluous as a result of alterations made in the course of the preparation or passing of the Bills on which the Acts were based. The amendments will improve the form of the statutes without altering the intention of Parliament. If any honourable member would like a specific report on any particular amendment, the Government will be pleased to supply more detailed information.

Mr. DUNSTAN secured the adjournment of the debate.

BRANDS ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 8. Page 965.)

Mr. FRED WALSH (West Torrens)—This is a simple Bill and does not include anything of a controversial character. We agree that it is necessary to have a register of brands, and a quarterly statement by the Registrar of changes in registrations, brands, and marks we deem necessary, although this involves certain costs in preparation. The main object of the Bill is to provide that a directory need not be issued every two years. I believe that in the past the Government Printer has had difficulty in conforming to the provisions of the existing Act, and apart from the cost of about £5,000 a year involved in the printing it seems unnecessary, because the register will be kept up to date and any person interested in brands or marks on horses, cattle or sheep will be able to obtain the information desired by ringing up the Registrar or making the request by letter. I support the second reading.

Bill read a second time and taken through Committee without amendment. Committee's report adopted.

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

Adjourned debate on second reading.

(Continued from October 8. Page 969.)

Mr. DUNSTAN (Norwood)—I support the second reading, and consider that all the clauses except one are wise. It is true that there were anomalies in the Act which needed to be rectified, and one related to section 55 (c), which was written in with little concern for its effect upon the other provisions, and consequently certain safeguarding provisions related to all the other methods of recovery under the Act do not relate to section 55 (c). Despite the amendments proposed by the Bill, certain portions of the Act are not properly safeguarded from anomalies under this section. When this legislation was before the House in 1956 I drew attention to the fact that the protected persons sections did not give protection from notices under section 55 (c), and this Bill does not propose to remedy that particular anomaly, so protected persons are still to be subject to notices under this section. Certainly it was wise to see that aliens were not able to give notices under section 55 (c) which they could not have given under section 42. What happened after the passing of section 55 (c) was that aliens who arrived here, upon obtaining the consent of the Minister of Lands, could purchase a property and then promptly give notice, regardless of the fact that they had only been here for a short period, and after six months could have an Australian citizen evicted from the house and put into the street without any consideration of the hardship being taken into account by the court. This could happen regardless of the fact also that in many cases these migrants had only been brought here upon a guarantee to the Immigration Department that adequate accommodation would be provided for them in Australia by their nominators and that they would not be displacing Australian citizens by coming here.

Mr. Hambour—You are not confusing "migrants" and "aliens"? Many British migrants have come to Australia.

Mr. DUNSTAN—A British migrant is enabled immediately to give a notice to quit, but under section 42 aliens could not give such notices until they have been here for three years. Section 55 (c) has grievously interfered with the previously accepted principles of this legislation, and although this matter

is not before the House at the moment I shall have something to say about it after moving a motion upon the Bill being read a second time. Clause 4 relating to the recovery of overpaid rent is another wise provision. It often happens that excess rent recoverable under the Act has not been repaid for months and it is proper to provide that landlords cannot hold on to rent which is recoverable.

The restriction on the sale of premises after their recovery for occupation is another wise provision. I have known of cases where premises have been recovered under section 42, have been kept empty for a period and then sold, although supposedly recovered for personal occupation. The Act provides a £500 penalty if they are again leased, but there is no penalty applying if they are resold. It is essential to correct that anomaly.

I have known of several instances where landlords have refused to accept rent. In one particularly bad case a landlord did not call at the premises nor would he answer the door of his own premises when his tenant called to pay the rent. He also refused to accept registered letters tendering the rent and then said that his tenant lied in saying that she had tendered it, and has attempted to bring an action in the local court for the recovery of the premises on the ground that no rent had been paid. That was not fully covered under the Act because there were stringent provisions at common law for the payment of rent. It is wise to provide for such circumstances. Indeed, I have little doubt that this case was one of the glaring cases that led the Housing Trust to recommend this amendment to the Government, because I know that the Housing Trust engaged in correspondence with the landlord concerned. All these are minor amendments to the Act to ensure that it is effective.

I do not agree with the clause that proposes increasing the general level of rentals. I was interested to hear the Premier's reason for the proposed increase. He said:—

However, the Government is of opinion that the time has arrived when an increase in basic rents as fixed by the Housing Trust is justified. At present when rent is to be fixed by the trust or by a local court, the law provides that the trust or court is to have regard to the general level of rents obtaining at September 1, 1939, plus an increase of 33½ per cent. In addition, of course, regard must be had to increases in outgoings such as rates and taxes, maintenance and so on, so that the rent fixed at the present time would be substantially more than 33½ per cent of the 1939 rent. The

33½ per cent was fixed by the amending Act of 1955 when it was increased from 27½ per cent. Since 1955 there has been an increase of 20s. in the living wage and the Government feels that it is now time to increase the percentage fixed by the Act. Clause 2 therefore provides that the 33½ per cent previously mentioned is to be increased to 40 per cent.

It is wise to examine the history of this section of the Act. In 1951 Parliament provided that the general level should be 22½ per cent above the 1939 level. An entirely new series of sections relating to rent fixation allowing for increases in outgoings and the like was necessary. In 1953 the quarterly adjustments to the living wage were suspended and from then until recently there were no increases in the living wage. During that period, however, there were two increases in the general level of rents: in 1954 to 27½ per cent and in 1955 to 33½ per cent—an increase of almost 11 per cent since 1951. It was said at that time that there should be a general increase because there had previously been an increase in the basic wage. It was not designed to give a further advantage to landlords but, according to the Government of that time, to give certain increases in rentals because of a prior increase in the living wage. However, when the living wage was increased later it was partly because of the increase in general rent levels. These rent increases were to bring rentals into line with the then rate of the wage earner and took into account the fact that there had been increases in the cost of living granted to the wage earner. Now it is proposed to give a further increase in rentals which can only lead eventually to a further increase in the general level of wages. It will be a case of the wage earner lagging behind the landlord in this respect. I do not consider that the Government is justified in saying that, because there has been an increase of £1 in the living wage since the last increase in the general level of rentals, the general level of rentals should be increased. The increase in the living wage has only taken into account the increases in the general level of rentals and the other outgoings of the wage earners, whereas the landlord has not only received an increase in his general level, but he has been able to have taken into account in the fixation of his rents all the increases in the cost of outgoings on his houses. The Government admits that the general level of rentals has risen considerably above 33½ per cent over 1939 rentals; but I point out that that is only the increase in the profit level and not the total increase over 1939 rentals. As

the Premier pointed out, the total increase is considerably more than 33½ per cent because the landlord has also been allowed the increase in the cost of his outgoings in addition to the 33½ per cent increase on the 1939 rentals.

Mr. Millhouse—How do you work that out?

Mr. DUNSTAN—If the honourable member looks at the consolidated Act of 1955 he will see that the increase in the cost of outgoings is allowed. I do not know whether Mr. Millhouse has had much experience in this type of application, but from time to time I have applied on behalf of landlords and I think most practitioners have done the same. The total outgoings are amortized over a period: current costs are compared with the 1939 level and the total increase is allowed over a period to provide for amortization.

Mr. Millhouse—What percentage would you estimate that to be?

Mr. DUNSTAN—That is very hard to say for it varies considerably with the house. Some landlords have spent nothing on their properties, whereas others have spent much and are able to recoup their expenditure. I can quote some cases in the district represented by the member for Torrens (Mr. Coumbe) where the increases have been considerable—well over 100 per cent on the 1939 level.

Mr. Millhouse—In other words, the landlord has made a substantially different and better house.

Mr. DUNSTAN—Yes, and he has been able to recoup that money in so doing. Where a landlord has spent nothing on maintenance his level is 33½ per cent over the 1939 level for comparable houses. In 1951 Parliament provided for an increase to take into account the difficulties of landlords and we are now told that since 1951 we should allow an increase of about 17½ per cent in the general level of rentals since 1951 apart from the increased cost of outgoings. In other words, we are asked to allow as the profit increase in rent 17½ per cent on what was allowed in 1951, but I do not think a case has been made out for any such increase.

If one says—and I have no doubt that honourable members opposite will say it—that, since there has been a general increase in the level of wages since 1939 in excess of 40 per cent, the landlord should be able to increase his rent by a like amount, this increase can be justified if one agrees with that argument; but I do not agree that that is fair because this Party believes that in

controlling inflation the Government must re-distribute not only by means of taxation and social services, but also by means of price and rent controls, and that this is not merely a counter-inflationary measure, but a measure to redistribute income from one section of the community to another.

Undoubtedly, of course, that produces anomalies and I would be the first to admit that those anomalies exist. Indeed, I have admitted that previously in this House when this matter has been debated. There are cases, particularly those of superannuated civil servants, where a man, besides paying money into a superannuation fund and taking the maximum units available to him, has put some of his carefully scraped together savings into a house that he hoped would be an investment, the income of which he could look forward to in his retirement. In such cases the return from that investment under rent control has not been commensurate with the prospects of the investment at the time it was made. Further, such a man is faced with the fact that his superannuation benefits today have not the real purchasing power of the money he contributed to the scheme. Such people are in grave difficulties and I would be the first to admit that that is an anomaly under rent control provisions.

If Parliament increases the general level of rents, however, such people will be hit by the increase because it will have a severe inflationary effect. This is perfectly clear from what happened in Western Australia when rent control provisions were lifted: there was an immediate spiral. In this case any small increase such a landlord would receive would be offset by a decline in the real value of his money. The people who will benefit from an increase in the general level of rentals are the larger landlords who at present have houses under rent control. The way in which to cope with the anomaly is surely the easing of the means test on Federal social services and the increase in the value of South Australian Superannuation Fund units.

Mr. Millhouse—In other words, let the Government pay for it.

Mr. DUNSTAN—No, let the community see that the people in difficulties are assisted, and that is our proposal. We believe that a rent control system is necessary and that if there is to be such a system it must be effective, but where an anomaly arises under it and somebody is put to hardship unfairly, he should

be assisted. He will not be assisted, however, by allowing a rise in the general level of rentals, for this will reduce the value of the money received by way of superannuation benefits.

I oppose an increase in the general level of rentals at this stage. I do not think it is justified by the increase in the living wage. Such an increase followed on a previous increase of nearly 10 per cent in the general level of rentals, consequently no justification exists for the proposed increase from 33½ per cent to 40 per cent. I hope the House will not agree to an increase in the general level, the control of which is vital to curb inflation in this State. Unfortunately, the control of the general level of rentals only applies to a certain now small proportion of rental accommodation in this State: it does not apply to the Housing Trust the rentals of whose later built houses are not taken into account in fixing the living wage. The general level of rentals of the trust's properties is above that of the controlled rentals. There is no control over many properties because they have been released from any ceiling level of rentals by section 6 of the Act. I record with regret that our rent control provisions are fast becoming ineffective, and I only hope we are not going to speed the decline and make them totally so. While I support the second reading of the Bill, I hope members will vote against the provision for a general rental increase when it is considered in Committee.

Mr. MILLHOUSE (Mitcham)—I oppose this Bill, as I did last year's measure. I do so with considerable diffidence because I know that in so doing I am in a very small minority in this House. I hope that no-one will say that I am not aware of or anxious to solve our housing problems. I am, but I do not believe that legislation of this nature is the best way to achieve that object. I am opposed to the principle of control which is embodied in this legislation. I am never prepared to agree to control unless there are special circumstances warranting it. No doubt most members in this House believe that such circumstances exist in this case, but I do not believe there are circumstances which justify us imposing the control embodied in this legislation. We members of the Liberal and Country League pride ourselves that we represent all classes of the community.

Mr. Davis—Who do?

Mr. MILLHOUSE—We do. That is a fact, and it is the aim of our Party to see that all

classes in the community receive a fair deal. I believe that this Government's policy as a general rule carries that belief into practice, but I also believe that this legislation is an exception to the rule because it is class legislation of the worst kind. I cannot emphasize that too strongly. The member for Norwood has admitted that one section of the community is penalized by this legislation, and no-one who looks at the matter fairly and squarely can deny that that is so. This legislation strikes at the small house owner, the man or woman—and it often is a woman—who owns one property other than the one in which he or she is residing and is trying to live from the rent of it. They are the people who are being penalized by this legislation. It is even worse because that section of the community cannot, because of its size and inarticulateness, effectively voice its protest. It often consists of people who, in the 1930's or earlier, invested their small savings in household property in the expectation that when they got older that property would return them an income sufficient for them to live on. Since the war they have seen their investment and return from it dwindling until it is now almost useless.

Mr. Dunstan—Why could not the widow have taken advantage of section 55 (b)?

Mr. MILLHOUSE—I am not prepared to go into any details except to make that general protest, and I suggest that is common ground between the member for Norwood and myself. He has made one suggestion, and it is one that is very easy for his Party to suggest because it is in opposition both here and in the Federal Parliament. That suggestion is the increase in superannuation and social services, but I say it is an entirely impractical one which he knows cannot and will not be carried out. Last year I gave five reasons why I opposed this legislation, and I will do so again now. The first one is substantially the one I have mentioned, that it interferes with what I believe is the undoubted right of the property owner to choose his own tenant and fix his own rent. I believe that is implicit in the very concept of ownership of property. The second is that the legislation grew out of a war-time emergency, and the war out of which that emergency arose has now been over for 12 years. We are told that that emergency is still with us, but one cannot help feeling that after all this time it is simply an excuse to

continue this control indefinitely. For that reason I am not prepared to support the legislation.

The third reason is that this legislation discourages private investment in home building. I know that new houses are not controlled, but the very fact that there is legislation controlling rents, evictions and such things discourages such investment.

Mr. Dunstan—Even if they know they are not subject to it?

Mr. MILLHOUSE—Most people do not go into the niceties of these things. They know that the control is there, so they look for some other avenue of investment. Therefore, this legislation does not do anything to alleviate the housing shortage; in fact, it makes it worse. That is the third reason why I oppose this legislation, and the fourth is that, because there has been so little private investment in building since the war, the Housing Trust has become the biggest landlord in the State (though I do not want it to be thought that I am criticising the work of the trust or its officers). It is a bad thing for a State instrumentality to be the biggest landlord. The member for Adelaide may jeer at me for saying this, but it means we are on the road to Socialism.

Mr. Riches—What is wrong with that? You will not get houses by any other means.

Mr. MILLHOUSE—That is the sort of short-sighted interjection we always get from members opposite. The people have been housed before, but, as I said, we are on the way to Socialism and I am opposed to it on principle. My fifth reason for opposing this measure is that, because of the pegging of rents the old houses, those that are now controlled, are falling into disrepair because landlords, on the whole, are not prepared to throw more money away in repairing them. There is no incentive to do so. That, in time, will aggravate the housing shortage. I gave those five reasons last year, and I have repeated them because they are just as valid as they were then. Last year I said it was time we had another inquiry into rent control. The Premier answered me on that point and I will not press it again this year, especially as the Bill proposes another increase in the rent level, but he did not reply to any of the five points I made last year in opposing this legislation.

Mr. Lawn—Does he ever answer them if he does not want to?

Mr. MILLHOUSE—We shall no doubt get some good answers from the honourable member. I invited him to answer my arguments last year, and I shall listen with interest and expectation to see whether he can answer the points I have made this year. The member for Norwood said that he agreed with some of the minor amendments introduced this year. He has had great experience in this field and he said that these amendments were warranted. The only point on which I agree with him is that there should not be any loopholes in legislation so that dishonest people can take advantage of them. He made a song and dance about the proposed increase in rents and put forward specious proposals to overcome the anomalies in the legislation.

Mr. Riches—Do you support that part of the Bill to overcome anomalies?

Mr. MILLHOUSE—Yes, as far as it goes.

Mr. Riches—You might vote for the second reading?

Mr. MILLHOUSE—No, but I agree with that clause. I now refer members to the *Statesman's Pocket Year Book of South Australia, 1957*. Page 138 gives prices indexes and the third column gives indexes in relation to four and five-roomed houses. For the second quarter of 1957 the index was 1,451, but it does not give the index for 1939. However, when the Premier spoke on this legislation in 1942 he said that the figure for 1939 was 888, and that was when controls were first applied. I invite members to check my calculations, which show that there has been an increase of 63 per cent. in the rent of houses that are subject to control, yet it is now proposed to allow the rents of these houses to rise by only 40 per cent. If that is not an anomaly I do not know what is. I can see the member for Enfield getting out pencil and paper to make some calculations, and I shall be grateful if he can show me that the anomaly is not as great as I think it is. That seems to me to be a scandalous anomaly. I do not agree with any control, but when the Government, as a generous act, says it will allow an increase up to 40 per cent when the figures clearly justify 63 per cent it is about time someone protested, and that is what I do now. The member for Norwood (Mr. Dunstan) said that he was opposing any increase, but the figures are entirely against him I suggest.

The only other point I want to make—and I sum up with this—is that I do not believe it right that one section of the community—

in this case a small and inarticulate section—should have to subsidize the development of the State, for that is what the Government is asking it to do. In an effort to keep down the C series index figures these people are obliged to subsidize it by keeping the rents of their properties pegged. That is the only reason why we have this legislation and I believe it is entirely wrong. By all means keep our price levels down, but it should not be done simply by victimizing one section, and that is what is happening. The honourable member also said that that section would not be assisted if there were a small increase in rent, but if the dwellings were released from control it would become the responsibility of the whole community to keep prices down by some other means instead of obliging one section to do it. We are—only too successfully—making one section of the community subsidize the development of the State. I believe that to be entirely wrong and for that reason I am opposed to the second reading.

Mr. DAVIS (Port Pirie)—I intend to vote with the honourable member for Mitcham, but for other reasons.

Mr. Millhouse—I will hold you to that.

Mr. DAVIS—The honourable members has convinced me that he is right. Every time he rises to speak he is very much concerned about a certain class of the community—those who hold the wealth of the country. He claims that in rent control we are penalizing the owners of houses, but it is rather foolish of him to try to convince the House that people are silly enough to build houses for rental purposes, for he knows very well that the people with money to invest desire to get the greatest possible interest, and that if it were not for this Act tenants would be exploited by the people he claims to represent.

I should like to know what the honourable member thinks of the homes that are let to private individuals; some have been standing for almost 100 years and many of them have been in disrepair for many years. Councils, particularly that in my own town, often find it necessary to condemn them, but the owners are still prepared to exploit the tenants. Very few new homes are being built for letting. I will vote against the second reading for the reason that I am opposed to an increase in rents as I do not think it justified. The rent for some Housing Trust homes is as high as £3 18s. a week. Unlike the member for

Mitcham I can see what is just and right and in the interests of the whole community and not merely the wealthy section, which is all he is concerned about. All my life I have been associated with people who have to pay rent for homes and I know how difficult it is for many of them to meet their commitments. I was very pleased when this Government did the right thing by pegging rents in 1939, but since then there has been an increase of 33 per cent. Now the Government is seeking to make it 40 per cent and I think that is beyond the purse of many working people.

Mr. Millhouse—You are opposing the second reading?

Mr. DAVIS—I am opposing increased rents.

Mr. Millhouse—You said you were opposing the second reading.

Mr. DAVIS—If I did I made a mistake. I could not oppose the second reading because in that case members on this side would not be able to deal with the matter in Committee.

Mr. Millhouse—You have let me down.

Mr. DAVIS—I think I have if the honourable member thought that. In fact, I think I did say it, but of course he too makes many mistakes; he claimed that I called him a green sapling.

The SPEAKER—I think the honourable member had better come back to the Bill.

Mr. DAVIS—Mr. Millhouse tried to bring something into the Bill and I am trying to take it out. You are correcting me, Mr. Speaker, because I am trying to correct the member for Mitcham, who said that I called him a green sapling. I said he might be a sapling, but I have too much respect for him to call him a green sapling. I am trying to tell him that he is on the wrong road in opposing the second reading, but I sympathize with him in his great appeal for the wealthy people in his district. We on this side of the House claim that one section of the community is penalized, but it is the people who are renting homes, not the section mentioned by Mr. Millhouse.

When a Bill was introduced to release furnished premises from control a few unscrupulous people placed a few sticks of furniture in homes and charged what they liked. I know that some people put caravans on their properties and charged £8 a week rent for them. What would these people charge for a home? People paying these huge rents would be working just to pay the landlord. It will never be in the interests of the people of this State

to lift rent control when some landlords are prepared to exploit tenants. Unlike Mr. Millhouse, I am pleased at the existence of the Housing Trust, which has done a wonderful job.

Mr. Millhouse—I did not reflect on the work of the trust.

Mr. DAVIS—But the honourable member does not believe in socialism, and the trust is socialism.

Mr. Millhouse—I did not reflect on the trust's work.

Mr. DAVIS—Then I do not know what the honourable member meant. He said he was opposed to it and that he did not believe in socialism, which means in effect that he thinks the trust should not be in existence.

Mr. Millhouse—I did not say that.

Mr. DAVIS—In effect, the honourable member did.

The SPEAKER—Order! The honourable member must return to the Bill.

Mr. DAVIS—My interpretation of the honourable member's remarks was that he had no desire to have the Housing Trust in

existence.

Mr. Hambour—Wouldn't this be a good State without the Housing Trust?

Mr. DAVIS—I would say no, because there would be no homes for the people and very few young people could marry. For a young couple to marry, build a home and furnish it, it is necessary to have £5,000, and very few people who work for a living are in a position to save such a large amount. They might be able to raise enough for a deposit on a home, but then they have a rope around their necks all their lives.

Mr. John Clark—And possibly their children's necks.

Mr. DAVIS—Yes. The trust has done a wonderful job and has provided a great service to the people of this State. I am pleased that the Government has seen fit to retain rent control, so I support the second reading.

Mr. HAMBOUR secured the adjournment of the debate.

ADJOURNMENT.

At 4.14 p.m. the House adjourned until Tuesday, October, 15, at 2 p.m.