HOUSE OF ASSEMBLY.

Wednesday, October 3, 1962.

The SPEAKER (Hon. T. C. Stott) took the Chair at 2 p.m. and read prayers.

QUESTIONS.

CREAM.

Mr. FRANK WALSH: This morning's press refers to cream sold on the retail market. People have asked me how it is that they can get a measure of thin cream from one shop, yet at another shop, which is mentioned in the press, they can get thicker cream, which is imported from another State. Although I do not wish to see standards reduced, has the Government considered whether it should permit the use of an additive to thicken the cream and, if it has considered this, what effect this would have on the public interest?

The Hon. D. N. BROOKMAN: The Milk Board has been looking at this matter and has discussed it with me at various times. So far, no firm recommendation has come forward but, as I understand the position, our standards in South Australia demand a higher quality butter fat content in cream than applies in other States, which permit the addition of small quantities of thickener, with the result that Victorian cream can be sold in South Australia although its quality is lower than ours but the cream is still thick enough to attract the market. On the other hand, the South Australian cream is of a higher quality and, while it is of that quality, it requires no thickener; but, if the quality standard were to be lowered, it would be thinned and would not compete with thickened cream from another State. That is our present problem, which the Milk Board is examining closely. I have not spoken to the Chairman of the board for some time but I believe I am to see him tomorrow and I will then raise this question to ascertain whether the board has reached a decision yet.

SCHOOL FUNDS.

Mr. MILLHOUSE: I have received a letter from the Secretary of the South Australian Public Schools Committees Association—as, I understand, has the member for Hindmarsh—portion of which states:

Following upon representations made by this association to the Minister of Education and his senior officers in June last year, it was agreed that the heads of all departmental schools should periodically furnish presidents and chairmen of school councils or committees with a summarized statement of the financial position of school funds. I have been directed by my executive committee to ask whether you would inquire in Parliament for information to be made available on the total amount of money that is at present in the school funds of high schools and technical schools, and to seek reasons why this money is accumulating and not being spent on the schools concerned.

I accordingly ask that question of the Minister of Education.

The Hon. Sir BADEN PATTINSON: The honourable member notified me that he intended to ask this question but it has not been possible in the time available this morning to obtain full information from all high schools and technical high schools. However, the following may be considered a fair sample of the funds held by these schools and will give an indication of the amount of money in each case:

School.	Funds.
	£
Balaklava High	723
Birdwood High	882
Campbelltown High	3,713
Gawler High	1,635
Henley High	5,819
Millicent High	1,081
Minlaton High	858
Plympton High	2,396
Renmark High	1,466
Woodville High	9,718
LeFevre Boys Technical High	10,680
Mitchell Park Boys Technical High	802
Croydon Boys Technical High	2,400
Thebarton Girls Technical High	640
Norwood Girls Technical High	866
Nailsworth Girls Technical High	3,500

Mr. Reed says in his letter that these moneys could be spent on the schools instead of being allowed to accumulate. This is quite a wrong distinction for Mr. Reed to draw. The true position is that these moneys are being accumulated so that they may be used more effectively in the provision of amenities for the students instead of being frittered away as might otherwise occur on minor and perhaps passing needs. The following examples show the kind of major projects which many schools have or have had recently:

(*a*) Millicent High School: saving up to apply for a large subsidy on new tennis courts.

(*b*) Brighton High School recently applied for and received a subsidy of £3,100 for a new canteen.

(*c*) Nuriootpa High School recently built a school assembly hall on subsidy.

(*d*) Henley High School is saving up to expend a large sum on the development of additional sports grounds.

(*e*) Woodville High School has similar plans for the development of a new oval and other sports facilities.

(*f*) LeFevre Boys Technical High School is planning to apply for a subsidy on a large assembly hall and gymnasium.

(*g*) Croydon Boys Technical High School is expending large sums on the improvement of sporting and other facilities at the school.

(*h*) Nailsworth Girls Technical High School is planning for the extensive development of its school grounds including sporting facilities.

Apart from the above particular cases, many secondary schools expend large amounts under subsidy in buying sporting equipment for the students and in addition some schools have special funds for travel clubs to assist the students to travel interstate in organized parties during school vacations. No attempt is being made in any school to accumulate funds merely for the purpose of accumulating. It is felt that all responsible people will acknowledge the worthwhile nature of the special projects mentioned above.

TEACHER'S APPEAL.

Mr. LOVEDAY: I wish to bring to the notice of the Attorney-General, through the Minister of Education, the case of a recently dismissed lecturer who states that he had to employ Queen's Counsel before he was granted the right of appeal. This was apparently refused previously by the Deputy Director of Education, who is said to have stated that the Minister's decision was final. In the course of the hearing of the appeal before the Public Service Commissioner, the lecturer has had difficulty in obtaining access to certain documents which were placed before the Minister when the dismissal was considered. I am informed that the Public Service Commissioner has advised the appellant by letter that he is entitled to access to the minute and documents placed before the Minister. Will the Minister request his colleague, the Attorney-General, to investigate the matter with a view to ensuring that the appellant has full access to all relevant documents to which he is entitled?

The Hon. Sir BADEN PATTINSON: With the greatest respect to the honourable member, I think there are some glaring inaccuracies in the information that has been supplied to him. At the same time, however, I shall be only too pleased to comply with his request.

NURIOOTPA HIGH SCHOOL.

The Hon. B. H. TEUSNER: Can the Minister of Education say whether his department has plans for the provision of additional classroom accommodation at the Nuriootpa High School, particularly as there have been heavy increases in school enrolments in recent years and as such increases are likely to continue?

The Hon. Sir BADEN PATTINSON: A report from the Director of Education states:

The Secretary of the Public Buildings Department reports that preliminary sketch plans for this work were prepared in June, 1961. As it is considered that these additions are not as urgent as many others, no further work has been done on these sketch plans. It is not possible at this stage to say when the buildings will be erected. The claims of this school will be considered with those of all other schools when the next building programme is being further considered.

During this week alone I have spent several hours discussing with the Director of Education our current building programme and the draft provisional programme for the next financial year. We are endeavouring to reconcile the competing claims of many localities, both in the country and in the metropolitan area, for entirely new schools, for large additions to existing schools, and for many other works which may be regarded as minor. Nuriootpa is one of a very large number of schools being considered at present. As soon as I am able to inform the honourable member I shall be only too pleased to do so.

PORT PIRIE INDUSTRY.

Mr. McKEE: I address my question to the member for Onkaparinga (Mr. Shannon) as Chairman of the Public Works Standing Committee. Part of a letter I have received from the Port Pirie Trades and Labor Council states:

Another item we wish to bring to your notice is the unfulfilled promise of the Public Works Standing Committee in regard to industries for Port Pirie. Some time ago when this council supported the introduction of silos to this city we were promised that another industry or industries would be established to offset the displacement of waterside workers as a result of the silo introduction.

Did the Chairman of the committee give such an assurance to the Trades and Labor Council at Port Pirie and, if so, what action has he taken to honour that promise?

Mr. SHANNON (Chairman, Public Works Standing Committee): There is no doubt, of course, that it was not within my capacity either to make a promise or to speak on behalf of my fellow members on the committee in a field such as the establishment of industries:

a special body has been set up to examine that matter. I think all I was guilty of saying (if guilt it be) was that I hoped that Port Pirie, with its apparent availability of labour, would find some other avenues of employment for the men who would be displaced as a result of bulk handling. I think that is all I said to the people who tendered evidence on this project when my committee was at Port Pirie taking evidence from the local witnesses, and I still express that wish. I think it would be desirable that some industry be established in Port Pirie to take care of those people who will be displaced from their wharf employment.

PEP PILLS.

Mr. HUTCHENS: Recently I asked the Premier a question regarding the sale of pep pills and their use by transport drivers. I understand that the Premier has some additional information on this matter.

The Hon. Sir THOMAS PLAYFORD: A report from the Pharmaceutical Inspector, with which the Director General of Public Health concurs, states:

The stimulating drugs are generally available only on prescription in all States. The drugs initially used for this purpose were amphetamine derivatives (benzedrine, dexedrine); these have been restricted to prescription for many years. Newer drugs which are also used for this purpose are phenmetrazine (preludin) and methyl phenidate (ritalin); these two drugs are restricted to prescription in the amendments to the Poison Regulations which are to come into force on January 1 next. The drug caffeine which occurs in tea and coffee is also widely sold for the same purpose; there is no suggestion that this drug be restricted because a fair dose of the drug is taken when a cup of strong coffee is consumed. There is some black market in the drugs mentioned above but it has so far proved difficult to obtain direct evidence; the Police Department is aware of the position and has investigated reports of alleged illegal supply. In Victoria legislation has been introduced to prohibit possession of all prescription drugs unless lawfully obtained and I believe several prosecutions have been taken against transport drivers for such illegal possession; this aspect would appear to warrant consideration in this State. I would agree with the honourable the Premier that whilst the use of stimulants is a contributing factor, the exhaustion which follows excessive periods of driving is the main factor in road accidents involving transports.

THIRD PARTY INSURANCE.

Mr. LAUCKE: I have previously referred to the pressing matter of protection of insured and injured persons under compulsory third party motor vehicle insurance in the event of bankruptcy of the insuring company. I note that another insurance company has now failed. The following article appears in today's *Advertiser*:

Sydney, October 2. Motorists face double pay-out. Hundreds of motorists insured with a Latec subsidiary, the Seven Seas Insurance Company Limited, face paying double insurance. They have been advised to arrange other insurance because claims against Seven Seas are unlikely to be met.

Can the Premier say whether anything can be done to ensure the protection of motorists who, in good faith, insure with such companies only to find that when a critical situation arises and claims are made they are, in fact, not covered?

The Hon. Sir THOMAS PLAYFORD: The honourable member has, I think, raised this matter a couple of times in this House and I believe the member for Port Adelaide has also referred to it. As promised, I have had the matter examined by Sir Edgar Bean, who has for many years undertaken the work of looking after premiums for compulsory insurance under the Road Traffic Act. Sir Edgar has now reported to me (and his report has been considered and approved by Cabinet) that, although insurance companies do not like a Bill that makes all of them responsible for the default of any one of them (which they do not consider to be a good type of legislation under the peculiar circumstances of the Road Traffic Act, under which a person is compelled to insure), they will not oppose the Bill and, if it is passed by Parliament, they will give effect to it. The Government therefore intends to introduce legislation which will, I believe, be in line with legislation already passed by Victoria to ensure that, as in the case of a hit-and-run driver where the identity of the offender is not known, the Treasurer may nominate a nominal defendant who is responsible for the claim. That legislation is being prepared and I hope to have it introduced this session. I point out that it is not fair or reasonable that it be given retrospectivity in relation to companies that have failed in the past, and I do not intend to recommend to the House that retrospectivity be provided. Fortunately, the companies that have failed have been largely companies in other States. Although I do not know how many people in this State were involved, I hope the number was relatively small.

PALMER-SEDAN WATER SUPPLY.

Mr. BYWATERS: Has the Minister of Works a reply to a question I asked on September 25 about a supply of water between Palmer and Sedan?

The Hon. G. G. PEARSON: This scheme, which is of considerable magnitude, involves the electoral districts represented by the member for Murray and the member for Angas and, with the honourable member's permission, I shall link the member for Angas with him in this matter. As I undertook to do, I had copies of the proposed schemes circulated to the councils concerned with a request that the councils examine them and, if possible, suggest modifications so that the economics and other factors could be improved. The plans were forwarded to the councils concerned. Since then a public meeting was held at Cambrai and a committee known as the Murray Plains Water Scheme Committee was formed. The committee then waited on the Engineer for Water Supply (Mr. Campbell) and discussed the matter. More recently, representatives of the councils (Sedan, Marne and Mannum) also waited on Mr. Campbell and presented to him plans that were produced as requested and as a result of their discussions. Mr. Campbell has informed me that the modified plans were referred to the Engineer for Design for the preparation of more details, and he and his staff are working on that now. The Design Branch of the department has been under heavy pressure regarding works in this year's Loan programme and some works which, as members know, have arisen as a matter of great urgency because of the dry conditions this year. I cannot, therefore, say that great progress has been made on the revised plans, but the Design Branch is doing its very best to bring the matter forward and, as soon as I have further information, I will let both the member for Murray and the member for Angas know.

LIBRARIANS.

Mrs. STEELE: Concern has again been expressed by the Libraries Board in its annual report about the number of partly trained librarians in the Libraries Department and in libraries subsidized under the Libraries Subsidies Act and about the desirability of establishing a school for training librarians or library officers under a competent senior librarian specially qualified for this purpose. Can the Minister of Education say whether the establishment of such a school has been considered as this would improve an already comprehensive and specialized service to the people of South Australia?

The Hon. Sir BADEN PATTINSON: I have had several discussions with the Chairman of the Libraries Board, the Principal Librarian and the Public Service Commissioner, and I have had correspondence and minutes from all of them. At my suggestion, the Public Service Commissioner has had discussions with the Chairman of the board and the Principal Librarian, and a thorough investigation has been commenced and is under way. Only this week I submitted to Cabinet (and it approved) several appointments to the staff of the Libraries Department. Many of these were not new appointments; some positions held temporarily were made permanent, and in that respect the position was regularized. However, this is only the beginning of what I hope will be an extensive re-organization of the department, which will be to the benefit not only of the library but of the reading public throughout South Australia.

COUNCILS' MONEY-RAISING POWERS.

Mr. FRED WALSH: Has the Premier a reply to a question I asked on September 26 regarding the money-raising powers of councils?

The Hon. Sir THOMAS PLAYFORD: The Minister of Local Government has, I think, already advised councils that the proposed amendments would be acceptable and would be included in the first Local Government Act Amendment Bill introduced by the Government. The honourable member, I think, seeks to take the matter a little further and to know whether an amending Bill will be introduced this session. We have had much correspondence with the Local Government Association regarding streamlining the Local Government Act and making it more easily understood and not nearly so wide, but that process has not reached the stage at which I can say definitely when a Bill will be introduced. The Local Government Act is a monumental and magnificent piece of legislation, and revising or consolidating it is a major task. I assure the honourable member that the suggested amendment will be placed in the first amending Bill introduced by the Government.

BIRD LIFE.

Mr. QUIRKE: I am interested in what the Minister of Agriculture has had to say about our native birds. I am concerned at the reduction of bird life in South Australia. Many of the insect-eating birds that were prominent in colonies throughout the State have practically disappeared. Even the invaluable willy wagtail is now so much of a rarity in many parts of the country that a person will stop to look when he sees one. Then there is the lark, another semi-brown bird known by the children

as the "rain bird". It is seldom, if ever, seen today. The thrush, or "lavender bird", is seen only occasionally. Even the Murray magpies and quail in the country have thinned out to a lamentable degree. There are many other birds. I wonder if the general use of so many types of spray is in any way thinning out our bird life. I know that the lack of trees and cover promotes the loss of bird life, but in places like Clare, where there is plenty of cover, there is still a most marked reduction in bird life. Can the Minister of Agriculture say whether any attempts have been made to assess the damage to our bird life that may be caused by the prolific present-day use of spray material?

The Hon. D. N. BROOKMAN: I cannot give technical information upon this matter, which requires much research. Some attention is being given to it both outside the State and by experts who would be able to give good information within the State. The population of wild life, however, is the most inexact form of statistics that I can think of. The inaccuracies are enormous, even with the help of qualified biologists. However, I shall be meeting the new Fauna and Flora Advisory Committee this week and shall put to it the fact that, to my mind, the key to bird life is not only a matter of insecticides and predators but more particularly cover than any other factor. The idea is to call a conference of interested parties, bearing in mind that the key to this problem rests with the landholders rather than with any other group of people. The committee will be asked to provide the technical information necessary to help that conference. I shall raise the matter mentioned by the honourable member as one aspect to be considered.

COCKBURN ELECTRICITY SUPPLY.

Mr. CASEY: Several weeks ago I asked the Premier to take up with the Electricity Trust the matter of a better electricity service for the township of Cockburn. I understand he has a report.

The Hon. Sir THOMAS PLAYFORD: The Assistant Manager of the Electricity Trust reports that it is examining the possibility of a supply of power to Cockburn from Broken Hill. He reports:

We are looking into this matter and, as the electricity supply in Cockburn is operated by the South Australian Railways, we have had to discuss the matter with them, and certain additional information is still to be obtained. This memorandum is for information. It may be some time before we can supply a final report.

BUILDING PROGRAMME.

Mr. FREEBAIRN: My question relates to the increases announced last week in the wage awards to carpenters, joiners and builders' labourers. Will these increased awards result in a decrease in the numbers of houses that can be built by the Housing Trust?

The Hon. Sir THOMAS PLAYFORD: I cannot answer that question. Some Government contracts have a contingency line that operates in the event of there being an alteration of wages, but others do not have such a line. I am not sure whether the Housing Trust contracts are direct contracts or not. The number of houses that the Housing Trust can build depends not only on wages but on the efficiency with which the work is undertaken. In the last two or three years the efficiency has been much greater than previously, and the tendency has been for Housing Trust contract prices to decrease rather than increase, so I am not unduly perturbed as I do not expect that there will be any marked difference in the building programme. Efficiency in the building industry today is high. The contract pricing is keen and there is good competition.

PORT AUGUSTA SCHOOLS.

Mr. RICHES: The Minister of Education will remember visiting Port Augusta some weeks ago and discussing with the primary school committee there its request that consideration be given to plans it had submitted for the provision of a library and staff quarters at the primary school. The Minister said he would examine that in the light of the building programme of the department regarding the proposed construction of a fourth primary school at Port Augusta. We understood that, if the department could not proceed with the fourth school in the foreseeable future, serious consideration would be given to the provision of a library at the present central school. Has the Minister had any opportunity so far of examining the matter or of discussing it with the Director and, if so, can he say what are the department's intentions?

The Hon. Sir BADEN PATTINSON: I have had some opportunity of investigating the matter but have not arrived at any conclusions on it. It is one of a mass of projects at present being considered, and only yesterday morning I discussed with the Director of Education matters relating to Port Augusta, and in particular another deputation that the honourable member introduced to me regarding the high school, the craft centre, and other matters. I am afraid that in the discussion

yesterday the primary school was not referred to, but I discussed in some detail with the Director what was (I informed him) a unanimous and enthusiastic request that the craft centre be located at or adjacent to the high school. I am indebted to the honourable member for reminding me, and tomorrow morning I shall discuss with the Director the very real problems associated with the primary school.

ROAD SIGNS.

Mr. JENKINS: On September 4 I asked the Premier whether, for the interest of tourists, the Highways Department could erect signs indicating the height above sea level on certain highways. Has he a report?

The Hon. Sir THOMAS PLAYFORD: My colleague, the Minister of Roads, considers that the Highways Department is empowered to spend money on the type of sign referred to. However, no such signs have been erected by the department to date. This type of sign is of an informative nature, and is in the same category as township name signs, river names, and other physical and topographic features of general interest to the public. It is considered that the limited amount of funds available for the erection of signs should be conserved for the erection of signs indicating road hazards and regulations which must be observed by the travelling public.

SCHOOL CANTEENS.

Mr. CLARK: Has the Minister of Education a reply to my recent question about school canteens?

The Hon. Sir BADEN PATTINSON: When replying to the honourable member's earlier question I complimented him on what I regarded as a constructive and sensible question and said that I would be pleased to take it up. I immediately referred it to the Deputy Director of Education (Mr. J. S. Walker) who in turn discussed it with the Superintendents of High, Technical High, Primary and Rural Schools. All strongly supported the proposal. Mr. Walker reports that experience has shown that in most of our larger schools, and especially in secondary schools, the parent bodies consider it desirable to establish a canteen, which is generally done on a subsidy basis. While these canteens are functional, they are not always located in the most suitable position, nor do they harmonize with the existing school buildings. He stated that the adoption of the honourable member's suggestion would very largely overcome these difficulties and at the same time would not involve any additional expense in the preparation of plans.

I therefore approved of a recommendation that the Director of Public Buildings be requested when preparing sketch plans for new schools to indicate the position of any proposed future canteen and that the Education Department would provide the necessary information at the time the schedule of requirements was forwarded to the Public Buildings Department. The docket containing approval was forwarded to the Director of the Public Buildings Department for implementation. The Chief Architect (Mr. Lees) has asked the Principal Architect and the Senior Architect for Schools to note and record this new policy. In so doing, he has made the valuable suggestion that the widening of a verandah, so that it could ultimately be fitted up as a canteen, would be better than allowing for an isolated structure which could be an excrescence. It could also be cheaper, especially if electricity and sewers were nearby. Incidentally, as a matter of interest, I draw members' attention to the fact that in the recent report of the Public Works Committee on the Strathmont Primary School it was stated that "suitable positions for future canteens are also known if the school committee decides to erect these on a subsidy basis".

RENMARK WATER SUPPLY.

Mr. CURREN: I have received from a constituent of mine a letter dated September 29, 1961, addressed to the former member for Chaffey (Mr. H. W. King) from the Minister of Works, as follows:

I acknowledge your letter of yesterday, enclosing one from Mr. H. R. Langmead, Box 340, Renmark, in regard to a domestic water supply for fruitgrowers in the Renmark Irrigation Trust area. I will have investigations made concerning this request, and when I receive a report thereon I will write you further.

Can the Minister state whether that investigation has been carried out and, if it has been, with what result?

The Hon. G. G. PEARSON: I do not recall having seen a report on this matter, but, as the honourable member has raised it again, I will take it up with the Engineer-in-Chief and obtain the required information.

OVAL LEASE AND MARKET.

Mr. LAWN: Has the Minister of Works, in the temporary absence of the Premier, a

reply to my recent questions about the Adelaide Central Market and the Adelaide Oval lease?

The Hon. G. G. PEARSON: Regarding the Adelaide Oval lease, my colleague, the Minister of Local Government, reports as follows:

Section 855 (4) (*a*) and (*b*) of the Local Government Act clearly set out the alternatives of—a. approval by the Government or b. tabling in the House.

I presume he is referring to tabling the leases in the House. Concerning the Adelaide Central Market, the Registrar-General of Deeds has supplied the following information:

Town Acre 333: Purchased by the Corporation of the City of Adelaide from Littleton Hatsell Powys of the Conservative Club, Saint James's Street in the City of Westminster in England, Esquire, on January 4, 1870. Consideration: £1,000.

Town Acre 334: Purchased by the Corporation of the City of Adelaide from Francis Joseph Botting of Adelaide, Auctioneer, on September 9, 1875. Consideration: £1,400.

Town Acres 379 and 380: Under an agreement for sale and purchase dated November 30, 1867, John Brodie Spence of Adelaide, Bank Manager, agreed to convey these two town acres to the Corporation of the City of Adelaide on July 12, 1877. Consideration: £1,600. John Brodie Spence subsequently mortgaged his interest in these two town acres and then conveyed them to his mortgagees—John Bowman, Stockholder, and William George Cole, Overseer, both of Crystal Brook, and Henry Alfred Wood, of Adelaide, Accountant. On July 26, 1875, the above-named mortgagees conveyed these two town acres to the Corporation of the City of Adelaide for the same consideration mentioned in the above agreement, viz., £1,600.

Total cost to the Corporation of the City of Adelaide for the purchase of the four town acres, £4,000.

There is no evidence on record of the circumstances leading up to the above transactions.

COUNTRY ABATTOIRS.

Mr. HUGHES: Yesterday I asked the Minister of Agriculture a question regarding the possible establishment of a branch of the Metropolitan Abattoirs in the power alcohol buildings at Wallaroo. When the Minister interviewed a deputation he promised to call for a report from the Metropolitan Abattoirs Board and said that he would discuss the proposal with the General Manager of the Government Produce Department. Has the Minister called for the report, as promised, and has he discussed the proposal with the General Manager of the Government Produce Department? If so, when will the Minister be in a position to give the deputation a reply to its representations?

The Hon. D. N. BROOKMAN: I discussed this matter with the General Manager of the Government Produce Department and also with representatives of the Abattoirs Board. I was not in my office sufficiently long this morning to examine the relevant correspondence, but I shall do so in order to supply a reply to all of the honourable member's questions. However, I repeat what I said yesterday: if a branch of the Metropolitan and Export Abattoirs is to be established at Wallaroo, then the request must come from the Metropolitan and Export Abattoirs Board. While I have discussed this question with representatives of the board, I have had no request from the board for any new branch. That is the present position.

HOUSING TRUST SALES.

Mr. LANGLEY: Can the Premier say whether it is a fact that an officer of the South Australian Housing Trust is travelling to Perth to board the liner *Oceania* for the purpose of interviewing migrants with a view to selling Housing Trust houses?

The Hon. Sir THOMAS PLAYFORD: For several years now the trust has had a representative in London and it sells many houses to intending migrants. Indeed, that housing scheme has been so successful that I think another company now has sent a representative to London to interview intending migrants to Australia regarding the purchase of houses. I do not know whether those representatives actually board ships coming to South Australia. I have often approved of an officer of the Tourist Bureau (who is also an officer of the South Australian Immigration Department) going to Perth to join a ship there in order to assist South Australian migrants with the various problems that they encounter regarding landing and the finding of immediate accommodation. In fact, I think my officer has met every ship that has had a large number of migrants for this State. I cannot answer the honourable member's question offhand, but I shall obtain the information for him.

BEACHPORT PRIMARY SCHOOL.

Mr. CORCORAN: On August 7 I received the following letter from the Minister of Education regarding the levelling of the school playing area at the Beachport Primary School:

The area in question has steep falls and stony outcrops, and to render it usable for a playing area would probably cost a considerable sum. In 1958 the Public Buildings Department estimated that the necessary work

involved would cost £5,000. Subsequently the Beachport District Council submitted a quotation of approximately £550 for levelling the area. On June 28, 1962, the matter was referred to the Public Buildings Department requesting further advice on the suitability of the land for levelling, and also, in view of the local council's submission, if some alternative and less costly plan might be adopted. The matter is still being investigated, and as soon as a decision is received from the Public Buildings Department the school committee will be informed.

Can the Minister say whether a decision has been received from the Public Buildings Department on this matter and, if it has, whether it has been passed on to the school committee?

The Hon. Sir BADEN PATTINSON: Not to my knowledge. The council's offer seemed too good to be true, and we thought that perhaps there was some misconception on its part as to the size and scope of the project. I asked again recently for a report, but it has not yet reached my table. I will see whether I can expedite the matter and let the honourable member know.

MENTAL HEALTH CHAIR.

Mrs. STEELE: The annual report of the Children's Welfare and Public Relief Board expresses grave concern at the increased number of juveniles charged with being uncontrolled and committing a disturbing variety of breaches of the law. In particular, it refers to the misconduct of girls under 16, which is stated to be particularly prevalent and in most cases indicates complete irresponsibility on the part of parents towards their daughters. One factor contributing to this grave social problem is the scarcity of trained social workers to work amongst young people, and this is aggravated by the lack of an appointment to the Chair of Mental Health at the University of Adelaide. Can the Minister of Education say what steps have been taken to fill this Chair since the original appointee accepted a similar post in Sydney, and whether an appointment will be made soon?

The Hon. Sir BADEN PATTINSON: This is a matter in which I am vitally interested and on which representations have been made to me from time to time. However, it seems to me that it more appropriately concerns the department of my colleague, the Minister of Health. I shall be pleased to refer the honourable member's statement and question to him and also to discuss the matter with him.

SCHOOL OF ART.

Mr. LOVEDAY: I have been informed that there is concern in educational circles at the unsatisfactory state of affairs at the School of Art. It is alleged that members of the staff, parents, and students are concerned about serious complaints regarding certain incidents at the school, and that the students have complained by letter to the Director of Education regarding the unhygienic and dangerous working conditions at the school. It is further alleged that previous reports on these conditions have been ignored. Will the Minister of Education obtain a report on these matters?

The Hon. Sir BADEN PATTINSON: This is the first I have heard of such complaints, and that may well be because they are being investigated at some other level. The only complaints I have heard have been of an opposite nature—from officers of my department concerning certain happenings at the School of Art. I shall be pleased, however, to investigate the matter and bring down a report.

LIGHTING OF TRANSPORTS.

Mr. LAUCKE: I recently asked the Premier if consideration would be given to prescribing flashing lights as a means of indicating the presence of heavy transports parked on roads at night. Has the Premier a reply to this question?

The Hon. Sir THOMAS PLAYFORD: The Chairman of the Road Traffic Board reports:

The type of flashing lights advocated by the Chamber of Automotive Industries has been inspected by members of the board and of the Police Traffic Division and it was agreed that the proposed warning device could prove a useful adjunct to the portable reflectors at present required to be displayed by commercial vehicles under specified circumstances. However, as the introduction of this form of vehicle equipment could affect interstate transport drivers it is proposed that the question be raised at the next meeting of the Australian Motor Vehicle Standards Committee which will be held in Adelaide during October.

I also have a minute from the Minister of Roads, who stated that this equipment could not be considered as an alternative to reflectors, because, in the event of a failure of the lighting equipment, it would be completely useless. Although it may be an adjunct, it cannot be an alternative.

RAIL CONCESSION TICKETS.

Mr. McKEE: I have received several complaints from pensioners in Port Pirie that when they have applied for concession fare tickets the railway personnel responsible for issuing them have not appeared to be familiar

with the procedure and have been sending these elderly people to the Commonwealth Social Services Department and, in one case, a lady has even been referred to the post office. Will the Minister of Works take up this matter with the Minister of Railways and ask that railway employees responsible for issuing these tickets be made familiar with the procedure?

The Hon. Sir THOMAS PLAYFORD: Clear instructions have been issued, and this is the first occasion I have heard of anyone having any difficulty, but I will check to see why people at Port Pirie have had this difficulty and will take necessary steps to rectify the position.

GIRL GUIDES.

Mr. HARDING: I understand that the membership of the Girl Guides' Association has increased by 500 this year, and is now 5,600. This movement has been commended by welfare organizations and the Police Department, which say that very few cases of delinquency have involved girls in the movement. Will the Premier say whether the association is entitled to subsidies on amenities it requires and whether a branch of the association is eligible to purchase one of the surplus trust houses now available to certain worthy organizations?

The Hon. Sir THOMAS PLAYFORD: If my memory is correct, the reply to the first question is that the Government's grant is made by way of a public appeal. Regarding the second question, I shall undoubtedly be pleased to facilitate the purchase for the Girl Guides' Association of any of these houses it may require. I have been able to facilitate the purchase of these houses by several non-profitmaking organizations, and they are serving a useful purpose. For the honourable member's information, the price charged for these houses is £50 a unit.

ELECTRICITY EXTENSIONS.

Mr. BYWATERS: Has the Premier a reply to a question I asked about Electricity Trust personnel at Mannum recently, when I said that the depot was under-staffed?

The Hon. Sir THOMAS PLAYFORD: The Assistant Manager of the Electricity Trust reports that in view of the substantial development of electricity supplies in and around Mannum an increase in the number of personnel at the Mannum depot was made at the end of last year, and it is now proposed that a further increase be made. Because it is desirable that men with some experience in line work be employed, there may be a slight delay before this can be done. It is, however, expected that delays in work at Mannum will be overcome by the end of this year.

SADDLEWORTH PRIMARY SCHOOL.

Mr. FREEBAIRN: Recently I met the committee of the Saddleworth Primary School, the headmaster of the school and an officer of the Education Department to discuss several important requirements at the school. In view of the inherent disadvantages of the present school (its unsatisfactory site and design in particular) the committee resolved to request the Minister of Education to investigate the possibility of building a completely new school on a new site. Has the Minister a report on this proposal?

The Hon. Sir BADEN PATTINSON: I received a report on this matter from the Superintendent of Primary Schools, who was then Acting Deputy Director of Education, and from what I remember it was a favourable report. The representations of the honourable member and the school committee had real substance, and it was suggested as a matter of urgency that a completely new school be erected there but that it be of timber frame construction because of the many years' delay before a solid construction building could be commenced. I did not receive a recommendation from either the Deputy Director or the Director of Education on this matter, and I referred it to the Director of Education regarding policy, asking him whether it was not a departure from our recently established policy that we would not build entirely new schools of timber frame construction. I have not yet received a reply from the Director. I am personally most sympathetic to the proposal so long as it is not construed as a backward step—going back to building entirely new schools of timber when last year the Government decided as a matter of policy that it would not do that any longer. I shall be pleased to take up the matter with the honourable member as soon as possible to see what the best solution is.

SCHOOL DESKS.

Mr. FRED WALSH: Has the Premier obtained a report in reply to a question I asked on August 28 about the inspection of frames of school desks by the Public Buildings Department?

The Hon. Sir THOMAS PLAYFORD: The Director of the Public Buildings Department has reported that his department inspects the desk frames in the factory of the manufacturer immediately after manufacture, but on one occasion the department's inspector was away

from Adelaide for a few days and the contractor sought permission to deliver a batch prior to inspection. This was granted on the understanding that if any were found to be faulty they would be returned at the cost of the contractor. Some were found to be faulty and were returned to the contractor for correction.

SPECIAL CONSTABLES.

Mr. LOVEDAY: Has the Premier a reply to my question of September 26 regarding the appointment of Mines Department officers as special constables?

The Hon. Sir THOMAS PLAYFORD: The two employees of the Mines Department at Andamooka and Coober Pedy respectively have been appointed special constables. At Coober Pedy there is a resident officer of the Aborigines Department who is a special constable, and I understand that another officer with similar appointments is to be stationed at Andamooka. The officers from the two departments work in close liaison with each other in their respective spheres. However, when acting as special constables the Mines Department employees refer all matters relating to Aborigines to the officers of the Aborigines Department, except in cases of emergency and when the latter officers are not available.

BULK HANDLING OF GRAIN ACT AMENDMENT BILL.

Returned from the Legislative Council without amendment.

LAND VALUES ASSESSMENTS.

Adjourned debate on the motion of Mr. Frank Walsh:

(For wording of motion, see page 764.)

(Continued from September 26. Page 1113.)

Mr. TAPPING (Semaphore): I support the motion. First, let me commend those who have spoken from this side of the House who, to my way of thinking, have made a valuable contribution to the debate. The Leader himself made it abundantly clear that there were several grounds for an inquiry of the type suggested in his motion. I commend the honourable members for Gawler (Mr. Clark), Hindmarsh (Mr. Hutchens) and Whyalla (Mr. Loveday) for their fine contributions to the debate.

If we consider the viewpoints expressed by the few Government members who have spoken, including the Premier, and those expressed from this side of the House, it appears that we are unanimous that there are anomalies in the land tax assessment set-up. Consequently, we must turn our thoughts to what type of committee should inquire into these anomalies. Last Wednesday the Premier made it abundantly clear that he would resist the appointment of a Select Committee to inquire into this all-important matter. The Labor Party is convinced that it is a job for members of Parliament, for of the 39 members in this House there would be four or five most capable of collecting evidence and arriving at a determination that would suit everyone in South Australia, were he a man of agriculture or a man owning a house or a block of land in the city areas.

The Premier fears that a Select Committee may be possessed of political bias, but I do not agree. Members of Parliament are sent here every three years by the people of their respective districts to do the best for them. When dealing with district matters we may sometimes be thought to be parochial but, when we come to major matters of State importance, members of Parliament are able to debate these matters in an unbiased way.

The Premier's expressed thoughts could be construed as a reflection upon the Parliamentary system. I do not suggest he meant it that way, but is he measuring the decision by his own standards? Members on both sides, if they were entrusted with this task, would say: "We can do the job in Parliament because we are masters of our own destiny." The Premier also said that, if we had a committee composed of men outside Parliament, it would be competent and expert and have a competent chairman. If there is any chance of political bias being introduced into a Select Committee, it could equally be present with people selected from outside the Houses of Parliament.

In the past, there has been a tendency, in the case of motions submitted by the Australian Labor Party asking for something to be done, for the Government never to be prepared to accept our opinions, just as at the moment the Government is not prepared to accept a Select Committee, without some counter-suggestion. We have introduced motions about decentralization and, whilst we have all agreed irrespective of Party alignment that it is essential, the Government more than once has tagged on to our motion an amendment that something be done differently. In fact, last time the Government moved an amendment to our motion—to the effect that the task of inquiring into decentralization be placed in the hands of the Industries Development Special Committee.

Whilst I do not desire to reflect upon that committee, so far, after almost a year, no progress in decentralization has been achieved by that committee which has been empowered to make certain recommendations and to report to Parliament.

Select Committees are not new to Parliament; they have been operating for over 50 years. In the case of a hybrid Bill, when it has referred to a particular matter, a Select Committee has been appointed by Parliament and, after the second reading, inquiries have been instituted by the Select Committee to bring down a recommendation to Parliament; then the Bill has been ratified or otherwise. I have been a member of some of those committees—for instance, when considering the Gas Act Amendment Bill and, last year, a Bill concerning the Church of England. Although it may be said that there was no room for political thought or influence there, it was interesting to note that all members would debate the matter not from a parochial but from a national or State point of view. If a Select Committee were appointed to inquire into land tax assessments, we would get desirable results.

To find a Select Committee of a type comparable with the one we are now asking for, I refer to Parliamentary Paper No. 22 of 1945, which gives a report on the sittings of a Select Committee of the two Houses about the functions and activities of the Metropolitan and Export Abattoirs Board. This committee comprised the Chairman (Sir J. Wallace Sandford), Mr. R. W. Pearson, Mr. H. D. Michael and Mr. E. W. Castine from the Liberal side of the House and, from the other side, Mr. K. E. J. Bardolph and the late Mr. John McInnes, representatives of the Australian Labor Party. Among the findings of this committee was a recommendation that an abattoirs be established at Wallaroo and that an employee from the Meat Industry Employees' Union be a representative on the Metropolitan Abattoirs Board. That was agreed to but, to emphasize my point, we find in the report to Parliament that those two recommendations were approved by this Select Committee. It is interesting to note that for the recommendation were Mr. Castine (Liberal), Mr. Bardolph and Mr. McInnes (Labor members); dissenting were the Chairman (Sir Wallace Sandford) and Mr. Michael. According to my information, the name of the remaining member (Mr. R. W. Pearson) was not recorded in the findings of the committee on the last occasion it sat, so he could have been absent or indisposed.

I claim that the proposal of the Labor Party for a Select Committee of this character would bring about a solution suitable to most people. Whatever the finding is, it will, of course, not suit everybody, but at present almost everyone in South Australia in every walk of life is complaining bitterly about the way in which land tax assessments are arrived at. Referring to the point I made of committees being free from political bias, I mention that, when I was a member of the Public Works Committee for five years (during which time millions of pounds' worth of projects were considered, by reference), there were matters considered into which politics could have entered in arriving at decisions, but I can assure the House that on every occasion the deliberations of members of that committee were divorced entirely from politics and the committee brought down recommendations always, to my knowledge, helpful to South Australia. The proposed Select Committee would do exactly the same.

This motion contains three parts. Paragraphs (*b*) and (*c*) refer primarily to agricultural matters. It has always been my practice to speak on subjects with which I am familiar, and as I am not conversant with agricultural matters I shall confine my remarks to discussing paragraph (*a*) which refers to "any other land for the purposes of paying land tax, council rates, water rates, and probate". All members will agree that the present method of assessing land tax is unsatisfactory. I have made inquiries to determine whether there are anomalies in the present system, and I am convinced that there are. When I received my assessment some months ago I was astounded to note that it had increased by 205 per cent on the previous year. No organization can justify such a steep increase in charges. I lodged an appeal with the department and complained that the tax was unwarranted, but like hundreds of other persons I was informed by the board that my objection had been over-ruled but that I had the right to appeal to the Metropolitan Valuation Board. I did not exercise that right.

A 76 year old pensioner in my district was concerned because his assessment was increased from £200 to £400. He submitted an appeal to the board. He lodged a 10s. deposit with that appeal, and this was subsequently returned to him. Some months ago his case went before the board. Mr. Johnston, S.M. is the Chairman of that board. As a matter of fact, he

is Chairman of the six valuation boards, but this appeal was heard by the Metropolitan Board. My constituent resides in Exmouth Road, Glanville. He was unable to attend the hearing of the appeal because he was indisposed, but he submitted his objections in writing. One can imagine his disgust when he was informed that the board had considered his appeal and had increased his assessment to £550. This constituent lives not far from my home. Exmouth Road is a substandard section of my district and most of the houses in that street were constructed about 90 years ago. My constituent believes that his increased assessment was a vindictive act. This man went to the trouble of appealing, and I do not believe the increased assessment can be justified. My attitude is to advise the people of South Australia not to appeal to the board against assessments otherwise they will pay dearly for so doing.

The board, incidentally, comprises three persons—Mr. Johnston as Chairman, and Messrs. Bullock and Sutton, both real estate agents, as members. I do not want to reflect personally on the board, but why are men associated with real estate firms on it? The board forwarded reasons for its determination to my constituent. It is obvious that it was guided entirely—as I construe the evidence—by evidence from Mr. Houlson, an officer of the Land Tax Department. To prove his contention that the assessment should be increased, he told the board that his yardstick was that two blocks of land in the same area, about three-quarters of a mile from Exmouth Road, had been sold for £700 and £730. The areas are not comparable. The land in Exmouth Road is poor and was reclaimed years ago. In fact, years ago people rowed boats there. Hanson Street, on which the comparison was based, has modern footpaths, roads, water tables, new houses and good land. The comparison was most unfair and I can have no faith in a board that accepts the opinion of one man without inquiring to determine whether his opinion can be accepted. In the correspondence relating to the board's decision, the following appears:

The principles to be acted upon in arriving at the value of land were laid down in the case of *Spencer v. Commonwealth of Australia*, 5 C.L.R. 418 as follows: "The basis of valuation is the price that a willing purchaser would at the date in question have had to pay to the vendor willing but not anxious to sell." That position comes about because in the last 10 years there has been a scarcity of land in the metropolitan area. As a result this inflation is increasing almost daily, and unless we as a Parliament do something about it it will grow with greater rapidity than ever before. What is taking place may be observed along Tapley Hill Road from Albert Park towards Henley Beach and down to the Grange, where blocks of land are advertised for sale for about £1,500. Mr. Speaker, that cannot be justified. Such prices as that increase the cost of building, and members know that that is occurring. Whilst we desire people to own their own houses, it is obvious that because of this situation it is almost impracticable in many instances for them to do so.

I believe that this position will worsen rather than improve, and therefore we must do something to rectify it. I believe that the only way we can do this is to appoint the Select Committee that has been suggested. These high land prices react on the house builder who desires to buy land. Often, that person cannot do so or has to resort to the time payment system. It also reacts on council rating. The Port Adelaide council assesses on unimproved values in the same way as does the Land Tax Department. We find that when people lodge appeals to the council against their assessments, the town clerk, at the revision committee meeting, will say, "Well, Jones bought a block of land about half a mile away, and he paid so much for it." That is the yardstick, and that is wrong. Week after week we hear members on both sides of the House objecting to overcharging on some commodity and asking that the matter be investigated by the Prices Commissioner, but these complaints are insignificant compared with the situation regarding land sales. This matter has got completely out of hand, and we must do something about it.

The Labor Party has never desired price control while the supply of commodities and the demand for those commodities has been equal. During the Second World War there was a shortage of commodities and some control was exercised, and we know now that gradually it has been found that those controls can be relaxed. During that period land sales were controlled by the Commonwealth Government, and I consider that under those controls both the seller and the buyer received fair treatment. I claim that there should be some State control over the sale of land, in the same way as there is control over certain other commodities. In some instances where people are asking £1,500 for a block of land, if the merits were investigated the block would be found to be worth not more than £500.

We owe a duty to the community to play our part in seeing that this inflation does not occur; it has gone too far already with land prices, but it is never too late to endeavour to rectify the position. This House should allow the appointment of a Select Committee, because I believe that such a committee would have the qualifications to bring down a satisfactory report and that it would rise above Party politics. I support the motion.

Mr. FRANK WALSH (Leader of the Opposition): We have heard three contributions from members opposite in this debate and double that number from members on this side of the House. I claim that even Government members have agreed with the principles of this motion. The difference is that Government members have sought the appointment of a different committee. I stress that I worded the motion very carefully. Earlier this session I submitted, on behalf of the Labor Party, an amendment to the Address in Reply, and that amendment, in broad principle, sought what is being sought on this occasion.

The Premier suggested the appointment of an outside committee. He maintained that is was necessary that a committee to carry out this investigation should be widened, but I do not know how far a committee needs to be widened to achieve what we desire. In my mind there is no doubt that the land tax system has been entirely altered as a result of the amendments passed last year. Government members, including the Premier, have admitted that some people engaged in agricultural pursuits have not availed themselves of the provisions that were prescribed. I believe that the legislation is now so complicated that the average person engaged in primary production would not understand it, following the amendments made last year. The Opposition believes that a Select Committee of this House would be the most competent committee to investigate this matter. It is strange that members of Parliament often become the go-between between owners of property and the Land Tax Department. It is surprising how many people approach their members of Parliament after they receive land tax assessments.

I can think of no body better qualified to consider this matter than a Select Committee of this House. Party politics do not come into this matter. Each Party may have its own views on policy matters, but when Select Committees, and sometimes Joint Committees of both Houses, have been appointed in the past the ultimate reports, which have been to the benefit of the people as a whole, have not been different from what they would otherwise have been. It is not correct that, because there would perhaps be some ingredient of Party politics in the committee, there would not be agreement. I doubt whether a body that might be appointed under the Premier's suggestion could do the job any more competently or thoroughly than a Select Committee of this House would do.

The method of assessing agricultural land and any other land is quite clear, and this assessment has a big effect on council and water rate assessments. Regarding paragraph (*b*) of the motion, one does not need to travel far from the General Post Office to find many people engaged in primary production whose neighbouring property owners, who were once engaged in primary production, have subdivided their land, in most cases for a particular purpose. Because the subdivided land has been assessed at a higher figure, the council rating on the land used for agricultural purposes has been increased, and this has resulted in grave hardship to people using it. Not long ago one could go out through Campbelltown on the way to the Torrens Gorge through black soil country and see closer settlement for vegetable growing. However, as a result of increased land tax and council rates, these people have not been able to continue to grow vegetables. I can foresee that soon we shall be dependent on the River Murray area for practically all our supplies of vegetables and table fruits.

Would the committee suggested by the Premier be more qualified to consider this matter than a Select Comittee would be? I would have the utmost confidence in a Select Committee's being able to make the necessary inquiry and bring down a report that would be beneficial not only to the people generally but to this Parliament.

The House divided on the motion:

Ayes (18).—Messrs. Bywaters, Casey, Clark, Corcoran, Curren, Dunstan, Hughes, Hutchens, Jennings, Langley, Lawn, Loveday, McKee, Riches, Ryan, Tapping, Frank Walsh (teller), and Fred Walsh.

Noes (18).—Messrs. Bockelberg, Brookman, Coumbe, Freebairn, Hall, Harding, Heaslip, Jenkins, Laucke, Millhouse, and Nankivell, Sir Baden Pattinson, Mr. Pearson, Sir Thomas Playford (teller), Messrs. Quirke and Shannon, Mrs. Steele, and Mr. Teusner.

Pair.—Aye—Mr. Ralston. No—Sir Cecil Hincks.

The SPEAKER: There are 18 Ayes and 18 Noes. There being an equality of votes, and as it appears to be the unanimous decision of this House that a committee be appointed to inquire into the question of land tax fairly on the unequivocal assurance given to the House by the Premier that an outside committee would be appointed, and as it was the original request of the deputation with which I was associated that an outside committee be appointed, I give my casting vote to the Noes. The question therefore passes in the negative.

Motion thus negatived.

HIRE-PURCHASE AGREEMENTS ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from September 19. Page 999.)

Mr. FRANK WALSH (Leader of the Opposition): Apparently, some parts of this Bill will be accepted, some will be rejected and others will be amended. The Bill is of paramount importance to people entering into hire-purchase agreements. Amongst other things, the Premier said:

I also point out that generally speaking no matter how much we vary the form of this type of legislation we are frequently outwitted by people who find new ways of overcoming what has been provided.

The member for Mitcham (Mr. Millhouse) was greatly concerned about this Bill. However good a Bill may be, there will always be a trained mind trying to upset its purpose, and I wonder whether it is a good thing to have so many trained minds trying to upset competent legislation. The Premier submitted a long report from the Prices Commissioner, to whom I give full marks for his comments on the intention of the Bill. The Premier also obtained a report from the Crown Solicitor, who must often find it difficult to tender legal advice on our legislation. If he gives conflicting opinions, it must only be because of the way in which his opinion is asked for. The Premier said that he would support the second reading and that in Committee he would not vote for the first three provisions but would accept the "floor plan" provision with a small amendment. I will not divide the Committee on clause 3 but I will not agree to the amendment of the member for Mitcham (Mr. Millhouse) to clause 4. I will stick to the Bill, excluding clause 3.

Much can be said about hire-purchase transactions. Like other members, I believed that when this Parliament agreed that a 10 per cent deposit should apply to all hire-purchase agreements we were on the right track. However, no matter how good legislation is, one must admit that some people will always get into trouble. I am concerned about the charges made for hire-purchase services; they are too steep. The interest charges and hidden charges, which are imposed to circumvent the legislation, cause much concern. It has been admitted that hire-purchase is part of our way of life. Many people depend on hire-purchase transactions to obtain articles that they regard as essential.

A recent advertisement offered £75 on any washing machine as an inducement to people to purchase a new machine. No interest charges would be applied for 18 months. That offer would appeal to people who wished to obtain a new washing machine to replace an old one. It would not assist those who were anxious to obtain their first washing machine. Such offers will result in the disposal of some stored articles, but they will not result in the quitting of sufficient stock to justify the employment of a labour force in manufacturing new stock. They do not aid employment, and the report on unemployment, given in the Legislative Council yesterday and published in the press today, must concern members. It indicates a lack of opportunities available to people who have not gained higher than primary education. If we do achieve higher education standards it may result in people becoming suspicious of hire-purchase agreements and then we will not have to worry about these get-rich people who try to take advantage of others. I shall not press for clause 3 in Committee, but I hope that I will not be obliged to divide in respect of the proposed amendments to clause 4.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—"Amendment of principal Act, section 2."

Mr. MILLHOUSE: I was glad to hear the Leader say that he would not press for the retention of clause 3, which would drastically affect much existing business and would act to the detriment and inconvenience of many people. I oppose the clause.

Clause negatived.

Clause 4—"Enactment of sections 46a, 46b, and 46c of the principal Act."

Mr. MILLHOUSE: I move:

To delete proposed new section 46a.

I ask the Committee not to accept this new section. I wish to make several points in opposition to this new section 46a. First, I must strongly emphasize that it is quite

inappropriate to amend the Bills of Sale Act by an amendment of the Hire-Purchase Agreements Act. That of course it is proposed to do and for that reason I suggest that it is inappropriate. This particular amendment is, I believe, much wider than was at first intended. The definition of a "bill of sale" is very complicated. I point out, as I did earlier, that the definition included in section 2 of the Bills of Sale Act is an inclusive one and is not comprehensive. It simply says what a bill of sale includes. It is a very sticky legal problem. I point out that in Halsbury's *Statutes of England* the same definition appears in the English Act as in our own. In fact, ours is a copy. There are three pages of small type dealing with the definition of a bill of sale. I mention that to show what a complicated legal matter it is.

There are many documents which the court may construe as a bill of sale, which are entered into without their being considered a bill of sale. On the other hand, a number of provisions are laid down in the Bills of Sale Act, under which a number of things must be included in a document to enable it to be registered as a bill of sale. It could easily happen that, through inadvertence or the omission of matters set out in section 9 of the Bills of Sale Act that a document apparently perfectly proper and otherwise valid as a bill of sale might be wholly unenforceable because of some omission, error or carelessness or something else. It might be said that happens today. Unless the provision in section 9 is inserted, the bill would be registered and the sale enforceable between the parties themselves. The amendment which would be made here by new section 46a would make such a document wholly unenforceable. In other words, it would be quite a drastic alteration to the general law. We know what the Leader of the Opposition had in mind when he introduced this. I suggest it goes much too far. In any case it is unnecessary to do what he had in mind. For those reasons I ask the Committee to accept my amendment and reject new section 46a.

Mr. FRANK WALSH (Leader of the Opposition): This clause provides that any agreement which operates after the passing of this Bill, but is not to be eligible for registration in pursuance of the provisions of the Bills of Sale Act, 1886-1940, shall be unenforceable. It will mean that a company that seeks to evade the provisions of a hire-purchase agreement as provided in the Act, will be unable to enforce the provisions of those bills of sale. I will not dispute that from the point of view of the Bills of Sale Act. There are provisions in that Act covering registrable bills of sale, although all bills of sales are not registered in the State. Some people try to evade that kind of thing. Why should we leave an escape clause to enable people to evade their responsibilities, particularly as regards people who depend for their livelihood on these transactions? Some people desire to enter into a contract, but on the other hand wish to evade the provisions of the Act. I oppose the amendment.

Mr. DUNSTAN: As to the report from the Prices Commissioner submitted to members by the Premier, it is quite true that the objection raised by the Opposition to the practice of executing what are commonly known as "bastard" bills of sales is a valid, reasonable objection. What is happening is that instead of certain firms executing hire-purchase agreements under the Act, they are executing agreements which have the appearance to the purchaser of being a hire-purchase agreement. It is not an agreement in accordance with the Hire-Purchase Agreements Act, but a straight-out sale with authority to the vendor, upon the failure of the purchaser to pay any instalment of the purchase money to another purchaser, to break down his door, seize his goods and sell them. There is no protection in these contracts for the equity of the purchaser in those goods. That was never intended by Parliament. There is one firm which is financing the sale of electrical goods in South Australia and is widely using this provision to evade the provisions of the Hire-Purchase Agreements Act. The Prices Commissioner agrees that something might well be done on this score and that in fact purchasers are being placed in difficult circumstances because of this evasion of the Hire-Purchase Agreements Act. The objection raised by the Commissioner and by the member for Mitcham is that it would be tidier to put an amendment into the Bills of Sale Act than to have amendments to the Hire-Purchase Agreements Act. It might be slightly tidier, but if the objectors were sincere in their objections on this score that could easily have been tidied up by an amendment saying that the amendment was being made to the Bills of Sale Act instead of the Hire-Purchase Agreements Act. That would only take a line, but it has not been done.

I do not think the objection has much substance at all. Numbers of our Statutes have amended principal Acts other than the principal Act by which the subject matter originally was covered, and there would be no difficulty at all

if this went into the Hire-Purchase Agreements Act; the usual sticker would be sent out with the amendments to the Statutes saying, "This Act amends the Bills of Sale Act also", and it would not confuse anybody. There will not be any difficulty about it, and it will be perfectly obvious.

Mr. Loveday: Particularly to the sort of people who are drawing up this type of contract.

Mr. DUNSTAN: Exactly. There is really nothing in the objection. It is a question not of whether it might be slightly tidier to do this in some other way, but of whether there is some substantive protection to be given to purchasers. That is what we are seeking to do. The other objection which the member for Mitcham takes is that this is going to affect some complicated series of transactions which might be called bills of sale within the definition in the Bills of Sale Act. With great respect to him, it will not do anything of the kind. That objection was not raised by the Parliamentary Draftsman in his report to the Premier, nor was it raised by the Prices Commissioner. The definition of bills of sale in the Bills of Sale Act refers to various documents evidencing transactions for the security of loans of money, the security being in the chattels which are dealt with under those transactions. That is the simple outcome of any reading of the definition of bills of sale in the Bills of Sale Act. If a person is granting a security over chattels in any form, then it is a bill of sale.

But, Sir, what does this amendment mean? It means that every bill of sale from now on will have to include several things. It will have to include the names of the grantor and the grantee and where they live; if it is a corporation, the corporate name; the consideration and what portion, if any, of the consideration is for an antecedent debt or advance; a description of the chattels concerned in the transaction and where they are; and the sum that is secured by the transaction. What single valid transaction is going to be adversely affected by a provision that these things are to be stated? Not one. The objection the honourable member raises is, I am afraid, invalid. There will not be the difficulty he foresees about bills of sale in the future if this amendment is made. It will simply mean that those people who are seeking to evade the protections given to purchasers under the Hire-Purchase Agreements Act by executing "bastard" bills of sale, if they are going to go on with that procedure, will have to put in the things that are required by the Bills of Sale Act. So at any rate the purchaser is going to know what he is up for. That is a very mild protection to give him, but it is a protection he ought to have.

I cannot see that the honourable member's objections are serious or valid. This proposal will give the substantive protection to the purchasers who the Prices Commissioner admits are being dealt with under present provisions by the possibility of executing "bastard" bills of sale to avoid the provisions of the Hire-Purchase Agreements Act, so that no longer is it in fact an instalment purchase. What we are simply doing is to see to it that if there is an evasion of the Hire-Purchase Agreements Act by the execution of a bill of sale, then that bill of sale will at any rate have the protections in it that the Bills of Sale Act is designed to give to grantors under that Act. Those protections are not very great, but certainly they are better than the purchasers of chattels who are executing "bastard" bills of sale now are getting under those "bastard" bills of sale.

Amendment negatived.

Mr. MILLHOUSE: I move:

To delete proposed new section 46b.

I ask the Committee, again for an equally valid reason, to reject new section 46b. I have dealt at some length with the word "knowingly". It is impossible to know in many cases, until a court assesses the damages payable, how much in fact—to use the terms of this proposed section—is a sum in excess of the amount properly due. It is impossible to know what the amount properly due may be until it has been assessed by the court, because in fact in most cases this will be what is termed in law "unliquidated damages". That is, it is not a sure and certain amount that can be calculated arithmetically and worked out with any degree of certainty: it is something which the court has to assess.

There has been much change of heart in the law, and much controversy as to how much is a proper sum in these cases, and the law has oscillated from one view to the other. The courts have changed their minds over the last few years. Surely, it is obvious from that that it would be intolerable to saddle a company or an individual with this responsibility to say, "You are not to claim more than a proper amount", when it is impossible in many cases to decide, without the aid of the court, what is a proper amount. That is the purpose of this new section 46b, as I understand it, and I believe that is entirely unfair

in many cases, apart from the difficulty involved in establishing proof. For those reasons I ask the Committee to reject this new section, which I think is unworkable and grossly unfair.

Mr. FRANK WALSH: This proposed new section is designed to control the activities of certain companies, particularly in relation to the sale of motor vehicles. We have had too many enforcements under hire-purchase agreements. Today I received information about a man who had purchased goods and about some attempted litigation. There was a request to pay an extra amount. The most important feature of it was that the company wanted further information from the person concerned. He had more than paid his way, but a police officer come to enforce a court order. When the cheque butts and receipts were produced the police officer was convinced. The company had the cheek to ask the person concerned for the total amount set out in the receipts. That is about the limit. I do not agree with Mr. Millhouse's remarks and I oppose the amendment.

Mr. DUNSTAN: The member for Mitcham spoke about oscillation, but if there has been any evidence of oscillation in this Chamber it has been in his argument in support of his amendment. He said it was difficult to prove anything, and then he said it would act unfairly. He cannot have it both ways. Let me point out what is happening in regard to old agreements. Under the hire-purchase agreement the purchaser could return the goods or have them re-possessed. Then the amount due to the company, payable by way of rent, damages and compensation for the depreciation of the goods, was the amount by which the sums he had already paid were less than 50 per cent of the total hiring charge. This was the liquidated sum due to the company. The liquidated sum is easily ascertainable. In the case in point, the liquidated sum due to the company was £191 7s., but the company sent out a completely and obviously fraudulent notice demanding £291 8s. There was nothing in the agreement that the company could point to as entitling it to that sum. No claim for deliberate damage to the vehicle was made, because no claim could be made. There was no question of the court assessing such a damage. How could it be said that the man who issued the notice was not knowingly demanding money in excess of what was due to the company under the agreement? He would have no defence before the court. It was clear he knew it was wrong. In fact, he told me it was wrong. There will not be any difficulty about proving the offence when these people go on with grossly fraudulent activities, for which they can be rightly condemned.

The member for Mitcham said it would be terribly unfair because no-one would know what was due. It is true that in a few recent cases Lombard Australia Ltd. made claims for damages to vehicles, over and above depreciation. In only a few cases could they make such claims. If the claims are based on actual assessments of damage there can be no difficulty. A man would not knowingly demand money in excess of the amount due to the company. Where such a claim cannot be made and the claim is fictitious, there can be no difficulty in proving it, and there can be no unfairness with respect to that activity. The protection lies in the word "knowingly". Of course, if a man inadvertently did something, or did something in good faith on reports supplied to him, he would have a perfect defence. It would not operate unfairly and it would not be difficult to operate, but it would stop a proceeding that has caused grave hardship and concern to many people. A radical piece of activity is going on, and needs to be stopped at the earliest moment, and this provision will do something to stop it

Amendment negatived; clause passed.

Title passed.

Bill read a third time and passed.

APPRENTICES ACT AMENDMENT BILL.

Mr. FRANK WALSH (Leader of the Opposition) introduced a Bill for an Act to amend the Apprentices Act, 1950. Read a first time.

Mr. FRANK WALSH: I move:

That this Bill be now read a second time.

I thank the House for its generosity in permitting me to move the second reading of this Bill, which I consider to be most important. Clauses 1 and 2 are purely machinery clauses of title and incorporation. Clause 3 provides for the inclusion of a reference to a new Part IVA of the principal Act dealing with Boards of Reference, and will be explained when discussing clause 13. Clause 4 amends section 12 of the principal Act and provides for the Apprentices Board to keep a register of places of employment approved by the board pursuant to new section 26a of the Act. This clause will enable the Apprentices Board to have a complete record of all places of employment which are suitable for employing apprentices.

Clause 5 amends section 18 of the principal Act and provides that apprentices shall attend for 12 hours a week in the employer's time at a technical school or class for instruction. Under regulations in the present Apprentices Act, apprentices attend four hours a week in the employer's time and two hours a week at night in their own time, and there is no valid reason why they should be required to attend classes during their leisure time. Clause 6 amends section 20 of the principal Act by providing that apprentices studying by correspondence shall do theoretical and practical work of their correspondence lessons during six hours a week in the employer's time. By this provision, apprentices who are obliged to do their apprenticeship studies by correspondence are afforded opportunities similar to those who are able to attend technical schools or classes of instruction.

Clause 7 relates to a new section 26a, and provides that no person shall take any apprentice in any trade to which the Act applies until the Apprentices Board has approved of the place of employment as a suitable place in which to train an apprentice. The trade committees set up under the present Act for each different trade, being composed of employer and employee representatives with the Superintendent of Technical Schools as Chairman, make the recommendation as to whether a place of employment conforms to the standards required by the Apprentices Board in regard to conditions, equipment available, methods and qualifications of persons appointed to train apprentices, and the scope of the work engaged in. Also, the new section in paragraph (*b*) provides that the Apprentices Board shall set an educational prerequisite on the recommendation of the appropriate trade committee and the intending apprentice will be required to reach this standard before being acceptable as an apprentice.

Mr. Quirke: Does that mean that he must take an examination before he is accepted as an apprentice?

Mr. FRANK WALSH: Less than two weeks ago I asked a prominent builder and contractor whether he had enough apprentices in the various building trades, and he told me that they were difficult to obtain for some trades. Although he had one apprentice bricklayer, he said it was difficult to get lads to become apprenticed as bricklayers and solid plasterers, as many boys who had had only a primary school education or 12 or 18 months at a secondary school wanted to become carpenters. He found it would be necessary for him to send these boys back to school for a further period if they were to become carpenters, whereas they could become bricklayers or solid plasterers. In most cases, their standard of education was not sufficiently high for them to become carpenters. The present objective in training an apprentice is that the youth should not only qualify as a craftsman in the trade, but that he should have sufficient grounding to make him a little better than the average tradesman, which would enable him to take charge of other tradesmen. The employer with whom I discussed the question said that if he could have convinced these boys to undertake bricklaying or solid plastering as against carpentering he could have made them competent tradesmen. However, they wished to become carpenters and did not have the necessary qualifications to enable them to qualify in that capacity.

Section 28 provides that the apprenticeship indenture no longer binds the parties when the apprentice reaches 21 years of age. Clause 9 will bring our Act into line with most Commonwealth awards by allowing the apprenticeship to continue by agreement until the apprentice reaches 23 years of age. Clause 10 strikes out section 30 of the principal Act. As the Bill provides for boards of reference to investigate matters arising out of indentures and to take action on the transfer, assignment, cancellation or suspension of indentures, the provision that the Apprentices Board may investigate and "suggest" some such action is struck out as being redundant.

Mr. Quirke: Does that mean that an apprentice can only be dispensed with by an employer on the authority of the board?

Mr. FRANK WALSH: Yes. Clause 11 strikes out section 32, which provides that an employer may cancel an indenture on the ground that through lack of orders or financial difficulties he is unable to find employment and provide training for an apprentice, provided he obtains an authorization from the Apprentices Board. In view of new section 26a, which places in the hands of a board of reference power to deal with this problem, this section becomes redundant. Clause 12 amends section 33, reducing the probationary period for apprentices from six months to three months. An employer should be able to decide within three months whether an apprentice is suitable for the work and, in addition, this provision is in line with most Commonwealth awards. Clause 13 provides for the introduction of new Part IVA made up of new sections 33a to 33l inclusive. This Part IVA provides for the

appointment of boards of reference, states the procedure under which these boards of reference shall operate, and gives the boards of reference power to take appropriate action on transfer, assignment, cancellation or suspension of an indenture of apprenticeship.

The present legislation provides that the Chief Inspector of Factories or any person authorized by him may enter and inspect premises where apprentices are employed. The board also should have the prerogative to authorize persons to make inspections and clause 14 provides for this. The Chief Inspector would not be able to make all the inspections of apprentices and, although any member of the board could perform that duty, it would be impracticable for them to undertake all the necessary supervision.

I wish to outline the position confronting this State and stress the importance of apprentices. I am only one of the members of this Parliament who conducts school parties around the building. Yesterday I had the privilege of speaking to more than 60 children from Grade VII of the Edwardstown Primary School, and I will conduct a similar party over the building tomorrow. The party comprised boys, and I told them that we were fast approaching the stage when we would not have sufficient tradesmen to build solid construction houses, schools or office accommodation, because we were not training sufficient apprentices. I told them that I did not expect all the boys to become bricklayers, solid plasterers or plumbers, but I thought the time was ripe for them to consider whether, next year when they were due to leave the primary school and enter a secondary school, they would enrol at a high school or a technical high school, and whether they had any real ambition of becoming journeymen tradesmen within the building or some other industry.

We cannot deny the importance of apprenticeship. The problem has reached such a serious stage that we probably have to do more than just speak in this Chamber to get our message over to the people. The Government has already informed me that when it lets contracts through the Public Buildings Department the contractors are asked whether they have a quota of apprentices. We must get these boys into the industry as apprentices and I believe that the building industry is as important as any other industry; probably it is more important than some other industries. Apparently, when South Australia recently experienced more unemployment than we were prepared to admit, difficulty was experienced in finding employment for people who were not tradesmen.

I refer to the metal trades as a trade but it contains many trades. It absorbs apprentices and that statement can be borne out by the attendances at the trades school. However, when it comes to the building industry and a boy decides to be a carpenter little scope or inducement is offered. When speaking of bricklayers, solid plasterers or plumbers we cannot justly claim that the work is extremely hard or laborious. I am not prepared to admit that it is all that hard. The nature of the work in those trades has been considerably modified over the last 20 years. Thirty of 40 years ago it was tough going; one really earned his money in those days.

Another important point is the training of personnel in the catering trade, and in particular chefs. If we had not so many migrants here, we should be short of trained personnel in that trade. We have no training facilities in South Australia, but there is a good opportunity for introducing such instruction. We need to induce the young people to become interested in the trades I have mentioned, and others too.

The Hon. Sir THOMAS PLAYFORD secured the adjournment of the debate.

METROPOLITAN AND EXPORT ABATTOIRS ACT AMENDMENT BILL.

Committee's report adopted.

On the motion for the third reading:

Mr. FRANK WALSH (Leader of the Opposition): During the second reading, I said I doubted whether I would support the third reading unless certain amendments were agreed to during Committee. Of the three amendments I submitted, one (the most important) was rejected outright. Having fully considered the matter, I do not intend to support the third reading. Can the Minister of Agriculture say whether William Angliss & Company (Aus.) Pty. Ltd. has a South Australian licence to export meat? If it has, why does it depend upon the Metropolitan Abattoirs for the slaughtering of carcasses for export purposes? Would it be correct to suggest that that company, with one slaughterman disposing of 200 sheep a week, bones and sells to America old wethers or ewes as export lean meat? Is that true of William Angliss & Company? If so, I am concerned about it because it would indicate that no further licences should be granted for the slaughter of stock in the metropolitan abattoirs area. If William Angliss & Company has a licence to

export lambs, I fail to understand why the company has not attempted to use its labour force and premises to dress the lambs for export purposes. There is no room in the metropolitan area for another abattoirs, because the Metropolitan Abattoirs can meet the requirements. I am prepared to agree to the establishment of abattoirs in country areas or on the fringe of the metropolitan area. Indeed, I have referred to already established meatworks which should be entitled to have the stock they slaughter inspected at their premises before it is sold for human consumption. If other abattoirs were sited in the country, and we could get away from the chain system, personnel could be trained within the industry. I believe that we have lost competent slaughtermen through the operations of the chain system.

The SPEAKER: Order! The Leader must understand that the debate on the third reading is limited to what has come out of the Committee itself. I take it that the Leader will connect his remarks with the clauses as they came from the Committee.

Mr. FRANK WALSH: If abattoirs were established in country areas greater opportunities would exist to train slaughtermen, because under the chain system, according to my information, minor work only is performed and slaughtermen are not trained as they were before its introduction. Had my main amendment been accepted I should not have opposed the third reading.

Mr. LOVEDAY (Whyalla): Although two of the Opposition's amendments were accepted, they were comparatively minor. The major amendment, vitally affecting the Bill, was defeated; so we must oppose the third reading. The Minister, and the member for Onkaparinga (Mr. Shannon), admitted that that amendment was vital. The member for Stuart (Mr. Riches) referred to the impact this legislation, if passed, will have upon inquiries into country abattoirs—inquiries pursued by the Industries Development Special Committee.

The SPEAKER: Order! The honourable member realizes that this debate is limited. He must connect his remarks with the clauses passed in Committee.

Mr. LOVEDAY: Our first amendment related to the establishment of abattoirs in the country.

The SPEAKER: That is out of order, because the Committee did not approve of it. The honourable member can touch only on the clauses that were passed.

Mr. LOVEDAY: In other words, the two amendments—

The SPEAKER: That is right.

Mr. LOVEDAY: Am I in order in referring to the fact that our first amendment vitally affected the Bill?

The SPEAKER: So long as the honourable member connects his remarks with the clauses that were passed by the Committee. He cannot refer, at this stage, to a clause that was defeated.

Mr. LOVEDAY: That limits one. Nevertheless, the fact remains that the Bill, as it now stands, is contrary to what we sought and, consequently, we must oppose the third reading for the reasons advanced during the second reading debate. The Bill must lead to the establishment of another abattoirs in the metropolitan area. We have no reason to believe otherwise. It has been admitted by the member for Onkaparinga (by way of interjection) and by the Minister (in a statement) that our amendment affected 75 per cent of the legislation. We have indicated, by the two amendments that were accepted, that we are prepared to make the Bill operable in the best interests of all sections of the community. The amendment relating to inspections will be of great benefit to abattoirs outside the metropolitan area. We hope that better counsel will prevail, even at this late stage. No arguments have been advanced to show that the legislation will do what the Minister claimed it would do in his second reading explanation, when he said that it was designed to protect the best interests of everybody in South Australia. We do not know how the present abattoirs would be protected from those factors we foreshadowed as likely to arise if another abattoirs were established in the metropolitan area. The annual reports of the Abattoirs Board reveal clearly what those effects would be. No-one has been able to gainsay those arguments yet. Members opposite should be prepared to supply facts to prove that what we have foreshadowed would not happen. If they can produce any evidence we shall be willing to listen to it, but surely, in the face of those annual reports, the situation that must arise cannot be denied. Mr. Speaker, I am sure that when members consider all the points that have been made in this debate they must see that even as primary producers their interests must eventually suffer as a consequence of the competition which they seem to be so anxious to obtain.

It is interesting, looking back into the history of the slaughtering of stock, to see that the primary producers themselves have had

to seek Government intervention in order to get their stock properly slaughtered, for the simple reason that private interests would never do it properly or in the best interests of the community. Surely they should not be under the illusion that in pressing this matter as they are pressing it they are going to accomplish something that has never been accomplished before in this direction. It is obvious that the history of this matter is against what is now being done, and that the present move must act to the detriment of primary producers in South Australia. The Opposition hopes that better counsel, even at this late hour, will prevail in respect of this measure.

The Hon. D. N. BROOKMAN (Minister of Agriculture): Despite what has been suggested by members opposite, I hope the Opposition will support the third reading. Those members raised considerable opposition during the second reading debate, and discussed the various matters at length in Committee. However, the House has decided to take the Bill to the stage that it has now reached, and I suggest that it is time the Labor Party members dropped their opposition to the Bill to enable the participation in slaughtering by many people who are at present precluded from such participation. Under the Bil the Minister may grant permits for killing anywhere within the State. Without that power the Minister would be precluded from issuing licences for killing south of about Smithfield—the District Council of Salisbury is in the metropolian area for the purposes of this Act—right down as far as some point between Brighton and Reynella. That is why I said earlier that the fact that about 1,000,000 acres of the State would be precluded from having an industry of this nature would possibly cripple the Bill. It is unfair to Parliament to say, "All right, we want to see your stock killed but we cannot have it killed here; you must have it killed somewhere else." It is not fair to saddle—

The SPEAKER: Order! The Committee has made its decision on that matter.

The Hon. D. N. BROOKMAN: Very well, Mr. Speaker. I reiterate that we have many sheep and lambs to be killed in this State this year, and we want the best possible conditions for getting them killed. Support of the third reading is the way to achieve that.

The House divided on the third reading:

Ayes (18).—Messrs. Bockelberg, Brookman (teller), Coumbe, Freebairn, Hall, Harding, Heaslip, Jenkins, Laucke, Millhouse, and Nankivell, Sir Baden Pattinson, Mr. Pearson, Sir Thomas Playford, Messrs. Quirke and Shannon, Mrs. Steele, and Mr. Teusner.

Noes (18).—Messrs. Bywaters, Casey, Clark, Corcoran, Curren, Dunstan, Hughes, Hutchens, Jennings, Langley, Lawn, Loveday, McKee, Riches, Ryan, Tapping, Frank Walsh (teller), and Fred Walsh.

Pair.—Aye—Sir Cecil Hincks. No—Mr. Ralston.

The SPEAKER: There are 18 Ayes and 18 Noes. There being an equality of votes, I give my casting vote in favour of the Ayes. The question therefore passes in the affirmative.

Third reading thus carried.

Bill passed.

HOUSING LOANS REDEMPTION FUND BILL.

Adjourned debate on second reading.

(Continued from August 16. Page 563.)

Mr. FRANK WALSH (Leader of the Opposition): Adequate housing is the prime need of any community, but we must bear in mind our normal way of life and provide for people to purchase a new house, an existing house, or to rent a house. The provision of housing is well behind the demand and migration and natural increase in population are such that unless a more positive action is taken by both the Commonwealth and the State Governments the gap between demand and supply in housing is likely to become much wider than it is now. It has always been Labor Party policy for a purchase house to revert to the widow in the event of the breadwinner dying, and to substantiate this remark I quote the item on the Labor Party platform relating to this matter:

> Provision by insurance that in the event of the death of a breadwinner in a State purchase home the home shall become the freehold property of dependents without further financial obligation.

In view of these comments the Government can rest assured that members on this side of the House will wholeheartedly support the Bill. My sincere regret is that we have drawn the Government's attention to the need for this reform for many years, but there was always some excuse as to why it should not be introduced or the request was ignored altogether. Earlier this year, however, the electors of this State demonstrated clearly that they were most dissatisfied with the policy, or should I say lack of policy, displayed by the present Government, when they overwhelmingly endorsed Labor Party policy.

By political subterfuge and questionable manoeuvring the Premier has retained a shaky occupation of the Treasury benches and is now in the process of offering appeasements and bribes to the electors who severely reprimanded his Government at the last election. Irrespective of the reason why the Government brought in this measure, even at this late stage, it is a part adoption of Labor Party policy, and, therefore, I shall not submit any amendments, but I have some pertinent comments to make on some of the clauses, which I think the Government could consider with the object of improving the legislation. I hope the Government accepts the comments and suggestions in the spirit in which they are given, which is, as I have said, with the object of improving this legislation, but, in addition, consideration should be given to removing some of the anomalies in the Bill in its present form.

I will refer briefly to some of the clauses and make comments where I think alterations or improvements should be made. Clauses 1 to 3 are the machinery provisions dealing with title and interpretation, which do not require any further comment.

Clause 4 deals with the financing of the Loans Redemption Fund and I do not entirely agree with it. Subclause (2) states:

The Treasurer shall, out of the moneys standing to the credit of the Home Purchase Guarantee Fund, advance to the fund the sum of £50,000 within one month after the commencement of this Act. This Act shall without further appropriation be sufficient authority for the Treasurer to make the said advance.

Under the legislation dealing with the Homes Act we pointed out that £100,000 had been transferred from this guarantee fund to the Housing Trust for the purpose of country housing. The Home Purchase Guarantee Fund has been built up because the Premier charged one per cent per annum to building societies and approved institutions under the Homes Act in return for the Government guarantees. Other States have had practically no claims under their comparable guarantees, and do not make any charge to comparable institutions for the guarantees. The only payment of a guarantee, of which I am aware, is approximately £200 in New South Wales. All other States have had no claims. This related to guarantees totalling many millions of pounds. In other words, claims under guarantees are negligible.

The point I am making is that the Home Purchase Guarantee Fund is being built up by the Government from three lending institutions, namely, the South Australian Superannuation Fund, the S.A. Savings Bank, and the Co-operative Building Society, but the Government is now proposing to use this fund, which was acquired from existing borrowers under the Homes Act, to subsidize other borrowers. It is financially as well as morally incorrect for borrowers under the Homes Act to be forced to subsidize other classes of borrower. Naturally the Redemption Fund will need to be financed from some source until it builds up a reserve fund of its own, and, therefore, the Government should make funds available for this Redemption Fund, but the amounts made available should be repayable as soon as the fund is in a financially sound position. As I will explain later, the fund should soon establish itself into a self-supporting one.

Clauses 5 and 6 lay down conditions under which either a borrower or joint borrowers may contribute to the scheme. When the Premier made his premature announcements in regard to this scheme it was restricted to persons up to the age of 25 years. Naturally there was widespread criticism of this proposal, and the Premier saw fit to expand the scheme to persons up to the age of 35 years. He advanced a nebulous reason as to why the scheme should be restricted to this age group. I do not agree. For the life of me I cannot see why there should be any age limit at all. Surely it is for the person borrowing the money and desiring the cover to decide whether the premium demanded is too costly for him. Therefore, I believe the Government should seriously consider extending the scheme to cater for all persons who are willing to participate, provided that the loan repayment period expires by the time the borrower reaches 65 years of age.

Clause 7 deals with the rate of contribution required from borrowers. During the second reading debate the Premier stressed that "the rates of contribution are set very considerably below those which are ordinarily offered by insurance companies and this is only possible because of the elimination of many of the administrative costs and detail falling upon insurance companies". I do not agree. Participants in this scheme will be paying premiums which should be more than adequate to meet the claims under the policies. The rates are comparable with those charged by private insurance companies for similar cover, and, therefore, the scheme should be self-supporting. In addition, life expectancy is continually increasing and it should be possible

to reduce the premiums under the scheme in the future without threatening its solvency. However, the rates may be varied in the future by regulation, and I would like an assurance from the Government that in the event of the premiums being excessive for the amount of cover provided the Government will not skim off the surplus to Consolidated Revenue as it has done with other schemes in the past. If the real story were told about the State Bank it would be seen that a considerable sum is being skimmed off into general revenue. Rather, I would like the assurance from the Government that in the event of the premiums proving to be excessive the rates of contribution will be reduced accordingly.

Another point I wish to raise in regard to clause 7 is that the relative schedule of contributions commences at age 25. Does this mean that persons up to 25 years of age are ineligible to participate in the scheme? If such is the case, the Government should consider providing a schedule of premium contributions for persons in the younger age groups. If I am correct (and I have reason to believe that I am) why should any people be denied the right to borrow because they are less than 25 years of age? I do not believe in the class distinction we are introducing into legislation. Child endowment is paid until a child reaches the age of 16 years; a man is supposed to be working from that age until 65, and a woman until 60; and, when they reach those ages, they come into another group, so there are three categories. How many more are we going to make?

In addition, as I have mentioned previously, the Government should also consider extending the upper age limits and leaving the decision to the persons borrowing the money and obtaining the necessary cover as to whether the cost of entering the scheme is excessive or otherwise. Is a person too old at 36 to obtain a loan? Surely we have not reached the stage where such people are too old to buy houses! It seems that people are considered to be too young until they are 25 and too old after they are 36, and that is wrong.

Clauses 8, 9 and 10 are further machinery clauses containing provisions such as ordinary payments from the fund, second mortgages, and persons re-entering in the event of repaying one loan and taking out a new one, as well as certain restrictions relating to suicides and misrepresentation. These are normal insurance provisions and do not require any further comment. Clause 11 deals with the bodies which are to be approved by the Premier. He indicated that these bodies are the State Bank, the Savings Bank of South Australia, the Housing Trust and the Superannuation Fund, but there are many other worthy organizations who finance house purchases and I see no reason why they should not be participants in the scheme. If the Government had implemented Labor policy to the full instead of the half measures put forward, this would have been a better Bill. Nevertheless, it is a step in the right direction and, if the Government gives serious consideration to my suggestions, it is not too late to further improve it. Subject to the foregoing comments and suggestions, I support the second reading.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—"Interpretation."

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

After "advance" first occurring to strike out "from an approved authority for the purpose of purchasing or erecting" and to insert in lieu thereof ", or has become legally liable for the repayment of an advance from an approved authority upon the security of".

This amendment is purely to make the Bill clearer; it does not alter its policy.

Amendment carried; clause as amended passed.

Clause 4—"Housing Loans Redemption Fund."

Mr. FRANK WALSH (Leader of the Opposition): How much longer does the Government intend to carry on the Home Purchase Guarantee Fund and charge one per cent per annum? Already £100,000 has been paid from the fund to the Housing Trust to build houses in the country, and now it is proposed that a further £50,000 be taken from it to commence these operations. I realize that some provision must be made for bad debts, but is there any need to charge one per cent? I think about £20,000 per annum is accumulating in the Home Purchase Guarantee Fund. The only organizations dealt with are the Savings Bank, the Superannuation Fund and the Co-operative Building Society, and these are the people who have paid into the fund. I do not see why a line should not be drawn somewhere even though some provision is made for bad debts. On the other hand, why is it necessary to build up the fund? The Government is commencing the low-deposit building scheme, but surely the time should arrive when any organization

should be self-supporting. I see no reason why these depositors should not be able to continue with their payments unless they become too heavily involved with hire-purchase agreements. Why should this fund continue, in view of what I said?

The Hon. Sir THOMAS PLAYFORD: The Leader has an entirely wrong impression of the amount of the fund and the charges. I believe my information is correct that the charge is made not only on the amount of the advance, but on the Treasurer's guarantee in the first place and, secondly, it is not one per cent but only five shillings per cent.

Mr. Frank Walsh: Quarterly!

The Hon. Sir THOMAS PLAYFORD: No; it is paid quarterly, but it is only five shillings per cent. In this case the advance is £50,000, but that does not mean that the fund has surplus moneys. It is only an advance and it has to be repaid to the fund. Its purpose is to protect the Treasurer against loss. The institutions are paying for complete insurance against loss on those advances. The institutions have no objection and they are only too pleased to have the Treasurer's guarantee, because it places them in a foolproof position against any losses because I have guaranteed all the amounts outstanding above 70 per cent. It is not a guarantee over the whole amount, and they are not paying five shillings per cent on all of it, but on a small percentage of the upper risk. I cannot agree with the Leader's conclusions on this question.

This is only an advance, and it will have a direct bearing on these loans, because loans under the Homes Act and the Advances for Homes Act will undoubtedly be mainly affected by this Bill. This week I had a request from building societies asking whether they could be brought under the Act. I see no reason why they should not, because the Act would be extremely beneficial to these societies. Some of them have stated that if they come under the Act they will be prepared to do their own office work, collect the insurance and provide it in a bulk sum to the Treasury. The Homes Act has a separate fund, and we have approximately £50,000 against guarantees in respect of loans of about £18,000,000. That is certainly not an excessive protection; it is a nominal protection. This amount is not paid out of the fund permanently, but it is advanced until the new fund becomes operative and then it has to be repaid.

Clause passed.

Clause 5—"Applications to become contributor."

Mr. FRANK WALSH: In my speech on the second reading I said that I was concerned to know why age limits were fixed. What is to become of the person who is less than 25 years of age and decides to get married? Why is an embargo placed on people over 36 years of age? Why has the Government not considered this matter from another angle? Why have any of these age limits been applied? If a £50 deposit is accepted from a person of 25 years and the term is for 40 years, the people are not getting out of it lightly, because they will have to pay quite a contribution for each £1,000 advanced. I intimated that I would not move any amendments, but would seek information, and this is a clause on which I desire information. If this provision can apply only to people from 25 to 36 years of age something is wrong. If one considers present-day salaries and wages it is reasonable to suppose that many young people under 25 would have saved more than £50 and would be able to make reasonable weekly payments, and they should be encouraged to purchase their own house. Why should people who have reached 36 years not be entitled to tender a deposit of £50?

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

Mr. FRANK WALSH: This clause should cover all persons. If legislation is passed to enable people to own their own houses, they will become better citizens through having an interest in them. It is another stake in the country. I believe in house ownership and, if we can give people an opportunity to own their own houses, let us do so.

The Hon. Sir THOMAS PLAYFORD: I intend to move an amendment dealing with persons under 25 years of age. It is purely a drafting error that the words "and under" are not included in the Bill. The amount of deposit has no bearing upon this scheme: it is the amount of insurance that is taken out in connection with it. If a person is insuring for repayment of an advance of, say, £3,500 instead of £3,000, his payments, under the schedule, are correspondingly higher.

Clause passed.

Remaining clauses (6 to 12) passed.

The Schedule.

The Hon. Sir THOMAS PLAYFORD moved:

In the first column after "10" to insert "and under"; and in the second column after "25" to insert "and under".

Amendment carried; schedule as amended passed.

Title passed.

Bill reported with amendments.

HOMES ACT AMENDMENT BILL.

In Committee.

(Continued from September 20. Page 1038.)

Clause 3—"Amendment of principal Act, section 7".

Mr. FRANK WALSH (Leader of the Opposition): I move:

In paragraph (*a*) to strike out "forty" and insert "fifty" in lieu thereof.

When we amended the Advances for Homes Act, we provided that one could borrow for up to 50 years. I seek to make this legislation uniform.

The Hon. Sir THOMAS PLAYFORD (Premier and Treasurer): If the Leader wants to put in 60, 70 or 100, it makes no difference: no institution will lend money for 50 years. If the Leader wishes to have it up to 50 years, it does no harm.

Amendment carried.

Mr. FRANK WALSH: I move:

In proposed new subsection (1a) to strike out "forty" and insert "fifty".

This is a consequential amendment.

Amendment carried; clause as amended passed.

Title passed.

Bill reported with amendments.

LOANS TO PRODUCERS ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from August 16. Page 564.)

Mr. FRANK WALSH (Leader of the Opposition): The Loans to Producers Act is administered by the State Bank which is empowered under the Act, amongst other things, to make advances to primary producers or persons associated with industries that are closely allied to primary production, with the object of encouraging rural production and effective land settlement. This is a very desirable object, and the Bill merely seeks to relieve the Government of providing funds for this purpose. It is interesting to note that when we suggested that additional funds were available outside Government sources for the erection of additional houses, for example, the Premier was very definite that no additional funds were available. On this occasion, however, the boot is on the other foot, because the Government now wishes to obtain additional funds from the loan market to finance its Loans to Producers Act.

It is also interesting that under this activity the State Bank has approximately £2,200,000 out on loan to various organizations, such as distillers, butter and cheese factories, fruit packing sheds and cool stores. New advances net of repayments have been increasing in recent years at the rate of approximately £300,000 per annum. Clause 3 provides that the bank may borrow moneys for the purposes of the Act, and under the guarantee of the Treasurer, and therefore the indications are that the State Bank will be seeking to raise approximately £300,000 per annum on the local loan market, and I should like to be informed by the Premier how he can assure members that the funds available to local authorities will not be depleted by this amount. The rest of the clauses appear to be machinery clauses—such as the rate of interest to be charged is to exceed the bank's borrowing rate, and any excess funds borrowed may be deposited at the Treasury at interest—which do not require any further comment. I support the second reading.

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

COMPANIES BILL.

Adjourned debate on second reading.

(Continued from September 4. Page 872.)

Mr. FRANK WALSH (Leader of the Opposition): I understand that this Bill is the outcome of investigations by a standing committee of the Attorneys-General from the Commonwealth and all of the States. The appointment of this committee was long overdue as it was asked for often enough by the various commercial and professional bodies interested in the operation of the various Companies Acts. I understand also that two of our State officers, namely the Registrar of Companies (Mr. Sowden) and the Assistant Parliamentary Draftsman (Mr. Ludovici) made very sound contributions towards the framing of this companies legislation and they are to be highly commended for the colossal amount of work they must have undertaken as well as for the high standard of the finished legislation that has been placed before us.

This Bill is a step in the right direction and all should support it, leaving further

major amendments to the future recommendations from the standing committee which was established to consider the problem in the first place and which should remain in existence to advise the Government in order that our legislation may be kept up to date and uniform with what is provided in the other States. I intend to support the Bill because it is the result of conferences between all of the States to reach uniformity in their respective Acts. There are some matters which, I consider, could be improved upon, and later I will put them forward as suggestions for consideration by the Government and subsequently by the standing committee but, in regard to these recommendations, I do not propose to submit any amendments. However there is one matter where our legislation differs from the uniform legislation introduced by the other States, and it is in relation to the retiring age of directors. Therefore, on this point, I propose to introduce new section 120a to cover this subject, and it is the same as that provided in the uniform legislation of the other States. As this subject is covered by the comparable legislation in the other States I believe that the standing committee must have been in favour of it and I can see no valid reason why it should have been omitted from our Bill.

The present legislation controls the operations of many companies, and therefore is of major importance to thousands of persons in business, including company officers, secretaries, accountants and lawyers. Now that a uniform Bill has been introduced and passed in all States except South Australia, obviously it must be passed here in fairness to the commercial and professional community as well as to the Governments of the other States. It is essential, therefore, that delay in its passing should be cut to a minimum. I think it is fair to say that South Australia's being the last State to consider and pass this legislation is not adding dignity to the State's administration. Western Australia is suspicious that this Government is not sincere in its approach to this Bill and has openly said so. The Deputy Leader of the Opposition in Perth moved in the Upper House that the passing of the Western Australian Bill be deferred because there was very good reason to believe that South Australia would not pass its Bill. They believed that because of the low capital fees and the less onerous conditions of the present South Australian Act, the South Australian Government would seek to record company registrations in South Australia to the detriment of Western Australia.

The Hon. D. N. Brookman: Do you think that belief was justified?

Mr. FRANK WALSH: I am merely reminding the Government of Western Australia's suspicion in that regard. I am not responsible for anything that was said in Western Australia; I am responsible only for repeating it. The remarks were directed primarily against South Australia. Subsequent to this criticism the uniform Companies Bill was passed in Western Australia, but surely this Government should be ashamed to have South Australia referred to with such distrust.

With the development of Australia, a development which must continue in the future more rapidly even than before if we are to survive, quite obviously company legislation will play a major part in facilitating such expansion. The Labor Party hopes sincerely that South Australia will not be so far out of step in future. Members opposite will appreciate that it is extraordinarily difficult for us to make a detailed contribution to the discussion on this Bill, since we were excluded from all the earlier discussions during which it was formulated. This legislation has been under consideration for more than two years. The standing committee has adjourned from place to place, and I believe that in fairness to such important legislation some reasonable opportunity should have been given for the Parties which are not in government to be represented at the earlier discussions.

If a director is honest and experienced, with a knowledge of the Companies Act and his rights and duties thereunder, he has nothing to fear from this Bill. If he is ill-informed, selfish, or dishonest, and is not acting in the interests of shareholders, employees and the community generally, then he has reason to fear this Bill and the public has reason to fear him if the legislation is not passed. We believe that the effect of the uniform Bill has already become apparent in the eastern States, where Latec Ltd., L. J. Hooker Ltd., and other companies have disclosed huge losses which might never have been disclosed had the penalties for non-disclosure remained as they were before the new uniform legislation was passed in those States. It is doubtful whether L. J. Hooker Ltd. made a genuine profit of £300,000 in 1961 and a loss of £630,000 in 1962. I realize that the recent credit squeeze could have an adverse effect on a company dealing in land to the extent that L. J. Hooker Ltd. does, but it is hard to believe that the credit

squeeze could reduce the earnings of this company by nearly £1,000,000 in that short time.

In the present Bill, the penalties to be incurred by directors and others have been increased, and that is as it should be. It is my belief that these penalties will assist the State Registrars in the administration of the Act and will deter ignorant and inexperienced directors from accepting directorships. It is quite common for wives of directors to act in the capacity of director without ever attending a board meeting, without seeing the minutes, and without taking any part whatsoever in the company's administration. If the company gets into difficulties and the wife is criticized, her defence is normally that she had no idea of her responsibilities, was not allowed to take part in the administration, and thus should be regarded as blameless. I trust that if people wish to have the title of "Director" in future, this Act will make them assume those responsibilities in the proper form.

I would now like to comment on some of the individual clauses. Clause 14 refers to private companies. In his remarks concerning private companies in South Australia, I am pleased to see that the Premier admits that the private company sections are an anomaly, "having no counterpart in any other part of the British Commonwealth". Everybody except the Premier has recognized this for many years, and it is pleasing to see that he is at last convinced that these sections in the existing South Australian companies legislation cause many administrative difficulties, particularly for companies in other States, and that no good purpose whatever can be gained by leaving the private company in existence. While wanting to see the private company extinguished as soon as possible, the year 1965 appears to be fair for companies who wish to voluntarily convert their private companies to exempt proprietary companies. The Registrar has power to require them to change within a given time after that date. We hope that these extensions of time will not be for more than one or two years at the outside, so that we can be in line with the rest of Australia and the rest of the Commonwealth as soon as possible. Some directors may assert that this will cause hardship, but if no fees are payable for converting until after 1965, and if rubber stamps are used to overprint stationery and documents, surely very little inconvenience will be incurred by the average private company converting.

Clause 27 is a good clause designed to protect the public from unscrupulous share salesmen to a much greater extent than under the existing Act. South Australia has had the bitter experience of dishonest confidence men—perhaps the worst experience of any State—and the Government has given the impression that it has been seeking to protect the public without really getting down to the proper method of doing it. This clause will improve the situation tremendously, although one cannot expect to protect a reckless investor. Perhaps the unscrupulous attack on the general public in South Australia is a major contributing factor to the unusually large number of bankruptcies in this State. There must be some underlying reason for this which the Government is avoiding. Nevertheless, the greater protection for the public under this Act may be a start. Clause 40, tightening up the prospectus requirements, is a step in the right direction for the same reason.

I notice that the Government has omitted section 121 as passed under the uniform Acts of other States concerning age limits of directors, and this is the reason for the amendment I have submitted by new clause 120a. The Government has dropped subclause (8) of clause 120 in the uniform Bill and included it in clause 121 in order to keep the clause numbers comparable. Section 121 of the uniform Act in other States provides, in effect, that when directors attain the age of 72 years it must be disclosed in the notice when they seek re-appointment. It also states, in effect, that the office of director must become vacant at the next annual meeting after he attains the age of 72 years. However, he may be reappointed for a further year if, after the required notice has been given, three-fourths of the shareholders grant him such reappointment. A similar provision appears in the English Act. Some elderly directors seem to take it as their right to remain, no matter what age they happen to be or which young men are being excluded, or how futile their contribution has become. The member for Mitcham seems to be interested in this matter.

Mr. Millhouse: I am always interested in what the honourable member has to say.

Mr. FRANK WALSH: The honourable member will be vitally interested. This young budding solicitor undoubtedly has some prior knowledge of what will happen to the second reading of this Bill. I can imagine some of these companies needing bright and promising

young men, and not necessarily Queen's Counsel, to assist them in their deliberations. I do not know how he will fare against some of the elderly men.

The SPEAKER: Order!

Mr. FRANK WALSH: The elderly directors apparently justify remaining on the board on the ground that they once made a substantial contribution to the company. Therefore, they think they have the right to stay for all time. I suspect that these same directors would throw up their hands in horror if the retiring age of members of the Public Service or employees in their own companies were extended to the age of 72. In my view, a skilled tradesman aged 72 would be just as effective in his job as a director aged 72 would be in his. I see no valid reason for the omission of this uniform provision from our Bill and trust that members opposite will endorse my amendment.

Clause 131 was conveniently omitted from the Premier's explanation, but is an excellent clause as it seeks to control selfish directors, particularly directors of private companies who perhaps were the founders of those companies. Frequently such directors feel that, although they have converted a business to a limited company to obtain the benefits of limited liability and possible taxation concessions, they should behave as though they still own the company. Consequently, they are often found to have excessive entertainment allowances and excessive travelling allowances. Often they charge extraneous items to the company, such as food, gardeners' wages and domestics' wages, attempting to justify it on the ground that they always did this before the business was converted to a limited company. I trust that where a company is required to furnish an audited statement under this clause the auditors concerned will have the courage to examine efficiently all emoluments, direct and indirect, and to report them fearlessly. I would like to know, however, what powers an auditor would have, if placed in this position, to seek information from a subsidiary company if he were not an auditor of that subsidiary but an auditor of the parent company.

Clause 162 dealing with the better disclosure of accounts of public companies in particular is long overdue. The benefit of full disclosure must be felt by members of the Stock Exchange and investors, by shareholders interested in following a company's trends, by banks and by other credit-giving organizations. This is a great improvement.

Clauses 165 to 167 are helpful to the auditors on whom greater responsibility has rested over the past few years. I agree, however, that in a small proprietary company where all the shareholders agree to dispense with an audit it would appear to be reasonable. In practice, I believe that most proprietary companies will continue to have an audit not only because the shareholders would prefer it, but because a company without an auditor may be looked upon with some suspicion by bankers and other money-lending organizations.

It is pleasing to see that some attempt has been made in clause 184 to govern the ramifications of the financial transactions of a takeover. Normally, the shareholders have very little idea of the inside story and are often suspicious and amazed to find that the value of their shares, which yesterday was, say, £1 per share, have today, after a takeover, mysteriously increased in value to, say, £8. Negotiations of this kind are normally carried on under such stress and in such secrecy that injustice can easily be done and I trust that the clauses in the new Bill regarding takeovers will assist both sides in future transactions of this kind.

Clauses 198 to 215 give the power for a company to call a meeting of creditors to appoint an official manager and are new provisions. I suppport them because in the past companies have been in difficulties but not by any means necessarily insolvent or on their last legs, and the only alternative before the creditors was to seek the appointment of a liquidator through the court or to seek the appointment of a receiver and manager through the debenture holder. Somehow or other the appointment of a receiver or a liquidator seems to hasten the end of a company, because people immediately lose so much confidence that in nearly every case it is impossible for the person so appointed to carry on the company. The appointment of an official manager with the powers set out in this legislation could overcome much of this difficulty and thus the livelihood of many people can be protected. At present, creditors of a company are almost powerless to bring about a meeting of creditors or a meeting with the directors, if the directors or managment of the company try to prevent it. Clause 198 makes it clear that any creditor with an unsatisfied judgment against the company for a debt of not less than £250 can cause such a meeting of creditors to be called for the purpose of placing the company under official and presumably proper management, but not necessarily with the idea of

winding it up. In fact, on the contrary, the official manager would be appointed for the express purpose of keeping it going.

I think clause 292 brings the priorities for wages, salaries and commission into line with legislation that has been in existence in New South Wales for some years. The existing Act allows priority for white collar workers up to £50 and for other workers up to only £25. Why there should be a difference between the two types of remuneration we have never been able to understand. We are thankful that this distinction has been omitted from the Bill. The ridiculously small amounts of priority payments of £50 and £25 respectively have caused untold hardships in some of the major liquidations in the building industry and the electrical trade for which this State is now famous.

Clause 295 is a new clause that gives greater power to liquidators when the obvious trick of persons selling assets they own to a company at inflated values has been used. This is therefore a desirable provision.

Clauses 334 to 343 deal with investment companies. These clauses are new and, although investment companies are sometimes used to evade taxation, the fact must be faced that they do exist and that the present law permits them to continue. These clauses, however, place some reasonable control on these companies.

My one disappointment is that the Bill does not appear to make any provision in regard to companies that are widely known as "£2 companies". Widespread dissatisfaction has been expressed by investors and trade protection associations, but this Bill has ignored this particular problem. No doubt members are aware of the position where the shareholders pay in £2 as share capital and any other finance provided by them is put in on loan. Thus, when such a company gets into financial difficulties (as frequently happens) the creditors find that the directors are unsecured creditors along with them for the amount of their loan and share in any dividend. This is entirely unfair and our Act should provide that, in such circumstances, the loan account or advance account of directors should be paid after unsecured creditors in a liquidation. Such a provision would make directors of £2 companies much more careful in the way they administer those companies. This is a matter that could receive serious consideration at future meetings of the standing committee. I support the Bill.

Mr. COUMBE (Torrens): I support the second reading of this Bill which, in my opinion, sets out to unify company law and practice and consolidate the existing State laws that have been amended from year to year. It will, of course, apply to all Australian States and Territories of the Commonwealth when it is ratified by the various State Parliaments that have not done this already and when ordinances by the Commonwealth Government have been carried regarding the various Territories of the Commonwealth following on the various conferences held in recent years by Attorneys-General of the States and the Commonwealth.

The Bill is certainly a solid one; it contains 399 clauses and 10 schedules tacked on at the end, and takes up 353 pages. It is certainly the biggest Bill I have seen since I have been a member of this House and, in addition, some amendments are already on members' files. The concise précis given to members, which has proved invaluable, consists of 69 closely typed foolscap pages, so members can appreciate how big the Bill is. Although it is a dry subject for members to debate, it is nevertheless an extremely important measure because it touches on the everyday life of our business and mercantile community, so it deserves the closest attention we can give it.

I consider that the Bill represents the first serious and concerted attempt since Federation to achieve some form of uniformity in the law governing the incorporation and administration of companies throughout Australia. In recent years, with the increasing industrialization of the nation and the more severe impact of taxation (taxation laws have been tightened in many regards), many companies have spread to various States of Australia. Few major companies of any size are now confined in their operations to one State, so some uniformity of business administration has become an absolute necessity. Curiously enough—and my legal friends may explain this to me—the word "foreign" is still used to describe a company operating in a State other than the State of its incorporation, although it may be an Australian company. This can lead to confusion in the layman's mind.

There has been a big increase in the volume of money being raised by various types of company from the public by means of loans, debentures, notes and other issues. We have only to look at the many advertisements in the daily press to see how many companies are calling for capital and are floating issues, and

we can see from these advertisements the bait that is dangled in front of the investing public. Uniformity and protection on the types of prospectus issued are important, as more and more people are investing as a means of increasing their capital than was the case years ago. We now find that a different type of person is investing. More and more middle-class people are investing than was the case 20 or 30 years ago, when only people with much money and big institutions could invest in public loans, and I think this is a healthy sign. Because of this, it is most important that the law dealing with prospectuses should be tightened.

I listened to the criticisms of the Leader of the Opposition and, although I cannot comment on his foreshadowed amendment, I consider that his criticism was directed towards private companies and certain directors. This Bill deals mainly with public companies; private companies are certainly mentioned, but the greatest bulk of business is now carried out by large public companies. The directors of these companies carry out their duties on behalf of shareholders conscientiously. Also, they come up for re-election periodically (in two years or less) in the same way as members of this House come up before their masters for re-election.

We have waited a long time for this Bill and it will be welcomed by the business and legal professions. I understand that the legal profession and accountancy institutes have been consulted and have given this Bill their approbation. It represents a serious attempt to achieve uniform company legislation throughout Australia and this object has, in the main, been achieved. Of course each State has included, in its respective legislation, slight variations to suit its own needs and practices. For instance, Part XIII deals with certain private or family companies that are not included in the New South Wales, Victorian and Queensland Acts. However, these are minor variations and the great bulk of the Bill, and certainly all of the main and most important provisions, represent a uniform Bill that will fulfil a long-awaited need. The important point is that this House can vary this Bill although it is a uniform Bill. We have the power to vary any clause.

Mr. Fred Walsh: One or two States have done that.

Mr. COUMBE: New South Wales, Queensland and Victoria have made certain variations to suit their peculiar needs. As a matter of fact the Law Book Company of Australia has published a book dealing with the variations in New South Wales. In essence, this Bill represents uniform legislation and the variations contained in it are minor. This is essentially a Committee Bill and most of my comments will be made in Committee, but I wish to comment on one or two features. I sum up by saying the Bill has three main ideals—uniformity, protection and disclosure. Certainly, greater uniformity is provided to ensure that similar trading conditions may apply in each State and that is especially important where companies have offices in more than one State.

Another important aspect is that the Bill provides uniformity for the investing public, because many people invest in companies operating in other States. The same provisions will apply to trading shares, and the same type of prospectuses will be available. Similarly, the same conditions regarding audit, registration and inspection will apply. I believe that the added protection provided in the Bill will operate without unduly hindering legitimate business activities of a company; and that is important, because we must be careful to achieve uniformity and protection without unduly hindering legitimate business houses. Certainly, much protection is provided in this Bill for the investing public and for creditors. It certainly prevents and discourages fraudulent and undesirable practices.

Mr. Jennings: And it is nearly time.

Mr. COUMBE: Quite so. Also it offers protection to shareholders, directors, and for the companies against malpractices. In that regard I mention the special section where provision is made for take-over bids and take-over offers which protect a company against a "Johnny-come-lately" company, and it protects the shareholders. Certainly, the clauses dealing with share hawking and prospectuses have been tightened up to give the public more protection. As for disclosure, I have mentioned the main idea of the new provisions is to force more and fuller information to be made available not only to the Registrar of Companies, but to the public. This is especially important in some types of company, both from the annual balance sheet point of view and from the point of view of information to be given to the shareholders and the investors.

The information given in published balance sheets today, generally speaking, is of much greater value to the public than the information given in balance sheets only a few years ago. They were then put out in such a form that it

took a trained accountant to follow them and the average investor is not a trained accountant, and in many cases reserves could be concealed. Now, the average balance sheet published by reputable companies is far more readily understood. We now see a new form of balance sheet and that is all to the good, and I give full marks to the accountancy profession for introducing this type of balance sheet.

This measure can be regarded as a major Bill and it will certainly result in a complete Act—one not relying on other Acts for some of its powers. Another major Act that is a complete Act is the Commonwealth Income Tax and Social Services Contribution Assessment Act in the realm of company legislation. My only hope is that this Companies Bill will not lead to as much litigation as the Bill dealing with income tax. That certainly provided a feast for the legal profession. One effect on large companies will be the greater number of forms and paper work required for presentation to the Registrar of Companies. If a company carries on business in other States as well as in South Australia, as a foreign company it will have to fill in each of the numerous forms and send them to the Registrar in each State in which it operates as well as sending them to the Registrar in the State in which it is incorporated. Therefore, we can see that there will be quite a paper war carried on. It will be as bad as the Army.

On this doctrine of disclosure, a change will be required in the form of audit prescribed. At present an auditor has to state that the accounts present a true and correct view of the state of the company's affairs. Now it is proposed to use the words "true and fair". I believe this may well be brought about where directors desire to give a minimum of disclosure as required under the Act. They may certainly give the true and correct position, but the auditor may not think this is a fair view for the shareholders. I believe this probably happens more with small private companies than with large public companies.

Mr. Shannon: A variety of interpretations could be placed on the position by a variety of auditors.

Mr. COUMBE: That is correct. However, the words "true and fair" are used and, in addition we find that the secretary of a company will be required to make a declaration that the profit and loss account and the balance sheet are to the best of his knowledge and belief correct.

Mr. Shannon: I think that is the right wording.

Mr. COUMBE: I think it is, but one has been changed from "true and correct" to "true and fair" and in this case the secretary has to say it is "correct". I do not know what would happen if the secretary refused to make this declaration, but I should imagine that the Registrar would be on to him pretty quickly. In addition to that all the accounts of the company must be accompanied by a statement of the directors saying that, in their opinion, the balance sheet is drawn up to exhibit a true and fair view of the company's affairs. We certainly have a variety of statements that have to be made. Several clauses in this part of the Bill may not prove popular in some quarters because in some cases it is required that the emoluments and perquisites of the directors must be disclosed, showing salaries, travelling fees, rent and entertainment expenses. The genuine director will have nothing to hide, but in some quarters this may not be popular. I shall be interested to know after this law has been in operation for a year or two how much more information and revenue the Commissioner of Taxation will collect as a result of disclosures made.

There are some interesting new clauses in the Bill. For instance, clause 22 deals with the control of business names. There is an alteration here to past practice and further alterations may be made. Clause 38 deals with the protection of the public on the issue of prospectuses for share issues, and clause 60 tightens up the conditions regarding share premiums. The object appears to be to give greater protection to the investing public on the shares and money that they invest with a company—and I am talking now mainly of public companies because they operate through the Stock Exchange. These clauses are specifically designed to tighten up control and to give greater protection to the investing public.

The clauses relating to directors are interesting. I do not agree with some of the comments of the Leader of the Opposition in this respect because he was most disparaging about directors. No doubt he had in mind a small number of directors whereas most of them are genuine and look after the needs of the shareholders conscientiously. Clause 120 permits shareholders to remove directors from office more readily. Linked with that, by clause 121 a board is prevented from voting a director out of office, which is interesting.

Mr. Lawn: Do you believe in the secret ballot?

Mr. COUMBE: I am saying I agree with this. The honourable member may have misunderstood me.

Mr. Lawn: I did.

Mr. COUMBE: I am saying that a board of directors sitting at an ordinary weekly or fortnightly meeting cannot now vote a director out of office; the matter has to go to a shareholders' meeting, and that is right. It is the shareholders who should have the say. Clause 125 tightens up the position regarding possible abuses by directors and prevents loans to directors of public companies.

Mr. Lawn: Private enterprise would not indulge in these things, would it?

Mr. COUMBE: The next interjection will, I suppose, be "Gerrymander"!

Mr. Lawn: You would not have to encourage me on that.

Mr. COUMBE: Clause 128 prohibits tax-free payments to directors. These are good provisions. Clauses 143 to 148 give greater powers to shareholders to submit resolutions at annual general meetings.

From clause 162 onwards, more information is required. Clause 162 demands greater disclosure of information about a company's operations in its annual report and balance sheets. More information is required in the auditors' reports. Clauses 174 and 175 deal with the winding up of companies. There is a new section on procedures to be adopted and provision is made for liquidators to be appointed. I do not follow some of the clauses dealing with auditors—I am frank about that. Some of these clauses could be understood only by a legal expert like the member for Mitcham (Mr. Millhouse). They are involved and, in Committee, we shall perhaps have an explanation from an expert on these matters.

Part XII deals with untraceable shareholders. I cannot follow that. Can directors place certain moneys held on behalf of some untraceable shareholders in trust funds rather than hand them over to the Treasury under the "unclaimed moneys" provision? The last part of this massive tome is Part XIII, appropriately, and it deals principally with private companies that are peculiar to South Australia. This is where we part company, in some respects, with the provisions operating in other States. All private companies will have to be converted to proprietary companies. There is an important provision here as to avoiding the necessity of private companies' filing accounts with the Registrar. The Tenth Schedule, which is completely new, deals principally with take-over offers. It sets out the procedures to be adopted in such cases to prevent abuses by the purchaser or the bidder in taking over a company which, through no fault of its own, can be a sitting duck to be taken over by a large organization. Protection is provided here not only for the company but, more importantly, for the shareholders themselves.

In my opinion this Bill will fill a long-awaited need in the business and mercantile community of this State. It is well drawn, although I cannot follow some clauses; but, from purely a layman's point of view, I consider that the Bill is thoroughly presented to this House. It should work well. It will certainly be an improvement on the existing Act, which has been amended from time to time and is becoming most unwieldy. I commend the Attorney-General and the Assistant Parliamentary Draftsman for their part in bringing forward this Bill. I will comment no further now, but will have something to say in Committee as the clauses are dealt with. A balance has been achieved in this Bill between controls and regulations on the one hand (and there is an increase in the number of regulations and controls and the paper work involved) and the advantages of uniformity and consolidation on the other. The Bill will be welcomed by the community. It certainly has the blessing of the legal fraternity and the various accountancy institutions.

Mr. MILLHOUSE (Mitcham): This is one of the most formidable and bulkiest Bills to come into the House since I have been a member. It contains almost 400 provisions—four fewer than are contained in the present legislation. Most of the clauses are of so technical a nature that only a specialist in company law could understand their full meaning and significance. Despite the graceful compliment paid me by the member for Torrens (Mr. Coumbe) I do not claim to be such a specialist. The Bill's nature and size discourage debate and that close examination of legislation which is so desirable. Of course, that is probably truer of debate in this Chamber than in the Legislative Council, and I am somewhat surprised that the Government saw fit to introduce the Bill into the House of Assembly and not into the Legislative Council. I have always understood the general rule to be that a Bill is introduced into the Chamber of which the Minister primarily responsible for it is a member.

This Bill has been drawn under the aegis of the Attorney-General and one would have expected that he would have piloted it through the Legislative Council before it came here. Although I am always anxious to uphold the prerogatives of this Chamber as against the Legislative Council, I believe that on this occasion, because of the Council's smaller size, the presence of the Attorney-General, and the composition of its members, the Bill would more properly have been introduced there. As it is, it has been introduced here by the Premier; not by the Minister who represents the Attorney-General in this Chamber and who, incidentally, of all the legal practitioners here, is best fitted by his experience to handle this particular matter. I have no doubt that before we have finished with the 399 clauses his skill and wisdom will have been required in debate in this Chamber. One wonders at its introduction here, but one must accept things as they are, and I, as a very loyal supporter of the Government, certainly do not question it any further.

I do not propose to debate any of the provisions in detail, but one or two general matters regarding company law, and a couple of specific provisions, should, I think, be mentioned during the second reading debate. Running right through the Premier's second reading explanation—and, indeed, through all the talk, both here and outside in the last few months, and even years—has been the almost fanatical desire for uniformity: a fetish for uniformity, if I may coin a phrase. One wonders why, and whose idea uniformity was. No-one can argue against uniformity. I certainly shall not try. In itself, uniformity in this particular branch of the law is not a bad thing, but on the other hand I believe that in the second reading explanation the arguments in favour of uniformity went by the board. It may be of significance—certainly of interest—to members to know that despite all that has been said, thought and written about uniformity of company law in Australia, in the United States of America—which now has 50 States, and which has certainly the greatest concentration of industrial and commercial activity of any country in the world—there is no uniformity of company law. Perhaps the experience of the United States shows that uniformity is not quite as essential as the member for Torrens suggested in his speech.

Mr. Heaslip: We can pay too much for it.

Mr. MILLHOUSE: Yes. Are we going to achieve—

Mr. Coumbe: I do not think we are giving too much away.

Mr. MILLHOUSE: The honourable member is entitled to his opinion. Are we going to achieve uniformity of company law, or of any other matter which is still within the jurisdiction of the six State Parliaments of Australia? How can it be expected that six Parliaments—six Governments—made up of people with their own individual views and ideas, will agree on a measure containing almost 400 clauses? It cannot be done, it will not be done, and it has not been done in respect of this particular Bill. Already, as members know, there are variations between State and State, and as the years pass there will be many more variations. Even since this Bill was introduced by the Premier four weeks ago, he has put several amendments on the file. One is tempted to ask whether the Bill was uniform when he introduced it or whether it will be uniform with those amendments.

Of course, on this question of company law, it was, I believe, first intended at the time of Federation that company law should be a matter for the Commonwealth Parliament. If we examine section 51, placitum (xx), of the Constitution we find that one of the powers of the Commonwealth Parliament is related to "foreign corporations and trading and financial corporations formed within the limits of the Commonwealth." That power has been found defective. It has not been found possible to achieve uniformity through that power as was originally intended. I suggest that if uniformity is so important on this matter the only effective way of obtaining it is by reference of a State power to the Commonwealth Parliament pursuant to section 51, placitum (xxxvii), of the Constitution. I emphasize, in saying that, that I do not believe the time is ripe to make that reference. The present "uniform"—and I put that word in inverted commas—legislation will not, in fact, achieve uniformity. If anything, it possibly weakens the Federal structure by admitting the need for uniformity, and it demonstrates the incapacity of the States on their own to achieve it. If we find, as time goes on, that uniformity is so desirable and essential, then undoubtedly the power will have to be referred, and that will again give the Commonwealth Parliament one more power in the legislative arrangements of this country.

Mr. Hall: The States' laws will be more uniform than before.

Mr. MILLHOUSE: Yes, but as the member for Rocky River interjected a few minutes ago, we may be paying too high a price for it. We will see about that as time goes on.

Mr. Coumbe: The Bill is a definite improvement.

Mr. MILLHOUSE: Perhaps, and that is why I am prepared to support the second reading. I wonder why uniformity is so important and I wonder who thought up the idea of uniform companies legislation. I stress that what I am about to say now does not refer to our own Attorney-General. I suspect that he has simply had to go along with his colleagues from the other five States, but the whole thing looks to me like the work of a body of people who formed themselves into a committee and then looked around for something to do. I can only say again that matters that concern Australia as a whole should be within the purview of the Commonwealth Parliament, and those are matters, of course, upon which uniformity is desirable.

The SPEAKER: I hope the honourable member is going to discuss the clauses of the Bill. This is all a preamble.

Mr. MILLHOUSE: Yes, it is a brief introduction. Other things remain within the purview of the individual States. This legislation seems to be an attempt to cut across that principle—an attempt which does not even succeed. You, Sir, will be glad to know that there is only one other general remark I wish to make about this Bill.

The SPEAKER: Thank you!

Mr. MILLHOUSE: It concerns the drafting of the measure. As I understand it from the second reading explanation, and from other suggestions I have heard in recent months, this Bill has been drafted by Ministers of the Crown and their servants. In fact, the Premier set all this out in his second reading explanation, and it appears on page 864 of *Hansard*. I do not criticize the various Registrars of Companies, the various Parliamentary Draftsmen, or even the Attorneys-General themselves. I can only speak, of course, from personal knowledge of our own three members who had a finger in this company pie. They are of course, most competent and experienced people. The public servants must of necessity look at legislation from one point of view only, and that is the official point of view, and we find in this legislation—perhaps the member for Torrens (Mr. Coumbe) has noticed this, and perhaps he has not—that all the restrictions of the old Acts have been retained and a good number of other ones have been invented or imported. Penalties have been multiplied in number and severity, and fees have been increased enormously.

More important, none of those responsible for this legislation has, so far as I am aware, had any practical experience in the field of company law, and this is a very specialized field of law even for those already within the professions of law and accountancy. The drafting of the Bill—and I say this without reflecting personally upon any of those who have been engaged in this exercise—reflects the official outlook and the lack of practical experience which I have mentioned. Although I say quite frankly that I am not capable myself of faulting the drafting, I believe that it is, in some places, unclear and unhelpful. What, on the other hand, has been the position elsewhere? The Premier was good enough in his speech to refer to the help which the drafting committee had from the United States of America, the United Kingdom and elsewhere. He said, at page 864 of *Hansard*:

> The Ministers and their advisers have also had the advantage of considering the Model Corporations Act.

Who produced that? Not civil servants in the U.S.A., but the American Bar Association after many years of research. The Premier then went on to refer to the Cohen Committee and a number of other committees, ending with the Jenkins Committee on Company Law Amendment, the report of which was published only in June, 1962. It is significant that on the Jenkins Committee—the latest committee on company law—there was not one civil servant. Here are the names of those who were on the Jenkins Committee, besides Lord Jenkins himself, who is a Lord of Appeal in Great Britain: Mr. F. R. Althaus, Deputy Chairman of the Council of the Stock Exchange; Mr. E. A. Bingen, Deputy Chairman of Imperial Chemical Industries Limited; Mr. Leslie Brown, Secretary and Chief Investment Manager of the Prudential Assurance Company; Sir George Erskine, Director, Morgan Grenfell and Co.; Professor Gower, Professor of Commercial Law, University of London; Mr. W. H. Lawson, Partner, Binder Hamlyn and Co., Chartered Accountants; Mr. J. A. Lumsden, Partner, Maclay Murray and Spens, solicitors; Mr. K. W. Mackinnon, Bencher of Middle Temple; Mrs. Margot Naylor, Financial journalist; Mr. G. W. H. Richardson, Chairman, J. Henry Schroder Wagg and Co., vice-chairman, Lloyds

Bank; Mr. C. H. Scott, Partner, Slaughter and May, solicitors; Mr. Ron Smith—and this will perhaps interest members opposite—Secretary, Union of Post Office Workers; and Mr. William Watson, Treasurer of the Bank of Scotland. Those men are the sort of people who I believe should have had the responsibility of drafting any uniform legislation in Australia. I suggest that it is begging the question for the Premier—and I say this with extreme respect to him—to say that the Bill was neither hastily nor arbitrarily framed. The whole trouble is that it has been framed, I suggest, by the wrong people; it should have been done by those engaged in company activities and then commented on by officials, not vice versa, which is what we have had. In case members think that I am talking only for myself or for one or two people, I should like to refer the House to a resolution passed by the Council of the Law Society of South Australia as follows:

The Council brings to the attention of the Law Council of Australia the procedure currently being adopted to achieve uniformity of legislation among the States. While it is appreciated that political considerations may require the active participation of State Attorneys-General, the Council considers that appointments of committees composed exclusively of State Attorneys-General and the heads of the appropriate State departments is not the most satisfactory way of achieving this type of law reform. While such committees no doubt consult interested and informed sources, the council considers they should be more widely representative of those likely to be affected by their proposals and that such committees should include lawyers expert in the particular field.

With that resolution I respectfully agree. Having said all those things, I intend to support the second reading because I am afraid that the Government did not have much choice but to introduce it. No doubt Cabinet felt that if it had not been introduced South Australia would have been left out on a limb, because in some way or another all the other States have now done so. That being so, I suppose the Government thought that South Australia would be taking a risk not to follow suit. One can almost hear the Attorney-General pleading with his colleagues not to be let down in the eyes of his fellow Attorneys-General in the other States, mentioning—as I should like to do—all the hard work that has been put into the measure by Mr. Ludovici, the Assistant Parliamentary Draftsman, and pointing out that it would all be wasted if we did not have a uniform Bill. Of the 399 clauses there are only two specific matters left that I desire to mention.

Mr. Jennings: Why don't you go through them all?

Mr. MILLHOUSE: It is beyond my capacity to expound and beyond the capacity of the honourable member to understand the other 397 provisions, and I do not propose to go through them. Two matters relating to fees and penalties should, I think, be considered by the House before we go too much further in this matter. I refer now to the second schedule of the Bill, which is explained by the draftsman on page 68 of his explanation. I might add that I think it is a very good idea to have an explanation such as this for a Bill, and I hope that this will become standard practice in this House, especially when we have a measure of the complexity and prolixity of this particular one. The Draftsman explained that the schedule corresponds to the thirteenth schedule, as amended by regulation in 1958, of the South Australian Act, and that the fees in the schedule, representing an increase on the existing fees, have been brought into line with the fees proposed under the uniform Companies Bill.

That is what we can term a masterly understatement, if one compares the old thirteenth schedule, which was adopted in South Australia as late as 1958, not in 1934 when our own Act was introduced. With the uniform fees now proposed, what has happened, of course, is that to achieve uniformity the highest scale of fees in any of the States has been adopted. The highest scale is contained in the Victorian Act of 1958, which has served as the model for this uniform Bill, and all the other fees have been raised to that level. What do we find? If we have a look first at the fees laid down for the incorporation of a company, we find that if it has a nominal capital of up to £5,000 the present fee in South Australia is £13 and that will be increased to £20. If the nominal capital is up to £100,000, the present fee is £36 15s., and the new figure is £115. For nominal capital under £200,000, the present fee is £61 15s. and the new fee will be £165. For nominal capital under £500,000 the present fee is £91 15s. and the new fee will be £315. Under £1,000,000 the old fee was £141 15s., and the new £440. Under £5,000,000 the old fee was £500, which was the maximum under the present Act. Now, if the nominal capital is under £5,000,000, the fee will be £1,440. If the nominal capital is under £10,000,000 the fee will be £2,690. At present in South Australia we have a ceiling fee of £500. In future the sky is to be the limit.

We have a steep increase in the fees for companies incorporated outside South Australia. At present the fee is on a graduated scale running from £5 to a maximum of £25. In future if the nominal capital of a foreign company registered in South Australia is up to £10,000,000 the fee will be £1,345. This is an increase of £1,320 on the present maximum. That is uniformity! That is the price that some companies will have to pay. It is significant that already in Queensland the uniformity has been broken down and the fee on the lowest level of up to £5,000 has been reduced to £10. I have no doubt that as time goes on there will be other alterations. Before we glibly talk about advantages of uniformity we should look at these things to see what they mean to the commercial community, and through it to the people.

The other matter I want to mention concerns offences and penalties. Here again there are enormous increases in penalties that can be inflicted. In the new Bill we have what are called "default penalty clauses". In individual sections heavy penalties are laid down. I do not suggest for a moment that the penalties should be other than high where fraud, obstruction, misrepresentation and concealment are involved. Many of the offences punished now are the result of sheer inadvertence. Some of the details are revealing and I want to know before we allow this Bill to go through why it is necessary to increase the penalties so drastically in the name of uniformity. Let me give a few examples.

For the late filing of returns of allotments the present penalty is £20. The new penalty is £200, plus £50 a day default. For a company giving financial assistance for the purchase of its own shares the present penalty is £50. The new penalty is £500 or three months in gaol. For failure to register a charge within one month the present penalty is £20. The new one is £50, plus £10 a day default. For not keeping a register of charges and making entries in that register the present penalty is £20. The new one is £100, plus £10 a day default. In some cases the penalty is increased 20 times. For lateness in filing annual returns the new penalty is £100, plus £10 a day default. This is an increase from £5. For failure to sign minutes of a meeting no penalty is inflicted at present, but the penalty is to be £100, plus £10 a day default.

These are about the only matters I wanted to raise at this stage and I raised them because I hope members will take this legislation seriously and understand its full implications before giving our blessing to it in the name of uniformity. No explanation has been given why we should have these things. I have picked them out because they are not technical. Anyone can understand them, even I. As we go through the 399 clauses we should take due care of each one and not be carried away by our desire to achieve uniformity with other States.

Mr. HUTCHENS secured the adjournment of the debate.

IMPOUNDING ACT AMENDMENT BILL.

In Committee.

(Continued from August 16. Page 576.)

Clauses 2 to 5 passed.

Clause 6—"Penalty for allowing any bull, entire horse, or ram to be at large".

Mr. FRANK WALSH (Leader of the Opposition): I move:

In paragraph (*a*) to strike out "fifty" and insert "twenty-five"; and in paragraph (*b*) to strike out "twenty" and insert "ten".

These amendments have the same effect as those foreshadowed by the member for Burra.

Amendment carried; clause as amended passed.

Clause 7—"Liability of owner of straying cattle".

Mr. QUIRKE: I move:

To strike out "fifty" and insert "twenty-five".

This clause relates to penalties for allowing cattle to stray, particularly in a township area. I think the clause could apply to any beast that strayed by accident in a country town, and the penalty, therefore, is too severe.

Amendment carried; clause as amended passed.

Clause 8—"Repeal and re-enactment of the Fourth, Fifth, and Sixth Schedules".

Mr. QUIRKE: I move:

In paragraphs (2) and (3) of the Fourth Schedule to strike out "£1" and insert "10s."; and in the Fifth Schedule to strike out "£5" wherever occurring and insert "£2 10s. 0d.".

The amendments to the Fourth Schedule are in relation to fees for impounding stock. Members will note that I have not moved to amend the first paragraph of the Fourth Schedule, as I think it is necessary to have a ranger who receives considerably more now than rangers received years ago. Therefore, I do not disagree with the increase to £1 a head for impounding up to five large animals; I think this is reasonable. However, I think a fee of £1 a head in paragraph (2), which deals with goats, pigs, ewes, etc., is too high. These

remarks apply also to the amendment I have moved to paragraph (3), which deals with both large and small animals.

Where £5 is first mentioned in the Fifth Schedule, it relates to an entire horse above the age of two years. I think it is most unlikely that anyone would have an entire horse that would stray on roads. In view of the general plan of reduction in my amendments, I think the £5 should be reduced to £2 10s. in the case of entire horses, bulls above the age of two years and rams above the age of 12 months.

Amendment carried; clause as amended passed.

Title passed.

Bill reported with amendments.

EXPLOSIVES ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from August 28. Page 726.)

Mr. LOVEDAY (Whyalla): This is a simple Bill consisting of one main clause amending section 52 of the principal Act. The clause adds to the regulation-making power under the principal Act and inserts provisions for the regulating and controlling of the sale of explosives, the licensing of sellers of explosives, and the conditions upon which and the persons to whom explosives of any particular class or classes generally may be sold. Secondly, it provides for regulating and controlling the keeping or storing of explosives and the display of explosives in or about any premises or places whatsoever. It also provides for regulating and controlling the importation into the State of any explosives. Section 52 deals with the powers of the Governor to make regulations for several purposes. When the Act was first passed explosives were much weaker than they are now, and these extra controls are necessary in view of the changed nature of the power of explosives and the different uses to which they are put. Similar regulations are common in other States and in New Zealand and there is every reason why they should apply here.

It is worthy of comment, too, that we have no restriction on the sale of fireworks to young children and no power exists under the Act to regulate the handling and display of fireworks in shop windows where there is a serious fire risk. Need exists for that power to be incorporated in the Act under which regulations may be promulgated for the control of fireworks where that control is found to be necessary. No need exists for me to add much except to say that the need for these extra regulations is, in the main, due to the changed nature of the explosives and the use to which they are put.

On examining the Act, I noted that no licence was required for small quantities of explosives used for chemical experiments and not intended for practical use and sale. In view of an explosion that occurred recently at Canberra and others that have occurred at odd times where chemical experiments were carried out I question whether the Minister considered that when framing these amendments. Possibly, with advantage, this might have been added to the Bill and I submit that for consideration by the Government. Obviously, some danger exists to buildings near buildings in which chemical experiments are conducted and the Act does not provide for regulations to cover small quantities of explosives used for that purpose. I have pleasure in supporting the Bill, because no objectionable features appear in it. Its clauses are desirable and have my full support.

Mrs. STEELE (Burnside): I wish to make one or two comments on this Bill. I am glad to see it introduced. I have, on several occasions, raised this matter when people have come to me and expressed alarm at the lack of control over the sale of fireworks to young children. I am in accordance with their point of view. I recently introduced a deputation to the Premier on this matter as a result of dangerous fireworks used in certain ceremonies by newcomers to our country. This Bill gives the power to make regulations to control the sale of fireworks if that is considered nceessary. Only a few days ago I was rather alarmed because, in a children's playground near our house, some bigger boys were letting off large fireworks in the midst of young children who were terrified. This matter is urgent and some form of control as envisaged by this Bill will be welcomed.

Mr. LAUCKE (Barossa): I agree with the provisions of this Bill, which seeks to add to the present regulation-making powers under the principal Act. I refer to one aspect of setting off fireworks. In rural areas, where we have an excellent system of combating fire through emergency fire services, I hear continually recommendations for the prohibition of the use of fireworks during the fire danger part of the year. At a recent meeting at Freeling, at the Lower North fire-fighting association's annual meeting, a resolution was passed that the Chief

Secretary be requested to ban the use of fireworks from October 1 until March 31. I appreciate that a general ban on fireworks would be undesirable but, under the provisions of either the Explosives Act or the Local Government Act, a certain council should be empowered to set a period during which fireworks might be exploded in a given area. This is a big problem, but it seems to me rather silly that every effort is made to avoid fires in rural areas at certain times of the year yet there is allowed the indiscriminate firing of rockets, which constitutes a major fire menance.

Mr. Hall: Do you think it would help if the fire ban period were brought forward a month?

Mr. LAUCKE: It might. If certain councils were empowered to ensure within their area that the firing of fireworks was permitted only at a certain time of the year, we should go a long way towards helping to reduce fires and not impose the ban generally on the whole of the State. We should do a great service by giving councils the power to say that fireworks should be prohibited within their areas for a specified period of the year to protect crops and pastures generally.

Mr. Hall: Uniformity would be a good thing?

Mr. LAUCKE: It might. Uniformity is the ultimate objective, but, to move along the right road towards uniformity, certain specific areas could be a start. I support the Bill.

Mr. HUTCHENS (Hindmarsh): I support the Bill. The member for Barossa has impressed me with the need for it. As a metropolitan member, I draw attention to the various types of fireworks used in all parts of the State, and in particular to one known as a plastic-nosed rocket. Last November my attention was drawn to the use of these and, if a person was unfortunate enough to be struck on certain parts of the body by one of these spent noses, it would render him practically insane or would injure him severely. Therefore, this Bill is timely and should be supported by the whole House.

Mr. CASEY (Frome): I, too, support the Bill and agree with the member for Barossa entirely. To achieve uniformity in fireworks, we could learn a lesson from New South Wales in particular. This matter first came to my notice in the early part of the Second World War when I was travelling on a troop train and noticed many bonfires in New South Wales. It was about Commonwealth Day, which New South Wales celebrates. It is equivalent to our Guy Fawkes Day celebration in South Australia, which occurs at the time of our greatest fire hazard. I live seven miles from a town and we do not celebrate Guy Fawkes Day as we should like to because of the fire risk involved. It restricts the use of fireworks, which are, in effect, explosives. Sky rockets and the like have to be prohibited.

Mr. Laucke: There is a personal prohibition on your property?

Mr. CASEY: Yes, I do that on my own account because the risk is too grave. Over the years we have discovered that fires are started each year through Guy Fawkes Day being celebrated at the time of the greatest fire risk. It should be emphasized to the general public of South Australia because we do not want grass fires starting, which may easily lead to houses being destroyed and even cause a bush fire. Perhaps, through the medium of the newspapers, the general public could be influenced to consider this problem and we could try to impress on the public the advantages to be gained from celebrating Commonwealth Day rather than Guy Fawkes Day. It would be in the interests of the State as a whole. For some years I have felt strongly about this.

Mr. QUIRKE (Burra): I am rather concerned with the availability of gelignite, detonators and fuses. At one time one could go into a general store in a country town and buy all of them; now it is more difficult to do so. However, it should not be too difficult to obtain them. After all, they are the best workmen when a hard job is to be done. They are not required in large quantities. One does not want a box of detonators. Usually three or four only are required. However, they are difficult to obtain. At Clare, the council keeps them in its powder magazine and a person has to order his requirements well in advance. No-one wants more than are required for an immediate task, because if they are not used promptly they become sloppy and must be destroyed. When regulations are made I hope that it will be borne in mind that explosives are valuable in the country areas and that those who use them are familiar with them and do not endanger themselves. I should not like it to become almost impossible to obtain gelignite and detonators in small quantities. Perhaps permits could be issued, but a person should not have to travel miles or wait for days to get his requirements.

Mr. RICHES (Stuart): Members have indicated that they favour some control over the sale of explosives and the sale and use of fireworks. I would prefer the controls to be stipulated in the Bill rather than leaving them for regulations. The Minister could have taken the House into his confidence and indicated what controls were envisaged so that we could express an opinion. The Minister is asking for a blank cheque, as it were. The department will draw up regulations that will become law before we see them. Why could not some of these provisions be included in the Bill so that they could be debated? We should know whether the controls go far enough or, perhaps, too far. There is a growing trend by the Executive to take too much power unto itself.

Mr. Hall: We have another say on the regulations.

Mr. RICHES: Yes, after they become operative.

Mr. Hall: That is only a short period.

Mr. RICHES: It could be a short period, and it could be 12 months. It all depends at what stage of the year they are gazetted. However, that does not alter my point. What harm would it do to place such provisions before Parliament in the first instance? Most Parliaments would require that to be done. The public has been asking for control over the sale and detonation of fireworks for a long time, but what does this Bill offer them? Nothing! They are told that someone will be given the right to gazette regulations if he so desires at some future time. No-one knows what the regulations will provide. The regulations will become law before the House sees them. Some more positive action should be taken. The Minister did not indicate what form the regulations might take or what control it was intended to exercise. We do not know whether any of the suggestions put forward in this debate will be considered when the regulations are finally drafted.

Mr. FRED WALSH (West Torrens): I agree with the previous speaker. The Minister has not fully explained what the Bill intends. That has been left to conjecture. I agree that a great need exists for control over the storage of explosives. In recent years people with ill intent have been able to break into places where explosives are stored—in nearby quarries in the Adelaide Hills—and steal gelignite which they have used for house-breaking purposes. Obviously, the locks on the containers in which explosives are stored are easily picked. Those responsible for storing the explosive used in quarrying and mining should take greater care to ensure that it cannot be taken by persons who seek it for illegal purposes. It should be simple for the authorities to control this. I believe that power to do so already exists, but apparently it has not been availed of.

It would be useless to suggest that children should be restricted in using fireworks on November 5. Long before we were born, and long after we are dead, children will be using fireworks on November 5. What is meant by the control of fireworks? Will controls be imposed on November 5? It is difficult to understand why we celebrate that date but I suppose it is a matter of custom. Today's children get just as much pleasure out of Guy Fawkes Day as we did when we were young. One difficulty is that parents do not exercise proper control, and no matter how we legislate we cannot alter that situation. I believe greater control should be exercised over the people who sell fireworks and over the type of fireworks sold. The Minister, in his reply, should indicate what the Government has in mind by way of restrictions so that we can be better informed when we discuss the clauses in Committee.

Mr. SHANNON (Onkaparinga): I think this is one Bill for which regulation-making power is essential. Many contingencies will arise as a result of this legislation and will need to be taken care of as time goes on. Giving the Executive power to make regulations is not a novel departure; in fact, it is a very old procedure, and one which is frequently adopted in just such cases as this. It does not relieve Parliament of its obligations to investigate all matters thoroughly, if necessary, and to pass resolutions disallowing regulations which we do not like. We have ample time to do that in all cases. Although the member for Stuart (Mr. Riches) suggests that a regulation could be promulgated when the House was not in session—and we know that that does happen—as soon as the House meets again that regulation has to remain on the table of the House for 14 sitting days in order that the House will have an opportunity of reviewing it. Further than that, this House has taken the precaution of setting up the Subordinate Legislation Committee to examine all these so-called inferior legal enactments.

One thing that concerns me is the question of the storage of explosives. The member for West Torrens (Mr. Fred Walsh) raised a very

good point. It is much too easy for manufacturers to store explosives that are not adequately protected. Worse still, it is sometimes possible for juveniles to become obsessed with these lethal weapons. If a juvenile happens to get hold of a detonator, as we know for a fact juveniles do, not knowing the destructive force, and wishes to discover what sort of a bang it makes, he can lose not only a hand but sometimes his life as a result of his inexperience in this field.

Mr. Riches: How do you know that anything is going to be done?

Mr. SHANNON: Since the member for Stuart and I came into this House in 1933, we have both been guilty—if guilt it be—of passing many Acts of Parliament which provided for putting into force legislation enacted by regulation. We have sometimes disapproved of some of the regulations passed under legislation that we have carried. Of course, in most instances we trust the people to whom we delegate authority in this respect. I think that mainly departmental officers will be charged with the responsibility of acquainting the Minister of whether something untoward is taking place as a result of insufficiently stringent regulations dealing with the storage, sale, or importation of these explosives.

The member for Hindmarsh (Mr. Hutchens) made a point about the plastic-nosed rocket. I am not certain of this, but I believe that this rocket has already been banned. It is a very dangerous rocket, one which could cause serious injury, and I believe that the traders are not now selling it. Quite apart from that, the most lethal of all is the explosive used commercially, for that explosive can kill a person if he is not knowledgeable in the matter, and, of course, these young people are not. I support the Bill largely on the assumption that we have a Minister who will implement the desires not only of Parliament but of outside authorities. We have had expressions from people outside of Parliament on this matter. As the member for Barossa (Mr. Laucke) said, during the bush fire season we run the risk of unnecessary fires occurring. One of these rockets could land in a field and could quite easily set a crop on fire. Those are matters which should be left to the authorities charged with the administration of this legislation, for they could look at all the aspects. I think that finally Parliament will have a say. If there are things which we think are not done by regulation and should be done, we can draw attention to them, for we shall have ample opportunity to do that.

Mr. JENNINGS (Enfield): I support the Bill. In doing so I endorse the remarks of the member for Frome (Mr. Casey) who said that we should do our best to alter our annual fireworks day from November 5 to a more suitable period of the year because of the fire hazard involved. I think that should be done for reasons which I consider to be much more important. As members know, fireworks have been associated throughout the centuries in all parts of the world with celebrations. Now, Sir, we in South Australia certainly have no reason to celebrate November 5, because on that date the Playford Government was first elected to office.

The SPEAKER: Order!

Mr. JENNINGS: November 5 should not be associated with any kind of celebration, but instead should be a day of State mourning. I support the Bill.

Mr. HALL (Gouger): I support the Bill, having full confidence that it will be administered well and that the Minister will see that its provisions are carried out properly. The member for Onkaparinga (Mr. Shannon) has pointed out the reasons for regulations much more effectively than I could do. Occasions may arise between sessions of this Parliament when novel explosives are imported into this State and novel situations may arise because of big construction projects, and therefore the ability to regulate these various matters without having to consult Parliament until a later date becomes a necessity, otherwise serious accidents could occur through the lack of power of supervision.

I agree with the remarks of the member for Barossa (Mr. Laucke). This matter of local control should be the concern of local government. In some areas November 5 is not a dangerous time, whereas in other areas, as the member for Frome (Mr. Casey) pointed out, it is a most dangerous time. Therefore, we should rely on the common sense of local government to administer its own area. The whole of the State should not be restricted for the benefit of certain areas. I hope the pleas raised here by several members, particularly by the member for Barossa, will at some time be acceded to, and that local government will have its say on whether or not fireworks should be let off in a dangerous fire period. I therefore support the Bill.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—"Amendment of principal Act, section 52".

The Hon. D. N. BROOKMAN (Minister of Agriculture): The Bill provides for regulation-making powers. Some of the powers that will be used will be for the control of the sale of explosives for either unlawful or capricious purposes. Some people use explosives for nothing more than what might be called vandalism or tomfoolery. Power will also be used to effect a stricter supervision of storage and to ensure the ability to trace batches of explosives that are deteriorating and which, if indexed and recorded, can be known to the authorities. There are matter such as fireworks for use by organizations, expert rather than general use, and the importation of explosives. Recently another State kept from its shores ammunition dating back to the First World War. Some of it came to South Australia and had to be disposed of by the department by negotiation, as it were, because it was not safe. Other States have stricter powers than South Australia, and they have regulations about the age of young children using fireworks, the amount of fireworks to be stored in windows, and the position of fireworks in windows so as to prevent them from igniting through the rays of the sun. The department has made many regulations since I have been Minister. On no occasion has the Subordinate Legislation Committee queried a regulation, nor has any member of the public, except in one instance when I made a full investigation after hearing a complaint. In my opinion the regulation was absolutely right, and it was supported.

All States join annually in having conferences of Directors of Explosives. Our Director is one of the most dependable members of the Public Service. He has not let us down in any of his recommendations and is highly regarded throughout Australia. New Zealand also takes part in the conferences. I assure members that there will be no silly use of this power. If we wished to describe in the measure what exactly could be done a tremendous amount of drafting would be necessary. I do not think members want to go into detail about everything involved.

Clause passed.

Title passed.

Bill reported without amendment. Committee's report adopted.

ADJOURNMENT.

At 10.04 p.m. the House adjourned until Thursday, October 4, at 2 p.m.