HOUSE OF ASSEMBLY.

Tuesday, October 14, 1958.

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

QUESTIONS.

MAGILL REFORMATORY BREAK-OUT.

Mr. FRANK WALSH—According to the press 13 boys escaped from the Magill Reformatory during the week-end. Naturally all members are concerned about this incident. Can the Premier say whether it is desirable to increase the staff of the reformatory to afford reasonable protection to attendants in the event of further break-outs?

The Hon. Sir THOMAS PLAYFORD—I do not think increasing the staff is as urgent as completing the security block which the Government is at present building and which, from time to time, we have been informed is not necessary. It is necessary to have a security block, and when it is completed it will improve the position considerably.

Mr. FRANK WALSH—Has the Premier received any official report about the break-out?

The Hon. Sir THOMAS PLAYFORD—Yes. I have the following report from the Chairman of the Children's Welfare and Public Relief Board, addressed to the Chief Secretary:

I very much regret having to report a break-out from the Boys' Training School, Magill, at approximately midnight on Sunday. The night attendant on duty was attacked by four lads and very severely injured about the face and head. No weapons were used as far as is known. The other attendant from the dormitory above, was able to prevent the boys' exit through the dormitory door. Consequently, windows in two of the dormitories were broken, through which 13 boys absconded. Ten of these were picked up early Monday morning, after having committed further offences. Three lads are still at large.

One of the alleged ringleaders in this unfortunate episode was recently severely warned regarding his conduct and told that his transfer to gaol would be considered should he again offend in any way. Yesterday, I visited the injured attendant (Mr. Chaplin) in the Adelaide Hospital. Although badly knocked about, he was able to converse for a moment or two. The police will interview him later on, when well enough, with a view to charges being laid against the boys actually concerned in the assault upon him.

MURRAY RIVER LEVELS.

Mr. JENKINS—Some weeks ago the Minister of Works outlined the expected rise in the river level at Woods Point and suggested that the peak would be at the end of October. Is there likely to be any alteration in the time of arrival and the height of the river?

The Hon. G. G. PEARSON—The Engineer-in-Chief anticipates that the maximum river level at Woods Point will be R.L. 110.75; *i.e.*, 1ft. 3in. above normal pool level. The peak should arrive at Woods Point on or about November 3. The level given does not allow for any wind influence.

FISHING REGULATIONS.

Mr. BYWATERS—On August 6 I asked the Minister of Agriculture a question relating to a fisherman at Mypolonga who caught a Murray Cod weighing 140 lb. and sent it to Victoria but was refused payment and the fish was confiscated by the Victorian Government. When in Victoria last week did the Minister raise this question with the Victorian authorities and, if so, has he any report to make?

The Hon. D. N. BROOKMAN—I had discussions with the Victorian Chief Secretary, who revealed a sympathetic interest in the case. However, I prefer not to make a fuller statement at present because the case has not been resolved. I shall be prepared to do so when finality has been reached.

MAIN NORTH ROAD TRAFFIC BOTTLENECKS.

Mr. HEASLIP—Has the Minister of Works a reply to the question I asked on September 25 regarding bottlenecks on the Main North Road at Clare and Gawler?

The Hon. G. G. PEARSON—My colleague, the Minister of Roads, has informed me that a road to by-pass Gawler is planned and most of the land for this purpose has been acquired. The corporation of Gawler recently advised that it proposes to introduce ranking on the eastern side only of the main street, but to permit parking on the western side. The Highways Department, however, has requested that the corporation permit ranking only on both sides of Murray Street. With respect to Clare, a council by-law prohibits parking at the northern end of the main street where ranking only is allowed. It is understood that this has not been effectively policed as yet. Parking is permitted at the southern end of the street. Owing to the hilly nature of the country at Clare, no complete by-pass is practicable. However, a road parallel to the main street on the eastern side has been

improved with assistance from the Highways Department, and traffic entering the town from Burra uses this street extensively as a by-pass and for parking. As the congestion here is not as critical as in Gawler, action to improve the position has been left to the local authority.

SCHOOL BUSES.

Mr. FRANK WALSH—Can the Minister of Education say whether it is the normal practice of the Department of Education to call for tenders for school buses?

The Hon. B. PATTINSON—The normal practice is to call for tenders.

COUNTRY COTTAGE HOMES.

Mr. HAMBOUR—My question relates to the Housing Trust cottage homes being built in the country. A great number of people will require them and there will be more applications than homes available. Will the trust consult the local government authority concerned before any allocation is made to obtain its views as to who should have preference?

The Hon. Sir THOMAS PLAYFORD—I will refer the question to the Housing Trust. I do not know to what extent it consults local authorities in this matter.

INDUSTRIES FOR PORT PIRIE.

Mr. RICHES—The following is an extract from a letter I have received from the Trades and Labor Council at Port Pirie:—

As you are no doubt aware, the proposed mechanization of Pirie's waterfront will have an adverse effect on labour requirements; not only will this apply to waterside workers, but to all allied jobs such as transport workers, railways, etc. We feel, therefore, that now is the time for something to be set in motion rather than to wait until such time as the crisis is upon us. Already, through depressed lead markets, we have felt a slight recession in this city, due to the fact that approximately 100 men have been retrenched from the B.H.A.S. Pty. Ltd. As you can well understand, further trends of this kind will result in a degree of hardship being imposed on a large section of the community.

The council asks that action be taken to implement a programme of work for the district. I think the Premier has received correspondence from the Port Pirie Chamber of Commerce and possibly other organizations and has promised to investigate the possibility of assistance to Port Pirie. Has he had an opportunity to examine the position, and, if so, can he make a statement as a result?

The Hon. Sir THOMAS PLAYFORD—I assure all members that any industry that desires Government assistance for its establishment in any country town will receive Government support, either financially or in connection with housing or services. As the result of its own initiative the Government has established one industry at Port Pirie, and if any other proposal for Port Pirie is referred to me it will receive sympathetic consideration.

SOUTH PARA RESERVOIR.

Mr. LAUCKE—Following on the very good rains in the South Para reservoir catchment area, can the Minister of Works indicate the present content of the reservoir?

The Hon. G. G. PEARSON—Anticipating the question I obtained some figures this morning. The rainfall in the catchment area has been beneficial. On October 9 the water held in storage in the reservoir was 4,465,000,000 gallons. For the period from October 9 to this morning the intake was 1,227,000,000 gallons. The reservoir is now more than half full and has in storage 5,692,000,000 gallons.

MOUNT GAMBIER HOSPITAL.

Mr. RALSTON—Recently I had occasion to investigate the postion regarding treatment given at the Mount Gambier Hospital for a notifiable disease. It concerned children suffering from tuberculosis. I found that their parents are obliged to pay for medical treatment, though the hospitalization is free. If they had been treated at the Royal Adelaide Hospital there would have been no hospital charge either. Mount Gambier doctors are doing their utmost to see that children are treated, even if at times it is free treatment, made so by the doctor concerned rebating the medical costs incurred. Can the Premier say whether consideration has been given to the appointment of a house surgeon at the new Mount Gambier hospital, which I understand will be completed in 1959, and which may become a base hospital for the lower South-East, and whether the children will be treated at no cost to the parents, as applies in the metropolitan area?

The Hon. Sir THOMAS PLAYFORD—Costs to the Government at the Royal Adelaide Hospital have been very low because the honoraries have given magnificent service without payment. I think about half of their working time is given in service to the hospital and to the community, for which no charge is made. That system, however, is likely to break down because people cannot keep on giving a service unless they receive some remuneration for it. I will have the question examined, but I cannot give the honourable member any hope that his request will be granted. The tendency

at present is rather for medical officers attending the hospital to require payment for their attendance.

ADELAIDE PUBLIC LIBRARY.

Mr. JOHN CLARK—Recently there has been much press publicity about the requirements of the Adelaide Public Library. Nobody seems to be sure of what is proposed. Can the Minister of Education indicate what plans are in hand for the extension or rebuilding of the library?

The Hon. B. PATTINSON—Officers of the Public Library Board have been in touch with the Architect-in-Chief's department on proposed plans, but they have not yet been approved.

ELECTORAL SUBDIVISION MAPS.

Mr. FRANK WALSH—Has the Premier obtained a report on a question I asked during the debate on the Estimates regarding electoral subdivision maps?

The Hon. Sir THOMAS PLAYFORD—The Deputy Returning Officer (Mr. Phillips), has reported as follows:—

An examination of the new subdivision maps for the metropolitan area reveals the position is not exactly that as described by the member for Edwardstown. The maps for this particular district are very clearly defined. Generally speaking, the metropolitan plans are new. They contain a wealth of detail, and the Lands Department is to be commended on the clarity of the maps produced, which in my opinion adequately meet the needs of electors in determining boundaries. Country maps have also been reproduced and in the main are easy to follow. Certain subdivisional boundaries are sections, or pastoral leases, and present difficulties, but in these cases also the draftsmen have produced maps which, in my opinion, amply fulfil the purpose for which they were produced. Elizabeth is not an electoral subdivision and the fact that it is situated in the middle of the Gawler subdivision makes a detailed map of this town unnecessary for electoral purposes.

WILLESDEN SCHOOL INFANT BLOCK.

Mr. RICHES (on notice)—

1. Has a contract been let for the erection of an infant block at the Willesden primary school?

2. If so, when is it anticipated that a start will be made with the work?

The Hon. B. PATTINSON—Tenders have closed for the construction of the new infant wing at Willesden primary school, and a recommendation for the acceptance of a tender will be made within the next few days. It is anticipated that work would commence in about six weeks from this date.

GOVERNMENT OFFICES, PORT AUGUSTA.

Mr. RICHES (on notice)—What progress has been made with preparations of plans for a new office to accommodate employees of the Engineering and Water Supply Department and the Department of Agriculture at Port Augusta?

The Hon. G. G. PEARSON—Plans have now been completed and a specification is now being prepared. It should be possible to call tenders for this building in a few weeks' time.

PORT AUGUSTA HOSPITAL.

Mr. RICHES (on notice)—When is it proposed to call tenders for the erection of a new maternity wing at the Port Augusta hospital?

The Hon. G. G. PEARSON—It is anticipated that tenders will be called on the 30th of this month.

ROAD TRANSPORT OF WHEAT.

Mr. Frank Walsh for Mr. O'HALLORAN (on notice)—

1. Has a decision been reached that wheat from certain sidings on the Eyre Peninsula system, formerly transported to Port Lincoln by rail, is to be transported by road to facilitate bulk handling of grain in this area?

2. If so, what sidings are involved?

3. What will be the loss in revenue to the Railways Department as a result of such action?

The Hon. G. G. PEARSON—The Government is informed that neither S.A. Co-operative Bulk Handling Limited nor the Australian Wheat Board propose to depart from their past practices of using railway transport where this is available.

STIRLING NORTH TO SALTIA CREEK ROAD.

Mr. RICHES (on notice)—When is it proposed to commence the work of bituminising the road from Stirling North to the stone crushing plant on the Saltia Creek?

The Hon. G. G. PEARSON—The work will be carried out by the District Council of Kanyaka and it is expected that base work will be commenced within one month.

SOLOMONTOWN SCHOOL AMENITIES.

Mr. RICHES (on notice)—

1. Has a request from the Solomontown School Committee been received for the erection of a shelter shed as well as an ablution block at the school?

2. In view of the objection raised to enclosing a verandah in lieu of the provision of a shelter shed is it now proposed to sanction the request of the school committee?

The Hon. B. PATTINSON—The replies are:—

1. Yes.

2. No. It is proposed to erect a new lavatory block.

TEACHER'S RESIDENCE, NAPPERBY SCHOOL.

Mr. RICHES (on notice)—

1. When is it anticipated that a start will be made on the erection of a teacher's residence at the Napperby School?

2. Have tenders been called for this work?

The Hon. B. PATTINSON—The replies are:—

1. During the present financial year.

2. No.

ADELAIDE MUSEUM.

Mr. BYWATERS (on notice)—

1. How many persons over the age of 65 years are employed at the Adelaide Museum?

2. What is the Government's policy on this matter?

3. Was an inquiry held recently into the administration of the museum?

4. If so, what was the reason for such inquiry and will the finding be made public?

The Hon. B. PATTINSON—The replies are:—

1. One in a half-time capacity.

2. The paid employment of over-age persons requires a recommendation from the Public Service Commissioner, whose practice is only to recommend such appointments where there is no suitable person available under the retiring age.

3. No.

4. Vide No. 3.

PUBLIC WORKS COMMITTEE REPORT.

The SPEAKER laid on the table a report of the Public Works Committee on the main to link the Barossa Trunk Main and the Adelaide-Mannum pipeline, together with minutes of evidence.

Ordered that report be printed.

PRICES ACT AMENDMENT BILL.

The Hon. Sir THOMAS PLAYFORD (Premier and Treasurer), having obtained leave, introduced a Bill for an Act to amend the Prices Act, 1948-1957. Read a first time.

LAND SETTLEMENT ACT AMENDMENT BILL.

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

That the Speaker do now leave the Chair and the House resolve itself into a Committee of the Whole for the purpose of considering the following resolution:—That it is desirable to introduce a Bill for an Act to amend the Land Settlement Act, 1944-1957.

Motion carried. Resolution agreed to in Committee and adopted by the House. Bill introduced and read a first time.

BROKEN HILL PROPRIETARY COMPANY'S STEELWORKS INDENTURE BILL.

The Hon. Sir THOMAS PLAYFORD (Premier and Treasurer) brought up the report of the Select Committee, together with minutes of proceedings and evidence.

Ordered that report and minutes be printed.

The Hon. Sir THOMAS PLAYFORD moved—

That the Speaker do now leave the Chair and the House resolve itself into a Committee of the Whole for the purpose of considering the Broken Hill Proprietary Company's Steelworks Indenture Bill.

Motion carried.

In Committee.

Clauses 1 and 2 passed.

Progress reported; Committee to sit again.

ADVANCES FOR HOMES ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 9. Page 1155.)

Mr. SHANNON (Onkaparinga)—Certain remarks passed in this debate regarding advances for housing should be clarified. We should have regard, when considering finance for homes, to the country's obligations that have been incurred for public works, wars, and other purposes. The Commonwealth Bureau of Census and Statistics has published figures which are of considerable importance. Some people think that we have built up assets that we can pledge for the future, but we cannot do as much pledging as they think. From 1914 to 1919 we incurred interest commitments of £8,981,553, of which £6,386,665 was for World War I. From 1939 to 1945 our total interest commitments were £41,662,642, of which £32,830,336 was for the second world war. Those figures show that we cannot fight wars without paying for them.

Much of the debate on this Bill has revolved around the advancement of easy money for housing.

I believe the intentions of those who support this policy are honest, for they believe we should do all we can for unfortunate people who have no homes. Of course, we are all in favour of making money available for this purpose as cheaply as possible, but the figures I have quoted should have some bearing on their thinking. It is the Government's policy to make it as easy as possible for a person to own his own home, but there is no such thing as money for nothing. Those who borrow money to purchase a home realize they have certain obligations and that they will have a valuable asset when they have discharged those obligations. If a man were advanced interest-free money for the purchase of a home I doubt whether he would really appreciate that he was getting something for nothing. I was always advised to be cautious if anyone offered to sell me a gold brick, because there was sure to be a catch in it. If we create a debit against our future prosperity by providing interest-free loans to home investors, those investors will ultimately have to pay through various types of taxation.

We cannot get anything for nothing in this world. I advise those starry-eyed people who think they may be getting something for nothing to examine history. They will discover that we are still paying for World War I. We shall still be paying for it when I am dead and my descendants will be paying for World War II until they are dead. If we provide interest-free loans who will pay the cost? If, as the Opposition suggests, we pass it on to posterity, our children and grandchildren will pay the cost. I suggest that those who reap the benefit and enjoy the privileges of securing homes should pay the cost. If a man agrees to buy a home and on his death has not completed paying for it, he will be leaving an asset in the form of the principal he has paid on the home, and his son, or any other person to whom his estate passes, will take over where he left off.

The Government is wise in making it clear that people cannot have interest-free money for home building. In his wisdom the Treasurer has made available money to provide cottage homes in certain country areas for people on low incomes. I point out that if that money —£368,000—had carried interest and other costs we could not have allowed the people to rent them for £1 a week or one-sixth of their income. It has been suggested that this scheme should be expanded, but this money was allocated for the specific purpose of providing homes for people on low incomes. If we made similar homes available for all people in the community, obviously the State would run into financial difficulty.

I believe most people desire to own their own homes. I wanted to own one and I put down a small deposit and, by making certain economies, was able to meet the payments until I owned it. I may be wrong, but I believe the general public favours that system. If we provide interest-free loans the next step will be to provide free homes. If we say now, "We will give you money interest free; all you have to do is to pay back the principal," the next step will be to ask why we should expect people to pay back the principal. I believe we have reached the stage when we must ask whether we can afford to house the people free of cost, or whether we can afford to house them at some cost. If we decide "at some cost," it brings us back to this Bill, which affords an opportunity for most people to own a home of their own. I do not think anybody will cavil at this legislation, but I wanted to discourage the idea that we can get somewhere money that will cost us nothing.

Mr. JENNINGS (Enfield)—I did not intend to speak but a few words would not be inappropriate after listening to Mr. Shannon. I was interested in his dulcet tone and his remarks about starry-eyed people. As is not unusual lately, he either rose to heights of absurdity or descended to depths of absurdity, whichever way members look at it. He never indulges in half-measures in his absurdities: they are either right up or right down. Today they were probably right up to the highest. He went on to make half-lunatic suggestions that the Bill would encourage people to believe that free houses would be provided.

Mr. Shannon—That is obviously the next step. If interest is free, why not capital?

Mr. JENNINGS—Who would provide the homes if the Government provided them free? It would be nobody but the people themselves. Mr. Shannon also spoke about the debt we are leaving to posterity. When people have their first glimpse of eternity they worry more about posterity than they did formerly. A few years ago the member for Burnside (Mr. Geoffrey Clarke) made what I thought was a pertinent interjection when an Independent member was speaking about the rise in the national debt, and intimating that it was then

£223 14s. 8d. for every child born. Mr. Clarke said, "Well, would you like to sell out your share in Australia for that amount?" That is the point. In building up this debt we are creating great assets. Some critical remarks were made when the Leader of the Opposition spoke about using national credit for public works. Mr. Speaker, I make no apology for getting beyond the scope of the Bill, but Mr. Shannon did not even get within its scope. He said that when we used national credit for war purposes we built things only for destructive purposes and that there were no lasting assets. I think Mr. Jenkins pointed out the other day that we still have our freedom, and certainly we have, but we would have used any sort of credit to maintain our freedom. I do not think charges can be laid against the Labor Party in this matter, but it was the Labor Party that used national credit to help maintain our freedom. When we use the same sort of system in peace time we build great assets, and they grow in stature and value, and more than cover the debt that is incurred.

Coming back to the Bill, it is probably more propaganda than anything else. Only the same amount of money is available as before, but a greater sum is to be allocated to each applicant for a loan. That means that either fewer people will get money to build homes, or the same number of people will get the same amount of money, and in that case there is no need to introduce the Bill. Its introduction is nothing more than a pre-election stunt by the Government and I sincerely believe that, although we must support it, it is a lot of hot air, similar to what we heard from Mr. Shannon. The second reading should be passed because the Leader of the Opposition has a good amendment to move in Committee. I hope it will be accepted and so transform this completely innocuous measure into something worthwhile.

Mr. STOTT secured the adjournment of the debate.

MINING (PETROLEUM) ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 7. Page 1145.)

Mr. O'HALLORAN (Leader of the Opposition)—This Bill makes important amendments to the mining law found necessary to facilitate the search for petroleum in this State, and I see nothing to which objection can be taken. It seems that when we passed the original Act in 1940 we were over-cautious in the matter of controls and the Bill proposes a considerable relaxation of them. Mainly, it becomes necessary because of the migration to Australia of the Delhi-Taylor Corporation of the United States of America and the prospecting agreement made between this corporation, Santos and the Government, particularly in relation to prospecting in the north-eastern corner of the State where, I understand, favourable geological structures have been discovered, encouraging the belief that oil may be found provided proper methods of drilling and prospecting are applied. Perhaps the necessity for the amendments contained in this Bill could have been overcome by an agreement between the two companies, because it seems that there is substantial agreement now. The comparatively large area to be prospected under a prospecting right is to be quartered off into squares so that if anything is found on one square the other company will have the right to the adjoining square: that is how I interpret the Bill. I see no objection to these amendments, because they will not only facilitate the search for oil in this area, but subsequently be useful elsewhere.

I believe at the time we passed the 1940 legislation a feeling was abroad that there was a possibility of a wealthy overseas oil interest discovering useful oil prospects in this State and closing them down, perhaps for years, until it was in a position to exploit them in its own favour. Subsequent world events have, I think, dispelled any possibility of that happening—a vast amount of money has been spent on oil searches in Australia by various overseas companies since then. I see no reason why some of the precautionary provisions should not be eliminated by this Bill. I have a keen interest in the part of the State concerned, as it is part of my own electorate—a part not very well favoured climatically at the moment. Despite the recent beneficial rains that have favoured practically the whole State, this corner remains dry, and to keep people in this area which, under natural conditions, would remain a very sparsely populated part of the State, it would be of great assistance to establish some important industry. In addition, there is the inestimable benefit that would flow from the discovery of oil in commercial quantities in this State. For these reasons, I have pleasure in supporting the second reading.

Bill read a second time, and taken through its remaining stages.

HOMES ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from September 17. Page 775.)

Mr. O'HALLORAN (Leader of the Opposition)—As this Bill is largely consequential on another Bill that has been adjourned, and I would prefer to speak on it after the debate on the other measure has been completed, I ask leave to continue my remarks.

Leave granted; debate adjourned.

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

Adjourned debate on second reading.

(Continued from September 17. Page 776.)

Mr. DUNSTAN (Norwood)—I support the second reading, but I think members should be quite clear on certain things before voting on the Bill. Basically, the major provision of the measure is to extend for a further year the Landlord and Tenant (Control of Rents) Act. I agree that control over rents and recovery of premises is vital for the well-being of this State and for the protection of people at a time when rental houses are scarce and the demand far exceeds the supply. For some time a very difficult situation has faced people requiring rental housing. This has been particularly so in my own district. The number of houses under control is being steadily reduced; it does not represent an enormous proportion of the rental houses in this State, for no Housing Trust homes are under this legislation, and as rented homes fall vacant, there is a provision in section 6 that upon the signing of a lease in writing for varying terms the premises in question are removed from rent control, and in some cases from the recovery provisions of the Act. This simply means that when a house falls vacant the landlord requires the tenant to sign a lease, and at that stage the sky becomes the limit. I have previously asked the House to put some sort of a ceiling on rentals in this class because in many cases they have been out of all proportion either to the original investment or to the decreases in the value of money.

I can instance many cases in my own district in which people have been looking for houses, and the increase in rental demanded by the landlord on a house falling vacant has been colossal. I know of three-roomed houses in poor condition for which, under control, rents would have been fixed at 35s. a week, but for which the landlord is demanding £7 or £8 a week. In desperation, because they have nowhere else to go, people go into these places. I know of a man with a number of children who had to go into a house in this way because he had no money to put down as a deposit because heavy hospital bills deprived him of any accumulated funds he may have had originally. The children are suffering because from what is left of his wage after paying the high rent, he cannot provide them with sufficient food and decent clothing. This is a shocking situation, and last year I begged the House to put a ceiling upon rentals of this kind of 100 per cent above the last controlled rental obtainable. That would mean that the landlord could go to the Housing Trust and ask, "What would be the controlled rent on my dwelling?" and he could then charge up to twice that amount.

Mr. Jennings—That would be a generous provision.

Mr. DUNSTAN—Yes, far and away more than the decrease in the value of money or the increase in the "C" series index. Of course, the landlord could already get an increase of 40 per cent on the 1939 rent, plus extra cost of outgoings, and my provision would enable him to double that figure, but members opposite would not agree to it. The housing position in my district is causing great alarm and despondency, and I am sure many other members know of cases similar to those in my district.

Mr. O'Halloran—Hear, hear!

Mr. DUNSTAN—I know of many old people on a pension or a small fixed income who are searching for rental houses. The provision that the Housing Trust makes for these people does not amount to a drop in the ocean compared to the demand, and I have seen poor, old people put on the street without anywhere to go. One woman and her invalid pensioner daughter who lived near me were put on the street because the landlord required the house for demolition so that the land could be sold to a concern which intended to use it as an entrance to a proposed new picture theatre. They had to go on the street, though the Housing Trust had been warned six months previously that an emergency was likely to arise. The trust said it was unable to accommodate these people, and the policeman who evicted them was very upset by having to do it. I managed to arrange for them to be accomodated in a church hall of my local parish for a time. They were there with a few sticks of furniture, and some time later I managed to find them rooms in Norwood for which they had to pay £4 a week.

However, after paying that, they were left with insufficient from their two pensions to carry on. A situation such as that is a horrifying one. Assistance was given to these people by neighbours and certain organizations, such as "Meals on Wheels," but they were in extremely straitened circumstances as a result of their ordeal.

That was a case where I managed to find a place for people who had been evicted, but in other cases I have not been able to find any satisfactory accommodation. I have known old people in my district who have been evicted and their furniture has been placed under the trees at the rear of the St. Peters Corporation's land. The only accommodation available to people such as these is at prices which are prohibitive for people on the lower income levels. A wage-earner is placed in a situation where he is unable to feed and clothe his family adequately if he provides a roof over their heads. I believe a fair deal can be given to landlords without their being placed in a position where their rapacity leads to exploitation of tenants. I admit that not all landlords are rapacious, but some are, and they take advantage of the extreme shortage of rental houses.

When people in my district apply to the Housing Trust for rental houses they are told they will have to wait four to five years, but the waiting period is seven years unless they suddenly discover some work in Elizabeth, and that is like trying to find diamonds now. From what I have said it should be obvious that we cannot further relax the provisions of the Act, for the shortage of rental housing is too great. Neither the recovery sections nor the rent control sections should be relaxed; in fact, they should be tightened up in some ways. Some sort of rental ceiling must still obtain; the shortage of housing is just as great as the shortage of certain goods which are still under price control; and we should have some overall control rather than a partial control upon a small section of rental housing. However, the Government rejected my previous overtures on these points, and I do not propose to again introduce amendments that have previously failed. I had some slight success last year when I introduced an amendment to the recovery sections of the Act which has resulted in a number of cases for recovery, which would have been unfair to the tenant if successful, not being brought before the court. Unfortunately, the situation is still very difficult for tenants who face eviction and need rental houses.

Clause 3 seems to me to make confusion worse confounded in this Act. The Act is an extremely complicated one. It has been complicated by the fact that some attempt at some time has been made to overcome every conceivable difficulty and hardship. Often amendments appear to have been put in without members being fully aware of the various provisions contained in the Act, and the Parliamentary Draftsman is by no means entirely responsible for the complicated Act we now have. Clause 3 attempts to make some provision for a situation which has arisen apparently out of a judgment of His Honour Judge Gillespie in the local court. With great respect to His Honour, I think his judgment was clearly wrong. I do not think clause 3 will remain for long, for I believe members opposite will want it altered next year. In my opinion the clause will result in a feast for the legal profession, and though I am not averse to a little extra remuneration, I do not believe it is proper for me, as a member of the legislature, to allow the provision to be inserted on that basis. Many people believe that a lease means a document in writing, but under the Act it does not. The Act states:—

> "Lease" includes every contract for the letting or subletting of any premises, whether the contract is made orally, in writing, or by deed, and includes a contract for the letting or subletting of any premises. . . .

In effect, if a person goes into a property and pays rent he has a lease within the meaning of the Act. Some leases may be for a particular term, and members should note what section 4 (2) states:—

> For the purpose of this Act, "lessee" includes a person who remains in possession of premises after the termination of his lease of the premises, and "lessor" has a corresponding meaning.

As long as the tenant is still in possession of the premises, he is a lessee after the lease has expired. Members will remember that the Act has been amended so that leases in writing for a period of two years or more are now outside the provisions of the legislation. Most people have always believed, I think rightly, that that means that if a lessee remains in possession of the premises after the expiry of the lease, the premises are still not within the Act. I have not yet had the opportunity of reading Judge Gillespie's judgment, but it seems that His Honour found that when a tenant remained in possession after the termination of the period of the lease, the Act applies. Under these circumstances it is proposed to insert

clause 3, but I believe some shorter provision could have been inserted making it clear that the Act did not apply to any holding over by the lessee. It is proposed to insert a new section 60a in the Act as follows:—

(1) If at the expiration of the term of a lease in writing of a dwellinghouse to which lease the provisions of this Act relating to the recovery of possession of premises, by virtue of paragraph (*c*), (*d*), or (*e*), of subsection (2) or of subsection (2a) of section 6 do not apply, the lessee continues in possession of the dwellinghouse, then the following provisions shall apply:—

I. At any time within one month after the expiration of the said term, a notice to quit for a period of seven days or any longer period may be given to the lessee by the lessor and the provisions of this Part shall not apply with reference to the notice to quit: Provided that nothing in this paragraph shall allow the giving of notice to quit for a period shorter than the period which, but for this paragraph, would be required:

II. Within three months after the expiration of the period of the notice to quit, proceedings may be commenced by the lessor for the recovery of the possession of the dwellinghouse from the lessee or for the ejectment of the lessee therefrom and the provisions of this Part shall not apply with respect to those proceedings nor, for the purpose of those proceedings, to the dwellinghouse.

Let me explain this position to honourable members. In leases for a certain period there is no necessity to give notice to quit at the expiry of that period. If the lease is for a period certain then the lease expires automatically at the end of that period and in common law a notice to quit does not have to be given. The common law applies. If now it is provided by this legislation that a notice to quit has to be given then in fact the premises are going to come back under the Act because we will create what is called a "statutory tenancy"—a tenancy not recognized by common law. Many of the tenancies under the Landlord and Tenant (Control of Rents) Act are statutory tenancies; there by force of a particular statute but not recognized by common law. If we provide that it is necessary to give a notice to quit—which is not necessary at common law—we provide a statutory tenancy and at the end of the period a tenant may go to the Housing Trust and apply for the re-application of the rent control provision.

This may be good for the tenant. I believe in a ceiling restriction being placed on the rental of premises, but it seems to me that we are going to get into a most hopelessly confused situation. I do not think it would stand for very long. It will go to the court and will provide a feast for lawyers and at the end of a period the Legislature will be required to undo what it did a few months previously because obviously it is unfair to put a landlord in a position where he expects to be able to make certain arrangements for letting his house at a certain rental and then say to him, "Well now, we suddenly realize that because you cannot get this man out except by creating a statutory tenancy, you have to give him a notice to quit that you do not have to give him at common law. Therefore, automatically the rent control provisions will apply to you while that tenant is still there even though you have not tried in any way to increase the rental he agreed to pay." It seems to me that that is not the intention of the Legislature. If we desire to do certain things let us be clear about what we are doing. Some slight gain might be given to a tenant by this type of legislation, but I think in certain instances it would be unfair suddenly to bring premises back under the blanket rent control provisions. Certainly it would not operate for very long because the tenant could be got out, but it would take four months to get him out. Landlords would become wary of the situation facing them in letting their premises.

I think it would be fair simply to provide that where there is a holding over after the expiry of a term of years certain, the Act should not apply to the holding over. However, if a new tenancy is created by an alteration of the rent—because once the rental is altered there is a new agreement for tenancy—and unless there is a new term of years created in writing, then the rent control provisions would immediately apply. Of course, the landlord could immediately execute a new term of years in the circumstances, but he might find his tenant unwilling to agree and there would be untold trouble and confusion arising to landlords and tenants at the expiry of a term of years certain under this proposed new section.

It seems to me that what we are doing by this new section is to forget the ordinary provisions of the original Landlord and Tenant Act. There are quite stringent provisions protecting tenants from improper forfeiture and the like—provisions that are sometimes forgotten by landlords to their cost. I have known of landlords who seem to think that

because premises are removed from the Control of Rents Act they can go ahead and pitch tenants out on their ears, but they find they are very wrong and that the tenant is not without protection under the common law. If we are going to create a series of new fictional statutory tenancies—and that is the inevitable consequence of this proposed new section—quite frankly I believe we will get into a fearsome mess. With that in view I would ask the Government to reconsider this matter. I have been endeavouring to think out some form of amendment to meet the bill but unfortunately as yet I have not been able to study Mr. Gillespie's judgment in detail to ascertain exactly what situation has to be met. I have had some discussions with the Parliamentary Draftsman on the subject and appreciate what he is trying to do in the circumstances, but with great respect I think we are going to make the situation worse rather than better by this proposed new section.

I would ask the Government to have another look at this matter and before we get into Committee to give me an opportunity to see the judgment so that I might draft an amendment to make the position clear and to enable us to cope with the position arising from His Honor's judgment without creating the confusion of further implied statutory tenancies. I support the second reading but will have more to say in Committee.

Mr. MILLHOUSE (Mitcham)—I regret that I do not feel able to support the second reading of this Bill despite the hard thought I have given to the legislation since I last spoke, 12 months ago, on a similar Bill. Since then there have been two sets of circumstances which might have led me to change my mind. Firstly, there was the debate subsequent to my speech on the Bill in 1957, and then the conference between the managers of the two Houses over the disagreement which arose. It was a tremendous experience to be appointed a manager for this House and to take part in the conference. As a result of the discussions I am certainly better informed of the varying viewpoints of members of this House and of the Legislative Council. Of course, once the conference was under way our individual points of view were irrelevant because we were there to champion the viewpoint of our particular House. However, I certainly now understand much of the Government's point of view and, I think, that of Opposition members: but even so, my own views have not changed.

I also referred to the second reading debate subsequent to my own speech in 1957. A number of members criticized what I said, but I felt that, though there was some more or less personal criticism, not much was said to break down my arguments. The member for Gawler (Mr. John Clark) purported to answer what he termed the "famous five points" I had put forward. In the last few days I have read right through the second reading debate of last year to see whether any of the matters I then raised were adequately answered, but none was. Mr. Clark purported to answer the points I made *seriatim*. The first of my points was that I believed it the right of every owner to choose his own tenant and name his own rent. I contended that that was implicit in the very concept of ownership. Mr. Clark, in answer, said that the tenant had rights too. I entirely agree with that, but he did not say what those rights were or how they affected the rights of the owner, so I do not think he carried the first point any further than I did.

The second point I made—and I make it again—was that the war-time conditions which gave rise to this emergency legislation had passed, that the war had been over for 13 years, but that the legislation remained upon our Statute Book. Mr. Clark said that the emergency conditions which were created by the war had not ended, and in a way he is right. Despite what is said from time to time, all members too frequently have cases of hardship occasioned through the shortage of houses brought to their notice, but I point out that, no matter what the housing conditions or what the conditions in the community, there are always weaker members of the community unable to look after themselves. I do not suggest for one moment that such people should be allowed to go to the wall: it is our plain and Christian duty to help people not able to help themselves; but I do not believe that the individual cases we all hear about and which affect us deeply justify a continuation of this legislation. In answer to the criticism of me on this point, I say that even though such cases of hardship do occur and will continue to occur whatever our legislation, they do not justitfy our maintaining this legislation.

The third point I made last year was that the very presence of this Act on our Statute Book discouraged private investments in house building for rental purposes. Members replied to that by saying that since 1953 new houses have not been controlled, and that is so, but so long as we have the statute it will be a

severe discouragement to private investment. Memories are long and people do not forget the injustices that landlords have suffered under the legislation. It will be a long time before impressions disappear and they will not start to disappear until the Act lapses. The fourth point made was that because of present arrangements the Housing Trust has become the biggest landlord in the State. Mr. Clark said that was a good thing but I do not think so, because we are on the road to Socialism when that sort of thing happens, and I believe that is not good for any community. Members opposite will disagree, but that is how I view the position. The present trend is towards Socialism in the housing field.

Mr. Riches—Would you leave the homeless to the mercy of private enterprise?

Mr. MILLHOUSE—That is a question that cannot be answered now. I would not leave the homeless to the mercy of anybody. In nine cases out of 10 these people are unable to look after themselves and it is our duty to help them. It does not matter how the help is given, whether by private or State enterprise; we must give it, so the question is irrelevant. The fifth point made last year was that because of the legislation our stock of older houses is depreciating because landlords are not able to spend enough money on repairs. Mr. Clark said that if the people had no pride of ownership they did not deserve to own houses. Of course, that entirely begs the question. My point was that it is financially impossible for people to keep the houses in repair because they do not get sufficient return from them, and that is the position today. Mr. Clark was the only member who attempted to answer in detail the points I made last year, and, although I gave his remarks the greatest consideration, I could not see that he answered any of them. I forgot to mention that he tried to answer my third point, the discouragement of private investment, in a way that I could not follow. It did not make sense to me.

Mr. Lawn—That is understandable.

Mr. MILLHOUSE—I do not want to reflect on anybody.

Mr. John Clark—It is not a reflection when the answer comes 12 months later.

Mr. MILLHOUSE—I read the *Hansard* report to see whether my points had been answered. That is why I spent so much time going through the honourable member's speech.

Mr. John Clark—I am happy that you read my speech.

Mr. MILLHOUSE—I was clutching at any straw. Mr. Lawn also made a long speech on the Bill last year, but I do not intend to go through it point by point because it did not help me in deciding whether I was right or wrong. A number of Government members spoke on the Bill last year. Only two besides myself opposed the second reading, the members for Victoria and Barossa. Other members said they did not like the measure.

Mr. Jennings—They voted for it.

Mr. MILLHOUSE—Yes, for one reason or another.

Mr. Jennings—They are becoming inspired Socialists.

Mr. Hambour—No. They voted for it because there was no alternative.

Mr. MILLHOUSE—Mr. Hambour said last year that I did not put forward any alternative and reprimanded me for opposing the legislation on principle. I suggest that there is an alternative to control and that is to have no control at all—a free market. I want to develop that point.

Mr. Hambour—What would you do with hardship cases?

Mr. MILLHOUSE—I have already said that under any system we must try to relieve hardship, but there will be no less hardship under the present system than if there were no controls at all.

Mr. JOHN CLARK—Who would do it?

Mr. MILLHOUSE—We have had controls only since 1939 and my answer to the interjection is, "Who did it before?" It had to be done and it will be done again. I do not want to be side-tracked because I want to develop the point that the legislation should lapse. First of all it would relieve one section of the community from being unjustly penalized for the benefit of the whole community. Secondly, it would not affect the total stock of houses available for habitation.

Mr. Hambour—That's obvious.

Mr. MILLHOUSE—Yes. It would not deprive people of houses; on the contrary it would encourage building by private investors. Thirdly, it would encourage private investment in building for rental purposes. Fourthly (and this is most important), it would rid us of controls which restrict the freedom of the individual and which, of course, breed all sorts of evils. For instance, they breed an attitude of meanness and attempts to evade the principles of the legislation, and this lowers the level of business morality. These things would result if the legislation were allowed to lapse.

Let us consider what is happening in other parts of the world where such steps have been taken. Members know that at present in Great Britain rent restrictions are considerably curtailed with a view to their eventual abandonment. There has been a continuous period of rent control and restriction in Great Britain since early in 1915. It was introduced as a result of the emergency created by World War I. Rents were pegged at the level of August, 1914, and evictions were strictly controlled. At first it was meant to be a temporary measure, to end six months after the cessation of hostilities; but when the war ended in 1918 it was found that there was a greater housing emergency than there had been in 1915, and controls were increased until in 1920 about 98 per cent of all dwellings let for rental were controlled. In fits and starts over the next 18 years there were measures of decontrol, but in 1939, when World War II began, about 30 per cent of all dwellings let for rent were still under control. At that time they had been under control for 25 years. In September, 1939, control was reimposed on virtually all rental dwellings, and remained until the end of the war. Therefore, some of the houses had been under control for about 30 years. Unfortunately a Labor Government was in power in Great Britain after World War II and no substantial progress was made in overcoming the housing lag until a Conservative Government took office in 1951. The Labor Government tried to overcome the housing problem by means of public enterprise, and introduced a number of council housing schemes. As I said, when the Labor Government went out of office in 1951 little progress had been made.

Mr. Jennings—You are on dangerous ground there.

Mr. MILLHOUSE—The honourable member will have an opportunity, as he did last year but failed to take, to answer what I am saying. Between 1951 and 1956, under a Conservative Government, the position improved considerably. During that period more than 2,000,000 houses were built compared with about 1,000,000 during the time of the Labor Government.

Mr. Clark—Migration may have helped.

Mr. MILLHOUSE—I agree that there has been some migration from Great Britain, but the figures show that the population there is increasing, not decreasing. Let us also remember the number of houses demolished by the blitz.

Mr. Hambour—You overlooked the fact that the people in England tightened their belts, but Australians refused to do so.

Mr. MILLHOUSE—That may be so, but I will leave that to the member for Light to develop, although I cannot see that it is relevant. By 1956 considerable progress had been made in overcoming the housing shortage in that country, and the Government felt it could embark on a measure of decontrol after 41 years of control. In June, 1957, too soon before our debate last year for us to draw any conclusions from it, the law was altered substantially to remove controls in Great Britain. The legislation provided that over one-half of the 11,500,000 rental homes in Great Britain would be freed from rent control, and that most of those still suffering from control would have considerably increased rentals to make up for what had been forbidden under control. A period of 15 months was allowed before those proposals would come into effect, and in the meantime agreements between landlords and tenants for new tenancies free from control could be entered into. Subsequently to that Act the Labor Party in Great Britain said that if it were returned to power it would, not nationalize—that word was not used—but municipalize housing. That meant there would be public ownership through municipal bodies. As one could well imagine, this caused considerable consternation amongst landlords, and led many of them to try to sell who would not otherwise have done so. This caused some cases of hardship, and it was mainly due to this statement of the Labor Party that it was necessary to amend the law again to provide that tenants who fulfilled certain conditions could obtain a stay of eviction. The point I have been leading up to is that at the time of the 1957 Act in Great Britain there was a good deal of opposition on the grounds we hear year after year from the Opposition in this Parliament, that it would be unjust, that tenants would suffer, that landlords would be unconscionable, and so on. I well remember that in November last, when this Bill was being discussed in this House, the member for Norwood said—although not in this House—that there had been a great revulsion against the decontrol of rents in Great Britain. I well remember the word he used, because it so well described what he wanted to say. At that time the stocks of the Conservative Government in Great Britain appeared to slump and people said it was because of decontrol, but we now find that the legislation has been entirely

accepted by the British people. The Socialist Party is again in the doldrums.

Mr. John Clark—Is that why it won all the by-elections?

Mr. Riches—Is that why it won the municipal elections?

Mr. MILLHOUSE—Let members opposite answer the Gallup Poll figures.

Mr. Riches—Read the figures for the municipal elections.

Mr. MILLHOUSE—I am not talking about them.

Mr. Loveday—The stocks of the Prime Minister have never been lower.

Mr. MILLHOUSE—His stocks have never been higher. Gallup Polls show that the Labor Party would be overwhelmingly defeated if an election were held now. When decontrol was decided upon a great deal of discontent was fermented by members of the Labor Party, but that has disappeared, and the position has been accepted because it is realized that decontrol is wise. I suggest that what is so in Great Britain also applies here. I shall look forward to the contributions of the members for Whyalla and Gawler, and probably the member for Stuart will tell me where I am wrong. I welcome that, because I know I am one of a small minority in this House on this matter.

Mr. John Clark—There is no point in our debating what the sensible members on your side agree with anyway.

Mr. MILLHOUSE—That may be so, but one would think the member for Gawler would have more charity towards a young member. What is the reason for the continuance of control? The answer, of course, is that houses subject to control are those used for the purposes of the C series index. It is common knowledge that the rental ingredient in that index is that of four or five-roomed houses built before the war, as these are the houses that are substantially under rent control. As time goes on the proportion of such houses to the total of rental housing gets smaller and smaller, which means that to that extent the C series index figures are distorted and depressed below what one would consider to be the appropriate level in this State. It is strange that the Labor Party does not see that and press for decontrol. It should be either all houses or no houses, because only in that way can we remove this distortion. One would think the Labor Party would realize that the higher the C series figure the greater their ammunition for an increase in wages, and that they would be the first to encourage the building of houses for rental, because we all know that members of that Party do not encourage people to buy their own homes: their policy is to have as many people as possible in rental homes.

Mr. Fred Walsh—Did you ever hear of the Thousand Homes?

Mr. MILLHOUSE—Yes, they are in my district. It made quite an impression on people in this State when Mr. J. J. Dedman, one of the senior members of the Federal Labor Government, said something along the lines I mentioned. I have never heard what he said repeated by members of his own Party. He said he would not be a party to making capitalists of the workers of Australia.

Mr. Fred Walsh—You make sure of that.

Mr. MILLHOUSE—I intend to do so. In 1945, as reported on page 6265 of Federal *Hansard* for that year, Mr. Dedman, when a Commonwealth Minister, said:—

> The Commonwealth Government is concerned to provide adequate and good housing for the workers; it is not concerned with making workers into little capitalists.

Mr. Anthoney then said:—

> In other words, it is not concerned with making them home owners?

Mr. Dedman went on:—

> If there is any criticism which may be directed against the policies of past Governments supported by the present Opposition, it is this: Too much of their legislative programmes was deliberately designed to place the workers in a position in which they would have a vested interest in the continuance of capitalism. That is a policy which will not have my support, at any rate.

Mr. Fred Walsh—I asked you about the Thousand Homes.

Mr. MILLHOUSE—The member for West Torrens will have an adequate opportunity to answer me. The late Mr. Archie Cameron said next day:—

> The honourable gentleman made it clear that Socialism could not be established if private individuals were permitted to own property.

Mr. Dedman said:—

> I did not say anything of the kind.

Mr. Cameron said:—

> Oh, yes, the honourable gentleman did, and we shall watch the *Hansard* proofs closely.

Mr. Dedman said:—

> I also shall be watching the *Hansard* report of the honourable member's remarks.

In other words, Mr. Dedman said he would not be a party to making workers little capitalists: he would not be a party to their owning their own homes. I read that report from Commonwealth *Hansard* because Mr.

Dedman believed that once workers had a stake in the country they would hardly be willing to accept the principles and practices of Socialism, and I believe that is still the view of members opposite.

Mr. Fred Walsh—Mr. Dedman was not a Socialist.

Mr. MILLHOUSE—That is an extraordinary statement. He was certainly a Minister in an avowedly Socialistic Government. If the Labor Party made one of its many blunders in appointing him to the Ministry we cannot do anything about it, but the implication is that he was a Socialist.

Mr. Riches—What about the Thousand Homes?

Mr. MILLHOUSE—We shall hear all about the Thousand Homes from members opposite in due course; I am only stating what was apparently the policy of the Labor Party in 1945.

Mr. Fred Walsh—You are not in accord with the policy of your own Party on this Bill.

Mr. MILLHOUSE—I think I am. I believe it is common ground that this legislation results in great hardship to one section of the community. It is class legislation of the worst type. It penalizes one section of the community for the benefit of the community as a whole, and I cannot support such legislation. As the years go by it becomes more and more unfair to that one section. Firstly, the proportion of houses under control is getting smaller all the time because new houses are being built, principally by the Housing Trust, and houses already built are coming out of control as time passes, yet the burden remains just as heavy on the landlords affected by the Act. Secondly, the legislation becomes more and more unfair from the landlord's point of view because he has to bear these controls for a longer time though he sees other property owners not labouring under these controls.

The legislation is even unfair to many tenants. The rents paid by tenants of houses under the provisions of the Act are lower than the rents of houses outside the Act, and lower than the rents paid for houses built by the Housing Trust in recent years. To the tenant of houses for which a high rent has been fixed there seems to be no rhyme or reason why that should be so. We also have the problem of "under occupation." The tenant of a house which is under the provisions of the Act has a vested interest in remaining in it, whether or not he needs all the accommodation provided. Many people who have raised a family find they do not need a large house when their children marry and leave them, but they probably stay where they are because they cannot get any other accommodation as cheaply. Many dwellings under control are not being occupied as they would be if they were not subject to control.

Mr. John Clark—Where would the tenants go?

Mr. MILLHOUSE—I have already pointed out that the abandonment of these controls would not lead to any diminution in the total number of houses available for habitation. It would merely bring about a re-arrangement of occupation. If there were no controls people not needing large houses would leave them and they could be occupied by families requiring many rooms. Perhaps members opposite can answer me on that point, for I can see no answer to it at present. Of all legislation, this is perhaps the easiest on which to allow the heart to rule the head. We all know cases of real hardship where people require houses, but we must not allow them to warp our judgment. I hope I am just as sincere as other members in wanting to overcome the housing shortage, but the present legislation does not present the best method of dealing with this problem.

Mr. John Clark—Wouldn't you expect all other Government supporters to agree with you?

Mr. MILLHOUSE—I would, and I regret they do not. Last year there were three members on this side who opposed the second reading outright. Others said they did not like the legislation, and it is common ground that no member on this side likes it.

Mr. O'Halloran—There is no alternative.

Mr. MILLHOUSE—I have already tried to deal with that aspect, and I do not propose to go over it again. The only disagreement on this side of the House is in regard to the speed with which controls can be abandoned, but I believe they can be abandoned forthwith. However, most members on this side of the House believe they have to be relaxed gradually. Members opposite would make these controls permanent, for their outlook and philosophy is one of restriction and control. I hope that as time goes on more and more members will be able to see, as I see now, that the best way to end the housing shortage is the abandonment of this legislation.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Progress reported; Committee to sit again.

ROAD TRAFFIC ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 8. Page 1131.)

Mr. O'HALLORAN (Leader of the Opposition)—This Bill deals with a problem which has arisen as a result of a recent judgment by Mr. Justice Mayo. There seems to be some doubt whether the rider of a motor cycle should be treated differently under the Act from the driver of a motor car, or the rider of a horse or a push cycle, and the Bill has been introduced to make it clear that he shall be treated in the same way as they. As the measure clarifies the Act I support the second reading.

Bill read a second time and taken through its remaining stages.

RIVER MURRAY WATERS ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 8. Page 1133.)

Mr. O'HALLORAN (Leader of the Opposition)—This is another of the Bills to which the Opposition offers no objection. I shall not discuss its provisions at length but will briefly consider some of its historical background. Members will recall that when the recent agreement was formulated and it was suggested that it would be submitted to the Federal Parliament and to the Parliaments of New South Wales and Victoria, South Australia was denied the right to see it until it had been signed. I was one of many who protested vigorously on behalf of the Opposition at the peremptory way South Australia was being treated, particularly by the Federal Government. Subsequently the agreement was signed and a stage was reached when it became necessary for this State to issue a writ in order to protect its undoubted rights. That move by the Government had the Opposition's unanimous support and I am pleased that as a result of that rather extreme step, which the Liberal Government of this State had to take to secure elementary justice from the Liberal Government of the Comonwealth, an agreement has been signed which does protect South Australia's interests.

Mr. BYWATERS (Murray)—I shall not speak for long on this matter because I do not oppose the Bill. However, it is a pity we had to resort to such extreme action to secure our rights. South Australians are taxpayers and are entitled to their fair share of River Murray waters. Although at the moment South Australia is not making full use of the water available to it under the previous agreement, the time will come when we shall have to make further use of the Murray. I can visualize the time when there will be close and intense cultivation all along the Murray.

I read in the press at the weekend that vegetable growers were being forced from the metropolitan area because of the high cost of land. It is quite clear to all sensible people that the logical place for vegetable production is adjacent to the Murray and with our increasing population it will become necessary to make further use of the waters of this great river. As primary producers it is our duty to see that other countries are provided with food and I believe that adjacent to the Murray suitable food can be grown. The Government had the full support of the Opposition in protecting the State's rights. However, it is a pity that the Federal Government did not provide for our rights and obviate the necessity for our taking such drastic steps.

Mr. Fred Walsh—What did the Liberal senators do?

Mr. BYWATERS—They did not see fit to support their own State. According to my reading of the agreement it will provide additional water to South Australia only in times of drought and New South Wales and Victoria will get the bulk of the water. I believe the time will come when we may have to ask for more. Although various authorities have stated that we are only using one-third of our present allocation I believe that before very long—and probably under a Labor Government—South Australia may need more.

The Hon. D. N. Brookman—You are only making a political speech.

Mr. BYWATERS—I am not, because I firmly believe the time will come when we will make more use of the Murray than at present.

Mr. HAMBOUR (Light)—I support the second reading and take this opportunity of congratulating the Government, the Premier and the officers concerned on introducing this Bill, which represents a satisfactory solution of the difficulties that arose over the agreement. It will have some impact on that part of my district which fronts the Murray. In the last 12 months the development along the River Murray frontage has been tremendous, and I hope it will continue to the stage when there is no river frontage available for further development. Many people today are availing themselves of the river for producing food for storage. People with dry areas secure a small acreage on

the river frontage which they plant to lucerne to provide reserve fodder in dry years.

I am sure that the people in other parts of the State are not fully aware of the value that can be obtained from utilizing the areas adjacent to the Murray. Only last week agreement was reached whereby seven motor pumps, with capacities of 40 to 80 horsepower, will be put in and used solely for irrigation purposes and the Electricity Trust has tried to expedite the extension of lines to satisfy the wants of the primary producers. This legislation will give the primary producers an assurance of water in times of need and I am sure the people in my district who are affected will be delighted.

Mr. KING (Chaffey)—I support the second reading and join with those members who have congratulated the Premier of South Australia on the battle he put up to have the agreement revised and presented in its present form. I believe that the Liberal senators in the Federal sphere adopted the proper attitude when this matter was before the Federal Parliament because of the assurances they had been given—assurances which were honoured by later events—that the Government would make necessary amendments.

Mr. O'Halloran—Why didn't the Government give those assurances to the South Australian Government?

Mr. KING—The Liberal senators conducted their discussions with the Prime Minister. I remind honourable members that the initiative in taking action to secure our rights was taken by the South Australian Government and that the Labor senators were merely trying to get on the band waggon and stir up trouble to make political capital from it. However, this agreement fully justifies the attitude taken by the Liberal senators and by the South Australian Government. It has the unqualified support of the people of South Australia, particularly those on the River Murray. I do not think it is generally realized that our only perennial stream of any magnitude is the River Murray, which runs for 400 miles through this State. Apart from irrigation it has proved to be a veritable lifeline for industry, something upon which the present development of this State has grown and upon which the future development must depend. One has only to refer to the Morgan-Whyalla pipeline, which has meant so much to people in various parts of the State. The Adelaide-Mannum pipeline saved the day for city people when water restrictions were imminent. Now we have inter-connected systems, which share the water coming through the pipeline. I understand that of the 8,000 miles of main serving South Australia, 6,000 miles carry River Murray water. About 90 per cent of our population depends wholly or partly on the water that is pumped over the Mount Lofty ranges to a height of 1,500ft. or more. We must remember that our present water supplies, apart from the River Murray, are based on streams that flow intermittently. Through threats of restrictions we have been warned of what can happen in a dry year. The quantity of water to come to us under the agreement has made the position safe. It is obvious from the facts and figures I have given that the future of South Australia is closely bound up with the future of the River Murray.

Mr. Stephens—What is to happen if we have too much water?

Mr. KING—We hope that future control will help to alleviate any flood danger. I doubt whether any means devised by man could have regulated materially the conditions that preceded the 1956 flood, but much could be done by reafforestation in the catchment areas, and there could be similar measures.

Mr. Stephens—Could we not divert some of the water so as to avoid floods?

Mr. KING—Not under those flood conditions, but perhaps when there is not so much water in the river. The average annual increase in water consumption over the last 11 years has been nearly 8 per cent, which means that the demand on water reticulation schemes and storages will continue to grow. We must remember that the River Murray is not an inexhaustible source of supply. Its watershed and tributary systems cover one-seventh of the eastern part of the continent which is subject to drought, and under those conditions the flow of water drops to about one-tenth of the normal flow. It is unfortunate that when that happens, in South Australia we have periods of poor precipitation or droughts. The greatest demand on the River Murray water will come at the same time as the quantity of water coming from the eastern watershed is at its lowest. Therefore, we must keep a close watch on our water resources and make the best use of what we have. This water from the River Murray must be lifted over the Mount Lofty range on its way to Adelaide and it means a huge expense, but it must be faced by the people who require the water. If we take a long view, we must realize that at the rate of progress in Adelaide, which under a capable Liberal Administration must

continue at an ever-increasing rate, the water pumped over the Mount Lofty range will be at the cost of irrigation for food production. It could possibly limit the capacity to grow food under pasture, produce more fruit and increase the number of livestock. At present there are 58,000 acres of land under irrigation on the Murray flats and in the higher areas.

Mr. Hambour pointed out that we have a large area of land awaiting development, and as the population of the State grows the demands on our food resources will continue to rise. The time is not far distant when we shall be consuming most of our production and then we shall have competition between the primary industries, and the industrial and domestic needs of the population. It is obvious that capital works must be planned ahead many years if South Australia is to have the water required in the future. There will be movements of population and we cannot tell where new industries will be established. Two years ago we could not have envisaged steelworks at Whyalla or an oil refinery in the Noarlunga area. Obviously these plants will need much River Murray water, and then there will be other industries requiring water. There will be a great demand on our water resources. We shall be able to take the maximum quantity set out in the agreement, but after that we shall have to share the water that is available. I am told that if the present trend continues by 1975 the State's present water consumption will have doubled, which means that the probable diversion of water from the River Murray will amount to 475,000 acre feet. We will then be up to our full capacity and consideration will have to be given to utilizing the Murray Valley, which has a drop of only 2in. per mile from the eastern border to the sea, for holding water instead of allowing it to run out to sea. It is obvious that the future development of the State will depend in dry years on the quantity of water coming from the River Murray and we must remember that the general pattern on the main watershed is identical with that in South Australia. We must remember also that our maximum requirements of water from the River Murray will be at the time when the flow is at its lowest. It is essential that we get all the water we can under the agreement and we must look forward to impounding water in the Murray Valley.

At present we have the Hume Reservoir, where the storage has been increased by 2,000,000 acre feet, and there has also been a storage increase at Lake Victoria. The Goolwa barrage has protected the lower Murray waters from salinity, and now we have a Bill that will ensure our getting an equitable proportion of the water under the River Murray Waters Agreement. The Bill will also iron out some anomalies that have existed for some time. The future will tell the story. We live in an arid country. In the drier parts we have a colossal evaporation. It is between six and seven feet per annum even in my area. In the drafting of the agreement the losses provided for evaporation and drainage are almost equal to the quantity of water available for consumption. The Premier achieved what he set out to do, and it was to regulate the quantity of water as between the various States. Concessions have been given and concessions have been gained. We are extremely fortunate in South Australia that the matter has been brought to a successful conclusion and I heartily support the second reading.

Mr. STEPHENS (Port Adelaide)—I support the Bill and congratulate the Government on its fight to gain justice for South Australia against efforts by the Commonwealth and other States to prevent our getting the water to which we are entitled. Members have spoken about the benefits to be obtained through having more water available, but in years gone by the water we have had has not been properly regulated. Floods have caused enormous damage and we have allowed the excess water to run into the sea. I asked the Premier whether there was anything in the agreement to protect people against a flood similar to the one we had a few years ago, and he said that floods would still be possible. The Government should do its best to prevent another flood disaster. I am sure members who represent the river districts have not forgotten what happened. The Premier told us that more damage was likely to occur in any future floods, yet nothing has been done to prevent it. I suggested to this House that some water could be diverted from the upper reaches through some of the dry areas, where it could be conserved. Some members said this was impossible, but a prominent engineer said it could be done quite easily. In Western Australia, water is pumped from Perth to Kalgoorlie. The newspapers criticized the engineer in charge of the scheme, saying that it would never be a success, but it was and it has done a great deal of good. In view of the Western Australian experience, it is obvious that what I suggested is possible. I would like to see something done along those lines at the earliest possible moment because I would not like to

see a repetition of the disastrous floods. Although I support the Bill, I regret that the Government has done nothing to prevent future floods.

Mr. LAUCKE (Barossa)—I express keen pleasure at the satisfactory outcome of the negotiations that have assured to the State an adequate supply of water from the Murray. Water is indeed vital to South Australia. As only 10 per cent of our lands have an assured rainfall we depend largely on reticulated water, especially as many of our arid areas have not suitable catchments. As we shall have an assured water supply from the Murray, our future is very much brighter than it could possibly have been, particularly in times of drought, when we need water most. What we have taken from the Murray thus far indicates the importance of Murray water to us. Last year, when 14,825,000,000 gallons were pumped through the Mannum-Adelaide pipeline, no restrictions were necessary in the metropolitan area. In addition 960,000,000 gallons came through the Warren, which serves the lower north. Those amounts of water are greater than the capacity of all this State's reservoirs, and they indicate just how important Murray water is to us. As our population grows, this water will assume greater importance to our welfare. Whilst in the past we have gained much from the Murray and the huge reticulation schemes that spread so many miles over the dry parts of our State, and which are amongst our proudest boasts, but for the efforts of the Premier, supported by the Opposition, we would not have the happy outcome of the matter now before us. I have much pleasure in supporting the second reading of this Bill.

Bill read a second time and taken through its remaining stages.

SHEARERS ACCOMMODATION ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 9. Page 1146.)

Mr. O'HALLORAN (Leader of the Opposition)—Although I do not propose to speak at great length on this Bill I think it is wise to examine the background of the legislation, and this can be done only by considering the historical background of the industry and the attempts made through the years to improve the lot of the most important employees in the industry, namely, the shearers. I am old enough to remember that the conditions in many of what were known as shearers' huts were deplorable in the extreme, but as a result of the efforts of the Australian Workers' Union, with the assistance of employers who realized that if they wanted good workmen and good work they had to provide reasonable conditions for those doing the work, there was a gradual improvement in the conditions under which shearers lived. The improvement was set back to some extent during the war because of shortage of materials; in fact, all concerned agreed that it was impossible to make any substantial improvements while a shortage of materials and the skilled manpower necessary to erect the required buildings existed as a result of war conditions.

One periodically sees ill-founded remarks published in the press about the earnings of shearers and the wonderful conditions they enjoy. Fantastic sums of £50 and £60 a week are mentioned as being the standard earnings of shearers. It only requires a cursory knowledge of the industry to realize that these are extreme cases indeed, cases where everything is favourable—the sheep are good, the weather is good, and the run is continuous. No allowance is made for loss of time owing to wet weather, moving from shed to shed, or travelling, which is considerable in the case of most men who could be classed as professional shearers, who follow the sheds from one end of South Australia to the other, and in some cases go as far afield as Tasmania, Victoria, or even New Zealand.

Mr. Riches—And it only applies to those with a high degree of skill.

Mr. O'HALLORAN—As the member for Stuart remarked, it only applies to men with the highest degree of skill. The Arbitration Court keeps a close check on shearers' earnings in order to determine shearers' awards. In recent years protracted hearings before the court to determine the wages of shearers have not been necessary, for employers have realized that substantial improvements in conditions and pay were warranted by the continued prosperity of the industry. Many misinformed or mischievous people have said that shearers' earnings have been extremely high, but the records of the court show they are wrong.

The shearer is entitled to some consideration for the fact that he spends most of his working life away from home. In this State many shearers work from the far north to the far south-east over a period of seven or eight months. They have to pay their mess accounts and travelling expenses, and still maintain their homes during their absence. I represent

a large portion of the northern pastoral areas, and I believe that in the main the employers have done their best to improve the conditions of shearers. Before the war, when wages and conditions were not nearly as good as today many excellent shearers gave up their work and took permanent jobs in the railways. Some are still in the railways; they were prepared to sacrifice the allegedly wonderful remuneration of a shearer for a job at little more than the basic wage.

Most employers have provided a reasonable standard of accommodation for their shearers. No employer worthy of consideration will object to the principles of the Bill, and it is only necessary to pass legislation such as this to bring into line the few greedy employers who would disregard the welfare of shearers in order to save a few pounds by not providing adequate accommodation. This seems to be a formidable Bill, but it only represents the legalizing of an agreement between the Australian Workers' Union and the Stockowners' Association. After the Bill was drafted it was approved by both parties, and I support the second reading.

Mr. HEASLIP (Rocky River)—It should not be necessary for Parliament to consider this Bill, which I cannot support. It has been introduced to give effect to an agreement between the Stockowners' Association and the Australian Workers' Union, but the people it affects were not consulted.

Mr. O'Halloran—Do you suggest the Stockowners' Association does not represent those people?

Mr. HEASLIP—The association did not consult its members.

Mr. Lawn—What sort of a union is it?

Mr. HEASLIP—Exactly, and it does not represent the people it is supposed to represent.

Mr. O'Halloran—There is no doubt that the Australian Workers' Union represents the shearers.

Mr. HEASLIP—I agree, but the Stockowners' Association is not representing the people it says it represents. The Bill contains a definition that anybody employed in the industry is a shearer, and the Bill will apply to sheds employing two shearers and four shed hands.

Mr. O'Halloran—Why should there be four shed hands with only two shearers?

Mr. HEASLIP—That could easily be the case. All those employees will have to be provided with amenities which, in many cases, even the owner himself will not have.

Mr. O'Halloran—In most small sheds the work is done by regular employees, and they will not be covered by the legislation.

Mr. HEASLIP—That is so, but if regular employees are brought into the shed they become shearers. Refrigerators have to be provided at certain times of the year, but many owners do not have refrigerators for their own use. The Bill says that inner-spring mattresses must be provided. The owner will not be allowed to supply a rubber mattress.

Mr. O'Halloran—There is no mention of inner-spring mattresses in the Bill.

Mr. HEASLIP—I think they have to be kapok or inner-spring mattresses, but a rubber mattress is far better. The Leader of the Opposition said that shearers should get some consideration for having to stay away from home for long periods, but many other workers have to remain away from home for long periods, and they get much less pay than shearers and do not enjoy such good conditions. Some time ago the member for Murray (Mr. Bywaters) objected to boys at Roseworthy College doing shearing.

Mr. Bywaters—On Saturdays.

Mr. HEASLIP—The day does not matter, but we get many of our shearers from Roseworthy. It is wrong to stop these boys from learning to shear. The honourable member wants to stop people from learning a trade instead of encouraging them.

Mr. Bywaters—To the detriment of shearers.

Mr. HEASLIP—No, to the benefit of all, because the more shearers we have the better. We have been short of shearers, and at shearing time it is often difficult to get enough. As a result many of the sheep get grass seeds, so we should do all we can to get more shearers. The economy of this country is greatly affected by the economics of the wool industry. This year our income from wool has been reduced by more than a third, yet this Bill will result in increasing the cost of producing wool.

Mr. Fred Walsh—What has been the position over the past 12 years?

Mr. HEASLIP—When wool prices were high the industry granted the shearers a prosperity loading. That was done by agreement, but now that the price of wool has fallen the shearers will not agree to a reduction in their wages, and not long ago there was a strike in the eastern States on this issue. This Bill will increase the cost of producing wool, yet Parliament has been advocating a reduction in the cost. It is no good talking one way and acting

another. If our economy is to enable us to continue to expand as in the last 20 years we must reduce our production costs. We are competing with the rest of the world and if we cannot sell our goods we cannot build up overseas credits from primary products to enable us to enlarge our secondary industries. This Bill does not benefit the country and will increase costs at a time when we should be decreasing them, and I oppose it.

Mr. BYWATERS (Murray)—I did not intend to speak, but in view of Mr. Heaslip's comments on statements I made last year about shearing by students at Roseworthy College I believe I should reiterate them. Shearers registered with the A.W.U. are not permitted to work on Saturday mornings, but students at Roseworthy were shearing sheep for private owners on Saturday mornings at the college, using college equipment—paid for by the taxpayers—and competing with registered shearers.

Mr. Heaslip—How many sheep were they shearing?

Mr. BYWATERS—That does not matter; the point is that they were shearing sheep which did not belong to the college on Saturday mornings. They were competing actively against local shearers in the district.

Mr. Heaslip—Because local shearers were not available.

Mr. BYWATERS—They were, but because of the cut price these students offered—

Mr. Heaslip—What price?

Mr. BYWATERS—I could not say offhand, but I understand it was below the price received by shearers performing contract work. My objection was that they were doing work on Saturdays when registered shearers were denied that work under their award.

Mr. Hambour—Were the students shearing other people's sheep with college machinery?

Mr. BYWATERS—Yes, in the college sheds, and were charging rates lower than those charged by registered shearers. That was wrong, and that was why I objected by question last year. I support the Bill because I believe it ratifies an agreement already entered into by the people concerned.

Mr. FRED WALSH (West Torrens)—I did not intend to speak until I heard Mr. Heaslip. Unfortunately he is always disposed to oppose any measure that has as an object the improvement of working conditions generally and the provision of amenities to a particular class of employee. I cannot claim any special knowledge of the shearing industry: I only know what I read from time to time. However, I am impressed by the fact that an agreement was reached between the two responsible bodies in this matter to improve the conditions of shearers and those who are required, at shearing time, to reside on stations. I believe in commending the Government for introducing legislation with which I agree, and I do so now.

Mr. Heaslip—Do you believe in increasing costs of production of wool?

Mr. FRED WALSH—The Government is to be commended for introducing legislation that accords with an agreement that has been entered into between the two most responsible bodies. That, in itself, is quite sufficient for me. Although Mr. Heaslip claims it will increase the costs of production, doesn't every amenity granted to workers in any industry, or in any sphere of employment of a productive character, increase, to some degree, production costs? I know it will be suggested that there has been a decrease in income because of reduced prices for wool in the last 12 months, but Mr. Heaslip did not refer to the exceedingly high prices for wool that obtained in the preceding 10 or 11 years. The income of some woolgrowers was phenomenal. When overseas not long ago I met a woolgrower who admitted quite frankly that he didn't know what to do with the money he had received for his wool.

Mr. Heaslip—That situation does not exist now.

Mr. FRED WALSH—But it did for a long while. This woolgrower is well known to many members of this Chamber, but it would not be fair to name him. He was overjoyed at the income he was receiving in 1954, as were most woolgrowers. Surely the employees in the industry are entitled to share in some small way in the vast income that accrues from their labour.

Mr. Heaslip—What about the prosperity loading?

Mr. FRED WALSH—One might as well say, "What about the lead bonus or other bonuses?" I should think it would be a safe bet that an attempt will be made to remove the prosperity loading if the prices for wool continue to drop.

Mr. Heaslip—What happened when an attempt was made? The A.W.U. wouldn't play ball and called the shearers out on strike.

Mr. FRED WALSH—I am not going to argue the point because I do not know the facts concerning that strike. To my knowledge it concerned Queensland more than

South Australia and was, therefore, outside our jurisdiction. We should concern ourselves only with those things that come within our jurisdiction. Wherever possible—having regard to the capacity of the industry to pay—the working conditions and living standards of employees should be improved to the fullest extent. What applies in other industries should apply in this. It is a pity that some other industries I could mention are not covered by legislation similar to what is now proposed for shearers. I realize that some facetious comments were made about the thickness of mattresses to be supplied to shearers, and from the remarks of other members apparently there is nothing laid down about the type of mattress. It is more or less stipulated that a mattress shall be 4in. deep, but it does not state what shall comprise that 4in.

Mr. Frank Walsh—Rubber.

Mr. FRED WALSH—But it does not state that. I think it would be reasonable to suggest that it be foam rubber. I do not think that would be extravagent. Foam rubber would certainly provide a comfortable bed and at the same time would be lasting. It would probably outlast a number of the mattresses that are at present provided.

The Hon. G. G. Pearson—It would wear out a few shearers.

Mr. FRED WALSH—On the contrary I believe it would freshen them up. After a pleasant night's rest they would be more competent to do more work and that would react to the benefit of the employer.

The Hon. G. G. Pearson—I thought your contention was that a foam rubber mattress would last as long as the shearers.

Mr. FRED WALSH—I misunderstood the Minister. I think it would be a good investment. I trust that Mr. Heaslip will not persist in his contentions in matters of this nature.

Mr. Heaslip—Look up the 1947 Act and see what it says about mattresses.

Mr. FRED WALSH—At this late stage it is impossible for me to examine the 1947 Act.

Mr. Heaslip—The 1947 Act provides that mattresses shall be filled with wool or kapok.

Mr. FRED WALSH—I would go further and provide for foam rubber mattresses.

Mr. Heaslip—They wouldn't comply with the Act.

Mr. FRED WALSH—I do not think objections would be lodged if they were provided. Basically I believe that no conditions are too good for the workers, provided, of course, industry is able to give them, and for that reason I support the Bill

Mr. STOTT (Ridley)—Irrespective of individual opinions on this Bill, we must remember that an agreement has been reached between organisations of wool growers and the Australian Workers Union representing the shearers. What will be the position if it is amended? We have had indentures for the establishment of an oil refinery and steelworks and we had no power to alter them.

Mr. Heaslip—If the Bill is defeated the position will be as it is at present.

Mr. STOTT—Yes, but what will be the position then, seeing that agreement has been reached by the two parties? Whether shearers should have a four-inch mattress or a latrine attached to their quarters does not come into the matter here. Such matters were dealt with when the details were discussed by men who know conditions in the industry. According to the woolgrowers, this Bill is long overdue. I appreciate the view put forward by Mr. Heaslip but he referred to matters outside the scope of the Bill. For instance, he mentioned a prosperity loading, which was ratified by the court after an agreement had been reached. I have shorn sheep and I know that it is a hard job. The Bill is a step in the right direction and I support it.

Bill read a second time and taken through its remaining stages.

Sitting suspended from 5.55 to 7.30 p.m.

BENEFITS ASSOCIATIONS BILL.

Adjourned debate on second reading.

(Continued from October 9. Page 1143.)

Mr. FRANK WALSH (Edwardstown)—I support the second reading of the Bill, and I am pleased that the Government has been able to introduce legislation to cover the important matters it contains. I do not object to any registered organizations that are approved by the Commonwealth Government. It is well-known that some years ago I raised questions on this matter because of the many people that were being taken down by high-pressure salesmanship. Clause 3 exempts approved friendly societies and other registered organizations It also exempts any person or body corporate registered under the Commonwealth Life Insurance Act, 1945-1958. I understand that only one company in South Australia providing hospital benefits has been registered under that Act, and that organization over the last two or three months has been notifying its clients that it intends to go out of that business and recommending them to join another association.

I believe that this was done in a straightforward manner. One company that has been causing a lot of concern over a number of years is the Federal Health Insurance Company. I am not quite sure what activities are covered by the Ajax Hospital and Medical Benefit Company, which is still in existence. Another company that this legislation appears to cover is the Australian Medical and Accident Insurance Company which, if it is not carrying on business at present, has been concerned with hospital and medical benefits. I do not think this company could qualify for exemption from this legislation as a body registered under the Life Insurance Act. Generally, the Public Actuary will have a great deal of scope in making the necessary investigations.

My main concern has always been for the people who are subscribing to the approved benefit societies, to whom they pay their contributions, and receive, in addition to hospital and medical benefits, an amount of 4s. a day from the Commonwealth Government. Provided that the companies apply to the Commonwealth Government and are accepted as approved organizations, I see no reason why they should not continue in business, and I have not altered my attitude in this regard. Adequate protection seems to have been given in this legislation. People who desire to join any organization providing hospital and medical benefits should ascertain whether it has been approved by the Commonwealth Government. I hope this will be the last occasion when any people in South Australia have any need or reason to complain that they are not receiving the benefits provided for in their contracts with these organizations.

Mr. HAMBOUR (Light)—I am very concerned about this Bill, because I doubt whether it goes as far as I had hoped. It seems that it does not prohibit the activities of certain people who have inaugurated a scheme for providing medical benefits. Some cases referred to me by a constituent concerned a company that collected money from people and in due course was called upon to meet claims. One concerned a woman over 60 and the other a woman over 90 years of age, and in each case the claim amounted to about £130. The company sent a man around to say that a second company was taking over both the assets and the liabilities of the first company. Inquiries which I made revealed that the man that floated the first company was the same man that floated the second company. I shall not mention that person's name, but it can be obtained from the Registrar of Companies. It is obvious that he set out to defraud the people, because he collected the first subscriptions in the knowledge that he could not or would not pay, and he collected the second subscriptions with the promise that the take-over company would meet the claims. In July of this year the company called a meeting of creditors, but so far the subscribers have received no payment at all. That man deliberately set out to collect money, and I am certain he had no intention of paying. I heard rumours that he proposed to set up another company. Strange as it may seem, I do not cast any reflection on the third company, but it must have smelt what was going on in the previous two companies because it immediately sent a man around to its clients saying it would be happy to take over new business, but not liabilities. I can only assume that the third company was in a sound financial position.

I hoped that this legislation would go a little further than it does and that it would not permit registrations without a certificate from the Commonwealth Government before the formation of a company to the effect that it would be registered. Although power is given to the Public Actuary to investigate the affairs of companies, they can do a lot of damage in the six months they could operate. They go out in my district, where the people do not know their names, with attractive brochures. Although it appears in small print on these papers that they are not registered by the Government, I would like the legislation to provide that they cannot carry on in future. Although I support the second reading, during the Committee stages I will move to ensure that this cannot happen in future.

Mr. SHANNON (Onkaparinga)—Like the honourable member for Light (Mr. Hambour) I had some doubts about this matter, but I think the Bill has sufficient safeguards. I think the only organizations that could fall into the category to which he referred are those mentioned in paragraph (*e*) of clause 3 (1). That paragraph provides a let-out for worthy organizations known by the Government to be financially sound and to have the right objectives. I think the fact that the Government must exempt them is sufficient assurance that there will not be a recurrence of the unhappy incidents of the past. Like the member for Edwardstown (Mr. Frank Walsh), I hope it will not be necessary to have similar legislation before us again, as I hope there will not be an opportunity for

dishonest people to promise benefits without having the wherewithal to meet payments when they fall due. Although certain organizations may not comply with Commonwealth requirements, they may be quite acceptable to the State Government. I know some financially sound organizations that would offer possibly at least as much as that offered by any Commonwealth approved scheme. As some State undertakings, including industrial organizations, are perfectly sound, I think they should be allowed to operate. I do not think Mr. Hambour's qualms on this matter are justified because, except for the organizations mentioned in paragraph (*e*), all benefits organizations must comply with the Commonwealth Act.

Mr. Hambour—No, they do not.

Mr. SHANNON—If I am wrong, I stand to be corrected.

Mr. Hambour—This Bill only gives the power to enter premises and examine their books at any time.

Mr. SHANNON—Only those organizations mentioned in paragraph (*e*) do not have to comply with the provisions of this Bill; those covered by paragraph (*e*) may, in special circumstances, be granted the right to carry on if the Executive decides they are competent to do so. The Executive should have the right to exclude any organization which does not make payments to which its contributors are entitled. If the Bill is passed in its present form it will overcome most, if not all, of the problems we have faced in the past. I realize there have been heartrending cases of people who have applied for benefits in times of sickness but have not received payment. I think the Government is to be congratulated on this step to rectify the position, and I hope this Bill deals with the matter in its entirety. I think we can accept that the Government will take all necessary steps to protect gullible people who pay subscriptions to these funds without knowing their background.

Mr. DUNSTAN (Norwood)—Hon. members will remember that the Commonwealth Medical Benefits Health Act provided for subsidies to be given to certain organizations approved and registered under that Act. In addition, under the Commonwealth Life Assurance Act, those engaged in the insurance business who made payments consequent upon the death of one of their clients had to be registered under that Act. In South Australia we have the Friendly Societies Act which gives certain rights and powers to friendly societies whose names appear in the schedule to that Act or are proclaimed after due investigation by the Public Actuary, and upon recommendation by him the Government may proclaim further friendly societies. However, no society which was, in effect, acting as a friendly society was compelled to come in under that Act; so, advantages were given to friendly societies in that they were not compelled to be registered under the Commonwealth Life Assurance Act as they would be under the State's Friendly Societies Act.

It is necessary for friendly societies to be registered or proclaimed under the State Act. A new friendly society could be set up provided it was not claiming that it was registered under the Commonwealth Act and provided it was not giving insurance benefits under the Commonwealth Life Assurance Act. It could operate without any inquiry or control on its own funds, but it could not represent that it was registered under the Act. As regards one organization in South Australia, it was claimed that it was paying administrative charges from contributions to its funeral fund, and this led to some questions in Parliament. It was then found that it came under the control of the Commonwealth Life Insurance Act and it was promptly required to lodge the necessary bond of £5,000 and apply for registration under that Act. After considerable trouble the Federal member for Sturt (Mr. Wilson) was able to get the Government to amend the Commonwealth Act to exclude societies that paid death benefits. One organization here had gone practically all the way to be registered under the State's Friendly Societies Act, but when it gained exemption from the Commonwealth Act it did not continue with that move. Both the organizations referred to will now come under this legislation.

There is another form of benefit supposed to be given with which, I think, this Bill will cope. Certain firms in South Australia purport to provide funeral benefits in return for payments made; they operate widely among pensioners and for the payment of, say, 2s. a week or some such figure up to a total payment of about £12 they claim they will give certain benefits for all members of the family registered. These include a plot of land, worth up to a certain figure, one mourning coach and a hearse. Unfortunately, the pensioner's spouse often discovers after the death of her husband that the cost of the burial ground was more than stated in the certificate, that there were extra advertising fees that were not specified, that overtime work and extra coaches are

charged for and the total bill is more than the amount of contribution which was supposed to cover all the expenses.

Mr. Stott—What will this Bill do to those people?

Mr. DUNSTAN—They will have to approach the Public Actuary and he must satisfy himself as to their funds. What is meant by "payment of contribution" in the Bill is not clearly defined, and that is one point I am a little worried about. We should see that the benefits given by these associations are clearly set out. The Public Actuary can detail what they are to do and require contributions for the services they propose to give. It is certainly not clear that he can control their general operations and that is the weakness that worries me. No doubt many honourable members have had pensioners coming to them regarding private firms engaged in time-payment funeral benefits. At the moment the Bill does not seem to give power to the Public Actuary to control their operations. Under the Commonwealth Act, a firm in order to gain registration must satisfy the Registrar as to the benefits to be provided. All that our Public Actuary must convince himself upon, it would seem, is that the organization has sufficient funds to meet the benefits proposed.

Mr. Hambour—You agree that anyone may practise under this legislation?

Mr. DUNSTAN—Yes. All you have to do is to make a return to the Registrar and he can say that you propose to give such and such a benefit. He could make a provisional recommendation that the firm increase contributions of its members in such and such a way. Some of these bodies are operating in such a manner, and their statements to their contributors are so vague, that the contributors are led to believe they will get a "complete funeral"—which is the expression they use—when, in fact, that is not the position at all. After the death of a spouse the contributor receives a hefty bill for the funeral. It seems to me that this Bill should go further. We should be in a position to control this sort of thing, but I do not think the Bill as yet fits the bill in these particular circumstances.

Mr. Shannon—What clause are you dealing with?

Mr. DUNSTAN—I am referring to the investigation that may be made by the Public Actuary. He may investigate their accounts but he does not have to investigate their representations to their customers, except that they may not represent, under clause 12, that they are registered, licensed or approved under an Act or regulation of the State or Commonwealth. I am concerned with the vagueness of their representations to their clients. The clients gain the impression that they are obtaining benefits that are not in fact benefits the company proposes. The Public Actuary would have supervision of funds but not supervision of the company's representations to the public—a public which is often gullible in matters of this nature. What worries a number of the poorer people in our community, particularly age pensioners, is the fact that the husband or wife is not going to be buried decently. I think the Bill should go further and I want to be assured about the meaning of "payment of contributions." I think the Public Actuary should also have power to oversee the manner in which these bodies do business.

Mr. Hambour—Ask leave to continue.

Mr. DUNSTAN—Perhaps the honourable member and I could get together and work out an amendment to meet the situation. Under those circumstances I ask leave to continue my remarks.

Leave granted; debate adjourned.

INTERSTATE DESTITUTE PERSONS RELIEF ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 9. Page 1147.)

Mr. DUNSTAN (Norwood)—I welcome this Bill which goes some way towards improving the position of people who are subject to interstate maintenance orders. Previously under this Act an order for maintenance made in another State could be enforced against a man in South Australia, but if his circumstances altered so that he was no longer able to pay maintenance at the rate originally fixed in another State, he could not have the maintenance order altered in South Australia. He had to go back to the other State to get an alteration. Quite often he would not have the money to go back so that he was subject to an order he could not pay and was faced with imprisonment for failing to comply with an order enforceable by a South Australian court which had no power to consider the fact that he could not pay. This, of course, was an extraordinary situation. The circumstances arose recently in a case in my district where a migrant came here with an order made against him for maintenance in New South Wales. At the time that order was made in New South Wales he was earning a good salary. He came to South Australia

and experienced difficulty in obtaining employment and was unable to secure a comparable salary. His job in New South Wales had folded up and he could not secure equally remunerative employment there. He came to South Australia and used up all his money trying to meet the maintenance order and was, in fact, destitute. An order for imprisonment was made against him here for failing to comply with the New South Wales order. He did not have enough money to return to New South Wales to have the order altered and nothing could be done. He was sent to prison because he could not meet the order although he had no means of obtaining an alteration of that order to save him from imprisonment. He was placed in a completely hopeless position.

The purpose of this Bill is to enable South Australian courts to entertain an application for variation of the original order made in another State and to make a provisional order for variation based upon the new circumstances with which the man in South Australia is faced. I am glad to see that this step is being taken and I heartily support the Bill which gives the court the opportunity to take into account the varied circumstances of the man against whom a maintenance order is being enforced.

I ascertained, with some dismay, that this principle does not apply to certain orders under our Maintenance Act and I draw the Government's attention to the disparity between what is now proposed in the Interstate Destitute Persons Relief Act and the position obtaining under certain sections of the Maintenance Act in the hope that the principle will be applied there. The position is that when a man has defaulted under the Maintenance Act on a maintenance order and default proceedings are taken against him the court may make an order imprisoning that man and suspending the warrant for his imprisonment while he pays a certain amount weekly. That amount is assessed on his then income. If that income subsequently changes and he cannot comply with the suspended order for arrears fixed by the court, the court cannot entertain an application from him to vary its order and must send him to prison.

Mr. Quirke—Then he does not pay anything.

Mr. DUNSTAN—He does not pay anything. It is an extraordinary situation that, while the court has power to vary maintenance orders it has made, it has no power to vary enforcement orders it has made and, unless the man deals with that enforcement order within 28 days, he has had it. Although the basis upon which the court assessed the enforcement order has changed and his income is less than it was at the time the order was made, the court is powerless: it cannot vary the order, it can only enforce it. In these circumstances, although it had power to cancel its original order, it has no power to deal with the enforcement order for arrears. The same situation arises under the Maintenance Act, and has in fact arisen under the Interstate Destitute Persons Relief Act. While we are making provision here for an alteration to the latter Act, I hope the Government will examine this position and see that the same provision is included in the legislation for enforcement orders under the Maintenance Act.

Bill read a second time and taken through its remaining stages.

NURSES REGISTRATION ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 9. Page 1147.)

Mr. JOHN CLARK (Gawler)—There are only two amendments to the Act in this Bill, and I heartily agree with both. They will lead to further efficiency in the nursing profession, which is eminently desirable. I understand that these amendments have been introduced on the recommendation of the Nurses Board of South Australia. The first enacts new section 10a, which authorizes the payment of a fee of two guineas to members of the Nurses Board other than those who are full-time Government employees. Only four of the seven members are in that position and, as they meet on 11 occasions each year, honourable members will see that this provision will cost about £90 annually. It gives a reasonable recompense for service, so this amendment should be supported.

The second amendment, which is more important, deals with the registration of nurses who have been trained in other States. Honourable members who have had any association with the nursing profession know that many interstate nurses come here to complete their midwifery training. However, the difficulty arises under the present Act that no person may be registered as a nurse unless over 21 years of age. This, of course, is not in keeping with the position in other States where nurses may be registered at 20 years of age. The result is that nurses who have already been registered when under 21 in other States cannot be registered in South Australia until

they are 21. This amendment reasonably helps those people. The present provision has resulted in fewer interstate nurses coming here to do midwifery courses, which naturally has caused some concern to the Nurses Board. This sensible provision provides an obvious answer, for registered interstate nurses will be able to complete their midwifery training in this State. When they are 21 they can apply for full registration. It is eminently fair to interstate nurses, yet does not penalize South Australian nurses. I think all honourable members will be able to support these amendments.

Mr. HAMBOUR (Light)—I speak not to try to amend the Act, but to express views I have long held. The Nurses Registration Board is a little behind the times in its non-acceptance of trained nurses at the age of 20.

Mr. John Clark—It cannot accept them under the Act.

Mr. HAMBOUR—If it liked to assert itself it could get the Act altered, but it has said that a girl is not fit to be a trained nurse until she is 21 years of age: in other words, she is not a responsible person until then. The honourable member for Gawler (Mr. John Clark) has admitted that other States register trained sisters at 20 years of age.

Mr. John Clark—I did not admit it—I said it.

Mr. HAMBOUR—Let us not split hairs. It is generally admitted that South Australia, Australia, and the whole world are short of nurses. No-one will dispute that. There has been a great scramble to transfer from one country to another, from one State to another, and the shortage exists here in South Australia, except for one hospital. The authorities say a hospital may accept a girl of 16 and keep her as a nursing aid until she is 17, doing precisely the same work, side by side, as a girl who starts a probationary period at 17, one being just as efficient as the other, but, because she is under 21 when she has completed her training, she is not accepted. The result is that the age limit is kept up and potential nurses by the hundreds are lost. During their school-going years many girls make up their minds to become nurses, but when 15½ or 16 they find they have to wait a long time before they can enter the profession, unless they go in as nursing aids.

Mr. John Clark—They lose the urge.

Mr. HAMBOUR—Yes, and they go into another profession. We should not tolerate this, and only Parliament can assert itself in this matter. I have tried three times to get the board to do something, but each time it has refused. On one occasion at a conference it was unanimously agreed that when a girl is fit and qualified she should be able to become a nurse before she is 21, but nothing was done. The position now is that girls come here from other States before they are 21 and we have to amend our legislation to enable them to do midwifery. Is our standard so high, or is it lower than the standard in other States? Age is not a qualifying factor. Ability counts, and a girl of 15 may be as capable as one of 17. The matron is the best person to judge. The Bill supports my view on this matter.

Mr. Frank Walsh—What do you want?

Mr. HAMBOUR—I want the reference to 21 deleted. In some instances girls of 20 may be qualified, and in others 20½. It is a matter of splitting hairs over one year, and it keeps more girls out of the nursing profession than any other factor. Members should seriously consider the matter. A girl of 16 in these days knows as much as a girl of 17 did some years ago. Today these younger girls know the facts of life. We should recognize this and not live in the past. The introduction of the Bill has enabled me to air views that I have held for some time.

Bill read a second time and taken through its remaining stages.

LAW OF PROPERTY ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from September 17. Page 780.)

Mr. DUNSTAN (Norwood)—I support the Bill.

Bill read a second time and taken through its remaining stages.

OIL REFINERY (HUNDRED OF NOARLUNGA) INDENTURE BILL.

Returned from the Legislative Council without amendment.

MAINTENANCE ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 8. Page 1134.)

Mr. DUNSTAN (Norwood)—I support the Bill.

Mr. FRANK WALSH (Deputy Leader of the Opposition)—Clause 6 of the Bill alters the name of the Industrial School at Glandore to the "Glandore Children's Home", and I

have no objection to that alteration. Perhaps the Premier could indicate the future of that home, to which children are committed, perhaps because they have played truant from school or for something a little worse. Some are committed because of neglect by their parents, others because they are sub-normal.

Three distinct types are admitted to the home. I understand that the department has a proposal for another building at Glandore, and I assume that it could be for the purpose of sifting out some children to be sent to another place. It may be necessary for some children of 14 years of age to be sent to Struan. Some children have been committed to the Glandore home for medical or dental treatment, and in those cases it is being used more as a staging home while the children are receiving this treatment. I do not know whether the Treasurer can say what policy the department is likely to adopt in future regarding this home at Glandore.

Where maintenance orders were made 10, 12 or even 15 years ago the value of the maintenance order would be considerably reduced. When a mother tries to obtain an appropriate increase, she must go either to the Law Society or to a solicitor.

Mr. Dunstan—She goes to the department, which has its own prosecutor.

Mr. FRANK WALSH—I understand that the investigation is costly for the mother when she desires to obtain a further increase in maintenance. It could be that the investigation in the case which has been referred to me is costly because it is an interstate case. The necessary maintenance for a child would probably be 50s. a week. In the case to which I am referring an order was made some years ago for the payment of 12s. 6d. a week, which has subsequently been increased to 25s. A further application is necessary to find out what can be done to get sufficient money to care for a child attending a secondary school. If it is too late this session, perhaps that matter can be reviewed on the next occasion the Maintenance Act comes before Parliament. I believe that where children are concerned it is the obligation of the parents, particularly the male, to make an adequate payment. I should like to know whether the Glandore Home will be increased in size or whether the Government has anything else in mind for the children there.

Mr. LAUCKE secured the adjournment of the debate.

ADJOURNMENT.

At 8.41 p.m. the House adjourned until Wednesday, October 15 at 2 p.m.