HOUSE OF ASSEMBLY.

Wednesday, October 18, 1961.

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

QUESTIONS.

TOURIST BUREAU.

Mr. FRANK WALSH: I noticed in this morning's press that the Director of the Tourist Bureau had gone to Western Australia for a conference. Will the Premier request him to take up with the Railways Commissioner the matter of organizing tourist travel by train to the various country centres at appropriate times, such as holiday week-ends, both to encourage tourist trade in the country centres and to use our railways?

The Hon. Sir THOMAS PLAYFORD: I will have that question examined and tell the Leader if action along those lines can be taken.

OBSOLETE LOCOMOTIVES.

Mr. COUMBE: Last week-end much interest was created in the public mind by the running of the last steam locomotive through the Adelaide hills. During the debate on the Loan Estimates I referred to the discarding of obsolete railway engines that were now out of service. Can the Premier say what is happening to them?

The Hon. Sir THOMAS PLAYFORD: Yes. When the Loan Estimates were before the House, the honourable member made a request on this matter. The Railways Commissioner reports that steam locomotives no longer required are either sold or demolished. Thirty-one locomotives have been demolished at Islington so far. The scrap metal from these is either used by the department or sold under Supply and Tender Board contract or approval. Ten locomotives at Port Adelaide were sold by public tender. The proceeds of sales are credited to the railway capital account.

KIMBA AREA SCHOOL.

Mr. BOCKELBERG: Can the Minister of Works give me any information about the building of an area school at Kimba and when it will be commenced?

The Hon. G. G. PEARSON: At the honourable member's request I have checked this matter this morning with the Director of Public Buildings who informs me that plans for the school are well advanced and that the actual construction work is expected to commence on site early in the new year.

SCHOOL RESIDENCES.

Mr. CASEY: Earlier this year I wrote to the Minister of Education about the construction of a school residence at Cockburn. I also mentioned this matter during the Estimates debate. As the Radium Hill project is to conclude, many of the aluminium homes at present occupied by the staff there will become vacant. According to authoritative sources these houses are easily removable by low loader. One of these houses could possibly be made available at Cockburn. It might be possible also to use these houses for school residences at Mannahill and Olary, which are close to Radium Hill, and which are not provided with proper school residences at present. Will the Minister of Education consider this matter soon to see whether something can be done for the teaching staff in that area?

The Hon. B. PATTINSON: The disposal of houses at Radium Hill and other associated matters are matters of Government policy. I shall be pleased to refer the question to the Premier and no doubt it will be considered in Cabinet in conjunction with the many other problems associated with Radium Hill.

Mr. HALL: Last week a new school building was opened at Kybunga, for which the residents are duly grateful. However, there is a plan to construct a new residence for the teacher there. I understand this was included in last year's Loan Estimates but some difficulty arose about the acquisition of the necessary site for the house. Will the Minister of Education ascertain what progress has been made with the plans for building this house?

The Hon. B. PATTINSON: I shall be pleased to investigate the matter and let the honourable member have a reply as soon as possible.

BLANCHETOWN BRIDGE.

Mr. STOTT: Can the Minister of Works say when a start is likely to be made on the Blanchetown bridge?

The Hon. G. G. PEARSON: I have no information from my colleague, the Minister of Roads, but I will seek it. I know no more than what has appeared in the press. The contractor has made certain comments about the job, but beyond that I have no official information. I will check up and let the honourable member have a reply.

SUPERANNUATION ACT.

Mr. LAWN: I have been requested by some trade unions to ascertain whether the Superannuation Act can be consolidated. This Act

is frequently referred to and, I understand, is in several parts. Can the Premier say whether this Act can be consolidated?

The Hon. Sir THOMAS PLAYFORD: There is an amendment, of which notice has been given for today, to alter the Act. It would not be possible to consolidate the Act this session because the consolidation would take some time and as it would necessitate detailed work it would require much study. I cannot assure the honourable member that the Act can be consolidated this session, but I will see whether it is possible to bring in a consolidated Bill next session when I will have the opportunity of again putting matters of this type before the House.

HOUSING.

Mr. COUMBE: Recently, when speaking in this House on housing, the Premier quoted statistics for the June quarter and said that more than 10,000 houses and flats had been built in South Australia. He implied that this was the greatest number of dwellings ever completed in this State. Can the Premier confirm these statements and say how the position compares with that in other States, both numerically and *pro rata*?

The Hon. Sir THOMAS PLAYFORD: When I made that statement there was some surprise among members at the figures I quoted, but the Commonwealth Statistician has now submitted figures on this matter and, for the information of the House, I have had a table taken out. The Commonwealth Statistician's quarterly figures issued by the Department of National Development for the June quarter show that last year 10,263 houses were completed in South Australia. Incidentally, this is the highest number ever completed in one year in this State, and shows that the housing authorities, when asked by the Government to take up the slack that occurred because of the credit squeeze in other fields, responded very well indeed. The statistics also show that for the same year the South Australian Housing Trust completed more houses than any other Government housing authority in Australia. The figures are: South Australia, 3,314; New South Wales, 3,153; Victoria, 2,217; Queensland, 1,835; Western Australia, 1,328; Tasmania, 469; Northern Territory, 178; and Australian Capital Territory, 868. Members will see that not only did South Australia complete more houses per head of population, but it actually completed more houses than any other State.

Mr. LAWN: When I became a member of this House in 1950 South Australia was suffering from a tremendous shortage of houses. This afternoon, in reply to a question from the member for Torrens, the Premier has recited figures that indicate that South Australia still has the greatest shortage of houses of all States. Can the Premier indicate when South Australia may confidently look forward to meeting the demand for houses?

The Hon. Sir THOMAS PLAYFORD: The honourable member evidently did not follow what I was saying, because I did not say that South Australia had the greatest shortage of houses: I said it was building by far the most houses, which is the opposite. I realize that there is an obligation upon us to build more houses than any other State as we are securing a much bigger proportion of the new population because of the conditions obtaining here.

MILLICENT WATER SUPPLY.

Mr. CORCORAN: My question relates to the water supply for trust houses at Millicent. The original water supply to those houses was under the direction and control of the Housing Trust and during last summer it proved totally inadequate. Even at this time of the year it is proving unsatisfactory, and the tenants are extremly concerned about health and sanitation. I understand that ample water supplies are available from a new bore put down in another section of the Housing Trust area and that the Engineering and Water Supply Department intends to lay an 8in. main from this bore to the area to which I have referred. It is understood that this main, together with a satisfactory reticulation scheme, will become part of the Millicent water supply. Can the Minister of Works say whether this information is correct and, if it is, can he indicate when the work of putting down this 8in. main will be completed?

The Hon. G. G. PEARSON: In accordance with the honourable member's wishes, I checked this matter yesterday and found that his information was substantially correct. The main will be partly 8in. and partly 6in., but it will take its supply from a bore on what is known as block No. 7 of the Housing Trust area. It is already equipped to deliver water, and it will convey it down to sections 5 and 6 of the trust area. These are the two areas already built up where the bores that were relied upon substantially failed. The main will reach a point near that area in

about a fortnight and the Housing Trust intends to take a short main of its own from that point across to sections 5 and 6 so that there will be a service at the earliest possible date. In the meantime, the Engineering and Water Supply Department will continue to lay its main along the roadway and around the corner; this will be part of the permanent main. That has been done because a supply can be given more quickly by that means than by linking with one of the department's permanent deep bores to the north of the area. I think the honourable member can expect that water will be available to that built-up section of the Housing Trust area in about a fortnight, or soon thereafter.

PORT AUGUSTA HOUSING.

Mr. RICHES: In view of the known number of applicants for rental houses at Port Augusta and the fact that the Housing Trust's announced policy is to build only 20 houses there this year, will the Premier make representations to the trust to see whether that programme can be stepped up?

The Hon. Sir THOMAS PLAYFORD: Yes, I shall have this matter examined.

CHAFFEY IRRIGATION.

Mr. KING: In the Loan Estimates, £2,000 was provided for work on pipelines and channels in the district of Chaffey. I presume this means the Chaffey irrigation area. Will the Acting Minister of Irrigation obtain a report about the nature of this work and when it is likely to begin?

The Hon. D. N. BROOKMAN: Yes.

OPALS.

Mr. LOVEDAY: In today's *Advertiser* appeared a report about the activities of Japanese buyers on the opal fields and a suggestion that something might be done to encourage the polishing and cutting of opals in this country, rather than exporting the unfinished product, with a view to obtaining a higher price. About 18 months ago I pointed out that there might be advantages in doing this. Will the Premier discuss this matter with the Mines Department and others he may think desirable to see whether something practicable can be done in this direction, in view of the falling off of exports of opals from Australia, which bring in millions of pounds?

The Hon Sir THOMAS PLAYFORD: I think the honourable member knows that the opal industry has always been a law unto itself. Not only has opal mining been carried out for many years without licences having been taken out but no records of what opal has been found or how it has been disposed of have been kept. Buyers have always been on the fields and I have always suspected that the statistics we have had have possibly been inconclusive.

Mr. Loveday: They are conservative.

The Hon. Sir THOMAS PLAYFORD: Perhaps; the word I would use is "inconclusive". I saw the article mentioned. An application was made by a Sydney firm for, I think, the exclusive right to be the buyer of opals. This firm was rather objecting to other persons coming on to the opal fields as competitive buyers, but I know nothing more likely to establish the real value of opals than competitive buying. I should not think the opal industry would be any better off if it were in the hands of one buyer than if it remained as it is now, with competitive buying on the field. I think the honourable member would agree with me in that. I shall be pleased to take up the second part of the honourable member's question with the Mines Department to see whether there is any possibility of taking the opal which is found in this State to a further stage of development by having it cut and set in the State. I do not know whether that is possible. The big bulk of the market for opal is overseas.

Mr. Loveday: In Japan.

The Hon. Sir THOMAS PLAYFORD: I do not think Japan is really the ultimate source of the opals: I think many of them, after they are cut, are re-exported from Japan to America and other countries. I believe the biggest buyer at present is Japan, and the industry has to a fairly considerable extent been encouraged to develop by the availability of these markets. I will ask the Director of Mines to make a survey of the whole position to see whether there is any possibility of assisting the industry's further development in this State.

TIMBER WORKERS.

Mr. RALSTON: Last year, on days of total fire ban, the timber fallers were withdrawn from the State forests as a safety precaution, whereas fallers on private forests continued work on some occasions at the discretion of the owners of the private forests. This policy caused dissatisfaction in

the South-East, as some fallers lost wages when withdrawn from the forests while those who continued to work received their daily wages. I understand the Woods and Forests Department and the private forestry interests have conferred on this issue with the object of establishing a uniform policy. Can the Minister of Forests say whether uniformity on policy has been reached and, if it has, will he obtain a report on the conditions that will apply during the coming summer in the forest areas of the South-East?

The Hon. D. N. BROOKMAN: I will get the details for the honourable member. A conference was held on this matter, and, from memory, I think all the forestry interests agreed to accept the decision of the Chief Forest Officer for the Mount Gambier area as to whether or not a day would be one on which forest operations should cease. He is not tied entirely to banned days. In other words, it may be that on a banned day he is not warranted in taking that action. On the other hand, I think the Chief Forest Officer has accepted the responsibility of making that decision, but to be sure of the position I shall inquire and obtain a full report for the honourable member soon.

EXPORT DEVELOPMENT COUNCIL.

Mr. DUNNAGE: According to the press, a Melbourne professor and three leading Australian business men were recently appointed to the Export Development Council in a new move to help step up Australian exports. The Commonwealth Minister for Trade (Mr. McEwen) announced the appointments about a week ago. The new council members are the Professor of Economics at Monash University (Professor D. Cochrane); Mr. C. G. McGrath, of Melbourne; Mr. C. T. Pullan, of Perth; and Mr. T. H. Spalding, of Brisbane. Can the Premier say whether South Australia has a representative on that committee and, if it has not, whether his Government has been approached about having a member appointed? Does the Premier know anything at all about the committee?

The Hon. Sir THOMAS PLAYFORD: I would have certainly known if any communication had been received and, as far as I know, the Commonwealth Government has never consulted this State in the matter. If there is a South Australian member on the committee he has certainly been appointed without my knowledge. I have not been consulted about the activities of the committee.

BROKEN HILL TO ADELAIDE RAILWAY SERVICE.

Mr. CASEY: During the Budget debate I asked that consideration be given to the air-conditioning of the train between Terowie and Broken Hill. Since then I have inquired into the matter and found that for all practical purposes air-conditioning of the present rolling stock would not be in the best interests of the Railways Department; it could be introduced, but it would not be really successful. The Broken Hill express runs three times a week with little or no patronage from the travelling public compared with Bond's and Pioneer Tours. In view of the fact that the State has now accepted the Commonwealth Government's offer of assistance in the purchase of diesels and ore waggons for that area, which will be the normal 4ft. 8½in. rolling stock but with 3ft. 6in. bogies, it is my opinion and the opinion of other people who have gone carefully into the matter that it would be preferable to establish a Bluebird service on that line with 4ft. 8½in. rolling stock on 3ft. 6in. bogies, using air-conditioned cars and running a daylight service from Broken Hill to Adelaide. I ask the Minister representing the Minister of Railways to consider that suggestion. I understand that if this service came into being the present running time of about 9½ hours between Broken Hill and Terowie would be reduced by at least three hours, because on the present line the maximum speed for steam locomotives is 35 m.p.h. whereas for railcars (and that would include the Bluebird service) it is 45 m.p.h. Some of the little sidings where the train now stops could be eliminated, and further time could be saved by introducing a buffet car service. If these matters were considered the Railways Department would benefit from the service, because if a daylight service were provided in that area I am sure the department could more than compete with road transport.

The Hon. G. G. PEARSON: I shall be pleased to bring the honourable member's comments to my colleague's notice.

GRADING OF ROAD SHOULDERS.

Mr. HALL: I have noticed this spring that the Highways Department is once more grading the shoulders of bitumen roads. The department is doing a good job and leaving a fire-break. The process replaces to some extent the material that has eroded from the edge of the bitumen. But this is also a very expensive job. Two workmen in a truck are taking up the posts and replacing them in front of the

patrol grader that does the grading. I have observed that it takes a long while to grade a few miles of road. Can the Minister of Works, representing the Minister of Roads, ascertain whether experiments have been conducted by the Highways Department with sprays and, if they have, will he also ascertain the cost of destroying the weed and grass growth next to our roads by sprays and the cost of the relatively expensive method of removing and replacing the white posts and grading with the mechanical grader?

The Hon. G. G. PEARSON: I will bring that matter to the notice of my colleague. I think probably the Highways Department is of the opinion that the grading has to be done anyway to protect the shoulders of the road, and that the eradication of weed growth is incidental thereto. Grading serves a dual purpose. Further, the posts may fit into sockets and be easily removed to allow the grader to pass. I will bring the matter to the attention of the Minister of Roads for the Highways Commissioner to consider.

Mr. NANKIVELL: I understand that in California it is the practice to put a white line down the margins of the road and to do away with posts altogether because they constitute a hazard. As we are now equipped with a road-marking machine in this State, will the Minister of Works ask his colleague, the Minister of Roads, to see whether posts, other than safety fence posts and those on corners, can be eliminated and the edges of the bitumen road lined with a white strip?

The Hon. G. G. PEARSON: Yes, I shall be pleased to do that. I think, however, that the posts serve two purposes: not only do they indicate the edge of the road, or a point just beyond the edge of the road, but at corners they serve a valuable function in indicating when a corner is being approached. Also, the number of posts in a given distance indicates the steepness and the angle of turn, which is a valuable function of the guide posts.

GOVERNMENT POLICY.

Mr. RICHES: There is a growing concern amongst some members about the policy of the Government in keeping members occupied with relatively unimportant legislation whilst questions affecting the livelihood of so many of our citizens are discussed only in places outside Parliament. I refer to the following matters: the standardization of railway gauges; the cessation of mining operations at Radium Hill; the closing of the treatment plant at Port Pirie; the location of new power-stations; the provision of water supplies to Upper Eyre Peninsula; water supplies generally; and unemployment. All these question have been discussed and are still being discussed elsewhere. None of them has been reported on fully in Parliament. Will the Premier make a statement to this House, as far as he is able, on these matters, and also give the House an opportunity, if it thinks it necessary, to debate that statement? I point out that in some cases the only announcements and statements issued on these matters have been made after the completion of the Budget debate, and thus members have not had an opportunity of introducing the matters even in a debate of that kind.

The Hon. Sir THOMAS PLAYFORD: I think that the honourable member, on reflection, will realize that some comments in his question are not warranted. A few weeks ago we had a member from the Queensland Parliament who sat in the gallery one Wednesday afternoon and listened to private members' business. He informed one of our members that in the Queensland Parliament private members had only two afternoons a year. In this Parliament, as honourable members know, quite contrary to the previous practice that operated for many years—that as soon as the Budget debate was completed private members' business was deleted from the paper—every Wednesday afternoon is consistently given to honourable members who can bring forward any matter they choose if they consider it necessary to be debated or commented upon. Then, every other Parliament in the Commonwealth has a very limited question time, and requires most questions to be put on notice. In this State, the Government has consistently allowed every question that honourable members desire to ask on any topic at all within the scope of Parliament and, sometimes, as honourable members know, our question time runs to well after half-past three in the afternoon. So the honourable member's comments about the opportunity of discussing matters are beside the point and not in accordance with fact.

Honourable members know that, if they ask a question here and I have not the information available, I do my utmost to supply it to them. Frequently, I bring down dockets so that honourable members may see them if they so desire. It has not been the custom to table dockets because, if that were done, they would become the property of the House, whereas they have to be used in other places. The honourable member's questions are completely without basis.

Mr. RICHES: I feel that the Premier missed the import of my question, which could be my fault rather than his. I do not criticize the Government or Parliament for the time it makes available to private members for questions or for the discussion of private members' business. I agree with the Premier that the Government treats the House most generously in that regard, and that is appreciated. However, I asked the Premier whether he would inform the House by way of a statement (somewhat in the nature of a White Paper as it is called in America) on those matters on which Parliament had not had a report, which were vital to the people of South Australia, and which Parliament had not had an opportunity to discuss for one reason or another.

Mr. Jennings: Instead of a television appearance?

Mr. RICHES: I am not worried about that so much, but it would be advantageous to the State if the Premier would tell Parliament the exact situation regarding the standardization of rail gauges, for instance. We have never had a report on the Commonwealth's proposals, what the State has put to the Commonwealth or what the Commonwealth has put to the State in rebuttal. Nobody knows that. We have not had an opportunity to discuss it, although apparently it can be discussed elsewhere. The closing of the Radium Hill project was not announced until after the completion of the Budget debate. Members can ask questions about that matter, but they have no opportunity of debating it. The other items I listed are of a similar nature. Will the Premier consider making a statement to the House? Perhaps that statement would be a full explanation and there would be no need for debate. If the House considered it helpful to debate any matter, would he give members the opportunity of doing so?

The Hon Sir THOMAS PLAYFORD: Members have an opportunity of putting any matter they like upon the Notice Paper and so can debate any proposition they believe should be debated. The Government agrees with allowing the opportunity for private members' business—some Parliaments call it grievance day—to enable members to debate questions they believe should be debated. I point out that in many matters the honourable member mentioned the Government has continuously given the fullest information it has available to it. For instance, he mentioned the closing down of Radium Hill. I received the committee's report from Mr. Justice Chamberlain at 5 o'clock one afternoon and tabled it the following day. I suggest that that provided the fullest information on the topic. I told Parliament that the Government was appointing a committee to examine re-employment and named the members of that committee. As soon as any decisions are made I am happy to answer any questions so that members may know the facts regarding these matters. The honourable member knows that standardization has been the subject of a High Court writ and hearing in Melbourne, and I suggest that it would be most inappropriate (and I doubt whether under Standing Orders he would be permitted) to debate it. If he had asked a question about whether the Commonwealth Government had made a separate offer of assistance relating to rolling stock on the Broken Hill line, I could have told him that we had reached complete agreement with the Commonwealth Government. Indeed, I hope the Commonwealth Government will introduce a Bill in the next day or two to make this money available to us. The question was not asked, however, so I did not have the opportunity to answer it.

ADELAIDE TELEVISION SALES LIMITED.

Mr. FRANK WALSH: Has the Premier a reply to my recent question about Adelaide Television Sales Limited?

The Hon. Sir THOMAS PLAYFORD: I got the Deputy Registrar of Companies to examine this question, and he reports:

Adelaide Television Sales Limited and its two associated companies, Adelaide Television Service Limited and Adelaide Television Finance Limited went into voluntary liquidation on September 15, 1961, each of the companies having passed a resolution to the effect that "the company by reason of its liabilities cannot continue its business and that it is advisable to wind up".

It is understood that more than 6,000 persons hold service contracts with the companies, but except in a small number of cases, the contracts are in respect of coin-a-matic or rental sets, and will not be affected by the winding-up of the companies, the contracts having been taken over by another and more substantial company. Some persons are holding sets under hire-purchase agreements, but it is anticipated that the hire-purchase companies, as owners of the sets, will continue to honour the service contracts. The comparatively small number of persons who paid cash for their service contracts will suffer loss, as it is believed that the liquidators propose to exercise their right to disclaim the contracts, leaving it to the contract holders to lodge claims with the liquidators

for the amounts representing the losses sustained by them. It is not known at this stage what dividend the unsecured creditors are likely to receive.

HOMES FOR THE AGED.

Mr. CORCORAN: Some time ago I believe it was decided to build at Millicent houses for the aged similar to those built in suburban areas, for which rentals are considerably below those for other houses. Can the Premier say what is the position?

The Hon. Sir THOMAS PLAYFORD: We have three schemes for accommodating aged persons. Religious bodies built homes for aged people and the Government provided a 50 per cent subsidy to enable their establishment. In one year we provided, I think, £350,000-odd. That scheme was so successful that the Prime Minister decided to legislate for a similar scheme on a Commonwealth basis. Latterly, however, its subsidy has been on a two for one basis and much accommodation has been provided under that scheme, not only in the metropolitan area, but in some country centres. For instance, there are fine homes at Mount Gambier and Port Lincoln. The Housing Trust for many years has been building accommodation for aged persons in the metropolitan area and making it available at a low rental. The accommodation is eagerly sought and more units are being constructed under that programme. However, as there was no corresponding programme for the country, the Government introduced a scheme, which Parliament approved, and provided £360,000 for the erection of houses for aged people in the country. They were made available for a rental of £1 a week or one-sixth of the family income, whichever was the greater. That grant was sufficient to construct 155 houses in various localities. Last year the Government approved of a further £100,000 for this purpose, and I believe all of that money has been spent. That does not mean that building has ceased under this programme, because all of the rent paid for these houses is paid into a revolving fund which enables the Housing Trust to maintain a continuing programme. The money provided on the recommendation of Parliament has been appropriated for that purpose.

Mr. CORCORAN: I appreciate the comprehensive statement made by the Premier, and feel that I am justified in referring to his remarkable memory, but he omitted to answer my question whether any of this type of house had been erected at Millicent and, if it had not, whether the trust intended to erect some soon.

The Hon. Sir THOMAS PLAYFORD: Notwithstanding the compliment paid me by the honourable member, I was not sure of the facts regarding Millicent so I hesitated to state them. If my memory is as good as the honourable member assumes, Millicent was included in the programme for either three or five houses. However, I shall check this and have the correct figure available tomorrow.

CONCESSION FARES.

Mr. McKEE: Has the Premier obtained a reply to a question I asked earlier this session, when he promised to consider granting fare concessions to country people advised to visit specialists in the city? Also, has he obtained a reply from the Commonwealth Treasurer to my question relating to income tax deductions for housekeepers' salaries?

The Hon. Sir THOMAS PLAYFORD: I regret that I have not had a reply from the Commonwealth Government to the second question. I have had supplementary information about the other matter, and I shall see if I can give it tomorrow.

INDUSTRIES DEVELOPMENT SPECIAL COMMITTEE.

Adjourned debate on the motion of Mr. Frank Walsh:

(For wording of motion, see page 1040.)

(Continued from October 11. Page 1192.)

Mr. JENNINGS (Enfield): I took the adjournment of this debate at the request of my Party and not necessarily with any intention of taking part in it. However, as it seems likely that it will be completed today and as a week has since passed, it probably will not hurt if I rather briefly recapitulate and summarize some points made by members on this side and the attempts made to answer them by members opposite.

Mr. Clark: You will not be busy doing the latter.

Mr. JENNINGS: I certainly shall not and, as the points made by members of my Party were so well made, there is hardly any need to mention them. Each member who has spoken has not denied, even though he has not openly admitted, that when this committee was appointed it was generally conceded that it would have the powers of a Royal Commission.

We know that the Industries Development Committee, while it functions as such, always has such powers.

Mr. Riches: And the status of a Royal Commission.

Mr. JENNINGS: Yes, and that is most important. When the Premier moved an amendment to Mr. O'Halloran's motion last year, it was generally assumed by every member, I believe, that when the Industries Development Committee functioned as a special committee on decentralization it would retain the powers of a Royal Commission. If any one member did not believe that, I believe that member was the Premier. It may have been one of his tactical dodges to get the Opposition to agree to his amendment so that instead of having a Royal Commission to inquire into decentralization we would have a committee with (as I think the member for Stuart said last week) the status of a lost dogs' society.

When the interim report of the committee was tabled this session, the Leader of the Opposition properly moved to rectify what we now know to be a defect in the committee's constitution. The Premier, in his usual fashion, went out of his way not to comment on the value or work of the motion but to find some loophole (as he always does) or some alleged or imaginary loophole that would prevent him from supporting it. On this occasion we had the lame excuse that the motion as it was worded did not conform to the statement in the interim report of the committee, which could not be described as a request. Well, I do not know how else that statement in the report could be described if not as a request, because certainly the committee would not have gone out of its way to include that statement drawing attention of the Government or of Parliament to its lack of powers if it did not feel that it was being hampered by the lack of power or that there was a grave danger that it could be hampered during the remainder of its inquiries. It is not reasonable to assume that the committee had any other intention in mind when it carried the motion. I think that every member of the committee felt, when the committee was appointed, that it had the powers of a Royal Commission, and when they found out that the committee did not have sufficient power they properly drew attention to the fact that their powers were not as they had considered them. Members of the committee must surely have meant that they wanted those powers. I cannot see what else that statement in the interim report could conceivably mean.

The member for Mitcham echoed the Premier and said that it was not a request. He pointed out that the words contained in the report had been carefully hammered out by members of the committee and that he had then moved the motion. I suggest that the committee in future be warned against accepting motions of this character from the member for Mitcham because he may have had a little share in the hammering of this out and then, when he saw that it met with most people's feelings on the matter, he hastened to move it, realizing that the matter would inevitably be discussed in this House and that it would give him a leg out to say, "Well, the Premier may not be in a good mood today; he may not agree to this, so I shall be able to go whichever way he goes on the matter."

The honourable member drew attention to the fact that so far the committee had had difficulty regarding only one witness or one set of witnesses, namely, the Commonwealth officers. He drew the attention of the House to the fact that no matter what powers were vested in this committee the Commonwealth officers could not be summoned before it. Well, we all agree with that, but he also went on to draw the attention of the House to a long list of organizations and people who had been invited to give evidence but had not turned up. Some of them were prominent organizations, too. I believe that this gets back to what the member for Stuart said: that because the fact has become publicly known that this committee has no more authority than (as has been stated) a committee appointed by the Royal Automobile Association, its status is so low that busy organizations, realizing that they are not going to get anywhere, will not be bothered coming along to give evidence.

I believe that if the committee were vested with the powers of a Royal Commission it would be only once in a hundred occasions where it would have to use that authority, but its status would be so increased when it became generally known that it enjoyed those powers that it would certainly have much less difficulty in getting witnesses to come before it. I think that is about the only point, except the principal point which I rose to mention: that I sincerely believe that this amendment which the Premier moved last session to the late Leader's motion for a Royal Commission to inquire into decentralization was nothing more than a sop in the first place and that the Premier became aware that he was finding it extremely difficult year after year to answer the logic expressed from this side of the House

when its motions for a Royal Commission on decentralization were moved. The Premier realized also that it was not only the Labor Party that was becoming concerned about decentralization in South Australia, but all sorts of outside organizations which certainly had nothing to do with the Labor Party or any political party, and he felt this was a snide way of getting around the position for the time being without having any effect whatever on centralization or decentralization in South Australia. His reluctance in this case to agree to vesting the committee with the power it certainly needs to adequately carry out its inquiries indicates that he is disinterested in decentralization and is prepared to do everything possible to prevent this House from taking proper steps to do something to help in decentralizing our population and industry. I support the motion.

Mr. FRANK WALSH (Leader of the Opposition): I do not intend making a lengthy reply in this matter. I again remind the House that this motion was moved as a result of a resolution passed by the Industries Development Special Committee that full powers of a Royal Commission should be granted to it for the purpose of assisting it in completing its investigations and finalizing its report. When the Premier spoke on this matter he said that whether the committee had the powers of a Royal Commission or not it could not compel a Commonwealth department to give evidence. If my information is correct, the Commonwealth department in which the committee was interested was giving evidence on another matter at the same time, and I consider that its evidence could have been taken in conjunction with this committee's proceedings.

The purpose of this motion is not to compel a Commonwealth department to give evidence: we know full well that unless it is voluntarily given it cannot be obtained. The member for Mitcham is a member of that committee, and I am rather surprised that he brushed this matter off so lightly. He said this was just another straw at which the Opposition was clutching, but when a motion is submitted for the consideration of this House it is not to be treated lightly. The Opposition is concerned about this matter. If the member for Mitcham thinks that this is an unimportant matter, let him check with the Premier regarding the merits of the various motions the Opposition has submitted from time to time. Whether or not the member for Mitcham agrees with this is not my concern, but I believe that, when a Select Committee is appointed by this Parliament, it should have the powers of a Royal Commission when it is going to investigate matters affecting this State. I do not apologize for saying that. There seems to be a tendency these days to write down Parliament instead of writing it up. If we take notice of some of the trash published in some of these papers—

Mr. Lawn: You are speaking about *Truth?*

Mr. FRANK WALSH: I did not say that, but probably that would serve to illustrate my point. Whoever the editor of that show is, the way he tries to write down Parliament is not very commendable. Whoever the editor is, he should go back to school to see whether he is worthy of being a reporter. I am concerned about this writing down of Parliament. We are asking for a Royal Commission. The contributions to and the level of the debate have not been in the best interests of this Parliament. I hope even at this late stage that the motion will be carried.

The House divided on the motion:

Ayes (15).—Messrs. Bywaters, Casey, Clark, Dunstan, Hughes, Jennings, Lawn, Loveday, McKee, Riches, Ryan, Stott, Tapping, Frank Walsh (teller) and Fred Walsh.

Noes (17).—Messrs. Bockelberg, Brookman, Coumbe, Dunnage, Hall, Harding, Heaslip, Jenkins, King, Millhouse, Nankivell, Pattinson and Pearson, Sir Thomas Playford (teller), Messrs. Quirke and Shannon and Mrs. Steele.

Pairs.—Ayes—Messrs. Hutchens and Corcoran. Noes—Sir Cecil Hincks and Mr. Laucke.

Majority of 2 for the Noes.

Motion thus negatived.

GLENELG BY-LAW: TRAFFIC.

Adjourned debate on the motion of Mr. Millhouse:

That by-law No. 31 of the Corporation of the Town of Glenelg in respect of traffic, made on November 8, 1960, and laid on the table of this House on August 22, 1961, be disallowed.

(Continued from October 11. Page 1197.)

Mr. JENNINGS (Enfield): I must confess that most of the sting has gone out of this debate since last week when we heard the member for Glenelg (Hon. B. Pattinson) inflict on us one of the best examples I have ever witnessed in all my long and illustrious career of a man skating with all imaginable

agility from one side to the other right through his speech and yet remaining firmly on the fence all the time with both ears to the ground. A good many of my wagering friends on both sides of the House were trying to get set on one side or the other as to which way he would finish up—and, of course, he finished up right in the middle anyway, so all bets were cancelled and I think a swab should have been called for.

I still support the recommendation of the committee, but I realize it will do no good now because, if I understand the position correctly, the committee will soon make a different recommendation. I was astonished that the chairman of the committee, in moving for the disallowance, spent most of his time in relating the history of the affair and only his last few moments in telling the House the real reason why the committee decided to move for the by-law's disallowance. The committee's action has been thoroughly justified because the motion threw this matter right back where it belongs—to Parliament. After all, the committee cannot disallow a by-law or regulation. It has been given the responsibilty of examining by-laws and regulations and, where necessary, of making recommendations to Parliament.

In this instance I do not believe the committee considered the contentious points between the Glenelg Chamber of Commerce and the Glenelg Corporation as to whether there should be one-hour or two-hour parking. If that had been the only consideration I believe this motion would not have been before the House because it is the corporation's duty to determine parking within its boundaries and not the responsibility or prerogative of any outside organization. I was thoroughly convinced, as were all members of the committee (although the final recommendation received varying degrees of unanimity) that there had been a breach of faith, if it can be so described, between the corporation and the chamber or, to express it differently, that a firm undertaking had been given by the corporation to the chamber that subsequently was not honoured. Whether or not that was sufficient reason for the committee to move for the by-law's disallowance is, and must inevitably be, a matter of opinion. As I say, this motion has thrust the responsibility back on Parliament.

I believe that if any member had sat in at the hearings of the Subordinate Legislation Committee he would have had no doubt about the matter. We all know that reading evidence and correspondence never gives the true atmosphere. We cannot get the atmosphere of what happens in this House by reading *Hansard* no matter how accurate the report may be because we know that sometimes the position was somewhat different when we heard it from what it seems to be in reading about it subsequently. I have no doubt that it was agreed that a further consultation should be held between the corporation and the chamber before the corporation proceeded with this by-law, and that that consultation had not been held.

Much mention has been made about the delegation of powers to local governing bodies. No-one has a higher regard for these bodies than I have, but my interpretation of what "delegate" means is apparently different from what other members believe. For instance, I cannot see that the delegation of powers is a surrender of powers. A sovereign body, such as Parliament, which delegates powers to a lesser governing authority has an obligation to see that those powers are being wisely used. I do not think the Subordinate Legislation Committee can be criticized for drawing the House's attention to what it believes may have been a slight mis-use by the Glenelg Corporation of the authority given to it. If that conference had been held and the corporation had stuck to its guns, I would have regarded the matter as over because it is the corporation's responsibility to determine the parking time in Glenelg and not the Chamber of Commerce's responsibility.

The compromise advocated by the member for Glenelg will achieve precisely what we want. The matter will be delayed and I do not think there is any reason for believing that the member for Glenelg is not in a position to see that the undertaking he gave is carried out. The by-law won't be put into effect until such time as this further consultation is held and then if the corporation remains adamant the matter will come up again and, so far as I am concerned, the corporation's will will prevail. I support the motion.

Mr. MILLHOUSE (Mitcham): As with the by-law from Norwood recently, so with this by-law from Glenelg: the position has changed greatly since I moved for its disallowance. On this occasion that is due to the remarks of the Minister of Education, who is the member for the district concerned. I appreciated what he said last week and I cannot, to that extent.

agree with the remarks made in the last few minutes by my colleague from the Subordinate Legislation Committee, my very good friend the member for Enfield. The House is indebted to the Minister of Education for the history he gave of the formation of this committee.

Mr. Jenkins: He was closely in touch with it.

Mr. MILLHOUSE: Yes. One could almost call him, with affection, the father of the committee, because it was his original motion, I understand, that led to its formation many years ago.

Mr. Clark: It is a thriving family.

Mr. MILLHOUSE: A vigorous youngster, one might say. I much appreciate what the Minister said, because it was a timely reminder of the need for this committee and for the functions it fulfils. It was a complete justification for the action we took in recommending the disallowance of this by-law.

Mr. Riches: We accept your apology.

Mr MILLHOUSE: I am not apologizing; I am merely expressing satisfaction. I appreciate and agree with the points made by the Minister about enlarging the powers of this committee. From time to time I have raised both points in this House, and I hope that now the committee has a voice at court, as it were, something will be done towards enlarging its powers, which I think is a most desirable move.

Coming to the by-law itself, I am even happier at the Minister's remarks because his recollection (as one who was present at the meeting between representatives of the Glenelg Corporation and the Chamber of Commerce on November 24) confirmed the conclusion reached by the committee that no further move would be made before a further meeting had been held. It was comforting to all members of the committee to know that the Minister, who was present on that occasion, had precisely the same recollection about the matter as the representatives of the Chamber of Commerce who gave evidence before the committee. That, in itself, I suggest justified the committee in making the recommendation. I remind members that it was on that matter, and that matter only, that the recommendation was made. Now, as I have said, the position has been changed. The Minister has used his good offices with the corporation to work out a compromise. As he said, it is not an ideal compromise but it is a working compromise, it contains good common sense, and I think it should be adopted. However, had it not been for this motion that compromise would never have been reached, I suggest. That in itself justifies the action that has been taken.

I express only one regret: that the corporation says that it is not prepared to discuss the matter further with the Chamber of Commerce at this stage. However, as the by-law will not be in operation during the coming summer season, there will be adequate time for second thoughts on both sides. In addition, when it is in force, the corporation has given an undertaking, vague as it may be, that it will allow reasonable latitude in its enforcement. In fact, the opponents of the by-law have probably done better in this way than if the conference had been held before the by-law was tabled. Be that as it may, I am grateful to the member for Glenelg for his good offices in this matter and I am sure that both sides to this discussion or argument must feel the same way. For that reason, I intend to move that this Order of the Day be read and discharged. However, before doing so, I thank all members for their attention to this debate.

I have already mentioned several times the contribution made by the Minister of Education. I also compliment the member for Enfield on the thoughtful and well-reasoned speech he made, even though I did not agree with everything he said. It was the sort of thing one would expect from a member of the Subordinate Legislation Committee, and I was not disappointed this afternoon. I also thank the Leader of the Opposition, the member for Whyalla and the member for Gawler, although I was surprised at the line they took. Mr. Ian Charles, a candidate for the Labor Party in that district, who was the president of the Chamber of Commerce (the spearhead in opposing this by-law) was in the gallery when I moved this motion and when members opposite—his present political friends—spoke. I do not know what his sentiments must have been, but I think it must have been a bitter and galling experience for him. However, that is an internal matter the Labor Party has to work out in one way or another in the course of time, and it is irrelevant to the discussion. Nevertheless, it is one of the paradoxes of politics. I feel no good purpose can be served in pursuing the motion; the purpose for which it was moved has been fulfilled, so I move that this Order of the Day be read and discharged.

Mr. LAWN: On a point of order, Mr. Speaker: Is it correct in this place for a

member, after moving a motion and replying, to move that it be read and discharged?

The SPEAKER: I rule that the motion is in order.

Order of the Day read and discharged.

INDUSTRIAL CODE AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 11. Page 1205.)

Mr. FRED WALSH (West Torrens): Last Wednesday I was about to discuss the provisions of clause 5 in respect of definitions of industry. I am particularly concerned about provisions that exclude such establishments as community hotels from the provisions of the Industrial Code. I raised this matter in this House two years ago when a community hotel on the West Coast, although it had been working strictly in accordance with the award governing the industry (which was accepted by every other community hotel as being binding), saw fit to take advantage of the circumstances excluding it from the provisions of the Code in that the laundry worker was engaged on part-time work for two or three days a week and the facilities for her to do the laundry work were provided by the hotel. The matter was raised by the union, but little notice was taken of it. I first raised it in this House on October 8, 1959, when the Premier promised to obtain a report. On November 3, he submitted a report from the Crown Solicitor advising that to bring this type of business within the provisions of the Code it was not necessary to amend the Code, but that this could be done by resolution passed by both Houses of Parliament. On November 4 the Premier stated that he intended to make submissions to Cabinet, but in the closing stages of the session of that year he had not taken the action he had promised to take. I twitted him at the time concerning his insincerity, and he answered me on December 2.

Other action had to be threatened to bring this establishment within the provisions not of the Code but of the award that covers the industry, and that was possibly more successful than any action that would have been taken by the Department of Labour and Industry if it had the power because the workings of that department are like the mills of God: they grind slowly. The point I make is that those establishments such as community hotels and the like are carrying on in competition with other establishments in the same industry, ostensibly for gain, although, it is true, not personal gain. It is true also that the particular municipality could benefit from the results of the profits obtained from such hotels. I need only mention hotels such as those along the River Murray at Loxton, Renmark, Berri, Barmera and other places. Strictly at law, those community hotels are excluded from the provisions of the Code, but they accept the conditions laid down in the award covering that industry. You will notice, Sir, that it is not the Leader's intention to include any prison, reformatory, industrial school or home for erring women or any institution conducted exclusively for charitable purposes.

Although Opposition members do not agree in principle with the inmates of these institutions doing certain work and providing certain services that compete with outside establishments that are carried on, it is true, for private profit, they are at least working under established wages and conditions as provided for by either the State court or wages board or a Commonweath award. Those people are bound by those tribunals. The people in prisons receive a slight payment. The fact remains that the person engaged in private enterprise who is compelled by law to conform to the conditions and provisions of an award or a determination cannot possibly compete with those institutions. Therefore, while we say they should be excluded from the provisions of the Code, I am expressing a personal opinion regarding their being allowed to carry on in competition with private enterprise. There would be no objection to the inmates of Governmental institutions such as prisons, where it is necessary to have occupational therapy and a certain amount of penalty associated with it, carrying on with certain duties such as laundry work. That work could be done by those inmates for such places as hospitals and other Governmental institutions. The same could apply to other establishments coming within the category of prisons, reformatories, industrial schools or homes for erring women. There is plenty of work for them to do and plenty of services for them to render without their being in open competition with outside industry.

In order to get over this position we ask for the deletion of the words "or for purposes of gain (except agriculture)" in subparagraph 1 of paragraph (*a*) in the definition of "industry" and the insertion in lieu thereof of the words "or for the purposes of direct or indirect gain". That does not interfere with those people who perhaps have certain feelings

regarding denominational or charitable institutions, the inmates of which do not come into competition with outside industry. It may be said, regarding my reference to community hotels, that those establishments could be brought within the provisions of the Code by a resolution of both Houses of Parliament, in the same way as could the other organizations that are excluded. I know that licensed clubs, of which there are many in the city and suburbs, would normally be excluded, but some few years ago they were brought under the provisions of the Code by a resolution carried by both Houses of Parliament.

When the Premier answered my queries in the first instance I thought he was sympathetic to the viewpoint put forward, but he kept backing and filling, and on December 2, which was the last time he made a statement on the matter, he said, in effect, that he would consider it the following session. However, no mention has been made of the matter since. If he were here he would probably throw it back at me, as he did to the member for Stuart this afternoon, and say, "Well, you should have raised the question." I thought I raised it sufficiently on December 2, 1959, and I expected him to do something about it. The Opposition asks that if the Bill goes into Committee serious consideration be given to the deletion of the words I have referred to and the insertion of the other words.

Clause 6 amends section 21 of the Code and seeks to give the court power to grant preference to unionists or employer associations. That is nothing new at all. On two occasions, to my knowledge, the Commonwealth court—that is, before it was re-constituted—granted preference to unionists. The first occasion that comes to mind was when Judge Drake Brockman, in the early days of his appointment before he became Chief Judge, gave preference to unionists in the award covering the clothing trades industry. It was an accepted fact that there was a certain amount of backyard work and sweating in that industry, and in order to protect the industry and the genuine employer, in addition to the employees in the industry, he granted preference.

On numerous occasions preference has been granted to employees in New South Wales. It was granted in a section of the industry with which I have been associated for many years. If anyone cared to check up he would find other instances where preference had been given to members of the union. In four sections of our own industry we have agreements whereby it is virtually necessary to join the union in order to be employed in the industry—not necessarily before a man is employed but a reasonable time is allowed for him to decide for himself. If he decides not to become a member of the union, he is politely told that he cannot be employed. The object is not so much to force people to join something they do not want to as to demonstrate that it is the union that gets the wages and conditions for the employees in a given industry. Those who are members of the union contribute to the legal costs, which are considerable, particularly if it is associated with the Commonwealth Conciliation and Arbitration Commission. It is not quite so costly here in South Australia, but it is costly nevertheless.

In my own union I can give the legal costs in the soft drink industry, which are considerable. Those costs are borne by the membership of the union, and by no-one else. Is it not only right and proper that, if a person obtains benefits from any award, he should contribute to the costs of it? That gives him every right to attend the meetings, express his views, vote according to how he thinks and generally take an active part, if he so desires, in the union itself. Some might say that that may apply in some industries but, if he is not satisfied with it, he can always go to the court if he feels that any restrictions are being placed on his activities within a union, and the court will determine just what steps shall be taken to protect his rights. That is how it should be: every member has a right to protection. First, he has a right to protection by his union, where his employer is concerned, in obtaining for him the best wages and conditions it can get; also, in any cases of action by an employer to his detriment, he is entitled to go to the union for protection. But, if the union does not treat him as it should, then it is only right and proper that he should be protected from that, too. No-one who is sincere in his association with the trade union would say otherwise.

The present position is that the State Industrial Court is definitely precluded by the provisions of the Act from granting preference to unionists. The powers of the court are outlined in respect of the making of awards and mediating in disputes. Then the second paragraph of section 21 (1) (*e*) says:

Provided that the court shall not have power to order or direct that, as between members of associations of employers or employees and

other persons offering or desiring service or employment at the same time, preference shall in any circumstances or manner be given to members of such association or to persons who are not members thereof.

So they are definitely precluded. No matter what the circumstances may be, whether it is sweating or evasive action by employers to conform to the award or determination, the court although it may agree with that has no power. It may be wholly convinced that there is justice in the claim for preference to the union but it has no power and, even though one may get agreement at a wages board for preference to unions (and we have them), it is not allowed to be put into the determination because of this provision. All we ask is that in the circumstances if the court thinks fit it shall be able to grant preference to unions.

I do not think the Leader's submissions require any further elaboration on my part. I do not intend to go through all the clauses, but clause 8 relates to the value of piecework prices and rates being maintained. Unless that provision is inserted, it means that in any variation or fluctuation in the living wage the pieceworker loses until such time as the position is corrected by agreement or by a provision in an award or determination. This provides only what is virtually an automatic provision, to which there should be no objection.

I am one of those who have been associated with negotiations for agreements for many years. We have agreements that have provided for flat rates of pay plus margins at a set rate. In the last two or three years we have been able to get the employers to see our way of thinking in respect of a percentage. So, instead of having a flat rate and a margin of, say, five shillings, ten shillings, twelve shillings, fifteen shillings, two pounds, three pounds, or whatever it may be, we decide to work on a percentage basis, and that is the margin—the percentage of the flat rate in any section of an industry. That means that, where there is a rise or a fall in the State living wage, so do the wages or the margins of rates increase or decrease, according to the percentage. So there is no actual loss in the value of that margin by any increases in the living wage. For instance, recently there was agreement on a 28 per cent margin over the living wage for the lowest paid worker in the industry. An amount of 12s. was the recent increase granted by the court and it became the State living wage. Instead of 12s., it meant that each employee affected by that margin (and nearly all were) got 14s. 9d., and all others on other classifications on a percentage rate received the same proportional increase according to the percentage. So the value of their margins was retained, and that is how it should be throughout industry, instead of having flat rates, as is generally the case.

At present provision is made for a list of union members to be supplied to the Industrial Registrar every six months. We seek to provide that only the names of officers shall be required to be submitted to the Registrar. The present provision is responsible for some unions not registering in the State Industrial Court. The requirement of a full list is an imposition creating much work that must be paid for by engaging unnecessary staff. My union is registered as a Federal body although, strangely enough, it works under State jurisdiction. It could well be that my union and others that are not registered in the State court would, if our proposal is accepted, become registered. It does not mean much to the union whether it is registered in the court or not because there are facilities that enable it to appear before the court, although not as a registered association. By obtaining the signatures of 20 persons working in the industry the union can appear before a wages board or the court. Our proposal would not mean much to the employers, although they would possibly welcome it because they are required to provide certain information to the Industrial Registrar. The Code provides for penalties for those unions which do not conform to the provisions, and the management committee of a union is liable and can be fined a substantial amount if the union does not conform. I suggest that few persons within the trade union movement who are members of management committees would know what their obligations and liabilities were under this particular section. The officers and secretaries may know, but few of the ordinary members would know and it would be an imposition if a union did not conform with the provisions of this section for the members of the management committee to be prosecuted and fined.

Clause 10 proposes the deletion of all sections of the Code relating to penalties for lock-outs and strikes. Sections 99 to 119 deal with the obligations of unions and their members and employers to conform to the provisions of the Code in respect of lock-outs and strikes. The right to strike is fundamental in the eyes of the Labor movement.

It always has been and will be. A workman has nothing to sell but his labour and surely he is entitled to the best wages and conditions he can obtain for that labour. It does not matter whether he acts alone or collectively with other workmen to obtain the conditions that to him or them seem just. Long before I was born there were strikes. As a matter of fact the Eureka Stockade incident is frequently referred to as a strike, although it probably was not in a strict sense. In the early 1890's the maritime strike was regarded as one of the biggest ever in Australia. During the First World War, when I was away, there was a general strike in 1917 and many people were gaoled. Subversive charges were laid against them and some spent many years in gaol before their release. In 1927 we had one of our biggest strikes—the waterside workers' strike. In 1929 we had the big timber workers' strike. We were then on the verge of the depression. That strike lasted six months and involved almost every industry in some way or other. There were frequent strikes at Broken Hill until the bonus system was introduced, which to some extent corrected the position.

One might ask, "What are the causes of stoppages?" There are many. Wages and conditions are not always responsible. An employer or his foreman does something offensive and the men working in that establishment take umbrage and stop work without any direction from their union and without the union's considering the matter. Who would deny the men that right? I know of an instance in a particular establishment where the head—and I will not mention his classification because that will immediately identify the industry—is manhandling girls working under him, making offensive suggestions to them, and using bad language. Another man was using bad language and making offensive remarks to girls in another department, and the man in charge of that department rightly took exception to it. I know of a case where pages were torn from time books and new time books filled in by other than the employees concerned, resulting in differences in the wages ranging from £2 to £5 a week. Were it not for the union there would have been a stoppage in that establishment. The union advised the workers to carry on because it felt it could have the matter rectified, but not through the Department of Labour and Industry which has taken so long to move in this matter which was referred to it. The point I stress is that it is not merely a question of wages and conditions of employment that causes industrial stoppages, but a multitude of causes.

I give full credit to the Government that, despite pressure from certain directions in recent years, it has never attempted to impose any penalties under the Code or to use its influence with the court to impose such penalties for stoppages in South Australia. It is because of this that many of the stoppages that have occurred have been quickly settled, generally amicably. It may be true that both sides have reached agreement as a result of the President or Vice-President of the State Industrial Court acting with no real power as a convenor to a conference, but as a result of that action agreement has almost invariably been reached and the dispute has been settled to the satisfaction, in the main, of all parties. The only occasion that I can recall when action has been taken by the State court to impose penalties was in the 1920's, and related to the building of the State Bank in Pirie Street. I am almost certain that penalties were imposed, but my memory of the matter is hazy. It is because of this attitude that there is no breach of relationship between employers and employees in any given industry. This morning's *Advertiser* contained a report about the shipping industry—an industry that everyone knows has been involved in many stoppages over the years. I do not intend to argue the merits or demerits of any of these disputes, but they occurred, and in 1958 and 1959 penalties were imposed by the Commonwealth court on this union and on others—unjustly, I say. No attempt to impose penalties has been made in the last couple of years, however. The *Advertiser* stated:

> For some months the shipping industry had been functioning as it should, without industrial troubles, Mr. Justice Foster was told in the Arbitration Commission today. Mr. Vernon Watson, for all shipowners, said his clients were most happy about the industrial situation. They were agreeable to an indefinite adjournment of their claims to alter the terms of engagement of seamen. The alteration sought was designed to restrict the right of seamen to sign off ships without finding a replacement. It was based on an allegation by shipowners that seamen were using their right to sign off to delay the sailing of ships. The Australian Council of Trade Unions joined the Seamen's Union in strongly opposing it on the ground that it was too great an infringement on the rights of employees.

I have a great respect for Mr. Justice Foster. I was associated with him on the Women's

Employment Board during the war; I know his principles; and I have the greatest respect for him and anything he may say. It could be construed (and apparently Mr. Watson was prepared to argue this way had the case proceeded) that they were taking advantage of the conditions that allowed them to terminate their employment without providing for a replacement, but that has been the practice in the shipping industry for a long time. It seems that the conciliatory method adopted by Mr. Justice Foster, who deals with this section of the shipping industry, has brought about the present happy relations. The general secretary of the Seamen's Union (Mr. Elliott) said that he thought Mr. Justice Foster would not see as much of the union as he had in the past.

I emphasize that there is no justification for the imposition of penalties for strikes. If employers take concerted action to create a lock-out, I do not think penalties should be imposed on them. I think both sides should be free from penalties. Incidentally, I have never heard anyone suggest that when General Motors-Holden's put off 8,400 men recently action should have been taken in the Commonwealth or State courts against it for its concerted action for a certain purpose—and I do not advocate that. If employers want to do this, that is their business. However, if workers do not want to work for the wages and conditions set down for them, they should be free to determine whether they will do so.

In practically every European country the right to strike is recognized; even in Britain no action is taken against strikers. The right to strike is accepted internationally. The International Labor Organization, dealing with a complaint made by the International Confederation of Trade Unions concerning a violation of rights, said:

> In respect of the complaint on Aden about the violation of trade union rights, the International Labor Organization governing body has also reached certain conclusions on the I.C.F.T.U. complaint against the British Government in connection with trade union legislation in Aden. While not accepting the I.C.F.T.U. allegation that the ordinance of 1960 ran counter to I.L.O. conventions, the governing body has drawn the attention of the British Government to the importance it attaches to the principle that "where the exercise of the right to strike is subject to restrictions pending recourse to concilation and arbitration procedure, such procedure should be adequate, impartial and speedy."

That is the decision of the highest industrial authority in the world, so it should be heeded. That body recognizes the right to strike.

Recently the member for Stirling complained about the picketing at Port Stanvac when there was a dispute, and asked the Government to act. However, I give credit to the Government for not giving in on that. In the United States of America, where there is an industrial dispute it is common practice for picketing to be indulged in. Where there is a dispute in a big departmental store, it is common to see pickets walking up and down the footpaths with placards saying "This store is unfair to labour" or "This store will not enter into contracts with labour", and similar things. There is nothing at law to prevent them; the only condition is that they must keep moving. Once they stop they are likely to be arrested and charged with loitering or failing to move on, but so long as they keep moving they can carry those slogans up and down in front of the store. Imagine the embarrassment that must cause to the particular store, and imagine such a parade in front of John Martins or one of our big departmental stores. Such a move could have a tremendous effect in compelling the store to come to an agreement.

If that were done here there would be prosecutions under the existing laws, but I say that such an action should not be denied people. If it is accepted in other countries it should be accepted in this country. Who are we to stand out on our own? Don't let us kid ourselves that we have the best wages and conditions in the world; there are a number of countries with better wages and working conditions than those in Australia. Some of our factories are modern and a pleasure to work in, but many are out-dated and out-moded and are not fit for people to work in. I could speak on other clauses, but I know there are other speakers and I will not occupy much more time. I sincerely appeal to the House to carry the second reading in order that we can discuss the aspects to which I have referred.

I was happy to hear the Minister of Education, representing the Minister of Industry, read a list of the country towns and areas to which the relevant sections of the Industrial Code had been extended. However, I could refer to other places that have been left off the list. I understand that next session the Government will introduce legislation to amend the Industrial Code, and when it does I will ask that consideration be given to bringing the whole State within its provisions. It could be that I will not be here, but others will be here to take my place and express their views.

The Premier referred to the result of a conference between the Chamber of Manufacturers, the Trades and Labor Council and the Department of Labour and Industry at which certain agreements were made. I said earlier that those agreements were of a very minor character. The agreements referred to lime-washing (section 2); the definition of "child" (section 5); juveniles (section 167); amount not paid (section 207); penalty (section 289); outworkers (section 289); urinals (section 307); lime-washing (section 314); reporting to Chief Inspector (section 329); minimum wage (section 333)—it was 10s. for a long time but at last it is to be altered; and Chinese labour (sections 356-8). They are of minor importance, and even though agreement was reached between the parties at that conference there was no agreement whereby they would be submitted as amendments to the Code. I ask the House to carry the second reading in order that when we go into Committee the other clauses can be fully discussed.

Mr. COUMBE (Torrens): I listened with much interest to the member for West Torrens, as I always do on this subject because I consider he is one of the best informed members in this House on industrial legislation. Although I did not agree with all his points of view, his comments were no exception to the very useful contributions he makes on this subject. The Bill deals with an important subject, because it concerns regulations regarding the safety and conditions in industry today, and affects the relations between employers and employees. At the outset I pay a tribute to the sound outlook in this State of the various bodies, whether it be the court, the Department of Labour and Industry, the unions or the employer bodies. I stress that the economic welfare of our people is dependent on industrial peace. The fact that so few stoppages have occurred in this State is, I think, a tribute to the level-headedness of all the parties concerned.

I emphasize that what criticisms I make in this debate will be made with the thoughts that I have just expressed in the back of my mind, and in an endeavour to be objectively constructive and not obstructive. I am trying to be helpful, but I want to express views as I see them in relation to this measure. I have considered carefully the Leader's amendments to the Code before us, and I find that some of them are very minor in importance and a few of them are helpful in a restricted way to the better working of the Bill. Some of them are quite useful. Some are major alterations to the existing legislation with which, quite frankly, I cannot agree and which I sincerely believe would radically alter the concept of the Industrial Code as we have it today. I may be wrong, but I consider that far from achieving the purpose of the mover it is possible that some of the suggested amendments may have a deleterious effect upon industrial peace in this State. It is possible also that some of our workers may experience some hardship under them, and certainly our industrial relationships may be jeopardized. The Code is so important to our community in both the commercial and the manufacturing life that I hope the suggested amendments before us will not be passed over lightly but that they will receive the attention they deserve. The criticisms I make on some of them are serious, and I ask the House to reject those to which I will refer presently.

Mr. Riches: You will let it go to the second reading so that you can accept or reject?

Mr. COUMBE: I will criticize several clauses now; they are the ones to which I object, and I consider they are so serious that the whole Bill should be rejected. As I go on I will say why. It has been announced that the Department of Labour and Industry is preparing amendments, and the Premier has indicated that he will introduce next session a Bill to amend the Code and bring it up-to-date.

Mr. Ryan: Do you accept his promise?

Mr. COUMBE: If I did not accept the Premier's promises I would not be sitting behind him today.

Mr. Ryan: That is true.

Mr. COUMBE: In our Party we have a sense of loyalty. If the Premier makes a promise, he will adhere to it and we will support him. Some others may not have that sense of loyalty in them. As I have already said, the Premier has indicated that he will introduce into the House next session an amending Bill to this legislation. I suggest that the amendments I object to are so serious that the whole Bill should be rejected and freshly considered next year. I shall comment only on a few major clauses; I do not want to touch on the minor ones that are not of great import.

Mr. Ryan: Which are you objecting to?

Mr. COUMBE: The first relates to agriculture, which is deleted from the definitions.

Whilst I do not want to canvass the question of country awards and people working under rural awards (for my friends from the country can deal with that better than I can), I point out several things that could happen. If an award is extended to the country to cover agricultural workers, it means that every property where they will be working and every shed in which they will be working will come under this Code. Every little shed (but not a woolshed, which will come under the shearers' award) and every person employed on a farm and working there must come within the provisions of this Code. The shed itself will, too. For instance, if there is a small shed on the property of the member for Frome and if he is repairing a motor vehicle there or is employing someone to do it for him, that must come under this award. That shed would then be classed as a factory. A shed belonging to the member for Rocky River would come under this classification. It would have to be registered and inspected; the number of windows would have to conform to the relevant provision. It would be regarded as a factory as would all other premises of that nature. It will, in turn, have to pay fees.

These are things that can happen under this provision. I am not talking about the awards as such. I suggest that this is surely carrying this aspect of the legislation too far and getting almost to the point of absurdity, where every shed on a property in the country outside a township, where at least one person is employed, would have to come under the classification of a factory. Think of the enormous costs that would be involved in the administration of it!

Mr. Loveday: We are always ready to find a practical solution.

Mr. COUMBE: I am sure you are. Clause 6 (section 21, subsection (1), of the original Act) deals with the court's direction in relation to preference to unions. Paragraph (*e*) provides that the court shall not have power to order or direct that preference be given to members of a union. The purport of this suggested amendment is to delete the word "not" and make it mandatory on the court to direct. It would then read:

That the court shall have power to order and direct . . . that preference shall in any circumstances or manner be given to members of such association . . .

That is, of course, compulsory unionism; it is preference to unionism out of which the natural corollary is compulsory unionism.

Members interjecting: No!

Mr. COUMBE: You can argue that all night, but I say it is. The meaning and effect is that you get a closed shop.

Mr. Dunstan: But how can you say that you compel the people to be in unions? In my union we have a preference to unionists clause in the arbitration memorial, and I have not been able to sign up everybody in the union.

Mr. COUMBE: The paragraph reads:

the court shall have power to order and direct that, as between members of associations of employers or employees and other persons offering or desiring service or employment at the same time, preference shall in any circumstances or manner be given to members of such association or to persons who are not members thereof.

The effect of that is to give preference to unionists and the natural thing that happens in all factories is compulsory unionism in a closed shop. That has happened. We are talking not about clerical unions but industrial and craft unions. This actually happens. I tie this up with the remarks I made earlier about the agricultural provisions. In the case of agriculture this will apply also if the amendments are carried, that on a farm if two men are offering the court can direct that preference be given to a unionist as against a non-unionist, despite the fact that one man is able to do a job efficiently, and the other is not. That could and does happen in some industrial cases; it could happen in the case of rural conditions if this Bill as it is today were carried. I believe in trade unionism. I think almost every member of this House believes in it.

Mr. Ryan: It has its advantages, hasn't it?

Mr. COUMBE: I sincerely believe it has, but I do not agree in one iota that an employer should be forced to employ only a unionist; nor do I believe that an employee must be compelled to join a union before he can get a job in a closed shop. I do not believe that employers should be forced or compelled to employ unionists and I do not believe that any man who wants to get a job should be compelled to join a union before he can get that job.

Mr. Ryan: Do you say he should be paid the applicable rate before he can get that job?

Mr. COUMBE: I prefaced my remarks by saying that I believed in the principle of trade unionism. Some of the greatest industrial benefits in this country have been achieved through the fight of trade unionists and organizations in the past. But I believe further

that this is a free country: you can please yourself whether you join a union or not, and every man should have the right to please himself whether or not he joins a union. Equally, a person who sets up in business should be able to please himself whether he wants to join an employer organization or not.

Mr. Dunstan: Do you think he should be free to leave his work for which an award has been prescribed and go to take other work if he wants to?

Mr. COUMBE: If he complies with an award by giving a week's notice, he can leave his employer.

Mr. Dunstan: Under the Code he cannot.

Mr. COUMBE: I put forward those views as I see them, and sincerely believe them, because I think that this would have a deleterious effect upon some of the freedoms and working conditions of some of our employees.

I turn now to clause 7 (section 31 of the original Act). This relates to the duties of the Chief Inspector. Before an aged or infirm worker can be given employment, the approval of the appropriate union must be given. I suggest that this is rather interfering with the duties of the Chief Inspector, and certainly with the administration of the department, because what can happen is that, if the union concerned does not give approval, then the Chief Inspector cannot make an order. That is how the clause reads at the moment. If the union official refuses to agree, the Chief Inspector cannot make an order. That radically interferes with the duties of the inspector. The present provisions are adequate. A conscientious employer who desires to provide employment for an incapacitated or aged person could, under the amendment, be debarred from doing so because of a difference of opinion between the two bodies I have mentioned. This is an instance of undue interference and we should not accept the amendment.

Clause 10 relates to strikes and lock-outs. The member for West Torrens made an impassioned appeal for the deletion of sections 99 to 119 of the Code. From my reading, I believe that these sections have been the subject of bitter debates in the past in this House. If this clause is accepted it will remove the teeth from the legislation. All penal provisions will go. At present the Code states that strikes and lock-outs are illegal, but if we take out these sections strikes and lock-outs will be legal.

Mr. Ryan: By leaving them in are you going to stop strikes?

Mr. COUMBE: The Industrial Code applies only to South Australia, and we have a happy record. We have had fewer strikes than other parts of Australia. The Code has worked well in this regard and if we remove these sections we will have much more industrial strife. An irresponsible man in a factory could cause trouble and there could be a strike or lock-out, which could cause trouble to the union and its members.

Mr. Loveday: You are suggesting that the irresponsible person knows all about the Industrial Code?

Mr. COUMBE: No, but if these sections are deleted harm could accrue to the union through the actions of an irresponsible person. Lock-outs would also become legal, which would be wrong.

Mr. Loveday: What you are saying has nothing to do with the start of a strike.

Mr. COUMBE: If these sections are deleted we will have more industrial unrest. Clause 32 amends section 304 of the principal Act and relates to ventilation and heating. I commend the Leader for his intentions in this regard, but I doubt whether this provision is practicable or whether it can be policed. In a large foundry the installation of fans could cause serious damage to metal. Possibly the Leader had in mind a small blacksmith shop. However, they are both hot trades. How can we have fans in such establishments? Some people like fans, but others dislike them because of the draught they create, and there is feeling even among office workers over their use. I think the Code at present deals adequately with the question of ventilation.

Clause 34, which amends section 308 of the Code, is difficult to understand. The expression "after at least 30ft." is used. Does the Leader mean that after a row of machines there must be a space of 30ft. and then a passage-way, or does he mean that the passage-way must be 30ft. wide? The present section is adequate, because all factories vary and no two are exactly similar. To lay down a mandatory area for spacing, as the clause suggests, seems to impose a hardship, especially on small factories that use small machines. Clause 36 relates to welding in confined spaces. I believe the Leader was activated by good motives in introducing this clause. Some greater control is necessary, but I suggest it could be achieved better by regulation where the actual conditions could be set out for various types of welding in various structures.

Clause 39 relates to power-driven machinery and states that:

The occupier of a factory shall not permit any employee at any time to work alone in any factory or part of any factory where power-driven machinery not consisting only of hand tools, is in use.

I doubt whether that could be done; it seems to me to be completely impracticable. It means that a shed on a rural property will be covered under this clause. (I am taking extreme examples because they could occur.) If one person were employed in that shed he could not work a power drill unless he had another person with him, and he could not operate a power hacksaw or a saw bench to cut wood.

Mr. Hall: Could he operate a chain saw?

Mr. COUMBE: He could not operate any power-driven machinery.

Mr. Hall: This clause would not cover mobile machinery.

Mr. COUMBE: The Leader had in mind a large factory.

Mr. Ryan: He said "factory".

Mr. COUMBE: But there is no definition of factory and, as this comes under the heading of "agriculture", I suggest that a shed on a rural property would be a factory, it would have to be registered, and this clause would apply.

The Hon. D. N. Brookman: What about a small circular saw?

Mr. COUMBE: I think any power-driven machinery would be caught under this clause. Perhaps the only thing that would not be caught under it would be a K.B.C. kit (an electrically driven hand tool); everything else would be affected. To take it to absurd lengths, the farmer operating a tractor would have to have another seat on it so that he could have someone else with him.

Mr. Ryan: That is not so. This clause refers to a factory.

Mr. COUMBE: It is possible to have these things done in a small shed or garage, and anyone doing them would have to have another man with him. I suggest that this clause is not necessary and should be withdrawn.

Mr. Ryan: You suggest that all clauses should be withdrawn!

Mr. COUMBE: I am suggesting only the clauses to which I object. I think clause 40 conflicts with the Lifts Act. Clause 47 deals with the cleaning of machinery while it is in motion. I, like all members, am concerned about this important matter, but the clause may be a little wide. This matter may possibly be covered by regulation; otherwise, more definition should be given, because, under this clause, no machinery or mechanical appliance could be cleaned or oiled while it was in motion. Some of this work can be done while a machine is in motion, whereas in other cases it should never be done. However, the clause is too wide and would completely shut down some factories. I have no desire to cause any danger, but I think the clause should be re-drafted.

I have touched on but a few major clauses, and I can see that the member for Norwood is itching to put me right. However, I do not think the clauses I have mentioned will achieve the purposes for which they were designed and that they could possibly have a harmful effect on industry. I agree with the Leader that the Code needs revising to bring it into line with modern methods and techniques, especially as we now have a more enlightened outlook on this legislation than was the case when it was originally enacted.

Mr. Loveday: It is rather ancient.

Mr. COUMBE: It is. I welcome the announcement by the Premier that if this Bill is defeated he will introduce an amending Bill next session.

Mr. Lawn: How do you know he will?

Mr. COUMBE: I shall re-phrase what I said: the Premier will introduce another Bill into this House next session when he is re-elected as Premier. For the reasons I have given, I suggest that this Bill should be defeated so that another Bill can be introduced next year. Although my suggestions may not meet with the approval of all members, I hope they will be taken in the light in which they are intended—to be constructive.

Mr. DUNSTAN (Norwood): The Labor Party in introducing this Bill is determined to put these amendments to the Industrial Code before the House on three main bases. The first is that it is the belief of the working people of this State that any person working under conditions where a dispute may arise between himself and his employer as to his conditions of work and his payment should have the right and opportunity to go before an industrial tribunal for the settlement of that dispute and the achievement of an order of the industrial tribunal protecting him in relation to those conditions and those payments. It is a matter of amazement to me that

members can come into this House and suggest that that is going to do something that will confound the course of industry and commerce in this State, and that it is going to produce industrial unrest and a deterioration of industrial relations to provide that working people may have recourse to industrial tribunals where they have not now got that recourse.

Many people in this State have no right to go to an industrial tribunal and to claim the protection of orders of such tribunal. It is significant enough that Government members have always resisted the right of working people in this State engaged in the pursuits of agriculture, horticulture—indeed, in rural pursuits generally—to have the protection of an application to an industrial tribunal. Why do they say that a man is not to go to the tribunal, not simply to get what he says is right for himself but what an impartial tribunal appointed by this Government will decide it is fair and proper for him to have? How is it going to confound agriculture and horticulture to give to the people of this State what is fair and just according to the decisions of an independent tribunal? Yet that is what they do say, and they deny to people in rural avocations in this State the right to make this application. What is more, they deny that right to people who are engaged as employees in callings which are not at the moment for the purpose of gain.

For instance, employees in non-profitmaking hospitals, in community hotels, and, indeed, in any organization which is not for the purposes of gain but where, nevertheless, people's conditions may at times give rise to disputes and where they may need the protection in their employment and their conditions, may not go to an industrial tribunal for these things to be decided. Why? After all, do they not have to make their living and continue their lives and their protection to their families on the basis of the conditions and payments made to them in respect of the work that they do? Yet they are unable to get any protection in relation to that work. Why is it that all people who are going to be engaged in occupations in South Australia where disputes may arise should not have the right to go to an industrial tribunal and seek its protection and the decision of that tribunal as to what is fair and just? The reason is that this Government wants to keep this State in as backward a condition as it possibly can as far as the protection of its workers is concerned. The answer is that this Government has always wanted to see that workers in this State are kept in a low-wage condition, with the worst conditions of industrial safety known in Australia. This measure is in line with its attitude on every piece of industrial legislation and industrial safety legislation now on the Statute Book in South Australia. It simply does not want to give the workers here protection, and it seeks to boast at times that employers can come here and have a bit of an open slather and not be faced with having to deal with applications before the courts in relation to certain matters here simply because there is no right for industrial or other workers to go to the court and obtain awards.

The second thing the Labor Party believes should be done is to provide the protection to workers that they are not bound to work under award conditions that they do not like but that they should be free to move away from employment in industries where the award is contrary to their beliefs as to the conditions under which they would be satisfied to work. We should not have twentieth century villeinage in South Australia, but that is what we have under the present Code. The member for Torrens (Mr. Coumbe) said we were going to have industrial chaos as a result of the removal of the penal sections, and that what he wants for the people of South Australia is freedom. Well, Sir, under the Industrial Code at the moment the only people who are free are the employers. The lock-out provisions of the Industrial Code are useless; they are a completely dead letter. As the member for West Torrens (Mr. Fred Walsh) has clearly pointed out, lock-outs do occur in South Australia. There was an obvious example in the case of General Motors-Holden's dismissing its workers wholesale. There would be numbers of other instances where employers have chosen to shut down and to discharge their workers. They have not been prosecuted for a lock-out, but, Sir, the employees are prosecuted. There is no doubt about that, and they are prosecuted under conditions which I shall now outline.

If an award is made in respect of a particular industry and employees in that industry do not like it, and if half a dozen of them decide that they will resign and go to work in some other avocation, it is concerted action within the meaning of the Code; it does not have to be a strike, but merely an act in the nature of a strike, according to the decision of the court, and they are penalized for it. They can be fined, and the organization of which they are members can be fined. That

has happened in recent times in South Australia. In other words, if more than one decide that they do not like the conditions of the award and they want to take another job, and they resign together, then they are penalized. They are bound to stay in the particular avocation. It happened in the plastering industry in South Australia.

Mr. Coumbe: What; with only two members?

Mr. DUNSTAN: No, but there were not so many more.

Mr. Coumbe: How many?

Mr. DUNSTAN: From memory, it was 12.

Mr. Coumbe: That is a bit different.

Mr. DUNSTAN: Why is it different?

Mr. Coumbe: Two is different from 12.

Mr. DUNSTAN: Yes, it is 10 different from 12. But if a dozen men decide they do not want to work in the industry any more, does the member for Torrens say that they are free? The men cannot leave the industry if anyone else wants to leave it at the same time.

Mr. Coumbe: That is rather a weak argument.

Mr. DUNSTAN: It is not a weak argument at all, and it is certainly not a weak argument in relation to the unionists who were fined. Mr. Speaker, in the decision of the court there is no difference between 12 resigning and two resigning: it is exactly the same thing. If more than one person does it, if there is any concerted action at all between one person and another person, that is an act in the nature of a strike and no dividing line is drawn between two and 12. It has not been applied to two employees simply because there has not been such an instance, but the court has laid down the principle and it has done it with as few as 12 people. It can happen with two people, because, under the principle that the court has laid down, if there is any concerted action at all it is an act in the nature of a strike. That means that men are bound in industry now to undertake work of a kind they do not want, and they cannot leave it. If they leave it together with anyone else, and if there is any appearance of their resigning in relays, then that in itself, too, is concerted action in the nature of a strike.

If one man resigns one week and another man resigns the next week, and if it can be shown that there is any apparent concerted action for them to act in this way, that is an act in the nature of a strike and is unlawful. Where is the freedom under this? The Labor Party's attitude has always been that a man has only his labour to sell and he shall be free to sell it where he chooses, and if he chooses not to stay in any particular industry but to move elsewhere, and if he does that together with anyone else or by himself, then he shall have the right to do it and he shall not be prevented from doing it. We hear great talk from the Liberal Party of not wanting industrial conscription, but, in fact, under the Industrial Code in South Australia we have industrial conscription and it applies only to the workers and not to the employers of this State. I see no reason whatever to keep the penal provisions in this Act. They merely are the means of forcing employees to work under conditions they do not like.

The third principle upon which the Labor Party introduced this measure is that there should be a fair protection for workers, fair conditions of work, and reasonable conditions of safety. The amendments which are before the House are put forward particularly for that purpose. I cannot see any reason why the honourable member should cavil at some of the minor provisions here. For instance, the provision about welding in a confined space could be done by regulation. The fact is that it has not been done by regulation and, to give the protection to the workers that is obviously desirable, it has to be done by legislation or it will not be done at all. In fact, our experience in this House teaches us that it has to be done by this Party or it will not be done at all.

Mr. Riches: That is obvious.

Mr. DUNSTAN: Yes. The honourable member says it is not fair, when we are asking for fair conditions for unionists, to provide preference to unionists. He says this is an insidious way of providing compulsory unionism in South Australia. Obviously, he does not know what compulsory unionism is, but let me instruct him for a moment because that is not the policy of the Australian Labor Party. Preference to unionists is. We can see no advantage to the working people by forcing into unions wholesale by legislation many people in no way interested in unionism, but we believe that, because it is the unions that obtain the award conditions that protect people in this State, they should have preference to work under those conditions, and other people should not be allowed to come along to take advantage of the expenditure of money by unionists in this State, to put money into their pockets and to scab on the backs of other workers in respect of those award conditions.

I speak with some bitter experience of this. In my union I had great difficulty in trying to get members to do just what I have been suggesting any proper working man ought to do, and that is to come in behind the union providing the working conditions for the people in that particular industry. I was able to see that some members in my union got preference. So they should have had it. It was provided by the Public Service Arbitrator that they should have it and, since they were the only people in the State who had provided the money to get the conditions, they should have first right to employment under those conditions.

Mr. Hall: What if they do not agree with the political affiliation?

Mr. DUNSTAN: In fact, in the union concerned there were no political affiliations at all.

Mr. Hall: There could be.

Mr. DUNSTAN: On that particular score let me say this: I believe that work people in this country should join unions whether or not they agree with the political outlook of the majority of the members of the unions.

Mr. McKee: They accept the conditions won by them!

Mr. DUNSTAN: Yes. If we do not have an effective and strong unionism in this country, how shall we get any sort of satisfactory collective bargaining and arrangement of conditions? How shall we get the industrial peace about which the member for Torrens was so vociferous a few moments ago? It cannot be done without a strong union structure. It is proper for trade unions by a majority decision to decide that they will undertake certain political action that they consider to be in the interests of their members. I hear honourable members opposite in this House and people outside the House having much to say about how unfair it is to force a unionist to contribute to a political purpose with which he does not agree; but I find it strange that they do not mention the large companies in this country that make political contributions to the Liberal and Country League (as they do, because that is where the L.C.L. gets the bulk of its money from). They make these large contributions, as they undoubtedly do because I have seen the records of some of them. They are paid voluntarily by those large organizations. They do not consult their shareholders, who would probably say "I am going to deduct 1s. 6d. from my payment because you have contributed to the Liberal and Country League, a political purpose with which I do not agree." Do members opposite say that? If they do not say that, why do they say that the unions cannot do so? The unions decide for themselves and in that case there is not the slightest reason why the majority within a union should not decide upon the issue just as the majority of the employers decide on the issue. The early industrial tribunals, when we had some fair people on the bench, advised the unions to go in for political action, and indeed that is what they have had to do to provide for this protection. Many members opposite would like to encourage the kind of rule that was in existence at the time of the shearing strikes in the 1890's, and the sort of general legal tribunals that we had then.

Mr. Hall: Why is the Australian Council of Trade Unions splitting on these questions of the political levy?

Mr. DUNSTAN: Who said it was?

Mr. Lawn: He is a numbskull; don't take any notice of him!

Mr. DUNSTAN: The member for Gouger is in the very earliest infancy in his knowledge of the industrial movement in this country. I should recommend him before he makes interjections of this kind to know a little bit more about it.

Mr. Lawn: He hasn't the capacity to understand anything about it.

Mr. DUNSTAN: That may well be true.

Mr. Loveday: One thing is certain: that, when the companies buy them, they buy completely.

Mr. DUNSTAN: Yes. The member for Torrens said this would be a shocking thing if preference to unionists were given in rural conditions. Why shouldn't it be? Why should rural conditions in this State be any different from conditions elsewhere? Why should workers in the country areas of South Australia not be entitled to the same protection? Why should they not be able to go to an industrial tribunal and get preference for unionists, as anybody else in this State does? What sets them off as a class apart, as second-class citizens not entitled to the protection that industrial organization is designed to give them? The honourable member said specifically in relation to unionists what a bad thing this would be in rural occupations. If a man who does rural work and is a member of the Australian Workers Union goes along for a job and has contributed his money for the conditions laid down for that particular job, why shouldn't he get preference there?

Mr. Fred Walsh: The Bill does not say he should; it merely says that the court shall have power to give preference.

Mr. DUNSTAN: The member for Torrens does not know what preference is. He thought it was automatic. It is not automatic any more than it is automatic in other places where in fact the court has ordered it. The court will only order preference to unionists where it finds it necessary for the protection of the unionists.

Mr. Ryan: As it has done on numerous occasions.

Mr. DUNSTAN: Yes. The Public Service Arbitrator did it in the case I mentioned earlier in relation to my own union, and the courts have done it in a number of other instances. It is proper for the courts to have the power to say, "We must protect unionists in those circumstances and protect them for the work they are doing to establish these conditions." If it is shown to the court that it ought to make that order, why shouldn't the court make the order if it thinks it proper and fair? Members opposite will refuse to the court the right of discretion in this matter: the right to say, "We find, as a matter of fact, that it is proper and fair to give this protection to unionists".

Mr. Lawn: On all other occasions members opposite say that disputes should be settled by the court.

Mr. DUNSTAN: But they do not want to give the court power to make decisions when it finds the facts in favour of those decisions. That is their attitude on this matter. So far as the Chief Inspector is concerned, I think it proper that unions should have some scrutiny over his actions on the question of the employment of slow workers and on other matters, because, as things stand, the administration of the Department of Labour and Industry in South Australia leaves much to be desired. That department has not enforced the provisions of the Industrial Code on occasion after occasion. On this score I want to refer to another clause of the Bill, and that is the provision that will remove from the officers of the Department of Labour and Industry the right to claim privilege when they are summoned as witnesses before a court when a union is trying to enforce the provisions of an award or the provisions of the Code. At present certain returns have to be made to the department, and the results of certain inspections have to be filed, but strange to say, although there have been occasions when there have been obvious breaches of the Code or of awards, no action has been taken by the department which has been well aware of the breaches and of the fact that action ought to be taken.

What is left to a union then? The union must prosecute, but half the time in order to get the evidence it knows exists, it must get records from the department, which is the only place in which the evidence does exist. What happens? The union subpoenas someone from the Department of Labour and Industry and he comes to the court with a certificate from the Minister saying that it is a privileged document and therefore he does not have to give evidence. The employer gets protected, as always, by this Government, which has no intention whatever of protecting unionists under the existing provisions of the Code.

Mr. Lawn: Yesterday the member for Mitcham objected to protection being given to any section of the community.

Mr. DUNSTAN: Under the present administration of the Code the protection is always given to the employers. There is no reason whatever why the records of the Department of Labour and Industry should be privileged in a case that a union wants to go before the court. Those records should be produced to show whether there has been a breach or not. I could deal with some of the minor clauses of the Bill, but will not do so because other members want to speak. The clauses have been well covered by the Leader and in the most instructive and informative address given by the member for West Torrens. Lastly, however, I must say that when the Premier spoke on this Bill, which he dismissed with an airy wave of the hand, he said that there had been some consultations between the leaders of the Trades and Labor Council, the Chamber of Manufactures and the Department of Labour and Industry and that they had agreed on a whole list of amendments of the Code to bring it up-to-date. Consequently, he was prepared at some future time to bring those agreed amendments before the House, and they would cope with all the difficulties which now arose.

Mr. Lawn: He might have to bring them before us as a private member.

Mr. DUNSTAN: I doubt whether he will bring them forward whether as a private member or not. Of what use would they be? The amount of agreement that has been reached on the Industrial Code is so slight that the effect upon the working people of

South Australia of those amendments would be virtually nil. The reason why we have had to introduce on this occasion a comprehensive amendment of the Industrial Code is that we had a consultation with the trade unions and these matters were agreed between the Labor Party and the members of the Trades and Labor Council through our advisory committee. The Trades and Labor Council said to us, "What is the use of going on with those things that we have been able to get agreement on with the employers? After all, there is practically nothing in them. Let us have a comprehensive amendment of the Code that gets down to some of the matters at issue and some of the matters that will give some protection to and improvement of the conditions of the working people of this State." That is what the trade union movement in South Australia wants.

To suggest that dotting "i's" and crossing "t's" in a few sections, including verbal amendments and excluding from the Code the sections about Chinese labour or lime-washing is going to achieve a magnificent improvement in the standards of the working people of South Australia is complete and utter nonsense. This statement of the Premier's about what he was prepared to do, of course did not go into what he proposed to give to the working people. The statement was only designed to get a headline in the *Advertiser* so that he could say that he was prepared to do something for the working people when he is not prepared to do anything but to retain the present situation that exists under the Industrial Code, which means that our working people have less protection and worse general conditions than workers anywhere else in the Commonwealth.

Mr. McKEE (Port Pirie): I support the Bill with pleasure because it is one of the most important Bills to come before Parliament for some time. I believe little else remains to be said after listening to members from this side. I congratulate our Leader on his comprehensive explanation of what is required to bring the Code into line with modern requirements. As a union organizer I have been associated with the industrial movement for several years. I studied the Leader's remarks with interest. He has clearly outlined what should be done if the Code is to benefit all of the people of South Australia. All members should read his speech. After listening to the member for West Torrens, I suggest all members opposite should read his speech as well. The Leader pointed out that the Bill makes a series of alterations to the existing legislation and that it has been drafted with the intention of bringing it more into line with present-day conditions. I agree with him that a workman should not be penalized for withholding his labour, if he would otherwise be compelled to work under inferior conditions, when arbitration and conciliation have failed to arrive at a fair and just decision. No man should be forced to work under unfair conditions by the threat of penalties. As the member for Norwood pointed out, a worker has only his labour to sell and he should be entitled to a just and fair reward for his labour. We hear much from members opposite about democracy and the freedoms we enjoy. It should be remembered that the four freedoms that were enshrined in the Atlantic Charter—freedom from fear, freedom from want, freedom of association and freedom of religion—should be ours, but while the Code provides penalties for strikes and lock-outs those freedoms do not exist. Down through the years these essential developments have been determined by the people, in some cases through hardships and sufferance. If penalties for strikes are allowed to remain, those freedoms we hear so much about are just a myth.

This Bill also contains, as has been pointed out by previous speakers, provisions for rural workers. The Leader pointed out that the Code provided only for workers in the dried fruits industries and those employed by pastoralists with 2,000 or more sheep, but that there was no coverage for those employed by the big wheat and barley growers, of which we have a considerable number in this State. Of course, we also have some who sit opposite. I know of several young men employed by these big farmers.

Mr. Lawn: Where?

Mr. McKEE: Some are in honourable members' districts—particularly the Rocky River district—and no doubt many can be found in most country districts.

Mr. Hall: What about Frome?

Mr. McKEE: I said they would be in other districts; I mentioned Rocky River because I was interviewed by a man employed in that district.

Mr. Lawn: The member for Rocky River said they were paid more than they could obtain from an industrial tribunal.

Mr. McKEE: During the harvest these men employed by wealthy wheat and barleygrowers work practically around the clock and their wages vary from £10 to £15.

Mr. Hall: That is not so. You are out of touch.

Mr. McKEE: I notice this is upsetting members opposite, as the truth is coming home. I do not criticize all farmers, as I know some gave away wood and that sort of thing. They are what are known as friendly farmers, and they possibly pay a little more.

Mr. Lawn: Are there any?

Mr. McKEE: I believe there are a few. It was said in the court at one time that friendly farmers gave wood to employees or to other people living in the country. That is why they wanted to reduce the basic wage by 12s. a week. However, these employees work around the clock and I believe in some cases for less than £10 a week. Many of these workers are, of course, laid off after the busy period and those who are not have their wages reduced. I notice that the member for Eyre is laughing, but I bet he can recall where these things have occurred on many occasions. These men, in this age of automation, have to be skilled plant operators, as they drive big headers, tractors and so on. They must be competent, as they are responsible for the care of expensive machinery.

Mr. Lawn: They do it for £10 a week!

Mr. McKEE: That is a fact. I believe they are the most important people to the primary producing industry and that they should be entitled to share in the benefits this Bill provides.

Mr. Lawn: That is why Government members want to take away their right to go to the court.

Mr. McKEE: That is so. They would not oppose this Bill if they were not worried about it. This Bill is not complete unless it provides for these people. As I said previously, the Leader touched on most points required to bring this Code into line with modern requirements. However, I should like briefly to refer to one other matter. I suggest that an amendment to permit the Industrial Registrar to consolidate awards is necessary because, when there are a number of variations, it is almost impossible for an ordinary worker to understand an award. It needs only an important variation to be missing for totally incorrect information to be obtained from that award. Section 21 allows the court on its own motion, or on the application of any association or person interested, to make a consolidating award. I do not think all this procedure is necessary; I think in the interests of clarity powers should be given to the Registrar to consolidate the award. I feel this would be more businesslike. I am sure that all members realize that, as the member for Torrens pointed out, the Code certainly needs some review to comply with present day conditions. It is my sincere wish that they will favourably consider the amendments contained in this Bill and so pass on to the people they represent the conditions that they themselves would like to enjoy if they were employed in similar circumstances. I support the measure.

Mr. RYAN (Port Adelaide): I support this Bill with extreme pleasure. I think the memory of some Government members should be refreshed on the remarks made by the Premier in opposing this Bill; he said:

> This is one of the most important matters submitted to this Parliament this year. It covers the vital question of the industrial relationship between employers and employees. When we remember just how important that is to the economic welfare of any community I shall not apologize for the length of my remarks this afternoon in discussing this matter.

The Premier agreed that this Bill was one of the most important introduced into this Parliament. The hypocrisy of this statement is that, although he agrees that it is important and that there are certain clauses that the Government can accept without alteration, he says in the same breath that he must oppose it. He did not state the reasons, but the only reason he has to oppose it is that the Opposition introduced it.

Mr. Riches: We must not discuss anything important here.

Mr. RYAN: That is true, and if anything important is introduced by the Opposition it does not remain important for long. We heard this afternoon the Premier's mouthpiece, the member for Torrens, repeating what the Premier had said.

Mr. Lawn: You would not expect him to differ from his master, would you?

Mr. RYAN: No, Government members are not allowed to; they do not have any say in what their Party does, whereas every member of the Opposition has a say in what the Labor Party will introduce, and what the majority decides becomes the policy. That does not apply to the Liberal Party. The member for Torrens has never had a vote on the policy of the Liberal and Country League since he has been a member. The Premier says that this shall be done and that shall be done, and the agricultural lambs follow; you do not decide; you have no vote on it.

Mr. Coumbe: You will convince yourself directly.

Mr. RYAN: I have a say in what happens in my Party. If the same thing applied on your side of the House there would not be the dictatorial attitude from the Premier that we see.

The ACTING SPEAKER (Mr. Jenkins): Order! The honourable member must direct his remarks to the Chair.

Mr. RYAN: I will direct my remarks to the honourable member through you, Mr. Acting Speaker.

Mr. Bockelberg: You should not get up, turn your back on members on this side, and talk to your own members, as a previous speaker did. You will never convince us that way.

Mr. RYAN: Don't you get up and break your leg and say anything on these matters, or you may convince yourself. Members on this side who believe in anything at least get up and voice their opinions and do not become the mouthpiece of one person. Most members on this side do speak, but I cannot say that is applicable to the other side. The member for Torrens said this afternoon that this Bill in his opinion—although the master had said it previously—was an important piece of legislation. However, it is so important that he is going to vote it out. He said he agreed with certain of the clauses, that they were long overdue and necessary for the modern requirements of industry, but he had to vote them out. Why? He did not discuss it in the Party room this morning but the boss has said he must vote it out. The Bill is so important that Government members do not even discuss it inside their own Party. It concerns and affects practically every worker in South Australia, yet it is not important enough for the member for Torrens to support any clause.

Mr. Hall: Tell us about the political levy.

Mr. RYAN: There is nothing wrong with that. If the member for Gouger is so ignorant on some of these matters, I agree with the member for Norwood that he should speak on something he knows something about. What the member for Gouger does not know is that the only political party in Australia that has never changed its name in the whole of its history is the Labor Party. It is not like some other Parties that we know, even in this State. My Party was created by the trade unions themselves so that they would have a voice in the political affairs of this country. That tradition has come down, and we still represent the same viewpoint as was created in the early days of trade unionism when the political Party was formed. The member for Gouger knows as well as I do that unless the Labor Party gets finance from somewhere it will disappear as a political party, and it makes no bones about where it receives its finance. If people want to object to paying into the Party they can do so.

Mr. Fred Walsh: Unions do not have to affiliate with the Labor Party.

Mr. RYAN: That is true; it is voluntary contribution by all members. The member for Eyre in the next few weeks will be over in his electorate telling his constituents what he did on their behalf: how he opposed people getting the benefits of this legislation.

The SPEAKER: Order! I ask the honourable member to tell the House something about the Bill.

Mr. RYAN: I certainly will. The importance of this Bill was mentioned this afternoon. It was drawn up by experts in industry in this State. There are two sections of experts—the employers and the employees—and the employees are just as well aware of what is necessary in modern-day industry as any expert on the employers' side. This amendment was not drawn up by a mob of hooligans, but by men who have spent a lifetime in industry and who know what is required; they have submitted the amendments as a necessity. The Code is one of the most outmoded, antiquated and obsolete pieces of legislation on the Statute Book. However, the moment the Opposition brings down really important legislation (and the Premier admitted that that was so, and the member for Torrens said the same thing) what do we see? The Premier says, "I cannot accept it; there is a lot of good in it, but I cannot accept it, and I intend to vote it out. Throw it out, and I will bring down a new Bill myself." The same thing has happened on previous occasions since I have been a member. The only reason the Premier wants to throw it out is that the Opposition has suggested it.

The member for Torrens and one other member—apparently there were only two members opposite who were conversant with the Bill—said there was much in the Bill that was major and much that was minor. I do not agree with that viewpoint. Some person may consider it to be minor, but if it is considered worthy of an amendment to the Industrial Code it is of major importance to somebody who has to work in industry. While it may seem minor

on paper it is important to some unions and some unionists, and that is why it has been submitted. I heard this afternoon a prearranged question from the member for Torrens so that the Premier could laud the efforts of the Housing Trust regarding the housing position in South Australia. One of the amendments that we have asked for provides for agricultural workers to be included amongst those who can go to the court for an award. It is amazing that South Australia is the only State in the Commonwealth where the workers in the agricultural industry are excluded. Why are they excluded?

Mr. Bockelberg: They don't want it.

Mr. RYAN: The workers in that industry are not given the opportunity to say whether they want it or not. Government members, as the people who decide the legislation, say: "They shall not have it; they are going to be industrial outcasts in this State. They shall not have the right or privilege of going to the court and asking for an award." In plain language, the members on the Government side have no confidence in the courts' adjudicating on agricultural workers. Those workers should have exactly the same rights as any other workers.

I have heard no other objection about big agriculturists being concerned about shearers being covered by an award. One could go on for a long time speaking on such an important Bill as this. As this is all-important legislation, we ask that the Government at least consider it as carefully as it does legislation emanating from its own side. In that case, we do not vote it out and say that we shall not have a bar of it because the Government has brought it down. We do not adopt that attitude. We ask the Government to treat this as being as important as legislation coming from its side. The Premier says, "I will bring it down next year". I predict that he will not have the opportunity to bring it down next year because the Labor Party will be the Government after March, 1962, and it will introduce it as a Government Bill. However, I urge Government members, if they think that part of the Bill is important, to support the second reading.

Mr. FRANK WALSH (Leader of the Opposition): I want a vote this afternoon on this Bill. Both the Premier and the member for Torrens have admitted the importance of this Bill and think there is a deal of merit in the submissions placed before this House. I explained from the word "go" that we were dealing with two aspects—determinations of the wages board and powers of the court. Because the Industrial Code is out-of-date, when appropriate amendments are suggested to it, they deserve serious consideration. Other States have preference to unionists. It is vital and essential in the interests of retaining what has been gained through the years by legislation that we have the preference sought by these amendments. Today we are getting away from established practices. Some employers tend to whittle them down. There is a tendency in that direction in the case of a person who is a partially trained artisan. In most Commonwealth awards provision is made for the Chief Inspector to grant licences for aged and infirm workers. The secretary of the union usually applies to the Chief Inspector. That could be done here. We cannot overemphasize safety in industry. Sometimes complaints are made about powered tools. We have read of tragedies that have occurred through people working on their own without an assistant within ready distance who can switch off the power when required to do so. Sometimes a fault has developed in a machine, causing an accident. I am certain that the Government in its desire not to approve this Bill has not seriously considered this matter. It is not a question of waiting until after the next elections; I am concerned with trying to amend the Industrial Code in the interests of those engaged in industry in this State.

The House divided on the second reading:

Ayes (14).—Messrs. Casey, Clark, Dunstan, Hughes, Jennings, Lawn, Loveday, McKee, Ralston, Riches, Ryan, Tapping, Frank Walsh (teller) and Fred Walsh.

Noes (18).—Messrs. Bockelberg, Brookman, Coumbe, Dunnage, Hall, Harding, Heaslip, Jenkins, King, Millhouse, Nicholson, Pattinson and Pearson, Sir Thomas Playford (teller), Messrs. Quirke and Shannon, Mrs. Steele and Mr. Stott.

Pairs.—Ayes—Messrs. Hutchens, Corcoran and Bywaters. Noes—Sir Cecil Hincks, Messrs. Laucke and Nankivell.

Majority of 4 for the Noes.

Second reading thus negatived.

[*Sitting suspended from* 6.02 *to* 7.30 *p.m.*]

SURVEYORS ACT AMENDMENT BILL.

Read a third time and passed.

AUCTIONEERS ACT AMENDMENT BILL.

On the motion for the third reading:

Mr. BYWATERS (Murray): I support the third reading, but am disappointed that the Bill does not go far enough. Last night, when this matter was being debated, I was not aware of—

The SPEAKER: Order! I remind the honourable member that in debating the third reading he can deal only with matters mentioned in the Bill.

Mr. BYWATERS: I appreciate that, Mr. Speaker, having read a previous ruling of yours on this subject in another debate. I hope that I do not infringe your ruling. I shall endeavour to relate my remarks to clause 3. Last night I did not think it possible to move for the deletion of the words "by way of auction" from the clause so that the provision would cover all land sales. However, I have been advised since that I could have done so, and I regret that I did not have the opportunity to move for their deletion when we were in Committee. I have discussed this matter with persons vitally concerned and I understand they will make representations to the Government for further consideration of the proposal. The Premier obviously misunderstood my remarks yesterday because he suggested that I had inferred that he had not told the truth. That was not the case, and I hasten to assure him of that. I said that perhaps others had approached the Premier, but that I was not aware of it.

The SPEAKER: Order! The honourable member will have to relate his remarks to the clause in the Bill. He cannot go beyond that.

Mr. BYWATERS: I am trying to line my remarks up with clause 3, and I hope to keep within the bounds of the debate. I believe it is important to some people that I say these things, and I hope that you, Sir, will allow me to continue, particularly as I am not referring to a matter not contained in the Bill. Many people are concerned because the Bill does not cover all the land sales. I understand that in Tasmania the Sunday Observance Act covers all real estate transactions on Saturdays and Sundays, although we are trying to prevent such transactions only on Sundays. The appropriate provision in that legislation states:

It shall not be lawful for any person on Sunday, except as provided in this Act . . . to sell or offer for sale or purchase any goods, chattels, or other personal property, or any real estate.

I understand that Standing Orders permit the recommittal of a Bill, and I hope that if the Premier appreciates what people are anxious to see contained in the legislation he will move for its recommittal and possibly incorporate a similar provision. The Premier said that Mr. Wells of the Congregational Church had asked for the provision contained in the Bill. I checked with Mr. Wells and found that that was so. He did ask for the prohibition of auction sales on Sunday, but he told me that he was in accord with the efforts of the Real Estate Institute in its move to have all land sales banned on Sundays. He has written to the Real Estate Institute informing them that he agrees with its action.

The Premier said that if the provision related to all land sales it would not be lawful for private persons to display notice boards on Sundays advertising land for sale. I would disagree with that, because I notice B.P. signs and West End beer signs glaring out on Sundays, even though those commodities are not sold in the metropolitan area on Sundays. It would not be necessary to remove notice boards on Sundays. I do not think it was appropriate for the Premier to refer to the sales of butter, bread and other perishables, because they are not comparable with land. There is a vast difference; land will not deteriorate. There is ample time from Monday to Saturday for selling land. The Premier said that the Real Estate Institute was perhaps not speaking for the majority of land salesmen, but there are always non-members of various organizations, trade unions and associations.

Mr. Dunstan: There are some non-members of the Law Society.

Mr. BYWATERS: Yes, and I understand there are some non-members of the Liberal Party. Many land agents do not make land sales their full-time business. One brought to my notice is Reid Murray's, possibly one of the biggest sellers of land on Sundays and one of the biggest offenders, yet it is not a member of the Real Estate Institute. Besides it, many land agents classed and registered as such do this as a minor part of their activities. Many of them are grocers, etc., but, because an occasional sale takes place in their area, they are licensed as land agents.

The Premier's statement that the Real Estate Institute was not speaking for most land agents was hardly fair. I am sure that the institute speaks for most land agents, particularly those who are well-known, honoured and respected, who have been in the business

for a long time and have built up the institute because they have carried out their duties faithfully and with credit and have never been known to do anything suspicious or unlawful. These are the people who make up the best part of the licensed land and real estate agents and who belong to the institute. The Government recognizes the institute—so much so that through the Land Agents Act it has set up the Land Agents Board with representation from land agents, and has chosen the institute to pick its representatives. The Premier was far off the track when he said these people did not represent licensed land and real estate agents. I think this did him discredit, and could well have been left unsaid.

Last night I gave the Premier an opportunity to reconsider this; I give him this opportunity again, as it is possible to recommit the Bill and amend it to take out the words "by way of auction". It would then include all sales of land on Sundays, which I know is the request of all the people I have mentioned—churches and people in the community who feel that land sales on Sundays are not in the best interests of the community. If someone wants to make a private sale, provided it is his own property there is nothing to stop it. The sale of land on a Sunday is morally wrong and is leading to the very thing the Premier and the member for Barossa suggested would be unwise and not in the best interests of this country. Sunday land sales are leading to a Continental Sunday and, once a precedent has been established, other things can follow. The Premier said he had other representation; I think it was from some of the big businesses that conduct land sales on Sundays.

Mr. SHANNON (Onkaparinga): Lord, I thank thee that I am not as other men! What a strange approach to the moral code.

Mr. Lawn: You are an ex-auctioneer, aren't you?

Mr. SHANNON: I am a Christian! I abhor any Sunday trading of any sort! Thou shalt not trade on Sundays! The member for Murray, of course, has principles that apply to land only; apart from land, people can please themselves.

Mr. Bywaters: I didn't say that.

Mr. SHANNON: Oh, yes, the honourable member did. He said that certain items he enumerated were the things that would deteriorate if they were not consumed. I shall take the honourable member to task on this matter. He, as a good Christian man, would not have any trading on Sunday. If that is his principle, quite right; I applaud him if that is his principle, but he has a dual principle: one that applies to perishable goods and another that applies to non-perishable goods. A strange approach indeed, if I may say so, if we are speaking about principles—and that is what I understood he was speaking about. If that is his approach, let him come into the open and say, "You cannot buy a sandwich."

Mr. Ryan: You can't, either.

Mr. SHANNON: Oh, yes, one can, but strangely enough the member for Murray thinks that one should be able to do so. Let us approach this matter as realists, if we can. The honourable member would not have one of his constituents go out and look at land after he had been to church and had prayed for the honourable member (for whom I am sure he would need to pray). After he had done his duties, this man might say, "What about looking at this block of land? We have seen it advertised, and it might suit us" and, having looked at it, might decide to buy. Have these people committed any heinous crime in looking at a block of land? If, of course, in the interim they buy a meal, with all the services attendant upon it, apparently that is all right! However, somebody has to work on the Sabbath to serve them. We agree that we should do this sort of thing on the Sabbath, but we are told that we should not buy a block of land or even look at it if it is offered for sale. How stupid! Where do we finish?

Mr. Dunstan: Apparently we do not finish at all.

Mr. SHANNON: The honourable member is right. We are getting so silly about this matter that there is no end to where we would put a bar to trading on the Sabbath. The member for Stuart is another good practising Christian. Mr. Speaker, please preserve me from these people who preach too much and practise too little—and that is what is happening.

Mr. Bywaters: I am glad that you are not the judge, at any rate.

Mr. SHANNON: The honourable member has made a plea that in my opinion is so puerile that any decent, honest religious person would consider so stupid and silly that we could not possibly adopt the line the honourable member is suggesting.

Mr. Bywaters: Many people share my views.

Mr. SHANNON: I do not know if the honourable member has all the churches on his side, but I am neither a pagan nor a straight-laced Christian.

Mr. Ryan: What clause are you talking on?

Mr. SHANNON: I am talking to the honourable member for Murray.

The SPEAKER: Order!

Mr. SHANNON: I thought it might improve his prospects in the hereafter if he had a few things told him.

The SPEAKER: Order! I draw the attention of the honourable member, as I drew that of the member for Murray, to clause 3 which deals with the prohibition on auction sales of land on Sundays. The member for Murray was allowed some latitude, and I have allowed the member for Onkaparinga some latitude in replying to the member for Murray's remarks, but I point out to the House that this Bill deals with the prohibition on auction sales on Sundays and the remarks of members must be limited to that question.

Mr. SHANNON: Thank you, Mr. Speaker. The member for Murray took my Leader to task for a few of the things he said about this matter, and that was the only thing that brought me to my feet; I would not have worried otherwise. Not that my Leader needs my protection; he is very capable of looking after himself, but when the member for Murray suggested that the Premier was trying to draw a red herring across the trail, and when he suggested that there was a difference between dealing with land and dealing with other matters, and seized what he thought was an opportunity to spike the Premier's guns, it appeared to me that his remarks should be replied to. If I may say so, too much tripe is put over in this Chamber.

Mr. Riches: Hear, hear!

Mr. SHANNON: The member for Stuart is a very good judge of that; he knows a bit about it; he put over a bit this afternoon. Too much tripe is put over by members criticizing what the Government is doing in this field. Actually, I am as sure as I stand here that we will not have a division on this Bill; we will all agree 100 per cent. I do not altogether enjoy listening to the Premier's being taken to task, because, as every honourable member knows, these things have continued from time immemorial and will continue despite any Act of Parliament.

Mr. DUNSTAN (Norwood): I rise to say a very few words on the third reading. I do not intend to deal with the speech of the honourable member who has just resumed his seat, which I think has been one of the most unfortunate exhibitions that this Parliament has seen during this session and the least that is said about it the better. If I may turn to the Bill itself, the clause under discussion which was raised by the member for Murray is a clause which, if amended and in another Bill, would be, I think, a perfectly effective piece of legislation. I make it quite clear that I do not agree with the Premier's views about the difficulty of such a clause as amended. The Premier said that the difficulty would lie in the fact that it would be difficult to define what "offering for sale" was and that any advertisement of a piece of land on a Sunday would be offering the land for sale, and that in effect what would have to happen is that people would have to go around and take down their advertisements of land on Saturday night and put them up again on Monday morning to avoid offering their land for sale on Sundays.

I do not think the Premier has consulted the Crown Solicitor on that argument, because it is not valid. For there to be a sale there must be an offer and an acceptance; those are the two essentials of the contract, together with valuable consideration. But an advertisement for sale is not an offer for sale. That has been held, as you, Mr. Speaker, will know, time and time again in the courts. The mere advertisement of something for sale, the placing of a notice in a window with a price on it, or an advertisement in the newspaper advertising a house for sale at a certain price, is not an offer for sale; it is an offer to treat at the proper time, and therefore no such advertisement, notice or hoarding or anything else of this kind would come within the terms of an offer for sale as provided by this Statute or by the Tasmanian Statute which is on the Statute Book and works perfectly satisfactorily. I think we could have done what has been asked for by certain bodies in relation to land sales generally. It is true that it might be difficult to police certain individual land sales, but that does not mean to say that we have to open the door to wholesale negotiations for selling on Sundays.

The fact that the West End brewery happens to have some advertisements for West End beer and that those are displayed on a Sunday is not an offence against the Early Closing Act or the Licensing Act. That is not an offering for sale within the terms of either of those provisions. I think the provision, as amended in the way suggested by the member

for Murray, could have been satisfactory, but I really feel that as it stands in the Auctioneers Act it is in the wrong place and that it could be better provided in some other legislation; and I hope that in due course it may be.

Mr. RICHES (Stuart): I did not address myself to the second reading of this Bill nor did I intend to speak on the third reading and am only doing so because of the unfortunate remarks of the member for Onkaparinga. I want to make it clear that I did not speak as I considered that there was no value in this Bill. I consider that it is only an empty gesture on the part of the Government to satisfy or to make out it is satisfying the requirements of some people who have written in, for the Government well knows that the Bill is meaningless, not worth the paper it is written on, and not capable of sensible amendment. There is no objection to the Bill as it stands, and there is nothing that could be objected to. The only representation that can be made is that in the light of the representations made to the Government we would have hoped that it would have taken some action to stop the unnecessary trading that is taking place on Sundays.

Mr. Shannon: What would be necessary trading on Sunday?

Mr. RICHES: I am not an expert like the member for Onkaparinga and I am not setting myself up to be an expert. If the member for Onkaparinga thinks that the sky is the limit and that all sorts of trading should be encouraged at all times and in all places he is entitled to his opinion. I am not going to criticize him for it. I take strong exception to the remarks of the member for Onkaparinga concerning myself.

Mr. Shannon: You asked for them; you only got what you asked for.

Mr. RICHES: I have never adopted a "holier than thou" attitude in my life. The honourable member's remarks are offensive to me in the extreme, and I just want to say this: that of all the members in this House he is the last one who is in a position to cast stones, and he is not going to get away with casting them at me. I am not sure that I should take any notice of him at all; I am not certain of his condition and whether he is in such a position tonight that we should take him seriously.

Mr. Shannon: That's very nice. I hope the honourable member will withdraw that.

The Hon. Sir THOMAS PLAYFORD: Is that remark parliamentary, Mr. Speaker?

The SPEAKER: What were the words to which exception was taken?

The Hon. Sir THOMAS PLAYFORD: The words I take objection to are as follows. The honourable member said he did not think that the honourable member for Onkaparinga's condition . . .

Mr. Shannon: The inference was obvious.

The SPEAKER: Did the honourable member for Stuart say that the honourable member for Onkaparinga was not in a fit condition?

Mr. Lawn: No, he did not.

Mr. RICHES: I will repeat what I said and if you, Mr. Speaker, rule that it is unparliamentary, I will withdraw it. I said I was not sure that I should take notice of the remarks of the honourable member for Onkaparinga; I was not sure that his condition was such that I should take notice.

The SPEAKER: I rule that those remarks are unparliamentary and should be withdrawn.

Mr. RICHES: If that is your ruling, then in deference to you I withdraw them.

The Hon. Sir THOMAS PLAYFORD: I object to that. The honourable member does not withdraw them unreservedly, and he should withdraw them unreservedly.

Mr. RICHES: What is the difference? It is the most extraordinary outburst I have ever heard from the member for Onkaparinga.

The SPEAKER: Order! I asked the honourable member to withdraw. I did not hear any condition attaching to the withdrawal. Will the honourable member withdraw those remarks unreservedly?

Mr. RICHES: Out of deference to you, I withdraw them unreservedly.

The Hon. Sir THOMAS PLAYFORD: That is not an unreserved withdrawal.

Mr. Lawn: Of course it is, if he withdraws at the request of the Speaker.

The SPEAKER: I asked the honourable member to withdraw the remarks he referred to and he said he unreservedly withdrew them.

The Hon. Sir Thomas Playford: He said he withdrew them unreservedly out of deference to you, Sir.

The SPEAKER: I asked him to withdraw the remarks unreservedly. Does he withdraw them unreservedly?

Mr. RICHES: Yes, Sir, because you ask me.

Mr. Clark: What about the reflection on a man's Christian faith?

The SPEAKER: The honourable member has withdrawn them unreservedly.

Mr. RICHES: I regret the whole unfortunate incident. I have been here as long as the honourable member for Onkaparinga and it is

the first time I have ever witnessed an incident like this; I hope I shall never witness such an incident again.

I suggest that unnecessary heat has been engendered throughout this debate. The Bill is not workable but there is, I think, reaction on the part of the community at large that resents the intrusion of big business into every day of the week and every hour of every day of the week. I think that deservedly every workman is entitled to a limited working week. That is my stand and I resent any unnecessary intrusion into the time-honoured provision that has been made to limit, within reason and within the reasonable requirements of the community, the hours during which business shall be transacted, during which men shall be required to be away from their families and during which men can be required to work.

Mr. Nankivell: Are you sure that individual salesmen have been forced to sell land on Sundays?

Mr. RICHES: The advertisements I have seen have been inserted on behalf of the biggest business undertakings in the State, not individual transactions at all. My concern is not only about one firm or one form of transaction. This is the kind of thing that can develop and is not desirable. That is my stand. As far as I am concerned, unless a restriction imposed by law is designed to give freedom to anybody or to give relief to somebody, I cannot see the force of restrictive legislation.

Mr. Nankivell: This Bill is designed to stop auction sales on Sundays.

Mr. RICHES: I agree with that, but the Premier said that there had been auctions, and so did the member for Murray.

Mr. Nankivell: There have been several.

Mr. RICHES. I do not think it has grown to the extent that other practices have grown.

Mr. Nankivell: It is the least that is happening.

Mr. RICHES: Yes, and the introduction of this Bill was only an empty gesture. It will stop a practice that has not really started, and to that extent it should have the support of every member. It does not meet the requests placed before the Government and does not deal in any way with a Continental Sunday. As we were told in the *Advertiser* this morning, this Bill is evidence of the Government's opposition to a Continental Sunday, but it is nothing of the sort.

Mr. Quirke: The honourable member could not have handled that under this Act.

Mr. RICHES: No. I have made my two points. One is that the Bill will not give the desired effect to the approaches that were made to stop land sales on Sundays. My other object was to express my resentment and my hurt at the inferences that came from a quarter that I feel—

Mr. Shannon: After you had asked for it!

The SPEAKER: Order!

Mr. Shannon: He only got what he asked for!

Mr. HEASLIP (Rocky River): I am surprised at the attitude of the members for Stuart (Mr. Riches), Murray (Mr. Bywaters) and Norwood (Mr. Dunstan) in adopting the attitude they took on the third reading of this Bill.

Mr. McKee: Many people in your district have lost money through land investments on Sundays.

Mr. HEASLIP: This is a Bill for the abolition of auction land sales on Sunday, and the member for Stuart said that the Bill had no value at all. He also said that the Bill was meaningless. I am surprised at that statement.

Mr. Fred Walsh: We have been surprised at your attitude long enough.

Mr. HEASLIP: The Bill seeks to prohibit public auctions of land on Sunday, yet the Opposition says there is no value or meaning in it. There is much meaning and value in it. The Opposition asks that the Bill be made wider to stop trading on Sunday. Legislation that cannot be policed is bad legislation. We can police public auctions and we can prevent them. This Bill prevents them, but—

Mr. Fred Walsh: You cannot police the Industrial Code.

Mr. HEASLIP: You are talking about something entirely different. I am talking about the Bill before the House.

Mr. Lawn: How can the Tasmanian Government legislate in this matter if this Government cannot?

The SPEAKER: Order! There are too many interjections.

Mr. HEASLIP: Trading on Sundays cannot be policed and from time immemorial there has been Sunday trading. The Premier was frank and truthful when he said that he did not support a Continental Sunday. I think all members would oppose a Continental Sunday. This Bill is a step against such a Sunday, but we cannot prevent my neighbour coming to me on a Sunday and offering me his land and house and my accepting that offer.

However, the Bill will stop public auctions on Sundays, so is is not meaningless, but worthwhile. Big business was mentioned, and Reid Murray's was referred to.

Mr. Lawn: Are you a shareholder in that too?

Mr. HEASLIP: No, but that does not enter into the question. Reid Murray's has been constructing homes and selling land, not by public auction, for a long time, and so would members opposite who speak against this Bill. I ask members opposite whether they have ever traded on Sundays.

The SPEAKER: Order! Will the honourable member address the Chair?

Mr. HEASLIP: I apologize, Mr. Speaker. I ask, through you, Sir, have any members opposite traded on Sundays?

Mr. McKee: Put it on notice, will you?

Mr. HEASLIP: I do not need to, because I know the answer.

Mr. Fred Walsh: We have traded on Sundays, but within the law.

Mr. HEASLIP: Members opposite want to close the corner shops that sell bread and cool drinks for profit on Sundays.

Mr. Lawn: You know we don't.

Mr. HEASLIP: If they want to prevent trading on Sundays, it naturally follows that those shops will be closed also. The Bill is worthwhile because it prohibits public auctions on Sundays and is a step towards preventing a Continental Sunday.

Mr. HUGHES (Wallaroo): I was not privileged to be in the House yesterday when this Bill was debated, but I commend the Premier and the member for Barossa for saying that they did not wish to see a Continental Sunday in South Australia. I am thrilled with the attitude my colleague, Mr. Bywaters, took. He, too, is to be commended. Had I been present yesterday and spoken, the member for Onkaparinga would have included me in his list tonight in his uncalled for speech. In support of the member for Murray, may I say that I also am a Christian. I make no secret of that at any time.

Mr. Heaslip: Don't you think we are?

Mr. HUGHES: Well get up and say so. I have no objections to members saying so.

The SPEAKER: Order!

Mr. HUGHES: I have been challenged on this many times, and I throw it back into the teeth of members opposite. Each one can get up in his turn and address the Chair and say regarding this Bill that he is a Christian, and I will admire him for it.

Mr. Coumbe: The Bill was introduced from this side.

Mr. HUGHES: And I have given the Premier credit for introducing it and for saying what he did, but apparently the member for Torrens was not listening. It has been inferred that the Opposition objects to people being fed on Sundays. That is not so, and we do not wish to tie that up with this Bill. We realize that in these modern times provision must be made for people to obtain essentials, and I am glad to notice that the Premier agrees with me because of the smile upon his face. The Bill is a step in the right direction against preventing go-getters from offering land for auction on Sundays. From interjections I have heard tonight I understand that such auctions have taken place. I would not have spoken this evening but for the inference made by one member opposite. I commend the Government for introducing the Bill.

Mr. Clark: But you wish it had gone further?

Mr. HUGHES: Yes, but I have explained my attitude on Sunday trading. I hope that should other avenues of trading be opened up on Sundays the Government will apply the principles contained in this Bill.

Mr. LAUCKE (Barossa): Last evening in explaining the reason for the introduction of this Bill the Premier said it was at the request of a responsible church authority. He gave effect to that which was asked of him in perfectly good faith.

Mr. Lawn: Did you see what the Methodist Conference said yesterday about the Bill?

The SPEAKER: Order!

Mr. LAUCKE: The Premier would not tolerate a Continental Sunday. It is regrettable that heat has been engendered into this debate, particularly as this measure is to prevent a certain activity on a Sunday. Members have referred to other activities unnecessarily and the whole thing is ridiculous. I applaud the Premier for that which he has done and I am in complete agreement with the Bill's provisions.

Bill read a third time and passed.

SUPERANNUATION ACT AMENDMENT BILL.

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

That the Speaker do now leave the Chair and the House resolve 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 Superannnuation Act, 1926-1960.

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.

The amendments made by this Bill fall into three groups. The first and most important group relates to increases in pensions and entitlements, the second will change the present system of payment of contributions from monthly to fortnightly, and the third concerns administrative and machinery matters. The first group of amendments is made by clauses 10 (*a*), 11, 17 (*a*), 20 (*a*), 23, 24, 26, 27, 28 (*a*), 29, 32, 33 and 36. Without describing in detail what each of these clauses and subclauses does, since some of them are consequential upon others, I state their effect as follows: First, the number of units of pension which may be taken out by a contributor is liberalized. At present no member of the Public Service can contribute for more than 36 units; in future there will be no arbitrary maximum, but contributors on higher salaries will be able to contribute for a pension not exceeding one-half of their salaries. Existing contributors for the present maximum of 36 units (equal to a pension under the new rates of £1,872) may, up to March 1 next, elect to take additional units which would bring their pension entitlement up to one-half of their salaries. At the same time, the number of reserve units which a contributor may take out is being increased from four to eight.

Secondly, the value of the unit of pension is raised from £45 10s. to £52. The increased value will apply to all units now being, or to be, contributed for. No increase in rates of contribution is being made. Although the increase in the value of the unit has meant an alteration in the scale of units, I point out that the new scale will not affect present contributors, all of whom will receive at no cost to themselves an increase of one-seventh in the value of the pensions for which they are now contributing. Future contributors will likewise pay no more than present contributors for each unit of pension. Correspondingly, the value of widows' pensions is raised from the present £26 to £31 4s. a unit, while that of children of deceased contributors is raised from £26 to £52 per annum, the pension for children of widows retiring on invalidity is raised from £52 to £104 per annum, and orphans' pensions are similarly raised from £52 to £104 per annum. Thus, children's and orphans' rates are doubled.

Thirdly, provision is made for the increase of existing pensions to accord with the increase in value of the unit. Clauses 26 (*c*) and 27 (d) increase widows' pensions now in force by one-fifth, and clause 33 extends the increase of one-seventh, which was made last year for the first ten units, to all units and at the same time increases pensions payable to pensioners who have since retired or reached the retiring age before the increased value of units by the like amount.

I come now to the second group of amendments effected by clauses 8, 15 (*b*), 17 (*b*) and (*c*), 18, 20 (*b*), 21, 22 (*a*) and 41. These are all technical amendments designed to change the method of payment of contributions. Hitherto, contributions have been deducted from salaries of contributors on a monthly basis, equal deductions being made for twenty-four fortnights during the year, and no deduction for the remaining two fortnightly pay periods. It is proposed as from July 1 of next year to divide annual contributions by twenty-six, so that the calculations of salary and deductions will be the same for every fortnight of the year, rather than uniform for all but two pay periods, thus making for greater efficiency and saving of time by the use of uniform figures throughout the year.

The third group of amendments relates to a number of administrative and machinery matters. It will be necessary to refer to some of these in detail. Clause 4 is of a technical character, designed to remove confusion as to the application of the present definition of "actuarial equivalent". Clause 5 removes from the definition of "public authority" (with which the Superannuation Board may make arrangements for participation in the fund) the requirement that the authority must hold property on behalf of the Crown, a requirement which unduly limits the power conferred. Clause 6 will clarify the powers of the board in relation to the lending of moneys on real property. Clause 7 will increase the frequency of actuarial valuations of the fund by requiring them every three, instead of every five, years.

Clause 9 amends section 23a of the principal Act requiring medical examination of new contributors by empowering the board to refuse to accept a medical certificate over 12 months old. Subclause (*b*) of clause 10 repeals the

present subsection (2) of section 24 of the Act (which in view of present-day salaries now has no meaning) and introduces a new subsection which will enable a contributor to elect in advance to take up additional units to which he may become entitled by reason of increments in, or increases of, salary from time to time, rather than make an election each time. The amendment will also save considerable administrative delays. Clauses 12 (*a*) and (*b*) and 13 (*a*) make two amendments relating to the dates for making elections for units of superannuation and are designed to simplify administration. The remaining parts of clauses 12 and 13 will make provision to cover the situation where a contributor dies before the expiration of the period for making an election for additional units. In the ordinary course a failure to elect is deemed to be an election to take all the units available.

Clause 14 of the Bill removes the time limit for making an election not to contribute for additional units (at present three months), a limit which is unsatisfactory and, if rigidly imposed, would lead to hardships. Clause 15 (*a*) will make express provision for the board to allow an employee not certified as of sound health to contribute for reduced benefits. Clause 16 repeals the present section 24be relating to the right of a minor to elect after reaching his majority to take units to which he is entitled. Under section 24bd all contributors have the right to apply for units not previously taken, and it is considered that section 24be can be repealed with considerable savings in time in recording and following up re-elections by minors. Clause 19 is a drafting amendment. Clause 22 (*b*) enables the board to charge compound interest on contributions in arrear (except in case of illness). Similar provision exists in New South Wales and Western Australia.

Clause 25 amends section 41 of the principal Act which deals with the amount of reduced pensions for contributors who retire before the normal retiring age. A strict interpretation of the existing section would mean that a contributor who had previously been on invalid pension and who elected for a reduced pension after the age of 60 years would receive a smaller pension than a contributor who had not been on invalidity pension. No such discrimination is made in respect of a pension payable at 65 years, and the Government considers it just that the amendment suggested should be made. If the amendment is adopted the Government would then also be deemed to have contributed during the period of receipt of invalidity pension. Clause 28 (*b*) will extend the benefits for dependent children of widows who were contributors in their own right to children of female contributors whose husbands were divorced.

Clause 30 (*a*) is designed to remove an anomaly. It appears that two benefits are available in the case of a widow contributor who dies leaving a dependent child or children under the age of sixteen years; namely, a pension in respect of the children under section 43a and section 44 (2), and a payment equal to the contributions paid by the contributor (less 5s. per annum) to be made to the personal representative of the deceased contributor under section 45. The amendment will provide for benefits of the first class, but will exclude any claim for the second benefit. Clause 30 (*b*) makes an amendment similar to that made by clause 25. Clause 31 amends section 45a of the principal Act dealing with payments where contributions exceed benefits. Recent cases under this section have disclosed the possibility of serious anomalies arising under the present legislation, and the Government is of the opinion that any moneys payable under this section should be paid to the personal representative of the deceased contributor or pensioner as in other cases of refunds of contributions (section 45); and that the restriction imposed in the present section be removed to widen the field of benefit in such cases to all cases where the total benefits received are less than the total contributions paid.

Clause 34 amends section 50 of the principal Act dealing with retrenchment. The amendment is based upon the same principle as the amendment made by clause 25 and is designed to remove a provision which is considered unfair to contributors who are retrenched. Clause 35 (1) (*a*) makes a similar amendment in relation to contributors who are dismissed, discharged or who resign. Clause 35 (1) (*b*) will empower the board to deduct from refunds of contributions any moneys owing to it without the necessity of obtaining a procuration order from the contributor. Clause 35 (2) will place recreation leave on the same basis as long service leave in relation to the prepayment of refunds of contributions. Clause 37 will make it clear that a contributor retired on pension for invalidity who resumes duty must contribute for the same number of units at the rate which would have applied if he had not been retired. Clause 38 empowers the board to

close a voluntary savings account which it considers unsatisfactory. Similar provision exists in New South Wales. Clause 39 is consequential upon clause 22 (*b*). Clause 40 will enable the making of additions to benefits or reductions in contributions according to the state of the fund as advised by the Actuary.

Honourable members will see from what I have said that the Government has undertaken a fairly extensive overhaul of the Superannuation Act, and I should like at this stage to express in this House my appreciation to the Treasury officers who have assisted me very greatly in this matter. As honourable members have reason to know, the Superannuation Act is always complicated, and there is always the problem that in making amendments we have to take into account what has been the standard applying in other States or what is likely to be the standard applying there if the laws of those States are being altered. We have, through the Treasury officers, a system of communication with other States which I must describe as very good indeed. If a person wanted information on what other States were doing or contemplating doing, the surest way I know of getting it would be for him to ask one of the Treasury officers, for frequently they are able to give an answer more promptly than one could obtain it by writing a letter to the Premier of the State concerned.

I assure honourable members that we have in this overhaul of the Superannuation Act tried to raise the benefits in our Act up to at least the level of other Australian States. In some respects we have gone beyond that. Also, we have tried to remove those anomalies that creep into any Act that has been subject to amendments over the years. The moment an Act is amended to meet a certain point that has arisen, all sorts of anomalies are immediately created that were unforeseen when the amendment was included but which immediately become apparent after the amendment has been put into effect. For instance, one anomaly that comes to my mind is that last year, before we had this Bill ready, to meet what was, I think, a well deserving case this House approved of an increase in the unit value of certain pensions to people who had already retired, but we forgot to provide for those who would be retiring any day after that. That sort of thing immediately arises.

Whenever complicated legislation is amended, one falls into the error of solving one problem and then usually creating two or three anomalies. Overall, our Superannuation Act in the past has not been ungenerous. As regards the sums paid by the Government and those contributed by the fund, South Australia is equal to the highest, or at least approximately equal to the highest, State, and is much higher than the Commonwealth and all the other States except one. I think that is the position. The original scheme brought into Parliament many years ago (before any honourable member here can remember) was designed to establish a superannuation scheme where the Government would subsidize by 50 per cent the amounts paid in by the public officers. It was realized then that, as a scheme comes into operation, one cannot charge the full pension rate to people who are getting on in years, because it would be so exorbitant that they could not afford to take out superannuation under those conditions. Certain concessions were given to enable the officers who were in service at that time to take out the unit rates at a considerably younger age than many were. That meant that when they went on to superannuation the Government was contributing much higher rates than the fund was contributing towards their superannuation.

That has been the position on many occasions. Whenever pension rates have been altered, in nearly every case some concession has been made for age to enable officers to take out superannuation and to make it more effective. Today, after all these years, the Government is still contributing about 80 per cent of the amount paid out each year in superannuation benefits. The fund is contributing about 20 per cent. So, by the amendments of Parliament over a period of years, sympathetic consideration has been given to superannuation.

Although this Bill has not been canvassed, it is a sincere attempt on the part of the Government to bring in a Bill that will be fair to the officers, and will meet fairly and squarely the obligations that a good employer must have towards good officers. I believe it will receive the approval of the Public Service when it has an opportunity of seeing the conditions and terms of the Bill. Public servants may not agree with every provision, but overwhelmingly when the officers see the provisions of the Bill they will agree that its provisions remove some anomalies of which they have complained to me in a number of deputations over the last year or 18 months.

Mr. FRANK WALSH secured the adjournment of the debate.

WILD DOGS ACT AMENDMENT BILL.

The Hon. G. G. Pearson for the Hon. D. N. BROOKMAN (Acting Minister of Lands) obtained leave and introduced a Bill for an Act to amend the Wild Dogs Act, 1931-1954. Read a first time.

The Hon. G. G. Pearson for the Hon. D. N. BROOKMAN: I move:

That this Bill be now read a second time.

Its main object is to bring the rating provisions under the principal Act substantially into line with the rating provisions under the Dog Fence Act in order that the rating periods and the incidental machinery provisions under both Acts will be the same, thus rendering it possible to combine the accounts for rates under both Acts and to effect a saving in departmental administration expenses. The Bill also seeks to increase from £2,000 to £3,000 the maximum amount that may be expended each year, from moneys received on account of rates under the Act, on aerial baiting of wild dogs. Provision has also been made in the Bill to permit all rates collected to be paid to the credit of the Wild Dogs Fund from which will be paid the cost of aerial baiting and administration. This procedure will replace the existing procedure whereby the rates collected are paid to the credit of that fund after deducting the cost of aerial baiting and administration.

At present the rating period under the principal Act is the calendar year while the rating period under the Dog Fence Act is the financial year. It is proposed to bring the two rating periods into line by changing the rating period under the principal Act from the calendar year to the financial year. To give effect to this proposal the Bill makes provision for a transitional rating period of 18 months. With that object in view clause 3 defines the expressions "financial year", "rating period" and "the transitional period".

Section 4 (3) of the principal Act lays down that the Wild Dogs Fund is to be applied in the payment of rewards for the killing of wild dogs and in the repayment of advances made under section 9 for carrying out the objects of the Act. Hitherto that fund consisted, in part, of moneys received on account of rates less the cost of aerial baiting and of administering the Act. As the effect of clause 8 will be that all moneys received on account of rates, without any deductions therefrom on account of aerial baiting, and administration, are to be paid into the fund, it will be necessary to provide that the fund is to be applied also in the payment of amounts expended on aerial baiting and in the administration of the principal Act. This provision is made in clause 4.

Section 5 (1) of the principal Act imposes an annual rate on all lands with certain exceptions. As the alteration of the rating period from the calendar year to the financial year necessitates provision being made for a transitional rating period of 18 months, the reference to an annual rate in that subsection would be inappropriate. Clause 5 (*a*) accordingly makes an appropriate amendment to that subsection. Paragraph (*b*) of that clause makes a consequential amendment to section 5 (2). Under the Dog Fence Act the amount of rates is declared in respect of each square mile of ratable land whereas under the principal Act it is declared in respect of each square mile, or portion of a square mile, of ratable land. Clause 5 (*c*) seeks to bring the rating provisions under the principal Act into line with those under the Dog Fence Act by striking out the words "or portion of a square mile" in paragraphs (*a*) and (*b*) of section 5 (2).

Under paragraph (i) of the second proviso to section 5 (2) the minimum rate in respect of a rating period of 12 months is fixed as 5s. On that basis the minimum rate in respect of the transitional rating period of 18 months should be fixed at 7s. 6d. Provision for this is accordingly made in paragraph (*d*) of clause 5. The minimum ratable area is three square miles under the principal Act and four square miles under the Dog Fence Act. Clause 5 (*e*) accordingly raises the minimum under the principal Act from three to four square miles.

Hitherto section 5 (2) of the principal Act has required a proclamation declaring the amount of rates for a calendar year to be made in the month of January of that year. In consequence of the alteration of the rating period, clause 5 (*f*) inserts a new subsection (2a) in section 5 enabling a proclamation in respect of the transitional period to be made in January, 1962, and one in respect of a financial year in the month of July. Section 5 (3) (*b*) contains an error in that it provides that the rates "shall be due and payable when declared as provided by subsection (1) hereof . . ." Rates are not declared as provided by subsection (1) of that section, but the amount of rates is declared as provided by subsection (2) of that section. Clause 5 (*g*) re-enacts subsection 3 (*b*) in more appropriate language omitting also all reference to the calendar year. Clause 5 (*h*) amends section 5 (4) so as to make it applicable to any rating period instead of to a period of 12 months only as it now applies.

Section 6 (1) of the principal Act provides that if a rate in respect of a calendar year is not paid by the 15th day of March next after it is declared a penalty is to be added to the rate. Clause 6 amends that subsection so that its provisions will in future apply to rates in respect of the transitional period and adds a new subsection (1a) with corresponding provisions in respect of a financial year. The clause also makes the necessary consequential amendments to that section.

Clause 7 is designed to increase the maximum annual expenditure on aerial baiting for wild dogs from £2,000 to £3,000. On that basis the clause also fixes the maximum expenditure on aerial baiting for the transitional period at £4,500. The clause amends section 6a of the principal Act accordingly.

As I explained earlier, the effect of clause 8 will be that all moneys received on account of rates, without any deductions therefrom for administration costs and costs of aerial baiting are to be paid into the Wild Dogs Fund. It will be remembered that section 4 of the principal Act as amended by clause 4 will provide for those costs to be met out of the fund. As a result of the amendments made by this Bill to sections 4 and 7 of the principal Act it has become necessary to repeal and re-enact section 8 so as to retain as far as possible the original basis under which subsidies to the Wild Dogs Fund were paid. This is done by clause 9.

In further support of the Bill I should like to add that the alteration of the rating period could effect a saving of approximately 50 per cent of the total expenses incurred and time spent in respect of the administration of the Wild Dogs Act and the Dog Fence Act and the consequent improvements that will be made in the administration of both Acts would be welcomed by ratepayers.

Mr. LOVEDAY secured the adjournment of the debate.

MOTOR VEHICLES ACT 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 Motor Vehicles Act, 1959-1960.

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.

I thank honourable members for the courtesy extended to me in enabling me to introduce this Bill tonight. It has two principal clauses, one of which is of considerable importance, particularly to Kangaroo Island and Eyre Peninsula, as it deals with a new mode of transportation that we hope is coming shortly to improve transport conditions in those areas greatly. The Bill will make three amendments to the principal Act. The first, which is effected by clauses 5 and 7, will empower the separate registration of a prime mover and trailers with separate registration numbers to be used in conjunction with it for one fee to be calculated (as at present) upon the combined power-weight of the prime mover and the heaviest of the trailers concerned. At present, articulated motor vehicles are registered as one unit and are therefore required to carry the same number on the front and back of the units.

In what are known as roll-on roll-off operations, the Adelaide Steamship Company may use a number of prime movers and a large number of trailers. At ports private contractors may take over, using their own prime movers. Under the present legislation this would involve the constant change of number plates. The amendments made by clauses 5 and 7 will enable each trailer to be assigned a separate number, thus enabling ease of operation on the interchange of trailers. The provision will, of course, apply to any owner desiring to operate in the same way.

The second amendment, effected by clauses 6, 8, and 9, will change the present period of registration from the first of the month during which registration takes place to the actual day of registration. This will mean that a person will obtain twelve full months' registration whether he registers on the first of the month or any other day. It will thus be of advantage to the owner as well as to the department, which, under the present system, is faced with applications for renewal at the end of each of the 12 months of the year instead of receiving a more even flow throughout the year. To the owner it will also mean a saving in registration fees on transfer of his vehicle. The system of day-to-day registration has been adopted in all the other States, and does not involve any loss of revenue. Where cancellations are made, the refund will be increased by the odd days.

The third amendment is made by clauses 4, 10 and 11, which provide for the introduction of driving instructors' licences. Clause 11 will require every instructor for fee or reward to hold a special licence. A person over 21 years of age who has held a driver's licence for three years is entitled to an instructor's licence if the Registrar is satisfied as to his good character and proficiency, after test if the Registrar requires one. A fee of £10 is payable for a licence which normally lasts for three years, but which can be cancelled, and is in any event cancelled or suspended if the holder's driver's licence is cancelled or suspended. An appeal against refusal, cancellation or suspension is provided by clause 10. These provisions and those relating to day to day registration do not come into force until proclaimed. As the Adelaide Steamship Company's new ship is, I understand, due to go into service soon, there is some urgency about the first clause to which I referred, so I should appreciate it if members were in a position to consider this matter next Tuesday.

Mr. FRANK WALSH secured the adjournment of the debate.

THE PARKIN TRUST INCORPORATED ACT AMENDMENT BILL (PRIVATE).

Read a third time and passed.

THE PARKIN CONGREGATIONAL MISSION OF SOUTH AUSTRALIA BILL (PRIVATE).

Read a third time and passed.

ADJOURNMENT.

At 9.11 p.m. the House adjourned until Thursday, October 19, at 2 p.m.