

HOUSE OF ASSEMBLY.

Wednesday, October 23, 1963.

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

QUESTIONS.**BRIGHTON HIGH SCHOOL.**

Mr. FRANK WALSH: Recently I read a press report that the Vice-Principal of the Brighton High School had caused rubbish tins to be emptied and then had instructed children to clean up the rubbish. I understand that the Minister of Education said he would inquire into those allegations. Has he anything to report?

The Hon. Sir BADEN PATTINSON: Following publication in the *Advertiser* and the *News* last Friday of complaints by parents that the Vice-Principal of the Brighton High School (Mr. V. C. Rose) had deliberately emptied or caused to be emptied rubbish bins on the school grounds and then had made the students, both girls and boys, pick up the rubbish with their bare hands, I have carefully considered several reports received from different sources. Although accounts vary as to what actually occurred, and opinions differ as to the wisdom of the Vice-Principal's engaging in this unorthodox disciplinary exercise, I have full confidence in his zeal, integrity and devotion to duty. However, I have been closely associated with this fine school since its inception, first as member for Glenelg and later as Minister of Education, and I am extremely proud of its excellent reputation established by the first Principal and Vice-Principals, Mr. S. L. Tregenza (since retired), Mr. J. G. Goldsworthy (now Principal of Plympton High School) and Miss Shirley Harris (now Principal of Adelaide Girls High School), and other leading educationists who have been employed there. In the firm belief that its good name will be fully maintained and even enhanced in the future, I consider that it will be in the best interests of the school if this recent unfortunate incident is quickly forgotten by all concerned.

DECENTRALIZATION.

The Hon. B. H. TEUSNER: The Government has from time to time granted concessions to help establish new industries in this State, particularly in rural areas. I believe that many councils would be prepared to grant rate concessions in order to attract industries into their areas if they had the power to do

so. Will the Premier say whether the Government will consider amending the Local Government Act so that councils will be empowered to enter into agreements with industry on rate concessions if that is considered to be in the interests of decentralization?

The Hon. Sir THOMAS PLAYFORD: The Government has carefully considered what steps can be taken by it or by other authorities to attract industries to country areas. There is no problem in the honourable member's suggestion, except that the amounts paid as rates are so small that they do not really have any bearing on attracting an industry. The main factor in the location of an industry is the cost of transportation. Whether an industry would have to pay £50 in rates or no rates at all would have little bearing on where it goes. I do not think there would be any avenue here that could be followed usefully.

PUBLIC RELIEF.

Mr. CLARK: Yesterday I received two letters about a matter which, if it has not been brought to the attention of other members, I am sure will be brought to their notice before long. Recently the Commonwealth Government saw fit to increase widows' pensions, and most widows and deserted wives (who may be classed as widows) were jubilant. However, as is verified by the letters, the Children's Welfare and Public Relief Department has seen fit, as a result of this increase, to inform these widows that payments formerly made to the Housing Trust for their rent would not now be made, and that they must make the payments themselves. This is a sort of Irishman's rise.

The Hon. P. H. Quirke: It is a Scotsman's rise.

Mr. CLARK: They get it in one hand from the Commonwealth Government, and the State Government takes it away from the other. I am not sure whether this action is Government policy, although I find it hard to believe it is. If I give the Premier the two letters, will he investigate the matter?

The Hon. Sir THOMAS PLAYFORD: This matter has received the attention of the Government, and the action was taken after the Children's Welfare and Public Relief Department had consulted it. We have been making payments to assist people in necessitous circumstances and from time to time the Commonwealth Government has increased pensions of one type or another. This has led to serious anomalies, one being that a pensioner with a

wife and two children has been getting less than a widow with two children. At the other end, our assistance has grown to the extent that many people have been getting a sum much greater than the basic wage; on the other hand, many people have not been getting any pensions from the Commonwealth Government and their relative position has become much worse. For instance, a deserted wife gets no pension from the Commonwealth Government until, perhaps, six months has elapsed, when she may be accepted as a widow and be given a widow's pension. The Government considered that it did not want to make any savings on the relief that it was paying, but that it wanted a table drawn up to spread its relief benefits more equitably. Therefore, although the honourable member can quote a case with no increase arising from the Commonwealth's additional money, the fact is that people who are not getting a pension have received as much as £3 a week more as the result of the equalization that has taken place. I would not want the honourable member to think that this Government was taking advantage of the increased payments from the Commonwealth by reducing the amount of its support. If the honourable member lets me have the details I shall investigate these matters.

FERTILIZER BOUNTY.

Mr. FERGUSON: On several occasions I have said something about research work by the Agriculture Department on the southern part of Yorke Peninsula. Many cereal growers are privately carrying out experiments with various fertilizers. Among the various brands used is Woollana fertilizer, which some growers claim promises beneficial results and consider could be used to advantage in developing 200,000 acres in this locality. Can the Minister of Agriculture say whether the £3 superphosphate bounty applies to this fertilizer.

The Hon. D. N. BROOKMAN: This matter has received much detailed attention, but I prefer to get a full report before I reply.

HOUSING FOR AGED PERSONS.

Mr. BYWATERS: Recently when I asked the Premier a question regarding the housing of single people, such as widows and spinsters, I said that some elderly women who could not, for certain reasons, get housing through the Housing Trust lived in Murray Bridge. Has the Premier a report on this matter?

The Hon. Sir THOMAS PLAYFORD: The Chairman of the South Australian Housing Trust reports:

The demand for houses built by the Housing Trust under the Country Housing Act for such as pensioners, married couples, widows and deserted wives with children has been such that it has so far not been possible to let the houses to single people. However, in some country towns it has been possible for the trust to accommodate single women and widows at low rentals in small houses built by the trust under its ordinary rental scheme. It is obvious that the trust is not in a financial position to meet the housing requirements of everyone in need of what may be called "social housing", particularly as the trust is not eligible for the Commonwealth subsidy of £2 for every £1 of capital expenditure towards housing of aged persons. If, however, any religious or charitable organization, with the aid of the Commonwealth subsidy, in any part of the State, is in a position to build accommodation for these people, the trust will be only too willing to assist by providing land at cost price, by making available its plans for cottage flats or other low cost housing, and by placing and supervising contracts on behalf of the organization.

GOODWOOD ROAD.

Mr. MILLHOUSE: On October 1 the Minister of Works tabled the annual report of the Garden Suburb Commissioner, which at page 3 states:

Regular maintenance of the Colonel Light Gardens bus route on Goodwood Road, with funds subsidized by the Commissioner of Highways, costs £934 1s. 7d. The Garden Suburb portion of the cost was shared by the Corporation of the City of Mitcham, as Goodwood Road is a boundary road for most of its length.

The next sentence is the operative one:

The Commissioner of Highways is still unable to advise when assistance may be available for necessary construction.

The state of Goodwood Road has caused the Leader of the Opposition and me much concern, as it is our common boundary. The tram tracks that ran alongside the road, through a plantation, have now been pulled up and the place is a mess: it is dusty and untidy. Goodwood Road carries much traffic, and there is no doubt about the need for the entire reconstruction of this road, particularly through the Garden Suburb. The Commissioner has drawn attention, as he has in previous reports, to the fact that the Commissioner of Highways has not yet been able to say when assistance will be made available for its construction. Will the Minister of Works refer this urgent matter to his colleague, the Minister of Roads, in the hope that something will be done speedily to reinstate (indeed, to reconstruct) this part of Goodwood Road?

The Hon. G. G. PEARSON: Yes.

WHYALLA LAND.

Mr. LOVEDAY: In the *Whyalla News* on Tuesday of this week is an announcement of the sale of land in Whyalla by the Lands Department. Part of the land is situated on the old aerodrome, and four sites in Gowrie Avenue have been released to the Housing Trust at a cost of £350 a site for private dwellings. I have previously drawn attention to the high prices charged by the Lands Department for residential blocks in Whyalla. Last time I raised this matter residential blocks were selling for £340 to £380, but the prices were later reduced. Apart from the four sites in Gowrie Avenue, the land includes two sites on the old aerodrome, one of three acres in Rudall Avenue with an upset price of £6,000 with a view to the erection of a motel to cost at least £20,000. An area of two acres has been car-marked as a St. John Ambulance site, and has an upset price of £1,540 with a minimum building value of £10,000. The old aerodrome of about 640 acres was obtained at £10 an acre from the Broken Hill Proprietary Company Limited, so that on the sale of those two sites the Lands Department would more than recoup the cost of the whole area. It has been suggested that the reason for the high prices has something to do with the construction of roads, but it is hard to believe that the cost of roads for those areas would be high. Will the Minister of Lands investigate this matter, as the upset prices appear to be excessive in this area, and would retard development in Whyalla?

The Hon. P. H. QUIRKE: I will have the matter investigated and bring down a report for the honourable member next week.

AGRICULTURAL SCIENCE SCHOLARSHIPS.

Mrs. STEELE: Some time ago I asked the Minister of Agriculture a question regarding the eligibility of women to participate in the agricultural science scholarships offered by the Government. Has he a report?

The Hon. D. N. BROOKMAN: In reference to cadetships for women students, the Director of Agriculture reports:

I forward herewith a statement indicating that there is no barrier to women students being admitted to the course leading to the Bachelor of Agricultural Science at the Adelaide university. Positions to which women graduates could be appointed in the department with the existing establishment and with the expansion which will occur in future are also indicated.

Advertisements and circulars relating to the award of cadetships in 1964 have been phrased

so that they do not exclude applications from women students. In the event of there being a female candidate of equal qualifications to the best of the male candidates, I see no reason why one female cadet should not be appointed to commence the course in 1964.

I go a little further myself: there is no arbitrary limit on the number of cadetships that may be granted to women, although at present it appears that one would be all the department could provide for. However, no definite limit is to be placed on women cadets, and applications from them will be as welcome as those from male cadets.

GRAPE PRICES.

Mr. CURREN: On October 2 I asked the Premier a question about wine grape prices and the availability of the Prices Commissioner's report at an early date. In his reply the Premier said:

I think every member realizes that the prices that can be realistically fixed for grapes depend to a certain extent on the size of the vintage, so it is difficult to get the prices out a long time ahead.

In previous recommendations from the Prices Commissioner the guiding principle has been the ability of the winemakers to pay prices. I have been requested by the executive of the Upper Murray Grapegrowers Association to ask the Premier to clarify that quotation from his reply. Is a new principle to be brought into the price fixing.

The Hon. Sir THOMAS PLAYFORD: I will examine the question and reply later.

AGRICULTURAL ECONOMICS SCHOLARSHIPS.

Mr. McANANEY: Has the Minister of Education a reply to the question I asked on October 3 about whether scholarships in agricultural economics could be tenable in Adelaide rather than in the University of New England?

The Hon. Sir BADEN PATTERSON: As promised, I referred the honourable member's statement and question to the Vice-Chancellor of the university, and I have now received his report, which reads as follows:

It is now possible for a student who is enrolled for the degree of Bachelor of Economics in the University of Adelaide to do specialized work in agricultural economics as part of his course. Indeed, we have a small unit within the Department of Economics which has performed important work in agricultural economics. Students who wish to specialize in the policy and the statistics of agricultural economics would be better to enter this university than the University of New England.

The University of New England, however, operates a farm and students who wish to specialize in farm management as a branch of agricultural economics would be better off in that university than in this. In general, I think that Mr. McAnaney's estimate of the situation in the different universities is correct, but it would be far more costly to establish here the kind of work done in Armidale than to send scholars to New South Wales who need to study the specialities of that State.

WALLAROO WATER SUPPLY.

Mr. HUGHES: Has the Minister of Works a reply to my recent question about the discolouration of water at Wallaroo?

The Hon. G. G. PEARSON: The Engineer-in-Chief has reported that the discolouration is due mainly to the increased flow in the mains which always occurs at about this time of the year when the weather becomes warmer. This increased flow has the effect of stirring up sediments deposited in the main during periods of little flow during the winter. With a full reservoir at Bundaleer, the opportunity has been taken to carry out a full flushing programme on mains at Wallaroo and it is expected that the discolouration will be of short duration, and the water will be normal again in a few days.

WATER CONNECTIONS.

Mr. HUTCHENS: I have noticed that recently the Engineering and Water Supply Department is replacing the galvanized iron connections from the water mains in the old services and in some comparatively new services. Can the Minister of Works say whether this is being done for economic reasons and whether it is to be universal practice?

The Hon. G. G. PEARSON: The changeover to copper service pipes will in future be standard practice throughout the State. This was decided after a long and exhaustive examination of the economics involved. As the honourable member knows, the department is obligated to maintain the service from its mains to the consumer's meter and to maintain the meter; thereafter the consumer is responsible to maintain the internal service. Many services have to cross streets and long lengths of pipe are involved, as well as the serious problem of disturbance of street surfaces when service pipes are renewed. The high labour content involved in the renewal of services had also to be considered. After these factors, as well as the number of services that the department had to maintain, had been considered, it was decided after exhaustive investigation that it would be good economics to replace all iron

services with copper. That is being done progressively. Old services that cause trouble are invariably replaced with copper. A general programme is being carried out, and this probably accounts for some comparatively recent services being changed over. The department hopes to save money and to maintain better services to the consumers by the adoption of this method.

CHOWILLA DAM.

Mr. HARDING: On July 25 I asked a question about the proposed Chowilla dam, particularly about the salvaging of red gum timber in the area to be inundated. I am sure that all members were delighted to read a press report indicating another forward step in the establishment of this dam. Has the Minister of Works anything further to report on this huge undertaking or can he add anything about the salvaging of the valuable red gum timber growing on the South Australian part of the dam site?

The Hon. G. G. PEARSON: Yesterday I gave notice of my intention to introduce two Bills relating to the Chowilla dam and to the River Murray Waters Agreement. I hope to explain the Bills within a day or two. I was pleased to read that the Commonwealth Parliament is dealing with this matter: this will enable our legislation to proceed without causing any problems. The red gum timber, as the honourable member has implied, also exists in areas outside of South Australia. It will be several years before the dam starts to fill and before the South Australian timber is threatened, so there is ample time to take any necessary steps. I have not recently discussed with the Engineer-in-Chief any specific proposal for the salvaging of this timber or for the calling of tenders for cutting it within the area to be inundated. I will take up the matter again with him to see whether he has crystallized his ideas in that regard.

BORING PLANT VEHICLES.

Mr. BURDON: As most vehicles used by private boring plant operators are used solely to provide a service for primary production, will the Premier take up with the Registrar of Motor Vehicles the question of these vehicles, whether they are trucks or tractors and when they are used solely for the haulage of boring plants, being considered for registration purposes on the same basis as vehicles registered for primary production?

The Hon. Sir THOMAS PLAYFORD: I will have the matter examined.

PORT PIRIE AIR POLLUTION.

Mr. McKEE: Has the Premier a reply to a question I asked last week regarding the findings of the Mines Department on air pollution at Port Pirie?

The Hon. Sir THOMAS PLAYFORD: The Director of Mines reports:

Systematic collection of samples of air and atmospheric fall-out have now been carried out over a period of eight months. The air samples are taken at several sites throughout the town for one week each month. Instruments have also been set up to collect fall-out dust continuously. To date none of the samples, either of air or fall-out, has shown an objectionable condition. It is evident that if the concentration of fume in the atmosphere does reach the objectionable limits, then it must be for such brief periods that the present sampling procedure fails to reveal it. It is now proposed to install a continuous sulphur dioxide recorder so that a complete record of the fume concentration at a particular point will be available. Significant results from this equipment will not be available for six months.

TIME CLOCKS.

Mr. LANGLEY: Recently I asked the Premier whether it was compulsory to have a time clock installed in a house which has off-peak water heating. Has he obtained a report on this matter?

The Hon. Sir THOMAS PLAYFORD: Mr. Huddleston (Assistant Manager of the Electricity Trust) reports:

Under normal circumstances it would be compulsory for time clocks to be installed for use with the off-peak water heating tariff since these are necessary to enable the particularly low tariff rates to be applied. In recent years, however, it has not been possible to obtain the full number of time clocks required, and rather than deprive consumers of the advantages of the tariff installations have been made without clocks. When sufficient clocks can be obtained they will be installed.

WINE SALES.

Mr. FREEBAIRN: A report in today's *Advertiser*, headed "Threat over S.A. Wines", states that the New South Wales Wine and Brandy Producers' Association has threatened to withdraw its products from sale by Canberra licensed grocers if they continue selling certain South Australian wine. This appears to be a restrictive trade practice operating to the detriment of the South Australian wine industry and, as I represent an important wine-producing district, I ask whether the Minister of Agriculture will investigate this report?

The Hon. D. N. BROOKMAN: I will ascertain the full details concerning this matter.

NARRUNG ELECTRICITY EXTENSION.

Mr. NANKIVELL: Has the Minister of Works an answer to the question I asked recently concerning progress being made on the electricity extension on the Narrung Peninsula?

The Hon. G. G. PEARSON: Yes, the General Manager of the Electricity Trust reports that work has started on this extension and about 300 poles have now been erected. The contract provides for the work to be completed by July, 1964, but the contractor is at present behind schedule. The trust is endeavouring to arrange for the work to be speeded up, but the target date is now unlikely to be met. This extension is large, and connections will be made progressively to applicants, depending on their location in relation to the progress of the work. However, it is not possible at this stage to give a firm indication of when these connections can be made.

IRRIGATION PUMPING COSTS.

Mr. BURDON: Several weeks ago I asked the Premier a question concerning the possibility of extending the hours of the low tariff rate for irrigation for dairy farmers. Has he a reply?

The Hon. Sir THOMAS PLAYFORD: The Chairman of the Electricity Trust reports:

Low rates for power used at night depend on the fact that this is an off-peak period and some generating plant would be otherwise idle at this time. It is not possible to alter the application of off-peak charges from 9 p.m. to 7 p.m., because the normal evening load extends well beyond this time.

NARRUNG WATER SUPPLY.

Mr. NANKIVELL: Recently I wrote again to the Minister of Works seeking information on the progress being made with the planning of the water scheme for the top end of the Narrung Peninsula. Can the Minister say what is holding up this report, and will he bring it down as soon as possible?

The Hon. G. G. PEARSON: Yes, I will do so as soon as possible.

SEPTIC TANKS.

Mr. CLARK: Recently in a question I referred to the difficulties associated with the Housing Trust area at Evanston, just south of Gawler. Has the Premier a report from the Housing Trust on this matter?

The Hon. Sir THOMAS PLAYFORD: Mr. Cartledge has supplied the following information:

Where septic tanks are installed in any appreciable number of houses in a locality, it is the general experience, both of the Housing Trust and others, that sooner or later trouble from the effluent can be expected. Owing to the very wet winter and the nature of the soil, more trouble with the effluent than is usual has recently occurred at Gawler South. Action to abate the trouble has been taken by the trust as follows: In several cases, extension drains terminating in baling pits have been provided. Two experimental 20ft. deep bores have been provided in order to increase the efficiency of the soakage wells. Two semi-rotary hand-operated pumps have been made available in the area to enable tenants to discharge water from over-loaded soakage wells.

When the wet period passes and dry conditions prevail, the position will improve appreciably, but I am afraid that effluent trouble is more or less inevitable when climatic conditions are unfavourable. In general, tenants appreciate the problems associated with a non-sewered area and show a commendable tolerance.

INSURANCE BROKERS.

Mr. BYWATERS: Last week I asked the Minister of Education, who represents the Attorney-General in this Chamber, a question about Oxford Insurance Brokers Company, a firm that operates in my district and, I believe, in other districts. This firm is causing some concern among people, mainly because of the tactics adopted. I then asked the Minister to take up this matter with the Attorney-General to see whether the *bona fides* of this firm could be checked. Has he received a reply?

The Hon. Sir BADEN PATTINSON: I shall be pleased to take up this matter again with the Attorney-General. I have received other inquiries, including one today from the Speaker, and I will ask my colleague again tomorrow whether he is yet able to supply me with the information and, if he is not, whether he will be able to do so next week.

BOOK PURCHASERS PROTECTION BILL.

Mr. HALL (Gouger) obtained leave and introduced a Bill for an Act relating to the protection of purchasers of certain books and for other purposes. Read a first time.

Mr. HALL: I move:

That this Bill be now read a second time.

I place this Bill before the House in the hope that it will gain the support of members to achieve a specific objective.

The SPEAKER: Order! There is too much audible conversation. The honourable member's maiden explanation should be heard uninterrupted.

Mr. HALL: The objective of the Bill is to protect some book purchasers from their own hasty and ill-advised actions. Most members, in the course of their duties in their districts, have come across some of these actions. At the risk of boring members, I consider that I should draw attention to some instances. I will list three instances in which I have been involved that have, I think, caused much trouble to purchasers of books.

One transaction took place at Para Hills, in my district. A constituent there unfortunately became bankrupt and is still under the direction of the Official Receiver. While he was in another State earning a living, his wife was keeping the home at Para Hills. A book salesman appeared and convinced her that she should buy a family Bible for, I think, £18 10s., and she signed a contract. Of course, when the husband returned home he was greatly distressed to find that he was further in debt to the extent of £18 10s. He made certain representations and was able, after much trouble and the threat of legal proceedings, to withdraw from that contract, but only after the company had been put under much pressure. The company involved refused for several weeks to accept the return of this book, although it had not been used and the purchaser's financial situation had been explained to it.

The second instance occurred in a town in my district north of Adelaide; a book salesman called upon a woman, put these books before her, and extolled their virtues to her. She told the salesman she did not want his goods and could not afford them, whereupon he told her he would leave them there for a week, during which time she could read and examine them at no cost to herself. He returned within the specified time and, upon looking at the books, said they were damaged and that she would have to purchase them. He took this woman before the local court and, I believe, bluffed the local justice (I do not think in law the woman was liable for those books). However, the justice awarded 5s. a week in favour of the vendor against the woman. The whole thing was distasteful to many residents in the town, who considered the woman and the justice had been tricked or bluffed.

Mr. Shannon: Did she sign a contract?

Mr. HALL: She had not signed one when the books were left. Whether or not she signed one afterwards I am not sure, but she was ordered by the court to pay simply on the pretext that the books had been damaged. The

third instance is an experience I have had of a salesman calling at my home; I have previously referred to this in this House in questions. A salesman called at my home and said he was endeavouring to promote his wares by running a publicity campaign. He said he did not want to sell me anything but wanted to put a presentation in my home. I asked him how he operated if he did not make a profit. He said he did not desire a profit and that his company was not operating for a profit in that district. I told him that, as a Liberal member of Parliament, I was not against profit, and I asked his objective and who paid his salary, and said that he must have a profit. On further questioning he broke down and said that perhaps the parent company made a profit. Eventually, he fully admitted that there would be a profit in his operations; yet, in his first approach he had said that he was not making a profit.

The other type of selling in my district is when a person is approached by a book salesman who quotes a high figure as the price for certain books. The prospective purchaser can have them more cheaply if he allows his name to be used by the vendor as a reference. All he has to do is to accept the books at a reduced figure. The salesman then travels around the district using the person's name as a selling point. I believe that the first figure quoted is an entirely fictitious price, and the concession reduces the figure to the actual selling price. Most members have experienced this type of selling in their districts. It is not necessary for me to give any further details of instances that we, as members of Parliament, deprecate.

Book-selling programmes are carried out by highly trained men. I believe one company instructs its salesmen word for word in the approach they must use when calling on prospective customers. The words have been prepared by a highly educated psychologist and are effective. As I learned today, one method is to call in the evening when the children are home from school. The salesman is allowed into the living room and not only does he exert pressure on the parents but once the children see the glossy appearance of the books, they also apply pressure on their parents. That is one of the planned methods of selling so-called educational books.

Clause 1 of the Bill gives the short title. Clause 2 interprets the meaning of "book" as any book, engravings, lithographs, pictures or any other like matter, whether illustrated or

not. Clause 3 defines the application of the Bill, and states that the Act shall apply to any contract for the sale of any book or books where the total price payable for such book or books exceeds £10.

Mr. Lawn: Why make it £10?

Mr. HALL: That is a matter of opinion. It was not my purpose, when introducing this Bill, to restrict the normal means of magazine and newspaper sales, which are a day-to-day household business. Many people pay £5 subscriptions to magazines, and in some cases possibly subscribe to two or more magazines so that they would easily reach the limit of £10.

Mr. Lawn: I would say £5.

Mr. HALL: It is a matter of opinion. I realize that £18 is the cost for the family Bible about which so much trouble has been experienced in this State. Clause 4 sets out the conditions that this Bill stipulates must be observed to ensure that a book sales contract is a legal and binding document. Paragraph (a) sets out what I consider to be the normal procedure in drawing up any contract that is binding on two parties. It ensures that all parties to a contract must sign it. Paragraph (b) refers to the wording that must be included in every book sales contract to which this legislation applies, and states:

... there is printed on that contract in capital letters of size not less than eighteen point face the words "This contract shall not be effective unless and until the purchaser returns to the vendor the duplicate copy thereof."

Mr. Millhouse: Do you say that a contract for the sale of books must necessarily be in writing?

Mr. HALL: No. It must be returned in writing.

Mr. Millhouse: The contract does not have to be in writing.

Mr. HALL: The instances in which books are sold and oral contracts enforced have caused no trouble. Since I have been here I have not heard one member complain about an oral contract. We are concerned with the written contract.

Mr. Ryan: They are the only binding ones.

Mr. HALL: That type of contract would have to be witnessed. Paragraph (c) states:

... the vendor of any books under such contract or his agent has at the time of the signing thereof delivered to the purchaser a duplicate of the said contract and has obtained from the purchaser an acknowledgment in writing of receipt of such duplicate.

In other words, it ensures that the vendor shall supply and leave with the purchaser a duplicate copy of the signed contract. Paragraph (d) states:

... the purchaser under that contract not less than seven days after the date thereof has returned to the vendor in writing the duplicate thereof delivered to the purchaser in pursuance of paragraph (c) of this clause. Therefore under that provision the purchaser must have in his possession for at least seven days the signed duplicate of the book sales contract. It is null and void unless the purchaser has retained it in his possession for seven days. After that period he is free to confirm the contract by delivering it to the vendor. He can do that in any way he chooses: he can mail it or he can give it to a man at the door. He could be subjected to further sales pressure if the vendor called back after the seven-day period. The main object is to give the purchaser seven days in which to think the matter over.

Clause 5 provides that no money must change hands until the foregoing conditions have been met. This is to control cash sales. It is conceivable that a person might pay out £18 on the spur of the moment for one of these family Bibles about which there has been so much trouble. I want to safeguard the interests of people like the widow who wrote to me about the trouble she had had when a family Bible was left with her. She was subsequently billed for £18. Had she had £18 in the house she might well have paid it over for that Bible. Clause 5 requires seven days to elapse and the contract to be confirmed before any money changes hands. Clause 6 reads as follows:

This Act shall not apply to any contract of sale by wholesale of any book or for the printing or supply of any book for the purposes of sale or distribution by the purchaser.

This is to safeguard the normal channels of book distribution by wholesale purchase and retail resale. If the Bill becomes law no contract can be confirmed until a seven-day waiting period elapses. After that time a contract can be confirmed only by the delivery of the duplicate copy of the book sales contract which must have been in the hands of the purchaser. The sales contract can be confirmed only by the vendor's having the duplicate contract in his possession for seven days.

In this morning's *Advertiser* appears a report of action contemplated by the Victorian Liberal and Country Party. It appears that the Victorian proposal seeks to provide a much wider umbrella protection than does

my Bill. Perhaps it is commendably wider in application, but I do not want to confuse the issue.

Mr. Clark: Have you a reason for limiting transactions to £10?

Mr. HALL: The member for Adelaide (Mr. Lawn) also raised this point. I have made the limit £10 to enable normal book sales and magazine subscriptions to continue unhindered. When a sale exceeds £10 it is getting into the high-pressure salesmanship field.

Mr. Clark: A sale could be for less than £10 but still cause real hardship.

Mr. HALL: It could, but I am loath to disturb normal business. Many subscriptions for American magazines—*Saturday Evening Post* and *Life*, for instance—exceed £5.

Mr. Millhouse: Does this apply to books that a person buys at a book shop?

Mr. HALL: I think it would.

Mr. Millhouse: Is that necessary?

The SPEAKER: Order!

Mr. HALL: I think it may depend on the definition of "vendor". I should imagine that the limit would apply when a person went into a book shop and purchased books worth more than £10. However, what has any genuine vendor to fear from such legislation? The Bill provides that the vendor must face his purchaser seven days after a contract has been signed.

Mr. Millhouse: This means that I cannot go into Preece's and buy books worth £15.

Mr. Clark: Surely it does not mean that! If you went into a book shop of your own free will, surely you could purchase a book worth more than £10.

Mr. HALL: I think the provision would relate to such purchases.

Mr. Riches: Then every parent of every child will be in trouble at the beginning of each school year.

The SPEAKER: I think honourable members should leave their questions until discussion in Committee. This is a second reading explanation.

Mr. HALL: I am coming to a swift close, Mr. Speaker. No respectable and genuine book vendor should be afraid to face his customer seven days after a contract has been signed. If he is fearful, there must be something wrong with the goods he has sold or with the methods he has used. I believe that this Bill provides the best means of protection for the person who cannot protect himself. Obviously people are not able to protect themselves from the highly-trained salesmen who descend on them. I do not want to restrict trade, but

book sales should be regulated so that people are protected.

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

WORKMEN'S COMPENSATION ACT
AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 2. Page 923.)

The Hon. Sir THOMAS PLAYFORD (Premier and Treasurer): First, I thank the Leader of the Opposition for previously adjourning this matter for a couple of weeks. It is not always possible to quickly obtain all the details relating to a Bill, and I wanted to be certain I had the necessary information before I spoke. It is true that a Bill in either precisely the same terms or similar terms has been introduced by the Opposition before: this is not the first time we have seen this legislation. However, I wanted to check on all the necessary things, because the Leader said that he had introduced it to remedy a defect in the legislation, which, he claimed, was not in accord with the legislation of the other States, and I wanted to see where our legislation was so much out of accord with other States and what the effect was in other States where this proposed legislation already operated. It is not correct to say that our legislation is out of accord with the legislation of other States, because three States have a somewhat similar provision to the one proposed by this Bill and three States have not. Therefore, it is not correct to say that the majority of States have accepted the provision.

Mr. Ryan: South Australia would make four, and that would result in a majority.

The Hon. Sir THOMAS PLAYFORD: The Leader stated that he was introducing this Bill to give effect to what was the general rule. It is not the general rule at present, because only three State Governments have accepted it and three have not.

Mr. Ryan: The Commonwealth legislation has the provision, and that makes four.

The Hon. Sir THOMAS PLAYFORD: We are talking about States. Honourable members know that the Australian Capital Territory comprises mainly public servants, whereas the Bill relates to workmen's compensation as it applies to industry. The number of industries in Canberra is negligible. The Leader did not provide the House with the information I believe is essential in considering legislation of this sort. In the very brief time at my disposal I have tried to answer some of the questions that will immediately arise. Let me

pose to honourable members one or two questions that arise. In one of the clauses the Leader used the words "substantial deviation". What is a "substantial deviation"? I travel to work every day, and I should think there are a hundred different ways in which I could go to work. Some of those ways would involve me in passing through dense traffic and others would involve me in passing through less dense traffic, but what amounts to a "substantial deviation" I do not know. The words "substantial interruption" are also used. What is a "substantial interruption"? I inquired in another State on this point and discovered that over a period of some years there were more court actions upon the interpretation of those words than upon any other matters in the whole of the Workmen's Compensation Act. Let us assume that a person travelling home from work decides that he wants a few drinks and that he will call in at a hotel. Do honourable members consider that to be a "substantial interruption"?

Mr. McKee: Yes.

The Hon. Sir THOMAS PLAYFORD: In fact, the court could not decide that it was a substantial interruption, but the point is that it might or might not be. The word "substantial" as used in the Bill has no legal definition, and it is subject to an application to the court to get a ruling on it. Let me quote some other matters that arise. As honourable members know, we have a third-party insurance for which everybody possessing a motor vehicle has to pay. Let us assume that a person is driving his motor car down the Port Road to get to his place of employment, and he meets with an accident caused solely by the negligence of another driver. He immediately gets a claim under that third-party insurance.

Mr. Ryan: You say "immediately"?

The Hon. Sir THOMAS PLAYFORD: He applies immediately. The honourable member may quibble, because he is refusing to face up to the question.

Mr. Ryan: Of course I am not. When does he get paid?

The Hon. Sir THOMAS PLAYFORD: Let me put this to the honourable member. Let us assume that another driver is clearly responsible for the accident. Does the man who was driving to work receive compensation from the employer, does he receive it under his third-party insurance policy, or does he receive it from both sources?

Mr. Ryan: He cannot get it from the employer in this State.

The Hon. Sir THOMAS PLAYFORD: Can any honourable member answer that question?

Mr. McKee: There are several other ways in which he can meet with an accident.

The Hon. Sir THOMAS PLAYFORD: Again, let us assume that the same motorist is driving down the Port Road. This is not a suppositious case, because most people who are insured in respect of workmen's compensation today drive motor cars to work—

Mr. Ryan: Good luck to them!

The Hon. Sir THOMAS PLAYFORD:—and an increasing number in the future will do so. The time they pedalled along on bicycles has practically passed. Let me put the next question, because it is nice to know what we are doing when we pass legislation. Supposing an employee going to work had an accident and was completely in the wrong—that he did something contrary to all the traffic laws of this State. Assume that he was driving at an excessive speed. Do members opposite think in those circumstances that the employer should be held responsible for the accident? Obviously they could not believe that that should be so. Consider the case of a person travelling on public transport when an accident occurs because of negligence of the driver. That person is automatically covered by an Act of Parliament in another way.

Mr. Ryan: How long does he wait to get it?

The Hon. Sir THOMAS PLAYFORD: What this Bill proposes is not workmen's compensation but a quick method of providing relief. Institutions have been provided for quick methods of getting relief, and the Government has entered into arrangements with the Law Society of South Australia to see that the rights of people are protected. Let me pose another question: does any member believe it is fair to place an obligation on an employer for conduct over which he has no control and for which he has no responsibility whatever? The functions of the Workmen's Compensation Act have always been to provide for the safety of a workman while he is under the control of an employer. That does not mean that when he is under the control of his employer the employer is not responsible if the employee is negligent, it being assumed that it is the employer's responsibility to see that the employee is not negligent. The mere fact that an employer Jones has an employee Smith who meets with an accident because he is negligent does not remove the responsibility from Jones; Jones is assumed to be in control of Smith, and it is his duty to see that Smith is not negligent.

There are cases where the employer could not by any stretch of the imagination exercise any control whatever, and this measure is introducing into workmen's compensation in this State a principle that I believe should not be introduced—that of holding a person responsible for something he cannot avoid or overcome. As in the cases I have pointed out, frequently the employer would be held responsible for accidents that took place either because of the employee's own unlawful or negligent action or because of the unlawful or negligent action of some other person.

Mr. Ryan: That applies to third-party insurance.

The Hon. Sir THOMAS PLAYFORD: If the honourable member will try to consider these matters and give some coherent statement later, I am sure everyone will listen to him with the greatest respect, but he will not divert me from what I am saying merely by trying, by interjection, to put me off my argument, which is that I believe an employer should be responsible for the safety of his employees while they are under his control.

Mr. Riches: Employers require employees to report to a place of employment at a specified time.

The Hon. Sir THOMAS PLAYFORD: As every member knows, hours of work, shift work, and all similar things are dealt with by the Arbitration Court. In 99 cases out of 100, they are not within the purview of the employer, who is told that his shift work must be under certain conditions. The Leader has made no calculations on the economic effect of this measure on the community and industry. In his second reading speech he did not give any information about whether this would mean an increase in the premiums paid by employers of 1 per cent, 5 per cent, 15 per cent or 50 per cent. Leaders of industrial unions in this State have adopted an attitude towards industry that has played an important part in our development. That we have not had continual disruption in industry has been a major factor in assisting to attract industry here. Every member of this House and every industrial worker in this State knows that standards of work will be protected and maintained, and that the ability of a workman to get employment will be protected and maintained only so long as we can effectively compete in the Eastern States' markets. Every member knows that South Australia's factory production has completely outgrown the

South Australian market for most commodities, and that in some instances we must export up to 80 per cent of our industrial production to other States. That has been one of the keystones of Government policy: we have to provide conditions in this State that will enable our industries to meet the transportation costs and additional marketing costs that do not apply to their competitors in the Eastern States. That was the reason, more than any other, why the State Government was prepared to make many concessions with funds at its disposal to ensure that housing was provided in this State at the lowest possible price. The Government knows that if a workman is to be happy here and not become involved in industrial disputes, he has to be given a standard of living and of housing that are the equal of, if not better than, anything provided elsewhere. The converse applies. We cannot load the employers and factory managers of this State with unjustified or unnecessary expenses. The computations I had made were based on two sources and show that the added cost resulting from increased workmen's compensation in this State would raise premiums 15 to 20 per cent if this amendment were carried. If necessary, I can produce some interesting figures.

Mr. Ryan: You quote them, and give the authority for them, too.

The Hon. Sir THOMAS PLAYFORD: The figures I have had taken out were the relevant figures for the States of Victoria and New South Wales where these provisions apply.

Mr. Ryan: They are the most progressive States, aren't they?

The Hon. Sir THOMAS PLAYFORD: Honourable members can get the same figures: they are freely available.

Mr. McKee: A similar provision has not retarded industrial expansion in those States.

The Hon. Sir THOMAS PLAYFORD: The honourable member is not taking an intelligent interest in what I am saying. I am pointing out to him what could happen in this State.

Mr. McKee: It has not retarded industrial expansion.

The Hon. Sir THOMAS PLAYFORD: We have to compete with other States and, in addition to the manufacturing costs, we have to bear the added costs of transportation and marketing. We have additional expenses compared with those States, and that is the whole basis of my argument.

Mr. Ryan: They have to send goods over to this State.

The Hon. Sir THOMAS PLAYFORD: Honourable members may not like the facts, but the added costs of workmen's compensation in this State will raise premiums by 15 or 20 per cent.

Mr. Ryan: Where did you get those figures?

The Hon. Sir THOMAS PLAYFORD: I consider a case for the Bill has not been made out and that the principle is wrong! I therefore intend to do my best to defeat the Bill.

Mr. FRED WALSH (West Torrens): I support the second reading. The arguments adduced by the Premier—

Mr. Ryan: They were not arguments.

Mr. FRED WALSH: I give him credit for adducing them. He has used them so often and over such a long period.

Mr. Jennings: They never alter.

Mr. FRED WALSH: The general principles with which we are concerned have not been introduced spontaneously but have been well considered for many years. I do not know of any Bill introduced in this place since I have been a member that has been introduced on more occasions than has this legislation. The statements made by the Premier were entirely misleading and not in accordance with fact. He said that the legislation operated in three other States. That is not so.

Mr. Ryan: He was going to quote an authority but he did not.

Mr. FRED WALSH: I will quote the authority. This legislation applies in Queensland, New South Wales, Victoria, Tasmania, in the Commonwealth services throughout Australia. It also applies to all employees in the Australian Capital Territory, in the Northern Territory and in Papua and New Guinea.

Mr. Ryan: Does that mean that we are one of the backward States?

Mr. FRED WALSH: The States in the Commonwealth without it are Western Australia and South Australia.

The Hon. Sir Thomas Playford: The honourable member should look at his Leader's report.

Mr. FRED WALSH: I am not looking at that. I am quoting from the *Conspectus of Workers' Compensation Acts in Australia* as at January 1, 1963. I am sure no amendments have been made to that since then. Provisions of the Western Australian Act go further than those in this State, because they provide for injury received in the course of the employee's employment or under his employer's instruction. As I understand it, this means that a person could be told by his employer to go

to a job and from there to go home. If this person met with an injury during that time he would be entitled to compensation under the Western Australian legislation because he was under the instructions of his employer. Further, the Western Australian legislation extends the liability to employees who are engaged in that State by a Western Australian employer, but whose employment is not wholly carried out in that State. That could apply to a transport driver travelling between Western Australia and the other States. If he were engaged by his employer in Western Australia but his work took him into another State, then he would be covered for compensation. The same thing would apply if his employer had a contract to carry out in another State. He would be engaged in Western Australia but during that period of employment he would be covered under that Act. Of the legislation of the two States that are different from that of the other Australian States and the Territories the Western Australian legislation provides more benefits than ours. I cannot understand why the Premier continually argues against this proposal. After our persistent attempts he conceded some improvements to our Act. He accepted a provision providing for compensation to employees travelling to and from work in transport provided by employers. He agreed to extending our legislation to cover apprentices travelling to and from trade or technical schools. Those provisions apply in all other States. As dripping water wears away a stone, perhaps ultimately we may wear the Premier down into accepting the present proposal—that is, if he is here long enough. Obviously it is not worth while my appealing to Government members, because there is no prospect of their supporting this Bill.

Mr. Ryan: They are under instructions.

Mr. FRED WALSH: Possibly it is a matter of Party policy.

Mr. Ryan: They have a policy!

Mr. FRED WALSH: I am more concerned with appealing to the Speaker who is in a position to determine this issue.

Mr. Ryan: We know which way he will go!

Mr. FRED WALSH: I do not know that we do.

Mr. Ryan: You can have a shade of odds.

Mr. FRED WALSH: The people with whom the Speaker is associated—the wheat-growers and woolgrowers—are not particularly affected by this provision, so he may see his way clear, as an Independent, to support this proposal which will not involve those with

whom he is directly associated. However, he must have regard for the workmen in his district.

Mr. Heaslip: He is vitally interested in the provision. The cost of machinery comes into it.

Mr. FRED WALSH: The member for Rocky River always looks at questions from that angle. If the Speaker were in the Chair—and unfortunately he is not at the moment—I would impress upon him that he has workers in his district who will be affected by the proposed amendment. The Premier ridiculed the provision relating to substantial deviations from journeys made for purposes in connection with an employee's employment. He referred to the workman who went into a hotel for a refresher on his way home. I would contend that that was a substantial deviation, although a New South Wales court ruled that it was not. The Premier says that the New South Wales court deals with more cases related to this issue than with other cases associated with workmen's compensation. I do not question the Premier's truthfulness, and he may have got that information from some other source, but I would want proof that that information came from a reliable source. However, assuming it is a correct statement, what does it mean? It means that the court ultimately determines the question. What could be fairer?

The Premier also referred to a person being injured in an accident where another person was to blame. We all know that if a person receives compensation from any other source he is not entitled to compensation under the Act, so the position is clear. There is no point in the arguments raised by the Premier. His arguments were hypothetical. He spoke of the cost to industry, as did the member for Rocky River when he mentioned the cost of machinery. In some way or other most things add to the cost of production, but there are ways and means of recouping the costs, and the producers or persons involved avail themselves of those means. If the Premier's arguments are valid for South Australia, they are equally valid for other States.

Mr. Loveday: It is a wonder that the other States do not throw their legislation out.

Mr. FRED WALSH: If, as the Premier suggests, the provision imposes a burden on industry the other States would throw out their legislation. Queensland and Victoria do not have Labor Governments, yet they have not seen fit to amend the legislation. The Premier

spoke of competition, and he used the argument—and it has been used by other members opposite—that we must reduce our costs of production all the time in order to compete with other States. We know that in some respects this is known as a low-wage State, but we on this side say that that should not be so and the Premier and other members opposite deny that it is so at election time, when in their speeches and propaganda they emphasize the prosperous conditions in this State. If things are as the Premier has stated, how can members opposite at election time or any other time use that sort of propaganda? However, the Premier has used his age-long argument on this issue to try to draw a cloud across our eyes.

The Premier referred to the case of a person travelling to work on the railways. Many railway employees travel daily by train to and from the Islington workshops, and certainly if an accident was caused through any negligence on the part of the railways authority there would be claims against the Commissioner. However, in those circumstances these people would not be covered by this legislation, so we need not concern ourselves with that aspect. However, a person travelling on that train may meet with an injury through a mishap that was purely accidental and not the result of the negligence of anybody. For instance, he might fall from the train. That is the person we are concerned about, for such an accident may occur whether he is travelling by rail or any other form of public or private transport.

The Railways Department accepts certain responsibility for taking these persons to and from their work at the Islington workshops. A factor to be borne in mind is that if that train is running late because of some error or mismanagement in the department (and there are a thousand and one things which cause train delays and for which no-one can be held responsible) and it arrives at Islington seven or more minutes late those men are docked 15 minutes for that time, and if it is later than that they are docked more. That proves conclusively that the Government does not accept the responsibility for getting those people to their place of employment at the correct starting time. However, that is another issue, and I brought it forward merely to make the point that they are travelling in public transport and can meet with an injury through an accident for which the Railways Department is not really responsible; therefore they should be covered.

Mr. Heaslip: By the employer?

Mr. FRED WALSH: Yes.

Mr. Heaslip: Why?

Mr. FRED WALSH: Because industry has to meet these charges. Industry has to meet the wages and the working and living conditions generally of employees in industry. It is the people working in industry who help produce the profits of various enterprises and not merely those who invest money in them; therefore, those workers are entitled to their share of the return from production. The Premier said that this amendment would cost a considerable sum. I think he quoted a figure of 15 per cent.

Mr. Langley: He said it would be 15 to 20 per cent.

Mr. FRED WALSH: Yes. I seriously question whether it would cost anything like that. The Premier produced no authority for those figures. At a function I attended today I spoke to two employers about this matter and they did not seem much perturbed about it because they knew that they would not be called upon to meet the cost directly. They recognized that they would have to pay an increased premium. The member for Mitcham (Mr. Millhouse) has that smug smile on his face that he usually has when we on this side put forward this type of suggestion on behalf of employees.

Mr. Millhouse: I was just wondering whether those people were simply being courteous to you.

Mr. FRED WALSH: No, I have such respect for them that I think they would have soon told me what they thought. It would certainly mean a slight increase in their insurance premiums.

Mr. Millhouse: 15 per cent.

Mr. FRED WALSH: That is what the Premier said.

Mr. Millhouse: What do you think it would be?

Mr. FRED WALSH: I have not worked it out, but it is no concern of mine at present because I accept the fact that every part of Australia with the exception of Western Australia and South Australia has accepted this provision. I believe that the State Governments concerned and the Commonwealth Government would have gone into all these factors before they arrived at a decision and a determination of the matter in the way they did.

Mr. Bywaters: This was passed in the Lower House in Western Australia, wasn't it?

Mr. FRED WALSH: Yes, and rejected by the Upper House, I believe. I have spoken on similar legislation to this in the past, but some of the newer members would not have heard the examples I have quoted in the past so I will repeat one or two now. There was the case of the man who got off his bicycle and was about to enter his place of employment when he was knocked down by a truck belonging to his employer and sustained a broken collarbone. That person was not entitled to compensation under the Act, but the employer graciously met the liability.

Mr. Heaslip: That company would be responsible.

Mr. FRED WALSH: No, it was not responsible under this Act.

Mr. Heaslip: It would be responsible if the driver of the truck was at fault.

Mr. FRED WALSH: The man himself was at fault in this instance because the accident took place on the roadway into the firm's premises and he should have gone through another entrance. Another case at Port Adelaide concerned a man who parked his car on a block of land provided as a parking area for employees. When crossing the roadway to get into the establishment he was knocked down by a lorry belonging to his employer. Litigation was involved, and the employee lost the case.

These are cases that come to mind which I mention to show that these people must be protected. What is important is that the workmen would not be in that particular spot at that particular time if they were not going to or from their work. It would be most coincidental if that were not the case. Members should not pay any regard to the points raised by the Premier. I appeal to you personally, Mr. Speaker, and point out that this will not to any great extent concern the people with whom you are directly associated. A considerable number of workmen are employed in your district and will possibly be beneficiaries (although I hope they will not); some of them will benefit if this legislation is passed. Your vote, Sir, can determine the matter, as the Premier has already indicated where he stands, and he will use every possible influence to have the Bill defeated. I believe the Premier's argument that we must consider every little increase in cost and deny people justice because of any increase is not sound, and it is living in the past. Although I have considerable personal respect for the Premier, I think he had no case in rebuttal of the arguments used by the Leader. I urge you, Sir, to

give this matter your serious consideration, because it is only by your vote that the Bill can be passed by this House.

Mr. HEASLIP (Rocky River): This is an occasion when unfortunately, or perhaps fortunately, I cannot support a Bill. I listened with great interest to the member for West Torrens (Mr. Fred Walsh). Whatever success I have made of this life has been as a man on the land. The honourable member said that this Bill would not affect the man on the land, but it would affect him vitally in more ways than one. If this Bill is passed, it will bring about an increase in the cost of machinery and other things that consumers have to buy, so it will increase costs to primary producers.

Mr. Lawn: What about General Motors-Holden's Proprietary Limited, Chrysler Australia Ltd. and Pope Products Limited? These companies all have factories in other States that have to pay these premiums, and they also have factories in South Australia.

Mr. HEASLIP: The Bill affects the primary producer, but unfortunately too many people do not realize it.

Mr. Lawn: We do not make laws only for primary producers. Who eats the stock they produce? The worker in the city.

The SPEAKER: Order!

Mr. HEASLIP: Unfortunately, far too few people living in the city realize the importance of people in the country. They do not think that they count because they are not there in numbers or in votes.

Mr. Lawn: They have 26 members in this House!

Mr. HEASLIP: City people think they can be ignored.

Mr. Lawn: I did not suggest that, but you are ignoring the worker in industry.

Mr. HEASLIP: The honourable member is suggesting that country people can be ignored and that it does not matter how much costs are increased. So long as the workman in the factory can get further protection and more wages, he says that is all right; however, there is no protection for the primary producer. He gets no insurance cover when going to or from work; he gets none of the public transport for which he has to pay in a big way and which is supplied to the factory worker in the metropolitan area. People in the country are subsidizing these things, and now members opposite are asking that workmen get further assistance and further coddling by protecting them from the time they get up until they get to work, and from the time they leave work at 4 p.m. until they get home at 6 p.m. They

are asking for this, yet country people get nothing like it. However, country people don't matter!

Mr. Clark: Have you ever supported awards for farm workers?

Mr. HEASLIP: They have not got an award.

Mr. Clark: Have you ever advocated that they should have an award?

Mr. HEASLIP: I have never done so. However, they get more than they would if they were under an award. I know what I am paying. Some men on farms get £25 a week plus accommodation, meat, milk, firewood and other things; they are getting the equivalent of £35 a week, which is far more than any award rate.

Mr. Clark: Don't they work long hours?

Mr. HEASLIP: They do, and thank goodness they are prepared to do so. If we are not prepared to work, we shall never make anything of this great country. I think it is all-important that we work. An extra three weeks' holiday—what does it do? It brings about more idle time, less production, and increased costs. Where will this lead us? I think it is pitiful that some people think that by not working they will further the future of Australia.

Mr. Lawn: Do you say the court was wrong in that decision?

Mr. HEASLIP: I am not saying that, but pressure is brought to bear and representations are made to the courts that these things should happen. The great majority in numbers counts more than the individual.

Mr. Clark: Surely the courts weigh these matters.

Mr. HEASLIP: I do not want to go into the question of courts and awards except to say that the man in the country is not working under an award; he is better off than if he were and he is getting more money. The member for West Torrens said this legislation would not affect the man on the land, but it would affect him vitally. It would affect him first in the increased cost of all the farm machinery he has to buy, secondly in the increased cost of all the transport he has to use to get products to and from his farm, and thirdly in the increase of water, electricity and other charges. They are all increased costs, and no-one can deny that.

Mr. McKee: You supported the increased rates for electricity in the country areas; why not support this Bill?

Mr. HEASLIP: By all means give us more electricity; we want more of it. This

Bill must increase all costs irrespective of what it applies to.

Mr. Lawn: Why didn't you support our motion to reduce electricity charges in the country?

Mr. HEASLIP: We want electricity supplies and we want them as cheaply as we can get them without taking unfair action, but do not put up costs to the man in the country, as this Bill does.

Mr. Jennings: We are trying to reduce them.

Mr. HEASLIP: This Bill will not reduce them, and we are talking about this Bill. There is far more to it than that. Under the Government that we have had for the last 25 years, we have in South Australia built up our population. We have established more factories—and we have to have factories if we are to employ people. Factories are essential and necessary to us. Although I am on the land, I know all about them. I still say that factories are essential.

Mr. McKee: Don't you think that employees on the land are as worthy of consideration as others?

Mr. HEASLIP: Give them consideration but don't increase the costs!

Mr. Lawn: What do you mean when you say that you are on the land? You are a Jetty Road farmer at Glenelg!

Mr. HEASLIP: If anybody in this House can say he has been on the land, I think I can.

Mr. Lawn: You said, "I am on the land."

Mr. HEASLIP: All my life I have spent on the land; all that I have in this life has come from being on the land, and when one talks about that—

Mr. Lawn: You may have been on the land once, but now you are a prosperous city businessman.

Mr. HEASLIP: It does not take long to become a city businessman.

The SPEAKER: Order! Let us get on with this Bill. The member for Adelaide is out of order. The member for Rocky River!

Mr. HEASLIP: To get back to what I was saying, the effect of this Bill on the man on the land—

Mr. Ryan: Are you supporting or opposing the Bill?

Mr. HEASLIP: If the member for Port Adelaide had been here, he would have known my attitude to this Bill.

Mr. Ryan: I wanted it in *Hansard*.

Mr. HEASLIP: It is already in *Hansard*. If the member for Port Adelaide had been

present he would have known this. I have already said that it does affect the price of machinery to the man on the land.

Mr. Ryan: Wouldn't that happen in New South Wales also?

Mr. HEASLIP: That is why South Australia has made the progress that the other States have not. Of all the six States of the Commonwealth, two are making greater progress than the others—Western Australia and South Australia, which are the two States without such an amendment to the Act.

The SPEAKER: Order! There are too many interruptions.

Mr. HEASLIP: I shall try again. I have already spoken of the increase in the price of farm machinery.

Mr. Ryan: Is the price of wheat in New South Wales and the other States affected by this law?

Mr. HEASLIP: I am not talking about that; I am trying to point out that the member for West Torrens (Mr. Fred Walsh) has said that it does not affect the man on the land. I have already said it does affect him, in the price of machinery. The other point, which is even more important than that, is that from a producer's point of view our home market is the most important. The only way we can get a home market is by increased population. For the past 20 years or so South Australia has increased its population at a greater rate than has applied in any other State.

Mr. Ryan: And that is because of the Premier!

Mr. HEASLIP: Whether it is because of the Premier or not it is all-important to the man on the land that we get a home market, and we have one because we kept down the cost of production of our metropolitan factories.

Mr. McKee: We have a low-wage State.

Mr. HEASLIP: It is an efficient State.

Mr. Ryan: Has not any other State a home market?

Mr. HEASLIP: We are exporting to the Eastern States because in South Australia we have done certain things that they have not done in the other States, and we are still able to compete with them. It is not important to the man on the land? I say it is all-important. Because of those things, we have built up a population in South Australia at a greater rate than any other State has, and so the man on the land has, in the past few years, obtained a home market that he could not possibly have had had it not been for those conditions.

If production costs of secondary industries are to be increased to such an extent that we cannot compete with markets in other States, then we cannot hope to build up a home market, and without a home market the man on the land must be affected.

Mr. Ryan: What is the increased cost involved in this provision?

Mr. HEASLIP: The cost, according to the Premier—

Mr. Ryan: How much is it?

Mr. HEASLIP: It is 15 to 20 per cent.

Mr. Ryan: You don't believe the Premier, do you?

Mr. HEASLIP: I believe only the figures that are supplied.

Mr. Ryan: But he said that only three States had this legislation.

Mr. HEASLIP: I believe that the States already have to pay it. I cannot believe anything plucked out of the air by the honourable member. Everything must be affected by any increase in costs such as this. I employ people. I employ them from, say, 8 o'clock in the morning—

Mr. Lawn: To make a profit!

Mr. Ryan: They are unlucky.

Mr. HEASLIP: All right—the member for Port Adelaide employs a man.

Mr. Ryan: I do not employ him.

Mr. HEASLIP: If the honourable member did he might take a different view.

Mr. Ryan: Probably.

Mr. HEASLIP: But supposing the honourable member did employ people and paid them from 8 a.m. until 5 p.m. or from 7 a.m. to 4 p.m. They are under his control; he directs them and tells them what to do. He is responsible for them, and rightly so. But, should he be loaded with the responsibility of what they do from, say, 6 a.m. until they arrive at his workshop? Is it fair or just that he, as an industry, should have to bear the cost of anything they may do, or do wrongly, during that period?

Mr. Ryan: If he is travelling on your vehicle, you already bear that cost.

Mr. HEASLIP: When he knocks off at four or five o'clock and he takes an hour to go home, should the employer be saddled with the responsibility for the cost of anything that may happen to the employee on the way home? Why should he be? He pays the employee a wage. The employee is there from a certain hour to a certain hour for a certain number of hours each week. Now those hours will be loaded with two or three extra hours a day, for which the employer will be responsible, but he gets no production from them.

Mr. Ryan: The employee does not get paid in the lunch-hour but he is insured for any injury he may receive in the factory during his lunch-hour.

Mr. HEASLIP: If he walks out of the factory across the street and gets knocked down, should the employer be responsible?

Mr. Ryan: But, if he stays inside the factory, although he is not paid a wage he gets workmen's compensation in respect of injury.

Mr. HEASLIP: Is it right? Whilst the employee is on the premises the employer is responsible, but not otherwise. I honestly cannot support this Bill.

Mr. Ryan: We are disappointed.

Mr. HEASLIP: For the man on the land it is all-important. Any excess costs are important to him, and we cannot isolate them from what is going on down here. I oppose the Bill.

The Hon. P. H. QUIRKE (Minister of Lands): Seeing that it is my duty to close the debate—

Mr. Ryan: Why should you close it?

The Hon. P. H. QUIRKE: I am prepared to sit down if honourable members opposite want to speak but I understand that they have no more speakers.

The SPEAKER: Order!

The Hon. P. H. QUIRKE: That was the instruction I got.

Mr. Lawn: You do not close the debate. The member who introduced the Bill will do it.

The Hon. P. H. QUIRKE: Yes, I am sorry. However, I wanted to say that I believe most firmly that a man should be protected at all times, and there can be no argument about that. I have investigated this matter from all angles and do not care whether it is in Queensland, New South Wales, Victoria, Tasmania or anywhere else, it is still a cockeyed scheme against what could be a good scheme. I put this forward as a proposal so that South Australia can do something different and something better.

Mr. Fred Walsh: We shall be pleased to hear you.

The Hon. P. H. QUIRKE: It would mean bringing in both the employer and the employee. The employer would carry the weight of the compensation whilst the man was in his employ. Outside of that employment it would be a dual responsibility on the part of employer and employee. Let me set it out in simple arithmetic. At 6d. a week for each employee the revenue would be about £130,000 a year for 100,000 employees. Because the employer carries the factory contribution of 3d. a week it would

mean the equivalent, with the two contributions, of about £190,000 a year for 100,000 employees. If there were such a scheme there would be no argument about whether a man went into a hotel for a drink on his way home, or went down to Halifax Street or somewhere else on his way home. There would be a cover whether the man went home by bus, tram, or motor car or pushed a bike. This is what I envisage as a real scheme to cover industrial workers, and, in fact, all workers in the State.

I give credit to the member for West Torrens (Mr. Fred Walsh) for knowing more about industrial matters than any other member in this House, and he will know that there is constant litigation in other States. Opposition members want workmen to be covered as they would be covered under a personal accident policy for which a higher premium would be paid. They want the policy to cover the workman irrespective of the type of accident or where it takes place. Actuarially, it could be done simply with the scheme I have mentioned. I do not make these statements blindly. In my opinion this would be a better scheme than the one which is proposed by the Leader of the Opposition and which is in operation in other States. It would remove all the danger of litigation. Of course, there would have to be conditions so that if a man were hopelessly drunk when knocked down there would be no payments. That sort of thing is inherent in any scheme. My scheme would be simple in operation and I think it would be accepted. It would be far better than any scheme operating in Australia today. In this House I have repeated times without number that I believe in the protection of workmen right through the working day, and I still believe that. I agree that there are many anomalies in this matter. The history of workmen's compensation shows the continual litigation because of deviations from the straight and narrow path. Opposition members should look at my proposition and see whether or not it is better than the one proposed in the Bill. I am sure they would find it is better and that it would remove the argument about the 15 per cent increase in premium.

Mr. Clark: It would be 7½ per cent.

The Hon. P. H. QUIRKE: It would be about 25s. a year for the employee and 12s. 6d. for the employer. The employer would carry the full workmen's compensation if the man were injured at work, and he would contribute the additional 3d. a week. That would not hurt anyone. It would mean premiums amounting to about £200,000 for 100,000

employees. There would be the opportunity to build up a fund which, in a short time, would enable the 6d. to be reduced, if that were thought desirable. There would be the nucleus of a fund to protect every worker in the State. I put this forward as a serious suggestion. If it were accepted by Opposition members it would be adopted by this House, and I am certain it would be adopted outside by employers and receive the approval of employees. The amount of 6d. a week would provide an individual responsibility. It is essential that both employer and employee should realize their individual responsibilities. A responsibility realized at about 25s. a year would not hurt anybody, and it could be the means of saving a man and his family from financial difficulty. I do not think this compulsory insurance for travelling from home to factory and factory to home is all that it is cracked up to be. It has been accepted as a means to cover the employee, but I want something to cover him without litigation. Under my scheme if he were knocked down by a motor car when five miles in a direct line from his home he would be covered. That is what members opposite want. I put it to them that if a scheme is to be introduced they should look at my suggestion.

Mr. Loveday: What documentary proof have you of that?

The Hon. P. H. QUIRKE: Of what?

Mr. Loveday: The litigation.

The Hon. P. H. QUIRKE: It is there.

Mr. Loveday: Why don't the other States throw out their schemes if there is litigation?

The Hon. P. H. QUIRKE: I do not know why they don't do it, but I am not concerned whether they throw it out or keep it. That is their way of doing it but I am certain there is a better way.

Mr. Loveday: If it is as bad as you say, surely they would throw it out.

The Hon. P. H. QUIRKE: The honourable member knows that when we institute something, even with all its defects, it becomes permanent. That is political history the world over.

Mr. Fred Walsh: This compensation scheme has spread from one State to another, and is now in New Guinea.

The Hon. P. H. QUIRKE: I do not care whether it has spread to Timbuktu. I think my proposition is a far better one, despite how far the other has spread. We can get a spread of measles but we can get an antidote for it. Mine is a far better scheme of workmen's compensation and would do far more for

the worker. He would have a straightout right. The actuarial basis would have to be calculated but on the simple computation I have made it could be done. It would only apply to workers who had accidents between the time of their leaving work and arriving home. It could go further than that if necessary. It could be worked out on a basis where it could cover them on Sunday for an accident in a motor car.

Mr. Fred Walsh: It could cover them from the cradle to the grave.

The Hon. P. H. QUIRKE: Yes, and there should be no objection to that. I suggest that honourable members should look at it, as it is something that I have been considering for a long time. I thank the Leader of the Opposition for giving me the opportunity to place it before the House. It could be done by the Parliament of this State after investigation, without the Opposition's introducing it, and it would be accepted unanimously. That is the way that that sort of legislation should be accepted.

Mr. LAUCKE (Barossa): I have much sympathy for the principle of ensuring some protection for employees *en route* to their place of work and returning to their houses, particularly in instances where compulsory third-party bodily injury policies would not cover the employee. A difficulty is that the major clause of this amendment could lead, as the Minister of Lands said, to a huge amount of litigation and costs that ultimately must be added to premiums, thus causing an increase in the existing rate to industry. How does one determine, without a court of law, what is a "substantial interruption" or a "substantial deviation" in the workman's journey to or from his place of employment? It is wide open. That is why some system of coverage is needed to ensure no overlapping of the third-party bodily injury provisions of the Motor Vehicles Act, some system of insurance that would not have the employer responsible directly for his employee when that employee was out of the immediate control of the employer.

The Hon. P. H. Quirke: That is a most important point.

Mr. LAUCKE: It is. That is why this legislation has never reached the Statute Book in the past. This Bill implies that an employer is liable for the actions of his employee when the employee is beyond his control. Yet, most employers would concede that a strong humane case exists for some insurance for the employee.

Several of my employees travel 10 miles to their work. I like to think that they would be covered for some insurance if anything untoward happened to them in accidents where compulsory third-party insurance did not cover them, and that they would have recourse to a compensation system. One difficulty is the question of what constitutes a direct movement to and from the place of employment. The employer and employee not being together after cessation of activity at the factory or place of work is another problem. The solution would be a system of insurance similar to that suggested by the Minister of Lands—a token contribution by the employer and employee to give ample cover not only directly to and from work but whenever the employee was moving from his place of work to his home by an indirect route. I sympathize with the principle of this insurance, but cannot support this legislation. I hope that we will soon have before us for consideration some type of legislation to which I have referred, and to which the Minister of Lands referred earlier.

Mr. FRANK WALSH (Leader of the Opposition): I would not have spoken again had it not been for the way in which the debate proceeded. If I made the mistake of saying that Tasmanian legislation covered travel to and from employment, I accept that responsibility, but it was not intentional. I pay a tribute to the Premier. I do not know of any other member of Parliament anywhere who is able to create so many "aunt sallies" and knock them down one by one, without an immediate reference to the Bill.

Mr. Fred Walsh: He even put up an "aunt Sally" today.

Mr. FRANK WALSH: He knocked over some of his own, too. The purpose of this legislation is to provide for travel between home and employment and on the return trip. Whether a stop by a person at the hotel for a refreshing drink on his way home constitutes a deviation will be a matter for the court to determine. The Minister of Lands said on another occasion that human values and not the cost counted in industry. The member for Rocky River referred to subsidies. Although no-one in the metropolitan area can obtain a subsidy for motor vehicle registration many country people enjoy a concession on the registration of certain vehicles. Taxpayers of this country subsidize generously the cost of freight charges on superphosphate, although the people in the metropolitan area are unable to receive discount on petrol purchases. I leave it to

the honourable member to think about these matters. Last week the member for Stirling (Mr. McAnaney) referred to an award rate for persons employed in the dried fruits industry. The member for Rocky River would deny the right of people employed in other avenues of primary production to approach the court for an award for their industry.

Mr. Heaslip: They are not asking for it.

Mr. FRANK WALSH: The honourable member will have an opportunity to show where he stands because this matter will be dealt with later this year. He has complained that the implementation of this provision would add to the cost of farm implements. Are rural workers the only men employed in industry who could be involved in accidents? Surely the honourable member could have a broader outlook. It is interesting to examine this position on an Australia-wide basis. The Ford company manufactures a wide range of motor vehicles. Its employees in other States are covered by workmen's compensation when travelling to and from work. However, employees of the Chrysler organization in South Australia are not so covered. That company manufactures as wide a range of vehicles as the Ford company, but are its vehicles cheaper than its competitors' vehicles? It is futile for the member for Rocky River to suggest that this provision will increase costs. If a man employed in another State is transferred to his company's employment in this State he is no longer covered by workmen's compensation. However, Commonwealth employees who transfer to South Australia are covered. Our secondary industries have developed considerably in the last 25 years, and it is fitting that the employee's conditions should improve correspondingly. It was only during the last war that we were able to realize that our secondary industries could compete with industries elsewhere. The Minister of Lands suggested an insurance scheme to provide the cover we seek—a scheme to which the employee would contribute and which the employer would subsidize. I refer members to page 1957 of 1958 *Hansard* where the following appears:

Mr. Quirke: I support the amendment. Government members have talked in terms of cost, whereas Opposition members have talked in terms of human values. This is a matter of a workman leaving his work to go home or his home to go to work and being injured on the journey, the responsibility being on the employer through the insurance premium he pays. The workman is an inseparable part of industry; the machine needs the human factor

to operate it. The employer employs a man and pays him so much an hour. In return, he expects to get a profit on that man's energy, otherwise he does not employ him. His whole industry is dependent upon the efficiency of the man he employs. When a man leaves home, he leaves it to serve a man for a wage and, if he does not turn up, the employer does not make a profit. Surely it is fair and reasonable that a man should be covered while travelling to and from his place of employment. No employer would dispute that.

Mr. Clark: Who said that?

Mr. FRANK WALSH: The Minister of Lands, when he was an Independent.

Mr. Jennings: I wonder why he has changed his mind.

Mr. FRANK WALSH: I wonder why he did not remain to listen to this. Later in the same debate he said:

The member for Light said that the employer pays for two insurances. He pays his third-party risk, and he would pay the increased workmen's compensation premium to protect a man going to work and coming home from work. So he would, but that is not too great a price to pay for that security.

Mr. Lawn: What a change!

Mr. Casey: How long ago did he say that?

Mr. FRANK WALSH: He said it on November 5, 1958.

Mr. Casey: And we are supposed to be an advancing State!

Mr. FRANK WALSH: Mr. Quirke went on:

The important factor is the security of the breadwinner of the family. I know of a tragic case where a wife and her four children had been left without any claim, and from being in a position where she was receiving £50 a week she is now working as a dentist's receptionist, simply because a provision like the proposed one did not operate. We do not want that sort of thing, and we do not want this matter wrapped around by arguments that it is a matter of pounds, shillings and pence to the employer. He will get his money back.

I could go on quoting what the Minister for Lands said at that time. He has posed as an advanced thinker in suggesting that the insurance companies of Australia should agree to some amendment to provide that the employer should pay a premium to provide cover for an employee when actually at work, and that the employee should pay a premium—subsidized by the employer—to cover himself when travelling to and from his place of employment or otherwise away from that place. The Premier said that the motor car would become the most efficient transport vehicle. I said in this House yesterday and I repeat it today: the Government is concerned not with providing public transport on our roads but with seeing that employees provide their own means of transport—a motor car—at their own expense.

I maintain that the roads will never be sufficiently wide to take this increasing number of private motor cars. In addition, this trend to the greater use of private motor cars will result in a greater risk of injury to employees. The Government is not providing sufficient public transport, and that is all the more reason why ample provision should be made for compensation in the event of accidents occurring during travelling time. Perhaps the Minister of Lands is willing to redeem himself and adopt the attitude that he adopted in 1958. I appeal to the Minister and to all members, irrespective of what they have said in the past, to support the Bill, which I commend to the House.

The House divided on the second reading:

Ayes (19).—Messrs. Burdon, Bywaters, Casey, Clark, Coreoran, Curren, Dunstan, Hughes, Hutchens, Jennings, Langley, Lawn, Loveday, McKee, Riches, Ryan, Tapping, Frank Walsh (teller), and Fred Walsh.

Noes (19).—Messrs. Bockelberg, Brookman, Coumbe, Ferguson, Freebairn, Hall, Harding, Heaslip, Laucke, McAnaney, Millhouse, and Nankivell, Sir Baden Pattinson, Mr. Pearson, Sir Thomas Playford (teller), Messrs. Quirke and Shannon, Mrs. Steele and Mr. Teusner.

The SPEAKER: There are 19 Ayes and 19 Noes. There being an equality of votes, I give my casting vote in favour of the Ayes.

Second reading thus carried.

Bill taken through Committee without amendment. Committee's report adopted.

The House divided on the third reading:

Ayes (19).—Messrs. Burdon, Bywaters, Casey, Clark, Coreoran, Curren, Dunstan, Hughes, Hutchens, Jennings, Langley, Lawn, Loveday, McKee, Riches, Ryan, Tapping, Frank Walsh (teller), and Fred Walsh.

Noes (19).—Messrs. Bockelberg, Brookman, Coumbe, Ferguson, Freebairn, Hall, Harding, Heaslip, Laucke, McAnaney, Millhouse, and Nankivell, Sir Baden Pattinson, Mr. Pearson, Sir Thomas Playford (teller), Messrs. Quirke and Shannon, Mrs. Steele and Mr. Teusner.

The SPEAKER: There are 19 Ayes and 19 Noes. There being an equality of votes, in accordance with the practice of many predecessors in this illustrious office, to maintain the *status quo* I give my casting vote to the Noes. So the question passes in the negative.

Third reading thus negatived.

ROAD TRAFFIC ACT AMENDMENT BILL.

In Committee.

(Continued from October 16. Page 1105.)

Clause 3—"Safety belts"—which Mr. Frank Walsh had moved to amend by adding the following new subsection:

(7a) A person shall not drive a motor vehicle to which this section applies on a road unless he and every passenger in that motor vehicle sitting in a seat for which a safety belt is fitted pursuant to this section wears such safety belt. Penalty: Five pounds.

Mr. BYWATERS: When this Bill was last before the Committee I had just risen to say that I supported the amendment when I realized that time had run out, so I asked that progress be reported. I think this is the only time that the full context of my speech has been reported by the *Advertiser*. The Leader said that if this amendment were not passed he would vote against the third reading. I support the amendment, and I will support the third reading whether the amendment is carried or not.

The Committee divided on the amendment:

Ayes (19).—Messrs. Burdon, Bywaters, Casey, Clark, Corcoran, Curren, Dunstan, Hughes, Hutchens, Jennings, Langley, Lawn, Loveday, McKee, Riches, Ryan, Tapping, Frank Walsh (teller), and Fred Walsh.

Noes (19).—Messrs. Bockelberg, Brookman, Coumbe, Ferguson, Freebairn, Hall, Harding, Heaslip, Laucke, McAnaney, Millhouse (teller), and Nankivell, Sir Baden Pattinson, Mr. Pearson, Sir Thomas Playford, Messrs. Quirke and Shannon, Mrs. Steele, and Mr. Stott.

The CHAIRMAN: There being an equality of votes, I give my vote in favour of the Noes. Amendment thus negatived; clause passed.

Title passed.

Bill reported without amendment. Committee's report adopted.

Mr. MILLHOUSE (Mitcham) moved:

That the third reading be made an Order of the Day for October 30.

The House divided on the motion:

Ayes (33).—Messrs. Bockelberg, Brookman, Bywaters, Casey, Clark, Corcoran, Coumbe, Curren, Dunstan, Ferguson, Freebairn, Hall, Harding, Heaslip, Hughes, Hutchens, Jennings, Langley, Laucke, Loveday, McAnaney, McKee, Millhouse (teller), and Nankivell, Sir Baden Pattinson, Mr. Pearson, Sir Thomas Playford, Messrs. Quirke, Riches, and Shannon, Mrs. Steele, Messrs. Teusner and Fred Walsh.

Noes (5).—Messrs. Burdon, Lawn, Ryan, Tapping, and Frank Walsh (teller).

Majority of 28 for the Ayes.

Motion thus carried.

Mr. FRANK WALSH: On a point of order, Mr. Speaker, although I do not want to reflect on your ruling, I am somewhat concerned about the last vote. I did not call for the division, so I was responsible for counting something that I was not entitled to count. Did you, Mr. Speaker, hear me call to oppose the motion? My point is that I agree to free speech at any time. I make it clear that I did not want to be in opposition on this occasion.

The SPEAKER: I hardly think that is a point of order, but I think it is a point well taken in explanation. I could not determine whether the Leader would act or not, but when I named him to be the teller I think he could have said "No" and it would then have been my obligation to call on someone else.

The Hon. Sir THOMAS PLAYFORD: On a point of order, I do not know how it could be rectified, but if the Leader did not want to be the teller is there any way of cancelling it?

Mr. Frank Walsh: I do not want that to be done.

MAINTENANCE ACT AMENDMENT BILL.

In Committee.

(Continued from October 9. Page 995.)

Clauses 8 and 9 passed.

Clause 10—"Amendment of principal Act, section 102."

The Hon. Sir THOMAS PLAYFORD (Premier and Treasurer): Clauses 10 and 11 deal with the same matter. As I think they are both undesirable, I ask the Leader of the Opposition to look at them again. I do not believe that they are essential to the Bill as they contribute nothing to it.

Mr. FRANK WALSH (Leader of the Opposition): In view of what the Premier has said I ask that progress be reported so that I can look at the matter further.

Progress reported; Committee to sit again.

SECOND-HAND DEALERS ACT AMENDMENT BILL.

Received from the Legislative Council and read a first time.

ADJOURNMENT.

At 5.29 p.m. the House adjourned until Thursday, October 24, at 2 p.m.