

**HOUSE OF ASSEMBLY.**

Tuesday, October 28, 1958.

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

**MAINTENANCE ACT AMENDMENT BILL.**

His Excellency the Governor, by message, recommended to the House the appropriation of such amounts of the general revenue of the State as were required for the purposes mentioned in new clause 5a of the Bill.

**QUESTIONS.****LAND SALES TO MIGRANTS.**

Mr. GEOFFREY CLARKE—In an address to the Real Estate Institute yesterday it was pointed out by an Adelaide solicitor, Mr. Ian Wilson, that migrants buying land are caused inconvenience by a section of the Law of Property Act, under which delays of up to six weeks take place between the time when a migrant decides to buy land and the time when he can legally sign a contract. Will the Minister consider his suggestion to amend the Act so that migrants may enter into contracts immediately they decide to buy, the contracts to be subject to approval by the Minister?

The Hon. C. S. HINCKS—I will certainly consider the request, but by the time the department checks with the Immigration authorities and the police to ascertain whether a migrant who has made an application is a suitable person, sometimes the extreme period of six weeks elapses, but generally it is about three weeks. The Lands Department takes into consideration the number of building blocks that will be allotted to each applicant, because the Government feels it would be a pity to let them all congregate in particular areas. I think the existing system is much better in the interests of migrants and all concerned.

**VICTORIAN RACING INFORMATION.**

Mr. FRANK WALSH—Can the Premier state whether it is a fact that the Victorian Racing Club submitted a proposal to the Betting Control Board to supply bookmakers in South Australia with a service of betting information on Victorian racing; whether the board sent an officer interstate about this proposal, and if so, whether his report was favourable; and if it was not, whether it is a fact that there may not be any betting service provided to the racing public of this State for the Victorian Derby and Melbourne Cup carnival?

The Hon. Sir THOMAS PLAYFORD—The chairman of the Betting Control Board has reported to me that the Victorian Racing Club has proposed an alteration in services provided from the courses in Victoria that would be available in South Australia. The board did send an officer interstate to examine the proposals. His report was most hostile to the proposals.

I understand they have also been rejected by Western Australia as they leave much to be desired. The chairman of the board saw me yesterday, and I informed him that I thought the proper course was for him to make submissions to the Victorian club, and if those submissions were not satisfactory I would take up the matter myself with the Victorian Premier. However, I said that if this service is continued I think it would be proper for the Betting Control Board to make representations to the Royal Commission now sitting in Victoria, as we felt so strongly about it. Until full consideration has been given by the Victorian racing authorities I prefer to go no further than to say that we believe the service will not be satisfactory, and I know that belief is shared by some Victorian racing clubs and other interstate authorities, including the Western Australian Betting Control Board. The matter will be examined very closely by the South Australian Government, and if necessary, the strongest representations will be made to Mr. Bolte on the matter.

**CARRIAGE OF BULK HANDLING BINS.**

Mr. HEASLIP—I have been given to understand that farmers who purchase bulk wheat bins and have them transported by rail pay a higher freight rate than on any other farm machinery, because these bins do not come under the heading of farm machinery. When they arrive at the nearest railway siding the farmer cannot transport them legally without a permit from the Transport Control Board, which often takes a week to obtain, and when they reach the property the farmer cannot take them across the road from one paddock to another without a permit. If they do cross without a permit they are breaking the law and if they were involved in a collision whilst on the road they would probably be liable for heavy damages. Will the Premier examine this matter and bring bulk bins, which are part of modern farming equipment, under the heading "Farm Machinery" to enable farmers to proceed with their harvest without laying themselves open to heavy damages?

The Hon. Sir THOMAS PLAYFORD—Yes.

## PAYNEHAM PRIMARY SCHOOL.

Mr. DUNSTAN—Previously this session I have drawn the Minister of Education's attention to the insanitary conditions at the Payneham Primary School—that part of the school which is still on the old site in Payneham Road. I mentioned that there was a poor water pressure with insufficient toilet accommodation, and the position is being aggravated by a gastro-enteritis epidemic in the area. The Minister promised to have the matter investigated, and whilst I understand some investigation has taken place, I have been informed that no action has been taken to remedy the situation. The school committee is alarmed at the possibilities in view of the gastro-enteritis epidemic. Will the Minister have a further investigation made immediately to see whether something can be done straight away to alleviate the position?

The Hon. B. PATTINSON—I shall be pleased to do so.

## STOLEN MOTOR VEHICLES.

Mr. DUNNAGE—Has the Premier a reply to the question I asked on October 8 concerning the publication of the registered numbers of stolen motor vehicles? I have noticed that the *News* has published a number of stolen vehicle numbers.

The Hon. Sir THOMAS PLAYFORD—The Commissioner of Police reports as follows:—

News items of public interest, including the registered numbers of stolen vehicles and those recovered since the previous broadcast, are released from the Police Operations Room, through Station 5KA, four times each day, Monday to Thursday, three times on Friday, and once on Saturday. Three minutes are allotted for each broadcast, and it would be impracticable to give the numbers of long-standing unrecovered vehicles in the limited time available. It is felt that the brief bulletins at set times throughout the day are more effective than the publication of a lengthy list of registered numbers of motor vehicles, and members of the public who are interested and desire to assist the police can follow successive broadcasts, thereby becoming aware of which vehicles had been recovered. This department would have no objection to supplying the numbers of stolen vehicles to representatives of the press who could, if they so desired, publish this information in their respective newspapers.

## DECENTRALIZATION AUTHORITY.

Mr. BYWATERS—Last Friday and Saturday the Lower Murray Development League held at Murray Bridge a successful conference, which the Premier opened. Certain recommendations were made, one relating to a planning authority for the decentralization

of industries. In yesterday's *Advertiser* under the heading "Plan to Develop Regional Areas," the following appeared:—

Murray Bridge, October 26.—The establishment of a State decentralization authority in South Australia was urged yesterday at the Lower Murray development conference.

Did the Premier see this article and can he indicate the Government's attitude on setting up a central planning authority in South Australia for decentralization?

The Hon. Sir THOMAS PLAYFORD—Immediately after the war each State set up central planning authorities and established regional maps, but I emphasized at Murray Bridge, and I emphasize here, that the pressure for the establishment of an industry must come from the district concerned: it is impossible for any central authority to allocate an industry to any particular place. I congratulate Murray Bridge on what it has done in this matter. When I opened the conference I was pleased with the display of secondary industries, a number of which, I realize, were initially suggested by the district and were assisted by the Government, and are now carrying out useful functions. Any district that wants to develop secondary industries or other activities would be well advised to establish a local authority. I can assure honourable members that such authorities established by local councils or by other democratic means would receive the Government's utmost support in its consideration of any recommendations.

## PEDESTRIAN CROSSINGS.

Mr. COUMBE—I have asked numerous questions this session about zebra pedestrian crossings. I understand the State Traffic Committee has made a report on the matter which has been forwarded to Cabinet for consideration. I raise this question again because of repeated complaints from my district, particularly about the situation at the Nailsworth pedestrian crossing on the Main North Road, where last week-end an accident happened and where there have been many near accidents. It is desirable that this matter should be brought to a successful conclusion as soon as possible. The Adelaide City Council is installing a zebra pedestrian crossing in Grote Street incorporating many of the State Traffic Committee's recommendations. It is also based upon the report of the Town Clerk, Mr. Veale, on his overseas visit, and incorporates the principle of the Belisha flashing beacon. In view of the danger caused to pedestrians by motorists who are unaware that they are approaching

the pedestrian crossing at Nailsworth will the Premier undertake to bring the State Traffic Committee's report before Parliament as soon as possible?

The Hon. Sir THOMAS PLAYFORD—The Parliamentary Draftsman is preparing legislation based on recommendations of the State Traffic Committee. I point out that the problem of zebra crossings has not been satisfactorily solved in any country. When I was overseas recently I noticed the difficulties associated with these crossings. Unless the system can be effectively controlled, instead of doing pedestrians a good turn we may endanger them by giving them a false sense of security at such crossings. My own experience of zebra crossings overseas was anything but favourable, because a number of accidents occurred at such crossings, probably because the public believed it was afforded protection.

#### LOXTON SOUTHERN MAIN DRAIN.

Mr. STOTT—Has the Minister of Lands a reply to the question I asked recently concerning the bursting of the southern main in the Loxton soldier settlement area?

The Hon. C. S. HINCKS—I have received the following report from the Secretary for Irrigation:

The District Officer, Loxton, reported today that a general irrigation for spray and furrow areas commenced at 8 a.m. on the 20th but supplies to the southern portion of the settlement were stopped at 12.30 p.m. to repair a leak in the southern rising main. Repair operations were commenced immediately and, although some trouble was being experienced in removing slush from the excavation, he was of the opinion that the job would be completed this day to enable the irrigation to recommence tomorrow. As the Assistant Engineer for Irrigation and Drainage was in Loxton at the time, arrangements were made for him to inspect the site with a view to furnishing any comments that may be thought necessary, in conjunction with a report which has been called for from the Engineer-in-Chief on this matter.

So far, I have not received that report.

#### WHEAT YIELDS.

Mr. LAUCKE—Recently the press published a report from America of abnormally high yields of wheat—up to 126 bushels an acre—as a result of using highly nitrogenous fertilizers. Has the Department of Agriculture any information about the American claims, and what has been the finding of local experiments in wheat yields resulting from heavy applications of nitrogenous fertilizers?

The Hon. D. N. BROOKMAN—This is a technical question which I prefer not to answer

until after consulting the Director of Agriculture, particularly as regards the use of nitrogenous fertilizers for cereals and the newspaper reports referred to, which I saw. I point out that the growth of a plant is limited by a number of factors. Even if the nitrogen feeding is satisfactory the plant's growth still depends on other factors, such as the amount of moisture it gets during the growing period. I will get a full report in answer to the honourable member's question and as much information as I can about the type of wheat referred to and a statement about the use of nitrogen in growing cereals generally.

#### SOLDIER SETTLEMENT.

Mr. QUIRKE—How many approved applicants are awaiting settlement on irrigation projects? How many approved applicants are awaiting dry land farms, grazing, etc.? How many settlers have left their properties? How many settlers have been evicted? Has soldier settlement in South Australia been stopped through lack of suitable land, and who is the authority for stopping soldier settlement?

The Hon. C. S. HINCKS—In reply to the honourable member's first two questions, I refer him to *Hansard* of July 24, 1957, page 117, which gives a detailed statement of the results of a review of applicants. There has been no material alteration since that date, as sufficient men were selected at that time for all blocks in sight. In reply to his next two questions, 42 have surrendered holdings, mainly because of sickness. At Loxton it was found that a few blocks—I think four—were in a frost area after they had been settled. The settlers were taken off those blocks, and several others were taken off blocks after recent flooding. Only 15 have had their leases cancelled for non-payment or non-compliance with conditions. Five settlers have had their blocks transferred to other ex-servicemen. In reply to the honourable member's last question, the Commonwealth Government has stated that after June 30, 1959, no funds will be available for the purchase of further land or for the development of projects other than those already approved, unless the basic work can be completed by the autumn of 1959. This was a Commonwealth decision, but I have requested the Commonwealth Minister to extend the time for improved single units. Yesterday week Cabinet approved of three single units, and last Wednesday the Government purchased a further two single units on Eyre Peninsula, in the hundred of Stokes, so we are now getting our

hands on more single unit farms, and this will enable the settlement of more applicants still awaiting farms.

Mr. HARDING—When I was in Western Australia recently I called on the State secretary of the Returned Servicemen's League and the secretary of the Land Settlement Committee of that State. I gathered that land settlement in that State presents some problems, and today's *Advertiser* contains a report on them, particularly in regard to dairying. It states that of the 300 ex-servicemen who were put on dairy farms, more than one-third have abandoned their blocks, and some of those hanging on are existing on their earnings as farm labourers or road workers. In view of the substantial drop in prices of primary products, can the Minister of Repatriation say whether any consideration has been given by Ministers of the agent States to a conference on these problems?

The Hon. C. S. HINCKS—As a matter of interest, the Federal Deputy is in Adelaide now and I have an appointment with him tomorrow morning to discuss the problem. I have had interviews with officers from other States during the last day or two during the present returned soldiers conference. What the honourable member said is unfortunately true, that dairymen in Western Australia are having a bad time, and 100 out of 300 in one area have left their blocks, and this officer told me that he thought at least another 100 would have to leave but for the living allowance they were being paid. The question raised by the honourable member is a serious one because of the drop in prices, particularly of wool and butterfat, but it is receiving the department's attention, and further discussions will take place tomorrow.

#### PORT PIRIE HIGH SCHOOL SEWERAGE SCHEME.

Mr. RICHES—My question relates to the installation of a sewerage scheme at the Port Pirie High School and I ask it on behalf of the member for the district (Mr. Davis). Negotiations were opened by him when he interviewed the Minister of Education on February 28, 1957, concerning the unsatisfactory condition of the lavatory accommodation at the school. The Minister called for a report from the Architect-in-Chief and in a letter dated March 6, 1957, addressed to Mr. Davis, he confirmed the complaints submitted and said that a new toilet block would be built but that the operation of the new lavatories would depend on a sewerage scheme

to be installed by the Engineering and Water Supply Department, which was expected to take approximately 12 months to complete. The scheme to be installed was to serve the Port Pirie Hospital. The lavatory blocks have been built, and though the 12 months' period has long since passed, as far as can be ascertained at Port Pirie no attempt has been made to install the sewerage scheme. As this is an important matter for the school, will the Minister of Works obtain a report and let either Mr. Davis or me have it?

The Hon. G. G. PEARSON—Yes. Naturally I have no knowledge of the matter at the moment, but I will personally make inquiries into it and let the honourable member have a report for his colleague.

#### KINGSTON FERRY.

Mr. KING—While the River Murray is high will the Minister of Works ask the Minister of Roads to get a report whether there is a site near Overland Corner that may be suitable for temporary use for a ferry during the times when the Kingston ferry is out of action owing to the high river, and when the Sturt Highway is cut by rising waters? The Sturt Highway will be out of action for several weeks. This has happened several times in recent years and if a site could be found the highway could be kept in operation with only a slight detour being necessary.

The Hon. G. G. PEARSON—I will bring the question before my colleague, the Minister of Roads.

#### DRIVERS' LICENCES.

Mr. LOVEDAY—Recently there was a police drive to check on the holding of driving licences. Will the Premier obtain a report as to the number of drivers halted during the check, the number who did not have their licences with them, and the number found to be not in possession of licences at all?

The Hon. Sir THOMAS PLAYFORD—I will get a report.

#### WARREN-NURIOOTPA WATER MAIN.

Mr. HAMBOUR—Will the Minister of Works ascertain when the work on the Warren-Nuriootpa water main will be completed?

The Hon. G. G. PEARSON—I will get the information if it can be obtained at this stage, but I am doubtful whether it can.

## FRUIT FLY CAMPAIGN.

Mr. FRANK WALSH—Has the attention of the Minister of Agriculture been drawn to the article in today's *Advertiser* under the heading "Warning on Fruit Fly"? The Chief Horticulturist, Mr. T. C. Miller, referred to loquats and said that the fruit was a common breeding ground for fruit flies which may have survived the winter, and that householders in the Central coast areas of New South Wales were recently warned by the department that they had to strip their loquat trees by the end of the month. Does Mr. Miller favour a similar provision in this State, and, if so, what effect will it have on people dependent upon the growing of loquats for commercial purposes and upon other people in fruit fly areas?

The Hon. D. N. BROOKMAN—I did not take the statement to mean that growers of loquats had to strip their trees.

Mr. Frank Walsh—It said that that applied to the Central coast areas of New South Wales.

The Hon. D. N. BROOKMAN—I will get a report from the Chief Horticulturist on the question of loquats in relation to the fruit fly campaign and obtain the information sought by the honourable member.

## LIBRARY SCHEMES.

Mr. LAUCKE—The degree of service to the public through library schemes generally is related to the work of skilled librarians. I have a letter from a friend who has been closely associated with country institutes and libraries for many years, and who is a driving force in the formation of a library under the present scheme. He said:—

We are naturally very keen to make a success of our new library but feel most strongly from experience, observation and study of the subject, that the employment of a trained librarian is essential to make the venture a success and something really worth-while for our people. We believe that we cannot have good libraries unless we have good librarians, any more than we can expect to have good schools without trained teachers under supervision, and that if the wrong people are appointed now the future will be prejudiced, not only for our own community but for the whole library movement in the State. This would be a pity because in every other respect the new Libraries Act has put South Australia in the forefront of library development, particularly in rural areas. The situation in South Australia at present is such that to obtain suitable trained librarians, except through the S.A. Public Library, would be almost an impossibility, and even if one trained or partly trained person were

appointed, he would be in a dead end job without possibility of promotion if worthy, or replacement if unsuitable. Further, if we went to the expense of having someone trained or partly trained, it would be very difficult for us to keep a hold on that person if he could see a better opportunity offering somewhere else. We understand that there would be no substantial difference in cost to the Government if trained librarians were appointed from the S.A. Public Library, and that body has the facilities for training additional staff if required.

I should be grateful if the Premier would favourably consider permitting staff from the Public Library to accept calls as librarians in country public libraries.

The Hon. Sir THOMAS PLAYFORD—This matter has received much consideration by the Government. The control of the libraries under the Libraries Subsidies Act is in the hands of local authorities, not the Libraries Board. Where a library is being established the Government would be prepared, through the Libraries Board, to lend a trained officer for a period to the local library to get it on its feet and train staff, but it does not propose to extend the public service in a way that would involve a large number of public officers being appointed who would not be under its control.

## MYPOLONGA WATER SUPPLY.

Mr. BYWATERS—On October 7 I asked the Minister of Lands if he had a reply to a question I had asked about the proposed stock and domestic water supply at Mypolonga, and he said he expected to have a recommendation by October 24. Has he that recommendation?

The Hon. C. S. HINCKS—I took up the matter with the department and the engineers. An amount has been considered, and the department is now considering the economics of the scheme, which will cost a considerable amount of money. As soon as I have the recommendation, which I hope will be shortly, I will take the matter to Cabinet.

## CLOVER SEED PRODUCTION.

Mr. HARDING—Has the Minister of Agriculture a reply to a question I asked on September 30 relating to Palestine strawberry clover?

The Hon. D. N. BROOKMAN—The honourable member asked about the price of the mother seed and the amount available, and I obtained a report from the Chief Agricultural Adviser as follows:—

In 1952 at the Kybybolite Research Centre a small area of approximately one acre was planted with selected runners of Palestine strawberry clover. This provided stock seed

for planting larger areas from which sufficient pedigree seed has now been harvested to sow approximately 1,000 acres for the production of mother seed. In order to build up supplies of mother seed quickly the co-operation of seven commercial seedgrowers, who had suitable land free of other strains of strawberry clover, was sought. It is expected that a small quantity of mother seed will be available on the commercial seeds market this season. In the following season there should be ample seed available. The main demand for mother seed will be from those interested in seed production. For normal pasture sowings used for grazing only mother seed has no advantage over standard seed which is readily available. At present certified standard seed retails at 18s. 6d. per lb. It is anticipated that mother seed will not be much dearer, but this will depend upon the demand from seed producers.

#### PORT AUGUSTA WATER SUPPLY.

Mr. RICHES—Will the Minister of Works call for a report from the department on the reason for the very muddy water being reticulated through Port Augusta mains? Will he ask the department to take steps to remedy the position, particularly for those without rainwater tanks who use this water for small children?

The Hon. G. G. PEARSON—This matter was the subject of some investigations a few weeks ago when complaints were received from Port Augusta about discoloured water.

Mr. RICHES—I was told this morning that it is worse than ever.

The Hon. G. G. PEARSON—When I inquired I was informed by the Engineer-in-Chief that the discolouration was due to a heavy intake into the northern reservoirs containing soil in suspension, and that the matter would right itself when the water naturally cleared. The discolouration did not suggest any harmful contamination, only that there were microscopic particles in suspension because of the run-off. Water is always carefully checked for bacteria content, and I do not think there is any need for concern on that score.

Mr. RICHES—The concern is that there is excessive iron in the water because of corrosion in the pipes.

The Hon. G. G. PEARSON—I do not know whether it is due to corroded pipes. If it is that is another matter, but I rather discount that because the discolouration occurred after heavy intakes, and if it were due to the pipes it would occur at all times. It would help if the honourable member would supply me with information about the parts of the town in which discolouration has occurred. If it has occurred because of the pipes it would be in

some parts of the town and not in others, but if it is in all parts it would be due to the service. I shall be pleased to make inquiries into the matter.

#### NARACOORTE POLICE STATION SITE.

Mr. HARDING—Will the Premier state whether Cabinet has decided whether another building will be erected on the site of the Naracoorte Police Station, which has been demolished, and if so, what department will occupy it?

The Hon. Sir THOMAS PLAYFORD—As far as I know no decision has been reached, but I will check for the honourable member.

#### RENMARK FENCE.

Mr. KING—Recently I took up with the Minister of Roads the matter of fencing along the railway line alongside the Sturt Highway at Renmark Avenue, Renmark. The fencing has been made out of some railway iron with a couple of barbed wires, and in one part, where the railway line is on one side of the road and a drainage area on the other, the passageway is restricted. This is a hazard to the people using the road, which at times carries a great density of traffic. Since I made those representations nothing has been done and the work is still proceeding.

The Hon. G. G. PEARSON—What is your objection?

Mr. KING—That people have already been injured through being forced off the road into this fence. Will the Minister take up with the Minister of Roads the possibility of delaying this work until the safety of the travelling public has been assured? I suggest an investigation by some responsible officer.

The Hon. G. G. PEARSON—I am not quite sure whether the honourable member is concerned about the steel posts, or the barbed wire, or both.

Mr. KING—Both.

The Hon. G. G. PEARSON—Now that I have that information I will refer the matter to my colleague.

#### ZANUCKVILLE WATER SUPPLY.

Mr. RICHES—In the area named Zanuckville emergency houses were erected by the Government initially for a film unit but they are now occupied by people with small children. These people have requested the installation of rainwater tanks of sufficient capacity to provide drinking water. More often than not the water in the reticulation service is not suitable for

drinking and people believe—rightly or wrongly—that rust in the pipes is responsible for an outbreak of gastro-enteritis. In the summer months, because the pipeline is above ground for a long distance, it frequently takes days for the water to cool off. Will the Premier investigate the possibility of providing small rainwater tanks in this area?

The Hon. Sir THOMAS PLAYFORD—Yes.

#### RELEASE OF LIFE PRISONERS.

Mr. DUNSTAN—I understand that before 1942 a number of prisoners serving sentences of life imprisonment were released after periods of 12 to 14 years in gaol, but that since 1942 this has not been done despite the fact that a special section was written into the Prisons Act in 1954 allowing such prisoners to be released on licence on the recommendation of the Comptroller. My particular concern is with the case of a man named Sharpe who, in 1938, at the age of 16, was convicted of murder. He has now served 20 years in gaol. Will the Premier ascertain from the Chief Secretary the possibility of his release under section 42a of the Act?

The Hon. Sir THOMAS PLAYFORD—I think this case has been considered by Cabinet on a number of occasions. There has been no alteration in policy since 1942 and all cases are considered on their merits. I would like to refresh my memory of the case, but I believe there were circumstances which did not enable a favourable recommendation to be made to Cabinet. I think it is two or three years since it was last considered by Cabinet. I will advise the honourable member more specifically after I have examined the docket. Normally a life sentence is considered satisfied when a person has actually served 10 or 12 years and earned a couple of years' good conduct marks. Releases are always subject to certain recommendations from responsible officers who have intimate knowledge of the cases. The Government believes it is undesirable to keep any person incarcerated for life if it can be avoided. It not only is inhumane but serves no useful purpose. The general policy has been to release prisoners on probation. In the past this has been most satisfactory.

#### STATUTES AMENDMENT (LONG SERVICE LEAVE) BILL.

The Hon. Sir THOMAS PLAYFORD (Premier and Treasurer), having obtained leave, introduced a Bill for an Act to amend

the Public Service Act, 1936-1954 and the Education Act, 1915-1954. Read a first time.

The Hon. Sir THOMAS PLAYFORD—I move—

*That this Bill be now read a second time.*

The Bill, which deals with the long service leave entitlements of public servants and teachers, has been introduced by the Government after giving full consideration to a request that the entitlements should be extended to allow officers to accumulate long service leave over a longer period of continuous service than is at present provided in the Public Service Act and the Education Act. A study of the relevant provisions in other States has revealed that the maximum amounts of long service leave should be increased to allow public servants and teachers who render long service to obtain similar advantages to those enjoyed by their counterparts in the other States.

Clause 3 deals with the long service leave rights of Government employees other than teachers. At present the maximum amount of long service leave for any such employee is 365 days, which can be earned by 41 years' service. When a man has qualified by 10 years' service, each of the first 40 years of his service counts for nine days leave and the 41st year earns the extra five days. Service in excess of 41 years does not give any right to additional leave. In this respect South Australia is not in line with the general Australian standard under which service above 40 years earns a right to long leave. It is proposed by clause 3 to provide that the maximum amount of leave will be increased from 365 days to 450 days. This will mean that service up to 50 years may be taken into account in computing the period of long service leave at the rate of nine days' leave for each complete year of service.

Clause 4 proposes improvements in the conditions of long service leave for teachers. Under the present law a teacher qualifies for long service leave by 15 years' continuous service; and when a teacher has so qualified he becomes entitled to 90 days for the first 15 years of service and if he completes 10 additional years of service he becomes entitled to another 90 days. Under this scheme there is no *pro rata* leave, that is to say, unless a teacher serves for the full 10 additional years after he becomes qualified for leave he does not get any additional rights. It is proposed in the Bill to make two alterations in the system of leave for teachers. The first is that if a teacher is qualified for long leave by

15 years' service he will become entitled to additional *pro rata* leave for each additional year of service, subject, of course, to the prescribed maximum. Secondly, the maximum amount of leave for a teacher will be increased from 180 days to 270 days. This will mean that the amount of service which can be taken into account for computing leave rights will be increased from 25 years to 35 years. The Public Service Association has made representations to the Government on this matter, and it has also been the subject of discussion between the Government and the organization representing school teachers. I assure honourable members that the provisions of the Bill are approved by the teachers, and I believe by the Public Service Association.

Mr. O'HALLORAN secured the adjournment of the debate.

#### INDUSTRIAL CODE AMENDMENT BILL.

The Hon. Sir THOMAS PLAYFORD (Premier and Treasurer) 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 Industrial Code, 1920-1955.

Motion carried.

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

The Hon. Sir THOMAS PLAYFORD—I move—

*That this Bill be now read a second time.*

It has been introduced to increase the salaries of the President and the Deputy-President of the Industrial Court. After giving consideration to this question the Government is satisfied that in comparison with increases in the general level of public salaries both in South Australia and other States the salaries of the President and Deputy-President should be increased. The last increase in respect of these offices was granted by Parliament in 1955 in the Statutes Amendment (Public Salaries) Act, 1955, when the President's salary was increased from £2,500 to £3,250 a year and the Deputy-President's salary was increased from £2,100 to £2,750 a year. Since then the salaries of public servants, including special magistrates and legal officers, have been increased with the result that the established margins in favour of the President and Deputy-President have been substantially reduced.

After full consideration of all relevant facts the Government is of the opinion that the

salaries should be increased to £3,750 a year for the President and £3,150 a year for the Deputy-President. Clause 3 provides for these increases. Clause 4 provides that the new rates will operate from July 1, 1958. The reasons for making the Bill retrospective to that date are that representations in support of an increase were made about that time and the Judges Salaries Bill now before Parliament contains a similar provision.

Mr. FRED WALSH secured the adjournment of the debate.

#### INDUSTRIES DEVELOPMENT ACT AMENDMENT BILL.

The Hon. Sir THOMAS PLAYFORD (Premier and Treasurer), having obtained leave, introduced a Bill for an Act to amend the Industries Development Act, 1941-1951. Read a first time.

The Hon. Sir THOMAS PLAYFORD—I move—

*That this Bill be now read a second time.*

Its purpose is to provide a practical means of encouraging the establishment of industries in country areas of the State. The Bill provides that, with the consent of the Governor and upon the recommendation of the Industries Development Committee, the South Australian Housing Trust may erect factory premises on any land of the trust which is situated outside the metropolitan area. The Bill goes on to provide that the trust may let any such factory premises on terms fixed by the trust or may sell the premises upon such conditions as are fixed by the trust. It has been found by experience, both in this State and in other parts of the world, that a substantial inducement to the establishment of an industry can be the provision of suitable factory premises which are let or sold upon terms.

In the case of some industries, the company contemplating the establishment of a factory is faced with considerable expenditure upon plant which may absorb a great part of its capital. If the company can be provided with factory premises which can be purchased by the payment of instalments over a term of, say, up to 10 years, that extra assistance may make all the difference between the industry coming to this State or being established elsewhere. In other instances, of course, the inducement provided by the Bill is not needed. In conformity with the Government policy for the establishment of industries in country towns, the trust has already provided aid to industrial undertakings by building

houses in many country centres. Houses for this purpose have already been erected in more than 20 country towns and the number of houses provided have ranged from many hundreds in towns such as Whyalla, Port Augusta and Mount Gambier to a few in places like Tintinara where houses were erected to aid a small local industry. In instances, the industries assisted by housing would not have been established only for the provision of the houses and, in other cases, the houses built in the particular town have enabled existing industries to be expanded. Assistance of this kind will be provided by the trust in any case where housing is necessary for industrial development in any country town.

It has been found however, that apart from the assistance provided by the building of houses, industrialists are, in instances, more likely to choose South Australia as the place to establish a factory if the factory premises can be built for them and, in some cases, let or sold on terms and, in fact, the Government has been asked by a number of industrial undertakings to have this work carried out. Thus, under the scheme proposed by the Bill, the two things which will materially aid the establishment of industry, namely, the provision of both housing and factory premises, can be carried out by the one organization, and the result should be that no suitable industry should be lost to any country town by reason of the lack of either of these aids.

It is not expected that, by undertaking the building of factories, the trust's house-building programme will suffer. The trust has ample reserve funds and some part of these funds can be applied towards these factory premises. In any event, it can be expected that the trust will recoup its expenditure under the arrangements it will make with the industries concerned. It will be noted that the Bill is limited in its application to parts of the State outside the metropolitan area. Thus, the Bill is intended to foster industrial development in country areas, and to give further aid to the decentralization of industry in the State.

Mr. O'HALLORAN secured the adjournment of the debate.

#### IRRIGATION ON PRIVATE PROPERTY ACT AMENDMENT BILL.

The Hon. C. S. HINCKS (Minister of Lands), having obtained leave, introduced a Bill for an Act to amend the Irrigation on Private Property Act, 1939-1949. Read a first time.

The Hon. C. S. HINCKS—I move:—

*That this Bill be now read a second time.*

The purpose of the Irrigation on Private Property Act, which was passed in 1939, is to allow the owners of reclaimed land adjacent to or near the River Murray to petition the Minister to proclaim the area as a private irrigation area. The petition must be signed by one-half or more of the owners of the reclaimed land within the proposed area and the area of reclaimed land owned by the petitioners must be more than one-half of the total of such reclaimed land. Provision is made for persons opposed to the scheme to present a counter-petition.

The Act provides that a proclaimed private irrigation area shall be administered by a board of management, the powers and restrictions of which are prescribed by the Act. Since the Act was passed five private irrigation areas have been constituted in the lower river reclaimed land areas, namely, River Glen, Toora, Woods Point, Yiddinga and Long Island. The Act in its present form applies only to land which is reclaimed or partly reclaimed from being swamp land and several requests have been made to the Government to amend the Act to allow the owners of other irrigable land near the River Murray to petition for the constitution of a private irrigation area. The lands included in past proclamations have been used almost exclusively for dairying and the main purposes of this Bill is to extend the scope of the Act to allow its provisions to apply to other lands which can be irrigated by the waters of the river and used for the production of fruit and vegetables.

The proposed amendments will permit a group of private owners of irrigable high lands who have reached full agreement amongst themselves to take advantage of the provisions of the Act to have an area constituted as a private irrigation area, and thereafter to manage their own affairs through a board of management. Other consequential amendments of the Act are necessary to provide for the differences between irrigation practice and control in the lower river reclaimed swamp lands which are used for dairying, and the high-lift irrigation areas which are envisaged in the amendments.

The explanation of the clauses of the Bill is as follows. Clause 3 inserts a new definition of "ratable land" which, as I will explain later, is a necessary consequential amendment to define the class of land within the proclaimed area which is subject to rating and

other powers vested in a board of management. This clause also strikes out the definition of "reclaimed land" and substitutes a new definition of "irrigable lands" which includes reclaimed lands and other land which is, or is capable of, being irrigated by waters from the River Murray. Clause 4 amends subsection (2) of section 5 of the principal Act, which provides that the Minister shall not consider any petition unless he is satisfied—

- (a) that the petition is signed by one-half or more of the owners of reclaimed land within the part of the State proposed to be constituted a private irrigation area; and
- (b) that the area of reclaimed land owned by the persons by whom the petition is signed is more than one-half of the total area of reclaimed land within the said part of the State.

The effect of the amendment is that the same provisions will apply in respect of irrigable land which is reclaimed or partly reclaimed from being swamp land, but that in respect of other irrigable land the petition must be signed by all the owners of such land within the proposed private irrigation area. Thus the provision in respect of reclaimed land which has worked successfully for nearly 20 years remains unaltered, but as the Bill embraces highlands in localities where pumping from the river is necessary to provide water for irrigation purposes, and as the only inquiries so far have come from persons who are unanimous in joining together to form a private irrigation area, the Government believes that it is desirable to provide that a petition in respect of irrigable land other than reclaimed land must be signed by all the owners of such land.

Another argument in favour of this amendment is that in private irrigation areas consisting of reclaimed land it is necessary for the good of all land owners therein that an embankment should be constructed to protect the whole of the area, and the views of a minority should not be allowed to endanger the whole scheme. In high-lift irrigation areas there is no comparable reason why a person should be compelled to have his land included in the private irrigation area; for example, a land owner may already have an adequate pumping plant and irrigation scheme and it is unreasonable to provide that a majority of adjacent land owners could compel that per-

son to join with them in a private irrigation area. Clause 5 is a consequential amendment.

Clause 6 amends section 28 of the principal Act which deals with the appointment and powers of a committee appointed by a board of management. The board, which comprises all the owners of irrigable land within the area, has power to delegate to a committee such of its powers and duties under the Act as it thinks fit. The clause strikes out subsection (4) of that section which provides that, "In no case shall a committee authorize an expenditure or pay any sum of money exceeding twenty pounds." This in the Government's opinion is an unnecessary and unwieldy restriction on a committee, which is answerable to the board of management and is unlikely to act contrary to the wishes of the board.

Clause 7 amends section 34 of the principal Act which regulates the duties of all owners of irrigable lands within a private irrigation area. The effect of the amendment is to impose an additional duty to comply with any order by the board to install adequate pumping plant and irrigation equipment. Paragraph (b) of clause 7 makes a consequential amendment to paragraph (v) of section 34. This paragraph requires land owners to preserve in good order, repair, and condition all trees and plantations within a private irrigation area. The amendment makes it clear that the trees and plantations referred to do not include trees and plantations grown for the production of fruit and other produce. Paragraph (v) was obviously intended to apply to ornamental trees or trees planted for the purpose of a windbreak or for protecting the embankment. Clause 8 is a consequential amendment.

Clause 9 amends section 38 of the principal Act which regulates the powers of a board of management. The effect of the amendment is to give the board an additional power to determine from time to time the maximum area of ratable land which may be irrigated. This is a necessary power for any irrigation scheme. Clause 10 enacts a new section 38a which will allow the board to order the owner of ratable land to carry out works for draining his land or for the prevention of possible seepage injury to other land. An owner who receives such a notice is given the right to make representations to the board. The Government believes that this is a necessary and desirable power to be vested in a board of management as one owner's holding could be damaged by the neglect of his neighbour to carry out necessary

drainage works. Under section 38 of the principal Act the board has power to construct main drains into which seepage water from private land could be discharged. The powers in section 38 of this clause are similar in principle to the provisions of the Irrigation Act, 1930-1946, for dealing with the seepage problem in fruitgrowing areas. Clause 11 is a consequential amendment.

Clauses 12, 13, 14 and 15 increase the penalties provided for a breach of sections 58, 60, 61 and 64 from a maximum of twenty pounds to a maximum of fifty pounds. It is almost twenty years since the present penalties were fixed and the offences affected are fairly serious breaches of an owner's responsibilities under the Act not to act in a manner which is detrimental to the interests of the other owners within the scheme. Clause 16 enacts a new section 73 which will enable the Governor on the recommendation of a board of a private irrigation area to make regulations to assist in the administration and enforcement of the Act. This is a desirable provision which will enable the Government to assist a board to regulate any conduct or other matters causing concern or trouble in the irrigation area. The clause provides for a penalty not exceeding £25, and in the case of a continuing breach an additional £5 for each day on which the breach continues. Clause 17 is a consequential amendment.

Clause 18 and the schedule make a number of consequential amendments to various sections of the principal Act. The power contained in section 39, which enables the board to declare and levy rates on reclaimed land, is limited to ratable land as defined in clause 3. Thus the owner of irrigable land within an area which is not being supplied with water or for which a supply of water has not been approved by the board would not be liable for the payment of rates.

As I explained earlier the purpose of the Bill is to enable persons mutually interested in the development of irrigable lands adjacent to or near the River Murray to join together in a petition to declare their lands to be a private irrigation area, and, if granted, to thereafter manage their own affairs within the framework of the Act.

Mr. BYWATERS secured the adjournment of the debate.

#### PRICES ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 22. Page 1364.)

Mr. RALSTON (Mount Gambier)—This is a good Bill: it protects the consumer against exploitation when purchasing goods necessary for his well-being, and is of great benefit to the State's economy in every way. Every speaker but one supported the measure. The principle of price control has the general approval of both sides of the House. The contribution made to this debate by the member for Light (Mr. Hambour) was a valuable one, and I am sure all members appreciate the information he gave, especially on the effect of price control on the quality of clothing, drapery and other household goods subject to control. I think we could include footwear, because the effect on this essential commodity would be the same. His wide knowledge of the subject enabled him to express an expert opinion which no doubt cleared up any misgivings in the minds of members. In reply to the member for Mitcham (Mr. Millhouse), who had given him a prices list and asked for an example of quality counting under price control, he said:—

I could give the honourable member dozens of instances of lines in this list. I am sure that he will believe me when I tell him that the profit margin is related to cost, and quality certainly has a bearing on cost. In the prices regulations everything is dealt with in percentages, and percentages of cost with two margins—one indicating whether it was bought from a wholesaler, another indicating whether it was bought from a manufacturer. It completely confounds the argument that quality does not count under price control.

Petrol is another commodity used extensively and essential to the welfare of the people. It is subject to price control, and I wish to comment on the way this control is exercised in the South-eastern towns of Kalangadoo, Penola, Millicent, Port MacDonnell, Tantanoola, Glencoe and Mount Gambier. The retail price in each is 3s. 10d., except in Penola, where it is 3s. 9½d. Without going into detail on the ramifications of price control on oil throughout the world, it would be true to say that it is in the hands of a few big companies who own and control many subsidiary companies. The production, marketing and transportation of crude oil from the overseas oil fields to the Australian refineries is quite a story on its own, but my main interest is in what happens when it reaches Australia and goes to the refineries, which are subsidiary companies. Crude oil is refined to produce

petrol, lubricating oil and many other products, and I ask members to note that petrol, one of the by-products of crude oil, is manufactured within the Commonwealth. It is then acquired by another subsidiary company, which distributes and markets it.

The activities of those companies are many, including the selling of bulk supplies to retailers and selling direct to the public. Almost anybody can buy a drum of petrol from them, and a person with a monthly account can buy even a 1 lb. tin of grease. To my mind they are very close to being retailers in the generally accepted meaning of the word. The price of galvanized iron is controlled by prices order No. 656, clothing and household drapery by order No. 593, and footwear by order No. 545. These orders clearly indicate that the Government can control the price of goods manufactured anywhere in Australia; in fact, it can go so far as to control the price of goods imported from overseas. Furthermore, it is evident that it has the right to control the freights applicable to the goods, as set out in the orders. During the debate Mr. Hambour made certain statements about this that were immediately refuted by the Premier. He said:—

For instance, tyre retailers all quote the same price, notwithstanding that they all buy rubber and cottons on fluctuating markets, which are quoted on the Stock Exchange, and their costs are the same. They are the perfect example of doing everything right at the right time, all of them—I don't think!

This applies to the oil companies as well. He went on:—

Section 92 of the Constitution completely nullifies anything in this Bill. If a tyre comes from across the border there is no control.

The Premier then interjected:—

The honourable member is not correct. If it is sold in South Australia it is subject to the Prices Act.

To this Mr. Hambour said:—

The Premier is wrong. The margin of profit depends on the price at which the tyre is invoiced to the purchaser in South Australia. The manufacturer in Melbourne is not subject to price control, and there is no tyre factory here.

The Premier then said:—

We fixed tyre prices for a number of years, and only decontrolled them recently.

I am perfectly satisfied that this Act is a valid one, as it has stood the test of time without being challenged. In asking a question last month regarding the price being charged for petrol at South-Eastern towns, I pointed out that supplies to the lower South-East, including Mount Gambier, come from

Portland, Victoria, a freight-free port, and that the freight charges permitted under the prices order is in excess of the amount incurred. In reply, the Premier said:—

Fuel coming from Victoria is not under price control, and its selling price is a matter that is determined by the seller. This Government has no control over petrol landed at Portland; the costs we are regulating are the costs for fuel that comes from Port Adelaide. However, I will have the matter investigated, and report to the honourable member.

I feel sure he gave the reply without giving the points I raised the consideration they warranted. I have no doubt that he is in complete agreement with me that the Prices Commissioner had a perfect right and authority to issue the prices orders I mentioned for goods sold in this State whether they were manufactured in Australia or overseas, and to control the amount of freight charges on goods brought here from other States. It is interesting to note how fuel supplies are delivered to Portland and Port Adelaide, both freight-free ports where the landed cost is 3s. 1½d. a gallon. A few weeks ago I wrote to the Harbour Master at Portland about tankers discharging at Portland before coming to Adelaide, and his reply will, I am sure, interest all members, especially those representing the lower South-East. He stated:—

Further to our phone conversation this morning *re* tankers discharging at Portland before Adelaide so as to have necessary draft which I believe is 27ft. at tanker berths in Adelaide, I list same hereunder:—

8/7/58. *Cleodora ex* Geelong discharged at Portland 8,255 tons, thence Adelaide.

15/7/58. *Caltex Kenya ex* Botany Bay discharged at Portland 7,130 tons, thence Adelaide.

8/9/58. *Cleodora ex* Geelong discharged at Portland 9,042 tons, then Adelaide.

This clearly indicates that tankers deliver to freight-free ports and then continue to other ports. I shall now give figures of mileages from freight-free ports to certain towns in the South-East, and the prices charged for petrol at those towns, as set out in Prices Order No. 657 of June 26 last. The manufactured cost of petrol is the landed cost at a freight-free port. The retail price is the manufactured cost plus any permitted freight cost and the resellers' profit allowed by the Prices Commissioner. In respect of towns near the city I have calculated their distance from the freight free port of Port Adelaide, but in the South-East I have taken the distance from Portland. At

Victor Harbour, 61 miles from Port Adelaide, the price of petrol is 3s. 8d.; at Taillem Bend, 74 miles, 3s. 8d.; Eudunda, 71 miles, 3s. 8d.; Balaklava, 82 miles, 3s. 7½d.; Clare, 91 miles, 3s. 8d.; and Blanchetown, 91 miles, 3s. 8d. However, at Mount Gambier, which is 73 miles from Portland, the price is 3s. 10d., and the same price applies at Millicent, Kalangadoo and Tantanoola.

Mr. Shannon—What are the mileages in those instances?

Mr. RALSTON—Millicent would be 103 miles from Portland. All these costs are based on a freight cost from Adelaide, whereas in the South-East the petrol is actually coming from Portland. Petrol is taken *via* Mount Gambier to Penola. It costs ¼d. a gallon less in Penola than in Portland because of price control. I submit that there is room for a close inquiry into what is actually happening under price control in the lower South-East. I think I have proved conclusively that price control does operate in respect of petrol in the South-East, even though the Premier on one occasion gave me to understand that it did not. I hope the Prices Commissioner will be able to complete his inquiry into the price of petrol at Mount Gambier and elsewhere in the South-East as promised by the Premier without any undue delay and that it will soon be available.

Mr. CUMBE (Torrens)—The Prices Act probably affects every person in this State every day of his life. It affects the cost of the food he eats, the clothes he wears, the footwear he walks in, the house he lives in and the services he uses. Because it affects every man, woman and child it is among our most far-reaching statutes. It is social legislation and though, in some cases, it is extremely controversial, in many others it is most beneficial, and I therefore support the second reading. Embracing as it does items mainly connected with the C series index—clothing, footwear and foodstuffs—its effect has been to keep the costs of living in South Australia among the lowest in the Commonwealth. Because building materials and home construction services—plumbing and electrical works—are subject to price control, houses in this State cost less than comparable houses of similar design in other States.

If we examine the primary industry we discover that control on the price of superphosphate has assisted the primary producer in his efforts to keep his costs of production as low as possible with a resultant benefit to the consumer. I have carefully read and studied the arguments advanced by those interested parties

who oppose price control, including the member for Mitcham, and whilst some of their arguments are rather specious, others definitely possess considerable merit. It is significant that whilst some producers and manufacturers suffer slightly under price control the vast majority seem to be flourishing. Their balance-sheets certainly show reasonable profits. I admit there are many arguments for the abolition of price control. It does not encourage incentive or efficiency.

Mr. Shannon—Don't you think that is important?

Mr. CUMBE—It is most important, but it is only one of the aspects we must consider. I would not like to see this legislation permanently retained in our Statute Book, although whilst it continues to afford certain benefits to the people I will support it, but only while it is reviewed each year by this Parliament. Though some people do not appreciate its effects the vast majority of South Australians benefit. Many people, especially those on lower incomes, would be infinitely worse off in their weekly budgeting if this legislation were not re-enacted. I have pleasure, at this stage, in supporting the second reading.

Mr. JENNINGS (Enfield)—I certainly support the Bill. I congratulate the member for Light (Mr. Hambour)—and I am sorry he is not here to hear my congratulations because it may be his first and last opportunity—because on this occasion I believe he did what he is not prone to do and that is confine his remarks to a subject about which he knows something. I commend him and suggest he continue that practice. We would certainly hear less from him, but we would like better what we did hear. Many members on this side have felt for some time that the member for Mitcham (Mr. Millhouse) should still be wearing napkins, but we have always had the magnanimity to refrain from saying so. I thought it was poetic justice that one of his colleagues should remind him of his youthfulness. Mr. Millhouse said that this legislation was contrary to Liberal Party policy. That, I hasten to say, makes it all the more attractive to me. Perhaps it is contrary to Liberal Party policy, but I was not convinced that it was after listening to the Premier read out pious, platitudinous piffle from the Liberal Party platform. I think it is obvious that the Liberal Party platform could mean everything to everybody.

Mr. Coumbe—It means a great deal to a lot of people.

Mr. JENNINGS—But not to the majority of people, as an event on November 22 will prove. The majority of people are not impressed by all the pomposity in the Liberal Party platform. I was particularly impressed with the Leader of the Opposition's remarks regarding the price of clothing. A few years ago we were told that the price of suits was increasing because of the drastic increase in the price of wool. Those of us who at that time were working in the wool selling industry knew that the price of wool had no effect whatever on the increased price of clothing because the wool was still in the stores at Port Adelaide and shipping orders for it would not be received for at least six months. I know from experience that from the time the wool leaves the sheep's back until it is made into clothing 18 months elapses. The price of clothing today is not being reduced in accordance with the decrease in the price of wool. Mr. Millhouse said much about the law of supply and demand. It must be obvious to anyone who views this matter realistically that in our highly organized modern economy there is no such law. If there were there would be neither depressions nor booms.

Mr. John Clark—Both would be controlled.

Mr. JENNINGS—That is so. There is no genuine competition today. The great American industrialist, J. Pierpont Morgan, said that where combination is possible competition is impossible, and that is perfectly true. Not only do we have our economy organized by monopolies, but among our furniture traders, clothing dealers and petrol and rubber merchants we have cartels which prevent genuine competition. Legislation of this nature is essential as long as that obtains. The member for Light (Mr. Hambour) gave some examples of the tightness of cartels controlling the distribution of petrol and motor tyres. Unfortunately, this legislation is not nearly as effective as it should be. Because of Constitutional limitations the States cannot control prices adequately, but they can perhaps save us from the worst of the rapacity of those who would like to profit and prosper from the labour of others.

I am sorry the Government is extending this legislation for only another 12 months. I cannot see why it should not become permanent. It may not be necessary to keep all items under control but if the necessary legislation was on the Statute Book it would be possible to bring

items under control as the need arose. That is why Queensland has been so successful in administering its Fair Prices Act for about 20 years. I commend the Bill to the House. I am sure it will be passed by both Houses, and once again I ask that this legislation be made permanent instead of being extended from year to year each session.

Mr. HEASLIP (Rocky River)—I have supported this legislation ever since it was introduced in 1948, but always on the understanding that it was temporary and that when supply caught up with demand it would be struck off the Statute Book. However, it has become almost permanent as we have now had it for 10 years, and for that reason I oppose the Bill. I believe that price control, as a temporary measure, has achieved a lot. The effect of the war and subsequent inflation necessitated the introduction of price control. It did not stop rises in prices, but it checked them. Most goods are now in ample supply, and the need for this legislation no longer exists. The member for Enfield (Mr. Jennings) was definite in the stand he took, for he said he wants permanent price control. I could not decide whether the member for Mount Gambier (Mr. Ralston) favoured permanent price control, but both speakers, in effect, condemned price control. They said it was not efficient and was not working properly. The member for Mount Gambier mentioned the price of petrol in his district. We have price control over petrol, but he said it was ineffective and that the petrol combines, as he called them, controlled the price of their product. The member for Enfield said there was no competition today because cartels and monopolies controlled prices. If that is so, what is the use of having this legislation? Do we have it just for the sake of having another measure on the Statute Book?

The member for Enfield referred to the remarks of the Leader of the Opposition about the price of wool, and said that when the price of suits was rising we were told it was the result of the rise in the price of wool, and now that the price of wool has fallen there is no decrease in the price of suits. However, the fact is that the cost of the raw material has little effect on the price of the suit.

Mr. Jennings—I agree, but we were not told that when the price of wool was rising.

Mr. HEASLIP—Perhaps not, but there was another reason why the cost of suits went up. The Leader of the Opposition referred to the days of the high prices of wool, but before that

the 40-hour week was introduced. Prior to 1948 the standard working hours were 44 a week.

Mr. Jennings—You are back on that again.

Mr. HEASLIP—Unfortunately, it always comes back to that. When we had the 44-hour working week coatmakers were making three coats a week, but when the 40-hour week was introduced they produced about 1½ coats a week, or two at the most. The wage of a coat-hand today is £12 18s. a week. If she makes 1½ coats a week the labour content of a coat amounts to about £10. In addition, there are the administration costs, rent, and other costs to be added to the cost of the raw material. The increased costs of production have been the main factors in the increase in the price of suits. Other factors are increased freight charges in getting the wool from the sheep's back to the place where it is treated, in costs of scouring, combing and weaving, and distribution costs. Whether or not we have price control, those factors still apply, and we have no control over them, unless we control everything and I do not think even members opposite desire a total control of everything. We want our freedom and our right to lead our own way of life. Those who work hard should be rewarded more adequately than those who do not.

I think it was the member for Torrens (Mr. Coumbe) who mentioned building costs. We are fortunate in having an efficient Housing Trust, but the taxpayers of Australia provide the trust with finance, and indirectly they contribute much in enabling the trust to build economically because they provide finance at a low rate of interest. The Leader of the Opposition referred to the price of meat. When meat was decontrolled there was plenty of meat available because of the seasonal conditions at that time, but choice, fat meat was scarce. Then the season changed completely, and most of those who had stock did not send it to the market. As a result the price of meat increased, and even if meat had still been under control the price would have been increased. I think the Leader of the Opposition admitted that for a big portion of the quarter when prices were investigated meat was under price control. A continuation of control would not have stopped further increases in prices, unless the control was extremely rigid, and then meat would not have come on the market at all.

Mr. Jennings—We are not controlling prices by this legislation but merely giving the Government power to do so.

Mr. HEASLIP—Why, unless to control prices? I say we are controlling prices under this legislation. My experience of price control has been most unhappy. I do not regard it as price control, but as profit control.

Mr. Shannon—It has always been that.

Mr. HEASLIP—Yes, and it always will be. It is the efficient business that is penalized. I have applied to the Prices Commissioner for an increase and have been refused. I was associated with a firm running a highly efficient business, but we could not get a price increase unless we increased our staff and did not concern ourselves with giving an efficient service to the public. If we did not increase costs we could not get an increase in price. That shows that there is no incentive under price control to be efficient. This ultimately leads to higher prices to the public, so they do not benefit from price control. I oppose the Bill. I would support it if it enabled the Government to decontrol all items and then bring back under control any items in respect of which some person or firm was exploiting the public.

Mr. HARDING (Victoria)—I support the Bill with much regret and in a half-hearted manner. I admired the member for Mitcham (Mr. Millhouse) for his speech, and we know where he stands on this measure. A year or two ago I was right behind him in his attitude, but I feel now that price control is probably defeating itself, and I will explain why. I do not think we can give much weight to the statement that the cost of living in South Australia is now cheaper than in other States because that has always been the position. I dislike the need to support the Bill because I do not think it is conducive to increasing the initiative of the people. Generally speaking, legislation protects the majority of the people against a few unscrupulous smart Alecs. I agree with previous speakers from this side of the House that price control should be temporary, but we have had it for some years, and the Bill extends it for another 12 months. I feel that price control is building up cartels and organizations that have the tendency to gang up in order to protect their own interests. They have grown tremendously in the last few years. We have had it in the petrol business. Superphosphate companies have formed themselves into one organization. Stock and station agents and land agents have their own

selling organization and have the one figure in connection with costs and charges. In our rural economy spare machinery parts play an important part. We have our motor, farm machinery and spare parts agencies. The people behind house lighting and motor car batteries have the same prices and there is no competition.

The only bright spot I can see is that a few firms are keeping outside these cartels and organizations. One stock and station company is outside the association and has been hounded and boycotted, and attempts are being made to force it to join the association. I think something of the sort also applies in the petrol business. Is price control defeating its objective by promoting fewer and larger distributors? I do not believe that it is any easier to obtain a meal today, for instance, than it was 20 years ago in any of the capital cities. The meat position is definitely seasonal and is more or less subject to the elements. If a farmer has surplus feed he will keep his stock, or purchase stock, so that it can be eaten. The quantity of meat coming on to the market is governed by seasonal conditions. Of course, there will be gluts in the slaughtering season, and at other times there will be shortages. Choice cuts of meat will always bring the premium prices. Some people always want the dearest meat, whether or not it is the best cut. The thrifty housewife will use her initiative and judgment and buy the cheaper meats and the less sought after joints. I believe she will get more for her money without price control than with it. Price competition is not encouraged by price control. Because there is the one price for an article people are losing their efficiency. I believe that in the future more judgment will have to be used in buying. I regret that I have to support the Bill but I do so because I understand the Prices Commissioner has given an assurance that as goods become more plentiful they will be removed from price control. I feel also that as large firms, retail and wholesale, have ganged up for profit purposes price control is necessary. I feel that even after another 12 months of control we shall still have those people ganging up in their own interests.

Mr. FRED WALSH (West Torrens)—I support the Bill. It is difficult to understand the reasoning of some Government members in their support of or opposition to this Bill. I cannot understand the attitude of Mr. Harding. I do not know whether he supports or opposes it. He will probably vote for the

second reading but many of his statements were undoubtedly against the Bill, yet he said he would support it. I think this applies to the remarks of some other Government members. This session we have heard much about the wonderful prosperity in this State and the Government has been given the credit for it. In this debate some Government members have said that price control interferes with progress and retards development in certain industries. If they did not use those words that was the implication; otherwise, why do they oppose the Bill? I did not take much notice of what Mr. Heaslip said about the 40-hour week because it has become anathema to him. When any matter related to costs comes up he always mentions the 40-hour week, but he should go farther back and make comparisons between the 44 and 48-hour weeks. He could even go farther back and compare the 48 and 50-hour weeks. He said that the 40-hour week has resulted in tremendous increases in costs in industry and business. That may be so, but every State has prospered under it. I predict that as time goes by there will be further reductions in the weekly hours of work. It is the only way to deal with the introduction of more mechanization and the application of more scientific methods in industry. If we are to protect the workers and the interests of the consumers, and distribute the work more equitably, we must have shorter hours of work.

Mr. Millhouse—Is the time right for a reduction now?

Mr. FRED WALSH—The time is always right to prepare for a change. I pointed out previously that the Government and employers and employees should confer and work out solutions to the problems that will face us in the near future. Mr. Heaslip made a comparison of the number of coats made by workers in the clothing industry under 44 and 40-hour weeks. I do not think he could have chosen a worse industry, because the clothing industry has been notorious for the sweating indulged in down through the years, not only in Australia but in practically all countries.

Mr. Hambour—You must go back 50 years for that.

Mr. FRED WALSH—Don't be silly. It was only during the last war or immediately after that the Clothing Trades Union was able to get a common rule of the Commonwealth Arbitration Court made applicable to

the clothing industry. It was the first time in history that this had been granted.

Mr. Hambour—You implied that there was sweated labour in the industry up to the last war?

Mr. FRED WALSH—Yes, and it developed considerably during the depression when, because of the loss of employment by bread winners, women were compelled to take garments into their homes and make them up for a price that hardly paid for the materials used. Sweated conditions definitely existed in the industry up to the second war. The member for Light is an authority on some aspects of the industry, but I do not know that he is an expert on the manufacturing side.

Mr. Hambour—It still goes on in backyards. You cannot charge an industry because these things go on.

Mr. FRED WALSH—These conditions do not exist to the extent they once did, and if they exist they constitute a breach of the award.

Mr. Heaslip—All I pointed out was the increased cost of a suit of clothes. I did not say anything about awards or anything else.

Mr. FRED WALSH—Perhaps I was not able to grasp what the honourable member meant, but he could not have chosen a worse industry to prove his point. If he had chosen another perhaps I could not have answered with such strong arguments. All members on this side agree that price control has not been as effective as we would have liked. We do not entirely blame the authorities in this State, however, because it has not had the co-operation of other State Governments that is necessary to make it more effective. Immediately after the Federal Government threw the responsibility for price control on to State Governments, it is to the credit of this Government that it endeavoured to keep price control going as far as it was reasonably able to do without the co-operation of the other States. We concede that, which is why we are supporting this Bill, and we shall continue to support this legislation so long as there is a system of wage pegging.

Quarterly adjustments, which had been in operation since 1923 or 1924, were stopped some years ago. While they were operating the worker was guaranteed at least the standard of living to which he had been accustomed, having regard to increases in marginal rates from time to time. In March or April of this year the Federal basic wage

was increased by 5s., and under the system in operation here this was immediately added to the State living wage. We were then one shilling above the Federal cost of living figure that would have obtained under quarterly adjustments, but we should not forget that the workers lost money in the meantime. Since then there have been two increases in the cost of living—5s. and 4s. According to the Commonwealth Statistician, increased rents were chiefly responsible for the first increase, and increased meat prices for the second. The Government allowed increases in rents, which immediately sent the cost of living soaring, but there was no recompense to the workers. Since then meat prices have been decontrolled, causing a further increase of 4s. in living costs, again with no recompense to the worker. As a result workers in this State are being paid 8s. less than they would have been paid if quarterly adjustments had continued, so it is imperative under our existing system of wage fixation, by means of a review from time to time by the Federal Arbitration Court, that there should be a degree of price control, if not total control, to keep down prices. The man who says control does not keep down prices does not know what he is talking about; every time it has been relaxed the cost of the commodity has increased to the detriment of those who can ill afford to pay.

The member for Victoria (Mr. Harding) said that it should be left to the judgment of housewives whether they will buy the cheaper cuts of meat, but why should they? Aren't they as much entitled to the 'good cuts' as anyone else? It is only natural that everyone will get the best article possible according to ability to pay. No business man would suggest buying an article because it is cheap: the quality is what counts. Who would buy a suit for £11, £12, or £13? The man who can afford it will naturally buy the better article, not because he wants to pay more, but because he thinks it is better to buy quality. That should be the deciding factor when purchasing any commodity. I suggest the House will not be niggardly in carrying this Bill but that it will support it in all sincerity, and not give only lip service to it, because it is in the interests of the State to keep prices as low as possible.

Mr. SHANNON (Onkaparinga)—Like other members, I have been waiting for the war to finish, but Oh Lord! how long! Does it never finish? Do we go on bit by bit, year by year, *ad infinitum* until we all get back to normal

conditions, or are they never to come again? Have we reached a stage where war neuroses will prevail indefinitely?

Mr. Hambour—The war has been over a long time.

Mr. SHANNON—The honourable member was not here when this legislation was introduced as a war measure to overcome shortages. I am sure he, as a business man, would know what commodity shortages really mean. I am interested to know how he lines up his arguments in favour of this legislation with his business experience.

Mr. Hambour—I can see its impact.

Mr. SHANNON—Has it a beneficial impact on the man in business?

Mr. Hambour—No, but it has on the public.

Mr. SHANNON—Let me develop my argument. Has this some beneficial effect on the person who is going to distribute largesse to the public through his various business activities? I am not sure that that is not the way it works. I have a hunch that the efficiency of an industry is never taken into account by the Prices Commissioner when assessing the margin of profit to permit before fixing a price for any commodity. I have a vivid recollection of our wartime experience of cost-plus as the basis for assessing the just recompense for the person giving services to the community. I am not sure that it is not a fair condemnation of price control to assess it on that basis, because it is an attempt at profit control: it does not in any way get at the fundamental of costs, which is efficiency. I make bold to say that there is not one person in the Prices Department competent to go into one of our difficult industries with wide ramifications and assess efficiency. I know from what I have been reliably told that Mr. Essington Lewis, when general manager of the Broken Hill Proprietary Limited went through certain big steelworks during one of his overseas visits and made suggestions for more efficient working that meant tremendous sums of money to them. He was able to do this only because he knew how. One only learns by experience to understand the ramifications of an industry.

Mr. Fred Walsh—There is only one Essington Lewis.

Mr. SHANNON—I admit he was an outstanding man in his sphere. We cannot go outside and secure people with the know-how to do these jobs in our Prices Branch. A person can only gain the know-how through practical experience in industry.

Mr. Hambour—You are dealing with the manufacturer, aren't you?

Mr. SHANNON—And with the distributor. The manufacturer at the moment is in a happy position. He does not have to be efficient. He can sell his commodities to a long-suffering public who have been led into the mistaken belief that this legislation protects them.

Mr. Hambour—Do you suggest there is no competition?

Mr. SHANNON—There is competition, and we do not need this so-called protection for the purchasing public. Do members think that before we had this legislation industries batted on us and got fat at our expense? Is that the current thought today? Do we believe we have to keep people in strait-jackets so that they cannot batten on the community? Do we believe that people in business cannot be trusted?

Mr. Fred Walsh—If they cannot be trusted they should be in gaol.

Mr. SHANNON—I agree. If they cannot be trusted they should not be in business.

Mr. Hambour—That is being silly.

Mr. SHANNON—The honourable member is one who has enjoyed some of the benefits of price control.

Mr. Hambour—You are being more foolish than ever now.

Mr. SHANNON—I heard the honourable member speak—

Mr. Hambour—Well don't make stupid statements.

Mr. SHANNON—I am sure most members were surprised at the way the member for Light lauded price control.

Mr. Hambour—I did not laud it.

Mr. SHANNON—I do not think any other member has been complimented as much as the member for Light on his commendation of price control. I think he has been mentioned in despatches by almost every member.

Mr. Hambour—I resent your imputations that I get fat on price control.

Mr. SHANNON—Perhaps I am being too tough on my younger colleague who will live and learn and by long experience gain a more mature approach to these problems, which arose primarily through the exigencies of war. I listened with some interest to the member for Mount Gambier (Mr. Ralston). He stated an obvious reason for the discontinuance of price control. He made it abundantly clear that price control on fuel in the South-East is not satisfactory. He mentioned a price of 3s. 10d. a gallon for petrol in towns just across the border from Portland where the fuel comes from. The price of petrol is fixed on transportation costs from Port Adelaide.

It is the practice of oil companies to get their petrol from the nearest possible source and it does not matter in whose tanker the fuel is delivered—Shell or Vacuum Oil. Petrol is like beer in one respect. It is all the same: it is merely put in different-labelled bottles.

Mr. Hambour—They are bold words.

Mr. SHANNON—That is the information I have received from people who know. It is all the one company and it makes its commodity so as to retain some competition for the tastes of the public.

Mr. Jennings—Whose side are you on now?

Mr. SHANNON—I am on the side of the consumer at the moment, especially the consumer at Millicent, Mount Gambier, Kalangadoo and Tantanoola.

Mr. Ralston—Do you agree that I was right?

Mr. SHANNON—Not only that, but I agree that you advanced one of the most effective arguments possible against price control. We have a Prices-Commissioner who fixes the price of petrol in various parts of the State based upon transport costs, using Port Adelaide as the point of delivery.

Mr. Ralston—I suppose the companies told him they got their petrol from there.

Mr. SHANNON—I think I heard the honourable member say that the petrol used in his district came from Portland.

Mr. Ralston—So it does.

Mr. SHANNON—Why doesn't the honourable member put his thinking cap on and work out a simple little sum? What are the oil companies making in the South-East as the result of the honourable member's insistence on the continuance of price control there? I suggest at least 2d. a gallon on the honourable member's figures.

Mr. Ralston—Because the Prices Commissioner doesn't know what they are up to.

Mr. SHANNON—We are learning fast. I did not realize I had such an intelligent audience. We are gaining a little common-sense as we proceed. The honourable member now suggests the Prices Commissioner doesn't know what he is up to.

Mr. Ralston—What they are up to.

Mr. SHANNON—A moment ago I said it would be very difficult to have a well-informed Prices Branch that could examine every industry from the point of view of efficiency and determine a fair margin of profit for that industry. The honourable member for Mount Gambier is supporting legislation which penalizes his constituents to the extent of 2d.

a gallon for their fuel. I am prepared to accept Mr. Ralston's comments as an argument against price control.

Mr. John Clark—How do you know the oil companies would not be making 6d. a gallon more if there weren't price control?

Mr. SHANNON—We might be buying many commodities much more cheaply.

Mr. John Clark—How do you know?

Mr. SHANNON—I do not know. The member for Gawler got along quite well before price control. I got on quite well without it, and so did my parents.

Mr. Jennings—There is no need to go back to prehistoric days.

Mr. SHANNON—It is interesting that the honourable member mentions prehistoric days, because history contains a good lesson for us. Price control is not new. It was tried at various stages of history and on every occasion proved a failure and was abandoned. I suggest this legislation will be dropped and that we shall not have it as a permanent feature of our legislation. Ultimately my poor deluded friends on the Opposition benches will realize that it is a soporific from which they are suffering. It is one of the things that are keeping prices up rather than affording an opportunity for prices to reach a proper level.

Mr. Fred Walsh—That is not borne out by the cost of living figures.

Mr. SHANNON—Of course, because I suggest the cost of living figures are based on price control. If we did not have price control we would probably have a higher standard of living.

Mr. Hambour—That is only supposition.

Mr. SHANNON—One thing that is not supposition is that the honourable member—and every other businessman—knows that at present he cannot make a loss because his margins of profit are fixed for him under price control. Unless he makes foolish deals and buys goods he cannot sell he cannot lose. So long as he sticks to bread and butter lines, on which the margin of profit is fixed by the Prices Branch—

Mr. Hambour—I said they were fair enough.

Mr. SHANNON—I agree. No man in business would say that they were not fair enough. I am not enamoured of the idea of putting people on easy street so that they can just coast along, regardless of their efficiency, knowing they will make a profit because a margin will be provided for them by a gentleman residing in Rundle Street.

He fixes a margin of profit; not a just price. Members are sadly mistaken if they believe that he fixes just prices based on costs arising from efficient management and organization. There is not one man in the Prices Branch competent enough to go into any industry that has ramifications and assess its costs. No Prices Branch officer is in a position to know and appreciate the full circumstances. Sometimes it takes a lifetime of experience to understand how costs can be lowered in a particular industry. I do not think we can cure all our ills by Act of Parliament. I have seen enough of attempts by this Parliament to overcome some of the problems which face us by passing legislation, and they have been ineffective or innocuous in many cases. Unfortunately, this legislation is not too innocuous, though I wish it were. It is time we had some clear thinking on these fundamental problems. Price control should be retained only when there is an opportunity for a section of the community to corner the market of a certain commodity. As soon as there is a plentiful supply and open and free competition price control is not only unwarranted, but stupid. For years we have been telling the public we have been saving them from being exploited, but I do not agree.

Mr. John Clark—Will you be calling for a division on the second reading?

Mr. SHANNON—I have often done that. Of course, the honourable member does not care what his people are suffering under price control. The principle of his Party is that controls are good, so we should have more of them. He does not mind pushing the people about and telling them what they have to do.

Mr. John Clark—Do you realize this is Government legislation?

Mr. SHANNON—I am not so simple that I do not know who brought it down. This is not the first time I have opposed Government legislation.

Mr. Hambour—Perhaps he thinks you are simple because of your own reasoning.

Mr. SHANNON—I think that for about the last 12 years the honourable member has had a pretty fair spin. I would not blame him if he voted for this Bill. If I were in his position I would not put the buttered side of my bread on the floor. I know the honourable member is not as silly as that, but many people are simple, especially those who think they are getting some benefit out of this

legislation. I regret there are so many simple people in the world.

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

#### LIBRARIES (SUBSIDIES) ACT AMENDMENT BILL.

Returned from the Legislative Council without amendment.

#### FIREARMS BILL.

Received from the Legislative Council and read a first time.

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

In Committee.

(Continued from October 21. Page 1303.)

Clause 3—"Provision as to holding over," which Mr. Dunstan had moved to amend by deleting all the words in the clause and inserting in lieu thereof:—

Section 6 of the principal Act is amended by inserting the following subsection 2d after subsection 2c thereof:—

(2d) Where any lessee in possession of premises under or by virtue of a lease of the description specified in subsections 2 (a), (b), (c), (d), (e) or 2a of this section, holds over at the expiry of the term of such lease at the rental prescribed by such lease, the provisions of this Act relating to the recovery of premises shall not apply to such holding over.

Mr. MILLHOUSE—I support the amendment. I disagree with the policy of continuing this legislation, but if we do we should make it work as fairly as possible for all sections. The amendment will make clear the rights of both landlords and tenants. It is clearly and concisely drafted and more effective than the clause as it stands. It means that when the term of a lease has expired and the tenant holds over he may remain in possession at the same rent and on the same conditions indefinitely, and the provisions of the Act relating to recovery of premises will not apply. It is considered that that may be the position without the amendment, but the position should be made clear. However, at the appropriate stage I will move after "lease" second occurring to add "or such lease is extended or renewed for any period." That will make it clear that a lease can be extended for another period after its term has expired.

I believe the clause could have an effect which was not foreseen when it was drawn. It says that notice to quit must be given within one month after the expiration of the term of the lease, and that proceedings must be taken

within three months after the expiration of that period, otherwise the premises will come back within the ambit of the Act. Of course, notice will always be given because a landlord would not be stupid enough to let the premises come back under the Act by entering into an agreement with the tenant and letting it expire, knowing that upon its expiration the property will come back under the Act.

The landlord and tenant may be both perfectly happy to agree between themselves to an extension of 12 months, but under the clause that would not be possible. The tenant would have to get out or a new lease for at least two years would have to be contracted. I cannot see the purpose of that and it may give a result not intended by the draftsman. I hope the Committee will agree to Mr. Dunstan's amendment which achieves more simply the object intended by the Government.

The Hon. Sir THOMAS PLAYFORD (Premier and Treasurer)—On a point of order, Mr. Chairman, I have an amendment to clause 3. Mr. Dunstan wants to delete the whole clause, which I want to amend. Which of the amendments is to be dealt with first?

The CHAIRMAN—The question before the Chair is "That clause 3 be agreed to" and the Premier's amendment can now be moved.

The Hon. Sir THOMAS PLAYFORD—I move—

In paragraph I of subsection (1) of new section 60a to delete "within one month." Notwithstanding the eulogistic remarks by Mr. Millhouse I hope the Committee will not accept his amendment, or Mr. Dunstan's amendment. The clause has been carefully examined since I gave the second reading explanation, and my amendment is as far as the Government can go in this matter. It will deal with the matter mentioned by Mr. Millhouse. I entirely disagree with Mr. Dunstan's proposal to delete the whole clause. If it is deleted, as soon as a lease has ended the tenant can be evicted and the protection for him under the Act will cease. I have seen many lease propositions and discussed them with the people concerned. These leases have always said that the lease is to cover the rental of premises for two years. It is not said that at the end of the two years there is no further protection for the tenant under the Act, and that is provided for in the clause. Earlier there was some doubt as to whether or not the tenant came back under the Act. The Government decided on a fair compromise. It wanted to make the position reasonably fair for both sides. Originally it was provided that the

landlord could get his premises if he gave the tenant three months' notice, but I think that under present conditions the Government proposal is reasonable.

Mr. Dunstan—Under the clause notice to quit can be given at the expiration of seven days.

The Hon. Sir THOMAS PLAYFORD—I said earlier that under Mr. Dunstan's amendment when the lease expired the provisions of the Act would not apply to the tenant, and that the ordinary notice to quit could be given. I hope members will reject his amendment because its operation would be hard on tenants. My amendment should be accepted because the landlord will be able to get his premises after the termination of the lease, provided he gives the tenant time to get other premises.

Mr. DUNSTAN—I think there is some confusion in the mind of the Premier about the Government's proposal. Under clause 3 at the end of the term of the lease the landlord can get his premises back after seven days, or the longer period under common law. Once the notice to quit has expired the landlord can bring action under the Act.

The Hon. Sir Thomas Playford—There is three months' protection for the tenant.

Mr. DUNSTAN—No. All the landlord has to do is to bring action within three months after giving the notice to quit, which he can give after seven days. He loses the right to do that after three months. If he has not done it within that period he must give another notice. Under the clause the tenant gets no more protection than under my proposal. The effect of the Government proposal is that the premises are brought back under the purview of the Act whilst the tenant is there. What happens after the expiry of the term? The tenant will hang on at a rate agreed to between the landlord and himself, and there will be no fixed term. The landlord may then see that under the statutory provision he is charging an illegal rent, and then if he wants to make the position legal he must get the tenant out of the premises. The deletion of the words "within one month" will not give protection to the tenant, because every landlord will want to get his tenant out. Under common law there is no need for the notice to quit. The landlord could bring action under common law and it would provide the same protection as under my amendment. Whether or not we include the words "within one month" every landlord will want to get his tenant out. The Government does not give the tenant the protection he

should have. I have provided that where the tenant holds over he must be allowed to hold over at the rent prescribed in the lease. If he does, the landlord can apply at any time, but that will give the tenant time to get out and he can protect himself in relation to an exempted rent. Under these circumstances I ask members to vote against the clause so that I may at a later stage move to insert a new clause.

The Hon. Sir THOMAS PLAYFORD—The Government desires that at the end of a carry-over, where there has been a lease, the tenant shall be given three months before he can be evicted under common law. Mr. Dunstan has said that the amendment does not do that and asks that the tenant be put under common law. I have moved to strike out the words "within one month" in paragraph (i). To make clear what the Government desires I will move later to strike out the word "Within" in paragraph (ii) and insert in lieu thereof the word "After". This will make it perfectly clear that proceedings for ejection can be taken only after three months. Mr. Dunstan said that with the words "within three months" would mean that proceedings could start immediately after the seven days' notice elapsed. That was not intended, and if the drafting is not clear, I am assured by the Parliamentary Draftsman that if we strike out the word "Within" and insert the word "After", it will be quite clear.

Mr. Millhouse—I do not think we need the word there at all. It is only necessary to strike out the word "Within."

The Hon. Sir THOMAS PLAYFORD—All I want is to give the tenant three months after receiving notice to quit in which to look for some other place before common law or other proceedings can be taken against him. We have provided that after three months the landlord can take proceedings, which are bound to be successful. I think that is a fair position, and I ask the House to give the tenant this protection, because I can assure members that it is not easy for them to change their place of residence.

Mr. MILLHOUSE—Despite the Premier's explanation, I feel that I must agree with Mr. Dunstan. I feel it would be better to get over the Premier's objection, not by striking out the word "within," but by accepting Mr. Dunstan's amendment and adding a proviso to this effect:—

Provided that no notice to quit under this subsection shall be for less than three months.

This would give somewhat the same protection as the Premier wants to give. I do not know why the three months is necessary, but my suggestion would achieve what Mr. Dunstan wants and meet the Premier's objection.

The Hon. Sir Thomas Playford—What would be the difference in the result?

Mr. MILLHOUSE—I do not think there would be any, except clarity in the drafting. The way in which the amendment to Mr. Dunstan's amendment is framed achieves the intention of the Government. A notice to quit, which would be seven days under common law, would be three months under this proposal. At common law in circumstances such as these the holding over would be on a weekly basis and the notice to quit would therefore be for the same period. If Mr. Dunstan's amendment is accepted in its present form there could be a holding over for six months or any period, the landlord could then give seven days' notice to quit, and proceed under the Local Courts Act. It would then be about two months before an order would be made. Under the proviso I have suggested, instead of having a seven days' notice to quit, there would be at least three months' notice. This would preserve the excellent amendment moved by Mr. Dunstan and at the same time meet the Premier's objection.

The Hon. Sir THOMAS PLAYFORD—Mr. Dunstan's amendment seeks to take these premises outside the Act in relation to ejections, as it preserves to the tenant the position as far as rents are concerned, but he wants common law to apply as far as ejections are concerned. Mr. Millhouse said that it simplifies the matter to say that common law applies for ejections, but then he says it will not apply. Either these premises are subject to this Act or to the common law. To say they are not subject to this Act, and then say they are subject to some provisions nevertheless, does not seem to be simplicity. I think the amendment as it stands is unduly harsh to tenants. We should make it clear that these premises are under the Act until notice in accordance with the Act is given. I believe the amendments will not help the tenants.

Mr. MILLHOUSE—The results will be the same. The Premier wants to give tenants three months' grace, and I suggest that the proviso I put forward would be perfectly satisfactory.

The Hon. Sir Thomas Playford—It would cut down the period of protection by a week.

Mr. MILLHOUSE—Maybe it would, but the tenant would have a lease for two years

certain, during which period he would not know whether or not he would have to get out at the end of the period. Why should his position be better after the expiration of the lease than before? After all, he is only in the premises for the same period and at the same rent.

The Hon. Sir Thomas Playford—There is two years' protection in the lease.

Mr. MILLHOUSE—But protection decreases as the lease runs its course.

The Hon. Sir Thomas Playford—The honourable member is saying that Mr. Dunstan's amendment will give a week less than the Government's amendment?

Mr. MILLHOUSE—It may do so, but proceedings in the Local Court may take a week more.

Mr. Dunstan—Common law proceedings take longer than proceedings under the Act.

Mr. MILLHOUSE—Then that is the answer. My suggestion will give the tenant three months' extra protection, except for one week. If we must have an amendment at all, the way to do it is to insert the proviso I suggested.

Mr. DUNSTAN—My amendment provides for the continuance of the rent prescribed in the lease, but section 60a will bring the premises back under the Act, and it makes no provision for this. That means that while the Act prevails rent provisions prevail. The only difficulty is that landlords will have to get their tenants out. The tenant will get no more protection under my amendment, but if the landlord tries to charge more than the last controlled rental he may be guilty of an offence, so he would want to get the tenants out at the first opportunity.

The Hon. Sir Thomas Playford—The honourable member's amendment does not provide any protection at all except at common law.

Mr. DUNSTAN—Under both amendments the eviction proceedings would be the same. Under my amendment the rental provided in the lease would continue to apply and could until Kingdom come.

Mr. Bywaters—Could the landlord charge more if he wanted to?

Mr. DUNSTAN—No. If he did, this provision would not give him exemption. He could not charge more without getting his tenant out. Under the Premier's amendment the tenant has a better protection so far as his rent is concerned because he could demand that the rental revert to the original controlled rental before the lease was signed.

Mr. Geoffrey Clarke—Do you suggest that under the Government amendment the tenant

could go to the Housing Trust for a fixation of rent?

Mr. DUNSTAN—Yes.

Mr. Geoffrey Clarke—Even though he might be paying £5 a week he could get it reduced to 22s. 6d.?

Mr. DUNSTAN—Yes, during that three months. Obviously the landlord would want to get him out at the earliest possible opportunity.

Mr. Geoffrey Clarke—Under your amendment the tenant would have more chance of staying in the house under the lease rent than he would under the old rent.

Mr. DUNSTAN—I suggest he is more likely to be left in peace in the premises if he pays the rent he agreed to pay in his lease. Under the Government's amendment the landlord is certain to give three months' notice.

Mr. Bywaters—What is the position regarding renewal of the lease?

Mr. DUNSTAN—It would have to be an entirely new agreement. If he signed a new agreement the other provisions of the Act would exempt it. That would also be the position under the Government's amendment. My point is that under my amendment the effect so far as eviction is concerned is the same as under the Government's amendment—that is, accepting Mr. Millhouse's proviso—but the tenant is far more likely to be left in peace because the landlord won't want to get him out. The Government's amendment in effect creates a statutory tenancy and brings the premises back under the Act for the period of holding over. There is no reference whatsoever to the non-applicability to the rent control provisions and consequently, the landlord would want to get him out. I think we are trying to achieve the same result but we are merely going different ways about it. It might be simpler if the Premier, Mr. Millhouse and I had a consultation with the Parliamentary Draftsman and sorted it out.

The Hon. Sir THOMAS PLAYFORD—The objectives of the Government amendment and the honourable member's amendment were entirely different. His amendment was to take away protection and the Government's proposal was, in the first place, to see that tenants did have three months' protection.

Progress reported; Committee to sit again.

#### ADJOURNMENT.

At 5.50 p.m. the House adjourned until Wednesday, October 29, at 2 p.m.