HOUSE OF ASSEMBLY

Tuesday, November 30, 1965.

The SPEAKER (Hon. L. G. Riches) took the Chair at 2 p.m. and read prayers.

PETITIONS: TRANSPORT CONTROL.

Mr. RODDA presented a petition signed by 1,733 electors residing in the Victoria, Mount Gambier and Millicent Districts. It urged that no legislation to effect any further control, restriction or discrimination in the use of road transport be passed by the House of Assembly.

Received and read.

The Hon. G. G. PEARSON presented a petition signed by 120 electors residing in the Flinders and Eyre Districts. It urged that no legislation to effect any further control, restriction or discrimination in the use of road transport be passed by the House of Assembly.

Received and read.

QUESTIONS

ABORIGINAL EYE COMPLAINT.

The Hon. Sir THOMAS PLAYFORD: Has the Minister of Aboriginal Affairs a reply to the request I made during the Budget debate that a report be obtained from a medical officer on the prevalence of eye complaints amongst Aborigines (particularly Aboriginal children) in the North-West Reserve?

The Hon. D. A. DUNSTAN: I have a report from Dr. Woodruff (Director-General of Public Health) to whom the request was originally sent after the Leader had raised the matter. Dr. Woodruff reports:

We were not directly associated with the Yalata survey (but there has been a survey in relation to glaucoma). I think Dr. Howarth of the Institute of Medical and Veterinary Science would be the best source of information on this, it you think it necessary in this connection. The disease trachoma is an infection of the eye which is common in many hot arid areas of the world, especially where conditions of hygiene are not good. It causes a great deal of blindness in parts of Africa and Asia. In recent years a virus has been shown to be a causal factor in the disease. The virus has been found in patients in Western Australia, the Northern Territory and South Australia, and it has been claimed that the disease is common in these parts of Australia. For this reason the Department of Public Health and the Institute of Medical and Veterinary Science, with the voluntary help of a senior opthalmic surgeon, made surveys in 1963 of 302 persons at Coober Pedy, Musgrave Park and Mount Davies. A high proportion showed evidence of inflammation of the eyelids and membranes, likely to be due to infection with the trachoma virus; but a much smaller proportion showed the complications of corneal scarring (30 cases) and deformity of the eyelids (five cases). Treatment has been and is being carried out for those requiring it, and the importance of improved personal hygiene as a preventive measure has been stressed, particularly in the schools and mission stations in the area. A full report of the survey work appeared in the *Medical Journal of Australia* of September 11, 1965, and a reprint of that report is attached. I will make that report available to the Leader.

LOTTERIES REFERENDUM.

Mr. McKEE: My question deals with the recent referendum on lotteries. An article in the *Sunday Mail*, under the heading "Why informal votes jumped", states:

At least 30,000 people did not appear to know how to vote. All they had to do was put a figure 1 in either of two squares. They did almost everything else that you could imagine.

I have been told by six responsible people in my district that on November 20, while the referendum was in progress, frequent broadcasts were flashed over the Australian Broadcasting Commission's stations advising people to vote with a cross. I consider that, if these broadcasts were made, they were contrary to the Electoral Act. Will the Attorney-General call for a report on the matter?

The Hon. D. A. DUNSTAN: I do not think that in this case it would have been contrary to the Electoral Act for anybody to have made these broadcasts, but it was extremely undesirable that electors should have been so misled. I will write to the Postmaster-General and ask whether he could obtain a report on the matter in order to see whether this practice could not be prevented in future.

BOLIVAR EFFLUENT.

Mr. HALL: Will the Minister of Works bring down to the House the departmental report on investigations into the use of effluent for irrigation in the Bolivar district?

The Hon. C. D. HUTCHENS: When a debate took place on a motion before the House some time ago I promised that I would get a report. I have instructed the department to prepare a report for presentation to the House, and as soon as it is available it will be tabled.

ADVERTISER LETTERS.

Mr. RYAN: Has the Attorney-General's attention been drawn to the correspondence column of the *Advertiser* today?

Mr. Millhouse: It obviously has.

Mr. RYAN: I thought I was asking the question. The column contains two letters, both with a *nom-de-plume*, attacking the Government and its policy. Whilst biased, unfair and anonymous letters have been a feature of this column ever since the present Government was elected (and they appear to be part of the Liberal and Country League campaign), I ask the Attorney-General whether, in view of the provisions of the Electoral Act, this sort of thing is permissible at the time of a by-election?

The Hon. D. A. DUNSTAN: I have had a complaint about this morning's column in the *Advertiser*.

Mr. Millhouse: I bet you have.

The Hon. D. A. DUNSTAN: I was rather surprised to see the column in the *Advertiser*, because that newspaper was prosecuted by my predecessor as the Labor Attorney-General in this State for a breach of the Electoral Act in similar circumstances in 1924. At that time Sir George Murray pointed out that publishing material of this kind in a newspaper at the time of an election was completely contrary to the Electoral Act. However, I am having the matter investigated and further action may be taken.

SAMCON SCHOOLS.

Mr. FREEBAIRN: A few days ago I asked the Minister of Education whether he had information about the construction cost of the new Samcon type of school building, the type members saw at Mount Barker a couple of weeks ago, and the type that has been completed at Saddleworth to the great satisfaction of the Saddleworth people. Has the Minister a reply?

The Hon. R. R. LOVEDAY: The Director of the Public Buildings Department has informed me that at this stage of the programme of Samcon schools, it is not possible to give precise details of cost. Final costs on the Mount Barker school are not yet available, as expenditure on certain stages of the work has yet to be completely collected and analysed. However, the latest review of anticipated expenditure indicates that the cost of this school is reasonable in relation to the latest costs of solid-construction primary schools.

Mount Barker school was truly experimental, being the first of the first batch of six. Sufficient has been learnt from Mount Barker, combined with substantial progress on other schools in the present programme, to predict real saving in the costs of other Samcon schools as compared with Mount Barker. For example, because of further experience in erection and the acquisition of new skills by departmental tradesmen in this type of construction, a considerable reduction in erection labour costs has been achieved on the new school nearing completion at Elizabeth. Actual experience on site combined with a continuing research into the design of components is also resulting in variations and reduced costs in materials and components.

SOLDIER SETTLERS.

The Hon. T. C. STOTT: Has the Minister of Repatriation a reply to my recent question about living allowances for soldier settlers at Loxton?

The Hon. J. D. CORCORAN: A schedule of allowances applies to war service settlers in the following circumstances:

(1) Where a settler's holding has not reached a stage of production which will enable him to finance necessary expenditure (prior to the declaration of the assistance period).

(2) Where the department holds a stock mortgage from settlers on non-irrigated holdings.

(3) Where a settler is not able to meet commitments as a consequence of progress below expectation or due to a decline in productivity or in returns for various reasons.

(4) Where a settler, notwithstanding the fact that adequate returns are received from the block, has shown an unwillingness to meet commitments or inability to manage his finances in a manner as will enable him to meet them.

Items of expenditure shown in departmental schedules for settlers in irrigated and non-irrigated areas differ because: (*a*) there is a different basic requirement of working expenditure; and (*b*) the schedule in respect of irrigated holdings does not specify actual amounts for some items but relies on the District Officer to recommend an appropriate allowance, having regard to individual circumstances. It is appropriate to point out that the only items mentioned in the earlier reply which do not at present apply to irrigation settlers are life assurance and ration sheep. However, where irrigation settlers have asked for life assurance premiums to be taken into account in their expenditure, allowances to the same extent as apply to dry land settlers have been permitted.

Whatever the form of budget, it must be clearly understood that, except for settlers who have not reached the assistance period, the expenditure which can be permitted must be related to income. In those cases where, through no fault of his own, a settler's income is not sufficient to cover necessary expenditure, the department can and will give favourable consideration to budgeting for a deficit or to allowing time for payment of commitments. However, it must be realized that if there is a deficit in one year (except before the assistance period) this must be made good as soon as the returns from the holding will allow. In dry land settlements, all proceeds are secured to the department under stock mortgage and settlers' expenditure is controlled by a budget under which advances are made to meet an approved schedule of expenditure. The same basic principle of providing finance for necessary expenditure according to a schedule of allowances applies to settlers on irrigated holdings, but, up to the present time, the method of implementation differs.

For settlers who come within the first category set out above, the settler nominates a financing agent who is authorized by the department to make advances to the full amount of the estimated crop proceeds in any one season, and all the crop proceeds are secured jointly to the financing agent and the Minister. At the end of each financial year, the financing agent submits a statement of the amount of the advances made, including interest where applicable, and the amount of proceeds received to June 30. If proceeds exceed expenditure, the financing agent forwards the balance to the department and the amount is credited to the settler's account for rent and water rates. In the event of a deficit, the department reimburses the financing agent accordingly. All proceeds derived from that year's activities but received after June 30 are paid to the department. Necessary expenditure which cannot be met from estimated crop proceeds is provided by way of advances, on requisition from the settler.

Settlers who come within the ambit of (3) and (4) above arrange their own financing agent and are encouraged to make such arrangements as are available to them to meet commitments to the department. In most of such cases the settler is asked to submit details of income and expenditure and the departmental scale of allowable expense is applied to determine what, if any, payment for departmental commitments the settler can reasonably be expected to provide. Payment can be made by cash or by procuration order over crop proceeds. This method for provision of finance in irrigated holdings has operated since the inception of the scheme, but it is, however, intended to redraft the irrigation settlements schedule in much the same form including detail as to personal expenditure as applies in the budget for non-irrigated areas.

In the proposals now being considered for irrigation settlers, the department will make advances direct to settlers along the same lines as those now applying to non-irrigated holdings. Funds to implement this plan are not available during the current financial year, but action will be taken to include provision for these funds in the estimates to be submitted to the Commonwealth for 1966-67. The extent to which this scheme can operate will be governed by the amount of funds which are provided. It should be appreciated that the department is an agent for the Commonwealth and in the matter of finance for, and the recovery of dues from, war service settlers, there is an obligation to conform to Commonwealth policy and a necessity to confine expenditure within the funds provided.

MARGARINE.

Mr. SHANNON: In view of the findings of the Commonwealth Bureau of Economics to the effect that the Australian dairy farmer earns less a year than do workers in industry (even after working about twice the number of hours a week), will the Minister of Agriculture say what progress is being made to protect the dairying industry from the competition in respect of margarine from other States, which is seriously affecting butter sales in this State?

The Hon. G. A. BYWATERS: I shall obtain a report for the honourable member, and bring it to the House tomorrow.

RADAR SETS.

Mr. MILLHOUSE: On the front page of this morning's *Advertiser* appears the report of a judgment of Mr. Badenoch, S.M., on the use of radar sets. The judgment apparently contains criticisms on technical grounds of the use of these sets, and, to say the least, casts doubts on their effectiveness. In view of this judgment, will the Premier, representing the Chief Secretary, ascertain whether the Police Department intends to continue to use these sets, and (regardless of whether it does or not) whether investigations are being made to determine whether the criticisms on technical grounds made by His Honour in this judgment are

valid? Further, will he ascertain whether we should continue to use either the type of set concerned or any other type of radar set?

The Hon. FRANK WALSH: I was somewhat perturbed by the press report. I hasten to assure the honourable member that I will ask the Chief Secretary to ascertain what the future position will be.

REGENCY ROAD.

Mr. COUMBE: Has the Minister of Education, representing the Minister of Roads, a reply to my question of November 18 regarding the reconstruction and widening of Regency Road?

The Hon. R. R. LOVEDAY: My colleague, the Minister of Roads, reports that land acquisition for the widening of Regency Road between the Main North and Prospect Roads is in progress and should be completed within 12 months. Roadworks will commence following the completion of land acquisition.

HALLS OF RESIDENCE.

The Hon. Sir THOMAS PLAYFORD: I do not know whether the Minister of Education has made a statement about the establishment of halls of residence at the Bedford Park university site, which was the subject of a question I asked some time ago. Can the Minister say whether any decision has been made on the matter or whether it is still being considered?

The Hon. R. R. LOVEDAY: I believe I informed the House that site works would commence at the end of 1966. We have informed Senator Gorton that a certain sum will be required for this purpose by way of a Commonwealth grant in this triennium. I am unable to say what is the exact sum, but I will check on it.

SCHOOL SUBSIDIES.

Mr. RYAN: Some time ago I was asked by the Woodville High School Council to make representations to the Education Department seeking approval for a subsidy for the building of a new canteen at that school to replace the old canteen. I was informed that the departmental policy on subsidies for canteens was being determined. Can the Minister of Education say whether the policy has been determined?

The Hon. R. R. LOVEDAY: The policy has now been determined and it deals specifically with canteens as well as other matters relating to subsidy payments. Over the period 1960-61 to 1964-65 the amount spent by the Education Department annually on subsidy payments to schools has increased from £159,700 to £215,700, a total over the five-year period of almost £1,000,000. The amount provided for subsidy payments for the current financial year is £237,300. This is 10 per cent greater than the amount spent in the last financial year, thus maintaining the same annual rate of increase in subsidy payments as has been experienced during the past five years. In each of the years under review, it has been necessary to defer a number of requests for subsidy payments because of insufficient funds. The problem of meeting requests from schools for the payment of subsidy on approved items is made more difficult because a number of schools have accumulated large sums which have been earmarked for the provision of assembly halls, canteens and swimming pools. Because of the large sum involved, requests for the payment of subsidies on the construction of assembly halls have been deferred from year to year and it is most unlikely that they could be met for many years to come.

In order to deal with these requests more adequately, a new policy has been approved. As projects such as assembly halls, canteens and swimming pools are essentially of a capital nature, it is appropriate that any Government contribution toward their construction should be met from Loan funds. Accordingly, in future half the cost of approved works in this category will be met from the annual provision for minor works in the Loan works programme, provided that the school committee or council agrees to pay the other half of the cost upon the completion of the work. The previous Government provided a subsidy of £500 towards learners' swimming pools for primary schools and secondary schools costing respectively about £3,500 and £4,500. This was a subsidy of £1 for £6 or £8 respectively. The present Government will provide a subsidy of pound for pound for these pools and considers that more schools will thus be encouraged to raise money for this purpose as the amount to be raised will be more within the reach of the school organizations.

In any financial year the amount to be spent in this way will be budgeted for as part of the total sum provided for minor works. This will mean that a number of less urgent minor works will be deferred in order to contain the total expenditure within the amount provided for minor works in this and future years. The canteens referred to are expressly those which the parent bodies may desire to erect in an existing school. In future new schools it is clearly desirable

wherever possible, to incorporate the canteen in a part of the main school structure. By doing so, the canteen can be located in an appropriate position and the cost of construction should be less as compared to the cost of a separate structure. Accordingly, in future new schools the Government will meet the full cost of the shell of the canteen and the parent bodies will be required to meet the full cost of fitting out the room as a canteen, including the provision of the necessary fixtures, furniture, equipment and completion of the engineering services. In this way, the contribution of the Government and the parent bodies towards the provision of a canteen will be roughly equal and the Government will be in effect subsidizing the cost of the canteen pound for pound.

With regard to subsidy payments on approved items, the Education Department currently pays a pound for pound subsidy on an extensive list of items which includes teaching aids, sports equipment and library books. In future the funds available for subsidy payments will be allocated in any financial year in the following way: first, as a first approximation schools will be allotted a sum proportional to the total amount of subsidy they have applied for on approved items, and having regard to the size of the schools; secondly, the superintendent may then adjust these amounts having regard to any special considerations applying to a particular school, as for example the fact that the previous application by the school for subsidy on particular items has been deferred for some time because of lack of funds; thirdly, the schools will then be notified by the superintendent of the amount he is prepared to allocate to the school for subsidy payment and the parent bodies will be invited to apply for subsidy on approved items up to this amount in that financial year. This is likely to ensure that schools will apply for subsidy on items which they consider are of the highest order of priority. Fourthly, in general a school which in any year has received an allocation in excess of the pro rata amount first determined, will be advised that it should expect a reduction in the amount available in the next year.

The present policies regarding initial subsidy payments on amenities and equipment in new schools and the developing and improving of ovals in new schools will remain in force. The adoption of this particular policy will result in an equitable distribution of subsidy funds and ensure that as far as possible the funds are applied to the best advantage.

The Hon. G. G. PEARSON: I was interested in the comprehensive report on school subsidies, and I believe the Minister said, among other things, that in future new school buildings the canteen structure or shell would be incorporated in the building and would therefore not cost the school committee or parent organizations anything in the future. I assume that the Minister was suggesting that this was a new policy, but I understand that this policy has been operating for about three years and that new schools erected in recent years have a canteen building provided. Can the Minister of Education say whether I am correct, or whether this procedure is a new policy?

The Hon. R. R. LOVEDAY: The provision of a shell of a canteen within the school design was, to the best of my knowledge, initiated about two years ago after consideration by the Education Department. In the design of what could be called a standard type of high school which had been submitted to the Public Works Committee, the shell of the canteen is provided in new plans.

The Hon. G. G. Pearson: It applies in area schools, too.

The Hon. R. R. LOVEDAY: It may be in area schools, but I am speaking specifically of high schools because I am conversant with those plans. The plans provide for a school of 400, 600, or 1,000 as required. The plan for the canteen and assembly area is standard in each case.

PORT LINCOLN HIGH SCHOOL.

The Hon. G. G. PEARSON: Has the Minister of Works a reply to my question of a week or so ago in which I inquired what priority was allotted to the new Port Lincoln High School and when it was likely that the work might be commenced?

The Hon. C. D. HUTCHENS: As priorities for the planning and design of new school projects are determined by the Education Department, I took up the honourable member's inquiry with the Minister of Education, who states that, on the basis of priority determined for this school and the funds available next financial year, it is unlikely that the department will be able to commence construction on the Port Lincoln High School during that year.

MURRAY RIVER SALINITY.

Mr. CURREN: Recently I introduced to the Minister of Irrigation a deputation from the

Cooltong settlers to draw to the Minister's attention the serious position regarding the salinity of the water being pumped for irrigation purposes. Can the Minister say what action has been taken to reduce the salinity in the irrigation water at the Chaffey and the Cooltong pump and what further action is contemplated?

The Hon. J. D. CORCORAN: Regarding the matters raised by the deputation, Mr. Ligertwood, the engineer, is at present working on proposals to try to reduce the high salinity. These have not yet been finalized. However, Cabinet yesterday approved of a tender for the de-snagging of the Hunchee and Ral Ral Creeks, and this in turn should improve the flow of water in the creek and possibly have some effect on salinity. Immediately I receive further information from Mr. Ligertwood as to the department's intentions regarding improvements surrounding the pumping area, I shall inform the honourable member.

UPPER MURRAY BRIDGE.

The Hon. T. C. STOTT: The Minister of Works will appreciate that much work has been undertaken by the Highways Department on a survey and specifications for a new bridge across the Murray River. I understand that the specifications are likely to follow the design of the Blanchetown bridge. Can the Minister say when terms of reference will be forwarded to the Public Works Committee to inquire in respect of this bridge?

The Hon. C. D. HUTCHENS: This matter has been raised before, and in my opinion it comes within the jurisdiction of my colleague, the Minister of Roads. I shall take the matter up with him to see what progress has been made and obtain a report for the honourable member.

MODBURY INFANTS SCHOOL.

Mrs. BYRNE: Has the Minister of Education a reply to a question I asked earlier regarding the provision of a major addition in brick to the Modbury Primary School to be built adjacent to the existing school facing the Golden Grove road, at Modbury?

The Hon. R. R. LOVEDAY: The Public Buildings Department has advised that planning for the new Modbury Infants School, which will consist of eight classrooms, activity room and ancillary accommodation, is proceeding satisfactorily. Working drawings and specified bills of quantities are almost complete, and it is expected that tenders will be called within the next few weeks. It is expected that the building should be ready for occupation about the end of next year.

GREENWAYS LAND.

Mr. RODDA: Has the Minister of Lands an answer to a question I asked last week regarding blocks of land at Greenways?

The Hon. J. D. CORCORAN: The town of Greenways is situated on land, the lease of which was surrendered by Mr. A. H. Gould in 1955. The area surrendered contained 94½ acres and was donated by Mr. Gould conditionally upon the Government paying all costs in relation to survey and half the cost of fencing the boundaries between the land donated and that retained by Mr. Gould. The department's share of the fencing cost was £130. The town was surveyed and the first of the allotments (1 to 12) were offered at auction on October 11, 1956, at an upset price of £10 each, and allotments 1 to 7 were sold at this figure in 1958. Subsequently the Land Board revised the price of the unsold blocks (8 to 12) and applicants were advised that these blocks were available for purchase by private contract for £15 each. Allotment 8 was sold in November, 1959, and allotments 11 and 12 in 1961. Allotments 7 and 8 were subsequently cancelled for non-compliance with the building condition. Allotments 9 and 10 were withdrawn from offer and arrangements made for these, together with allotment 8, to be auctioned publicly. The Land Board, when recommending the re-offer of allotments 8 to 10, gave consideration to the prices at which they should be offered, and had regard to the following factors:

(1) the previous pricings had been in 1956 and 1958;
(2) the costs which had been borne by the department for surveying, fencing and administration involved in offering and re-offering these allotments for sale;
(3) variation in the value of money over the intervening period of eight years.

The board was of the opinion that, on present-day prices, an amount of £50 was a reasonable figure to charge for a surveyed residential site. Sales of land in this town have not resulted in any profit to the Crown, as receipts have not covered even the costs of survey and fencing together with interest thereon. The prices of the blocks were increased for the foregoing reasons.

MANNUM DEATH.

Mr. HURST: It was reported in the *Advertiser* of Friday, November 26, that a four-year-old girl at Mannum had found her mother

electrocuted. The report stated that the unfortunate death occurred at 8.30 p.m., apparently while the mother was connecting a lead to a back-yard power point to switch on a light in the dairy at the back of the house. Has the Minister of Works read that report, and can he say whether it is accurate?

The Hon. C. D. HUTCHENS: I certainly read the report. I think this matter can be determined only by a Coroner's inquiry, and that it would be improper for me even to hazard a guess as to the cause of death.

NICKEL INVESTIGATION.

The Hon. Sir THOMAS PLAYFORD: Has the Minister of Agriculture yet received a report concerning investigations into nickel deposits in the North-West of this State?

The Hon. G. A. BYWATERS: The Minister of Mines has supplied the following information:

The Leader of the Opposition is aware from his recent inspection with me that substantial geological and geophysical effort is being expanded in this area searching for nickel and any other potentially economic minerals. A progress report will be available early in 1966.

SCHOOL LAVATORIES.

Mr. MILLHOUSE: Last Friday, at the invitation of the school committee, I went to the Westbourne Park Primary School and inspected the boys and girls lavatories at the school. The school was opened in 1914 and I would guess that the lavatories were erected at the same time and have not been substantially touched since. The pans, which are miniature ones, look as though they were meant for kindergarten children and infants, and they are cracked. I was told that over the years a new lavatory block had been promised but no action had been taken, and I was asked to take up the subject with the appropriate Minister with a view to hastening a decision and hastening action on the building of a new lavatory block. Will the Minister of Education give his personal attention to this matter?

The Hon. R. R. LOVEDAY: Yes; I shall call for a report and inform the honourable member when I have it.

JUSTICES OF THE PEACE.

Mrs. STEELE: It is now a considerable time since the Attorney-General said he was taking a survey into the number of justices of the peace in this State and of further appointments. As I, and many other members, have been approached by people anxious to know what has happened to their applications, can the Attorney-General outline the position concerning the survey that was to be undertaken at his request?

The Hon. D. A. DUNSTAN: The information from the survey is now to hand, but certain processing work has to be done to establish quotas for various areas. The quota for the more closely settled areas would be established as one justice to every 150 people in each police district. In country areas that would be too many people to each justice, because there are some areas where a justice has to be provided for a much smaller population than this, therefore special quotas have to be provided in each of the country police districts, taking into account the distribution of population in those areas. This is entailing much work, but I hope to announce the final result of the survey before the end of the year.

REFLECTIVE NUMBER PLATES.

Mr. MILLHOUSE: Has the Minister of Education a reply from the Minister of Roads to my recent question about reflective number plates?

The Hon. R. R. LOVEDAY: My colleague, the Minister of Roads, reports that investigations are continuing into the proposed use of reflective number plates. The implementation of the use of these plates would require legislative action, and the stage has not been reached where the matter is ready for consideration by Cabinet.

CORNSACKS.

The Hon. T. C. STOTT: Has the Premier a reply to my recent question about whether the cost of cornsacks held by people who purchased them last year will be considered in fixing this year's price of cornsacks?

The Hon. FRANK WALSH: A report from the Prices Commissioner states:

Where cornsack merchants have a carry over from the previous season this is averaged with current purchases in arriving at a new season's price. Similar action has been taken this year, but because of the large harvest last season only a relatively small quantity of bags remained on hand. The carry over represented less than 2 per cent of the cornsacks available for this season's harvest, consequently averaging has had little effect on the 1965-66 price.

INDUSTRIAL SAFETY.

Mrs. STEELE: Has the Minister of Works, representing the Minister of Labour and Industry, an answer to the question I asked earlier this session relating to action being

taken in respect of industrial safety and the encouragement of employees to take part in such action?

The Hon. C. D. HUTCHENS: My colleague, the Minister of Labour and Industry, states:

The whole object of the industrial safety campaign is to encourage workers in all industries actively to interest themselves in measures for their own safety. Training courses are only one of the measures used in an endeavour to achieve this general objective. The main emphasis has always been on training in accident prevention techniques being given to foremen and supervisors, and these courses of instruction are still being given regularly by safety officers of the department. There is a much greater demand for this training course for supervisors than for the Union Safety Training Course which is intended to supplement the Supervisors Training Course. In addition, other means are used to bring to the attention of workers the need for adopting safe working practices. These include the distribution of safety pamphlets, the display of safety posters, screening of industrial safety films, talks by safety officers to meetings of workers, and the publication of safety articles in union journals.

An Industrial Safety Convention was held early in November on the general subject of materials handling. Among the delegates to the convention were union officials. An evening session was held as part of the convention which was attended by approximately 300 members of the general public, most of whom were foremen, employees and apprentices in industry.

The number of industrial accidents will not be significantly reduced by using one method of attack: constant attention is being given to finding the most effective means to actively interest workers in adopting safe working practices.

RHYNIE SCHOOL.

Mr. FREEBAIRN: Will the Minister of Works obtain a report on the renovation programme at the Rhynie school, the work for which he has already approved as urgent?

The Hon. C. D. HUTCHENS: I will endeavour to obtain a report for the honourable member this week.

VIRGINIA WATER BASIN.

Mr. HALL: Has the Minister of Agriculture, representing the Minister of Mines, a reply to my question concerning underground water in the Virginia Basin?

The Hon. G. A. BYWATERS: My colleague, the Minister of Mines, reports that the Underground Waters Preservation Act, passed in 1959, provides that an area may be proclaimed under the Act if the water being obtained from bores can be shown to be contaminated or to have deteriorated in quality. The Act, as it now stands, cannot be invoked to protect against falling water levels or loss of supply. The Government intends to introduce amendments to meet this situation, and will act promptly once these amendments have been incorporated in the Act.

ROAD SIGNS.

Mr. RODDA: Has the Minister representing the Minister of Roads a reply to the question I asked last week, concerning road signs?

The Hon. R. R. LOVEDAY: The Minister of Roads reports that it is not the policy of the department to erect warning signs for farm entrances. A vehicle entering a roadway from private property has no right-of-way in any direction, and at the Struan Farm school there is sufficient visibility in both directions for safe entry if normal care is taken. Signs will, however, soon be erected for a district road junction with the main road which is almost opposite the Struan Farm entrance. This should tend to reduce the speed of motorists past the school entrance as well as the district road junction. It is assumed that the second question refers to a crest on the new Naracoorte Caves district road. This road has been designed to departmental standards, and visibility at the crest is in accordance with these standards. Departmental policy is to erect signs only at locations which are substandard or hazardous.

TRANSPORT CONTROL.

Mr. MILLHOUSE (on notice): Does the honourable member for Mount Gambier (Mr. Burdon) propose to take action to support the prayer in petition No. 3 opposing transport control, which he presented on Thursday, November 25? If so, what action does he propose to take?

Mr. BURDON: As a private member, I am not obliged to declare my intentions to the member for Mitcham. The matter is currently before the House, which gives all honourable members an opportunity to take whatever action is considered proper. I shall do my duty as I see it. As a member, I have carried out my duties in duly presenting the petition as requested.

QUESTIONS.

The SPEAKER: I refer to the question just asked by the honourable member for Mitcham, and directed to the honourable member for Mount Gambier. I entertained doubts as to the admissibility of this type of question, but resolved those doubts in favour of the honourable member for Mitcham, because I considered that the question could be held

to conform to the letter, if not the spirit, of Standing Order No. 124. The question, in essence, relates to a Bill currently before the House, and the General Rules relating to questions prohibit any question that would anticipate discussion upon an order of the day.

An appropriate opportunity for eliciting information of this nature presents itself during the discussion on the relevant Bill. I make this statement, because I feel that multiplication of a type of question, asking members what action they propose to take in relation to Bills before the House, could become ludicrous, and because I wish the House to know that the admission of this question is not to be taken as a binding precedent.

ELECTRICITY TRUST OF SOUTH AUSTRALIA ACT AMENDMENT BILL.

The Hon. C. D. HUTCHENS (Minister of Works) obtained leave and introduced a Bill for an Act to amend the Electricity Trust of South Australia Act, 1946-1954.

Read a first time.

The Hon. C. D. HUTCHENS: I move:

That this Bill be now read a second time.

Section 36 of the Electricity Trust of South Australia Act provides for the management of the Electricity Trust's undertaking in accordance with the Adelaide Electric Supply Company's Acts, 1897 to 1931. Section 37 provides for the application of those Acts to the trust. Among other powers, the Adelaide Electric Supply Company's Act, 1922, provides by section 7 for the compulsory acquisition of easements with certain limitations, one of them being easements over the site of any building of the value or more than £100. This is the only legislation giving the trust power to acquire an interest in land.

It is the trust's policy to acquire easements by voluntary negotiations wherever possible but occasionally it has been necessary to invoke the 1922 Act to ensure that a necessary transmission line can be built. In the supply of electricity to a community a transmission line is only one part of the necessary facilities. The line must terminate in a substation where the power can be controlled and transformed to a more convenient voltage. A substation houses much valuable equipment and necessarily prevents the site being used for any other purpose. It cannot therefore be properly built on an easement and consequently the trust has at present no power to acquire sites for substation purposes.

In the past the trust has always been able to acquire substation sites by negotiation. In some cases, however, this is becoming very difficult, particularly in built-up sections of the metropolitan area. The trust endeavours to plan ahead as far as possible and acquire sites well in advance of future needs where this seems desirable. It is, however, not always possible to determine in advance the pattern of demand for power. For example, industries may spring up in a particular location using large quantities of power which could not have been foreseen. On the other hand, it is essential that substations be located close to the power loads which are to be served. Within limits, it is not only impracticable but impossible to supply power except from an adjacent substation. Furthermore, the actual site of the substation has an important bearing on its costs and capability. Entrances and exits must be provided for incoming and outgoing transmission lines. To illustrate the difficulty being experienced by the trust in obtaining suitable sites, I refer to the need to construct a major substation in an area bounded by the West Beach and Marion Roads, where a major substation must be constructed to meet loads in the area where there is already a substantial concentration of industrial establishments with considerable expansion taking place.

In all, 15 sites have been examined by trust officers and some of these comprise vacant land which would be suitable for the trust's purposes. However, following protracted negotiations extending over several months, the only site available for purchase (over which options have been taken and which expire within the next few weeks) would involve the demolition of five houses. All of these are habitable and some are modern and of good quality. The trust recognizes that in special circumstances the location of a particular substation may sometimes require demolition of a house. However, the trust believes that it is not in the best interests of the community for it to be forced to do this as a consistent policy when in some instances vacant land is available within the general area as a suitable alternative. This is particularly so at a time when demands for housing cannot be fully met.

To overcome the difficulties of the trust it is considered desirable to provide powers of compulsory acquisition of sites for the construction of substations with the Governor's approval. Clause 4 accordingly adds such a power to the powers of the trust. With

regard to easements, I point out that the limitation in section 7 of the Act of 1922 is out of line with modern conditions and money values. The amount of £100 fixed in 1922 was intended to cover a building of some substance. There have been recent instances where it has been possible for an owner of land to erect a prefabricated garage or glass house, thus precluding the trust from exercising its powers to acquire easements. It is considered that the existing limitation is too restrictive and clause 3 accordingly provides that in its application to the trust, section 7 of the 1922 Act shall be read as if the limiting words were omitted.

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

CITRUS INDUSTRY ORGANIZATION BILL.

Adjourned debate on second reading.

(Continued from November 25. Page 3187)

The Hon. G. A. BYWATERS (Minister of Agriculture): This morning I received a letter from the Murray Citrus Growers Co-operative Association, and I think it would be of interest to honourable members. It is addressed to me and states:

The report of the committee of inquiry into the citrus industry in South Australia, and a draft copy of the Citrus Industry Organization Act, 1965 were considered at a meeting of the committee of management of Murray Citrus Growers Co-operative Association held at Waikerie on Friday, November 26. It was unanimously agreed that, through you, the inquiry committee be commended on its factual, comprehensive and constructive report. There was also unanimous support for the Citrus Industry Organization Act, 1965, as drafted. The hope was expressed that the relevant Bill would be passed without unnecessary delay so that steps for its implementation may be taken. The main purpose of a press statement, issued by direction of the association committee of management (copy attached), was to emphasize this urgency. There is no doubt that enactment of this legislation in South Australia will provide example and incentive for similar development on an Australia-wide basis. This, as you will know, is already under consideration by the Australian Citrus Growers Federation. (signed) J. J. Medley.

This adds to many other letters I have received and to the many comments made to me about the Bill. I noticed that the leading article in this morning's newspaper also commended the Bill. People generally have a favourable impression of it. I appreciate the comments made by Opposition members, commend the Bill to the House, and trust that it will have a speedy passage through Committee.

Bill read a second time.

In Committee.

Clauses 1 to 4 passed.

Clause 5—"Interpretation."

Mr. QUIRKE: I move:

After "grower" to insert "(*a*) In Division I of Part II and in sections 34 and 36 of this Act".

I move this amendment in anticipation of further amendments.

Amendment carried.

Mr. QUIRKE: I move:

To add "and (*b*) in the other provisions of this Act means any person who carries on the business of producing citrus fruit for sale."

This amendment will clarify the provisions of the Bill by defining "grower" for the purposes of elections and polls as a person who grows more than 50 citrus trees commercially and, for the other purposes of the Bill, as a person who carries on the business of producing citrus fruit for sale (without regard to the number of trees). The amendment makes it clear that the scope of the Bill will be extended to all commercial citrus growers. By virtue of the penalty provisions, the Bill as drafted probably has this effect, but the amendment will put the matter beyond doubt. The expression "carries on the business" is used, as the courts have given it a precise interpretation in similar marketing legislation.

The Hon. G. A. BYWATERS (Minister of Agriculture): The Government has no objection to this amendment. What the honourable member says is quite correct: it was the intention that this should be so, and it would have been so, but some doubts were expressed as to just whether this would actually take place. The honourable member has spoken to me on this matter, and the amendment is acceptable to the Government.

Amendment carried; clause as amended passed.

Clauses 6 to 11 passed.

Clause 12—"Grower companies."

The Hon. G. A. BYWATERS: I move:

To strike out "section 11" wherever occurring and insert "this Division and section 36".

This is a consequential amendment.

Amendment carried.

The Hon. G. A. BYWATERS: I move:

In subclause (4) after "election" to add "or poll under this Act."

This, too, is a consequential amendment. This clause then enables a grower company to nominate a person whose name will be included in the register of growers as its nominee, and the amendment will ensure that such nominee is

enabled to vote at an election or a poll both as the nominee of a grower company and as a grower in his own right.

The Hon. T. C. STOTT: As I understand it, a company is not a partnership. This clause provides for a company, but what is the position with a partnership? Are all the partners entitled to vote, and, if so, how many votes would each be entitled to?

The Hon. G. A. BYWATERS: I believe it would be necessary for a partnership to be registered before the partners would get the extra vote, for this is what usually applies in other marketing legislation.

Mr. FREEBAIRN: I support the member for Ridley in this matter. I suggest that the Minister should pay special attention to the meaning of "partnership" and "company" as they apply under this clause. We accept, of course, that a company, being a body corporate, should have one vote. I believe that under common law members of a partnership could be held to have a share of the partnership assets. Will the Minister see whether this clause can be modified to ensure that, in the case of a farmer with several sons working in partnership, each has a vote, as I know the Minister would wish that they should have a vote? We have a precedent under the Commonwealth Wool Referendum Act, which provides that a partner having an entitlement to a share in the property of the partnership is entitled to a vote. It may be a good thing to include it in this legislation.

The Hon. G. A. BYWATERS: A partnership has to be registered and, where a partnership exists, each partner has a vote.

Amendment carried; clause as amended passed.

Clauses 13 to 20 passed.

Clause 21—"General powers of Committee."

Mr. QUIRKE: I move to insert the following new paragraph:

(*d*1) by order, exempt from the operation of this Act a grower who produces a small quantity of citrus fruit;

This would enable the Citrus Organization Committee to exempt small growers from the provisions of the Bill. The work of the committee would be unduly hampered if it had to supervise the marketing of growers who produced a small quantity of fruit, and exemptions could be provided to these growers by order. The quantity of fruit to be released would be in the committee's discretion.

Mrs. BYRNE: Is adequate provision made for citrus growers not resident in the Murray River areas?

The Hon. G. A. BYWATERS: It is considered that people not resident in the Murray River areas should be accommodated, and the committee will be fully sympathetic and will have cognizance of those people. In several areas small growers are situated, and the member for Burra had this in mind when he moved his amendment. It is considered that "by order of the committee" may not be sufficient, but I assure members that the committee, which will be directly responsible to me as Minister, will have in mind the needs of the small grower. The Bill was not intended to control growers having two or three trees and selling four or five cases a year, but these people will be adequately protected under the provisions of the Bill, as this amendment will draw the committee's attention to this need.

The Hon. T. C. STOTT: Exemptions should be handled carefully by the Citrus Organization Committee. This matter was provided for in my Bill, and much depends on the quantity of fruit produced by the small growers and how it would affect marketing and prices controlled by the committee. The committee would control, under its marketing order authority, the sale of most of the citrus fruits. Much depends on the interpretation of "small quantity". How big is a small quantity? How many small growers would sell their oranges to consumers, and how would this affect the marketing order issued by the committee? This matter should be carefully considered as, although individual growers may be small, they may have for sale, collectively, a large quantity of oranges. This matter should be handled with circumspection, because I do not wish to see a number of small growers affecting the working of the committee. An orderly marketing scheme should be supported by as near as possible to 100 per cent of the growers. There is nothing to stop a controlling authority issuing an exemption, but these exemptions should not be issued willy-nilly. This power should not become too wide. I should be happy for the committee to control the issue of an order for exemption, but not for it to be said that Parliament was giving exemptions willy-nilly.

Mr. RODDA: Apparently, under the Act, Canadian cases will be used. Can the Minister assure me that logging licences will be issued to cover a satisfactory output?

The Hon. G. A. BYWATERS: That is purely a matter for the consideration of the committee. In reply to the member for Ridley, I point out that four members of the committee will be grower representatives, which

should adequately cover the matter he has raised.

Mr. RODDA: Paragraph (*h*) provides for the storing and handling of citrus fruits. A legitimate request in respect of cases was made to me and I should like the Minister's assurance on this point.

The Hon. G. A. BYWATERS: The Committee is not considering actual cases. I received a telephone call today from a sawmiller, in regard to the use of the Canadian dump case as against the Australian bushel case, but that is a matter for the citrus committee to decide.

Mr. Rodda: Do I have the Minister's assurance that this matter will be investigated?

The Hon. G. A. BYWATERS: The only assurance I can give is that the committee will examine every matter referred to it.

Amendment carried; clause as amended passed.

Clause 22—"Power to issue marketing orders."

The Hon. T. C. STOTT: Apparently, the committee will have the power to issue marketing orders, but that is a departure from the idea of an orderly marketing scheme. The committee should not delegate its power to issue marketing orders to somebody else, and I issue a warning against this provision.

The Hon. G. A. Bywaters: Would you say that powers should be delegated to the secretary?

The Hon. T. C. STOTT: Of course they should, but here we are delegating the powers of Parliament. The clause should be tried out, but it is a complete departure from the general principles of orderly marketing.

Clause passed.

Clauses 23 to 29 passed.

Clause 30—"Offences in connection with the marketing of citrus fruit."

Mr. QUIRKE: I move to add the following subclause:

(3) Notwithstanding the preceding provisions of this section, it shall be lawful for a grower to sell or attempt to sell or to offer for sale any citrus fruit or to do any other act, matter or thing included in the marketing of citrus fruit if he is exempted from the operation of this Act pursuant to an order made under paragraph (*d*1) of subsection (1) of section 21 of this Act.

This amendment is consequential on my previous amendment. It provides that an exempted person will not contravene the provisions of the Bill if he sells his citrus fruit. The provision was probably clear before, but my amendment makes it doubly clear.

Amendment carried; clause as amended passed.

Clauses 31 to 35 passed.

Clause 36—"Polls on continuation of this Act."

Mr. QUIRKE: I move:

In subclause (5) to strike out "two-thirds" and insert "sixty per cent"; and after "poll" to insert "being not less than thirty per cent of the growers whose names are then included in the register of growers,".

Provision is made in the Bill that, if the industry wishes to get rid of this committee, it can vote it out. As the clause stands, the scheme could be revoked if there were presented to the Minister a petition signed by not fewer than 100 growers requesting that a poll of growers be taken on whether the scheme should continue, and if at least two-thirds of all the growers who voted at the poll voted against the continuance of the scheme. The clause provides that two-thirds of the growers voting at any poll thereunder may vote the scheme out of operation, and the amendment, modelled on a provision of the three pest control Acts of 1962, means that 60 per cent of the growers voting, being at least 30 per cent of all growers entitled to vote, may vote the scheme out. Without the amendment, it could mean that a few disgruntled people (provided other growers were negligent) could vote the scheme out of existence. The amendment will mean that at least 30 per cent of the growers must vote or there will be no poll, and that 60 per cent of that 30 per cent must be in opposition before the discontinuance can apply.

Amendments carried; clause as amended passed.

Remaining clauses (37 to 39) and title passed.

Bill read a third time and passed.

WORKMEN'S COMPENSATION ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from November 24. Page 3158.)

Mr. MILLHOUSE (Mitcham): When I asked leave to continue my remarks last Wednesday I did so on the grounds that this Bill had only been introduced the preceding day and there had not been time for those outside this House (and even for those within the House) fully to appreciate the effect of the amendments being proposed. Sir, what has transpired since has shown that it was wise to

adjourn the debate, because since then some matters have come to light of which I was not aware at the time when I was last speaking. It is rather strange, actually, that the Premier's explanation of this Bill was notable rather for what was left unsaid than for what was said about this.

Mrs. Steele: That would not be unusual.

Mr. MILLHOUSE: It may not be unusual, but it was certainly unfortunate, and the explanation was notable for this. There are two points, particularly, that I desire to raise now. One concerns the amendment to omit almost everywhere throughout the Act the words "by accident", and the other is the probable effect (although the drafting is far from clear, I regret to say) of section 28a. When I was speaking last Wednesday I said that I could not understand what the effect of the omission of the words "by accident" was, and I noticed that everybody on the Government side sat back poker-faced and did not say anything.

Mr. Broomhill: The member for Semaphore had already told you.

Mr. MILLHOUSE: I find it difficult to listen to the member for Semaphore sometimes, and I must have missed what he said. I try to listen to the honourable member.

Mr. Lawn: He has not got the toothpaste smile that you have got.

Mr. MILLHOUSE: I am jolly glad to hear the member for Adelaide say that. It is about five years since he referred to my toothpaste smile, and I rather thought I must have lost it. I am glad indeed to know that I still have it, and I thank the member for Adelaide for his merry interjection on this matter. As I say, I now realize that there is a good deal behind this provision, and that it is very wide indeed. It means that any injury, including any injury not caused by accident, will be included in the Act. When one starts to think about this, it is not difficult to see what sort of injury this may include. It may be anything that comes on slowly, over a period of time, and it will be covered. For example, deafness caused by being exposed to continuous noise could be one which previously was not covered but which will be covered now.

Mrs. Steele: A jolly good thing, too.

Mr. MILLHOUSE: I do not deny that such an injury should be covered. However, I think at least the Government should have explained in the second reading explanation of the Bill that this was being covered. Another pretty significant group of injuries are back injuries that come on suddenly and apparently have no particular cause: they certainly do not seem to be caused by any accident. Now I admit that the trend of decisions has been to allow compensation for these things, but this Bill will confirm that trend very definitely. Another type of injury or ailment anyway is heart attacks that occur apparently without a precipitating cause at all, when a man or a woman is at his or her place of employment. These now will be covered by the Act. A clerk may be sitting doing his daily work and he may suddenly suffer a heart attack. That will be sufficient now for him to have a claim under the Act. It will not be necessary to show that there was any accident at all. Therefore, as I say, this is a considerable widening of the scope of workmen's compensation. I do not argue against that necessarily; in fact, I do not argue against it at all. However, I complain that the Premier, when he gave the second reading explanation, did not see fit even to explain this matter. I think he should have done so, and that he deserves respectful reproach for not having done so.

One significant difference between our Act and the Acts in Victoria and New South Wales will now be that we have not got a definition of "injury" in our Act at all; it is as wide as the world. At least in the New South Wales Act there is a definition of "injury", which was amended in 1960. I suggest that it would be appropriate for there to be some such definition in our Act. This is the definition of "injury" in the New South Wales Workers' Compensation Act:

"Injury" means "personal injury arising out of or in the course of employment—

and that is the same as our Act will read in future—

and includes (*a*) a disease which is contracted by the worker in the course of his employment, whether at or away from his place of employment and to which the employment was a contributing factor; and (*b*) the aggravation, acceleration, exacerbation or deterioration of any disease where the employment was a contributing factor to such aggravation, acceleration, exacerbation or deterioration, but does not, save in the case of a worker employed in or about a mine to which the Coal Mines Regulation Act, 1912, as amended by subsequent Acts, applies, include a disease caused by silica dust or the aggravation, acceleration, exacerbation or deterioration of a disease caused by silica dust."

Now we have no such definition, nor is it proposed to put any such definition of "injury" in our Act. I know the Premier has pricked up his ears because he knows, as I know, that there are special Parts dealing with industrial diseases.

The Hon. Frank Walsh: Silicosis.

Mr. MILLHOUSE: Yes, these things are dealt with in Part IXa, I think, of the Act. I am not arguing against that; all I am suggesting is that it would be wise, quite apart from these industrial diseases, if there were a definition of "injury" in the Workmen's Compensation Act, and there is no such definition. Previously, when it was injury by accident, that was a definition in itself, but now that the words "by accident" have been taken out, "injury", so far as our Act is concerned, is as wide as the dictionary definition, and this may lead to results that are not desired or intended, even by this Government. It may lead to a multiplication of litigation. Someone had to explain to the House the effect of this amendment. The other point is the probable effect (and I regret to say that it is far from clear in its drafting) of new section 28a, to be inserted by clause 8, which states:

Notwithstanding anything in this or any other Act contained, the amount of compensation payable to a workman pursuant to this Part shall be computed and based upon the rates of compensation in force at the time of the death—

death is a definite time and there is no difficulty in fixing that—

or incapacity as the case may be of the workman, whether the injury occurred before or after the day upon which such rates came into force.

That refers to death, which is a definite fixed time, but "incapacity" is not a definite fixed time. This is not the same as saying "at the time when injury was sustained". The members for West Torrens and Port Adelaide and other members will know that incapacity is something that can be assessed from day to day.

Mr. Ryan: You also cannot declare incapacity at the time of the accident.

Mr. MILLHOUSE: No, but my point is that, as I think this section will be interpreted, it imports considerable retrospectivity into the legislation. This was something that the Premier did not canvass in his second reading explanation. Insurance companies and those who have been studying this Bill—

Mr. Ryan: Unfortunately, they have had too much of their own way in the past.

Mr. MILLHOUSE: I do not know whether this type of insurance is particularly profitable, but I am told by representatives of that business that it does not matter to them what the scale of compensation is under the Act. The premiums are simply adjusted actuarily, and the insurance companies do not suffer as a business when compensation is increased or decreased, because their premiums follow.

Mr. Ryan: They hate paying them.

Mr. MILLHOUSE: No reputable company does.

Mr. Ryan: Reputable or otherwise.

Mr. MILLHOUSE: They are alarmed and perturbed when retrospectivity is imported, as apparently it is in this section. All companies have claims that go back five or more years, and they continue to pay out sums on them and naturally have estimated the total amount of those claims. They have done that in past years on outstanding claims, but under this new section they will find their estimates far below what could be a reality. Up to the present their estimates for claims which have been made in the past have been based on a figure that was certainly not £6,000 as is being imported by this Bill, but on a figure of £3,250 so that this retrospectivity will mean that many of their claims will increase to nearly double, in the proportion £6,000 to £3,250. That is serious for a business which must estimate its claims annually and which should be able to rely on those estimates being reasonably accurate. Yet, because incapacity is something that can be fixed at any time in the future while it continues, and because the compensation is based on a rate payable at the time of fixation of incapacity, they will find their estimates in past years are haywire. The compensation they thought was payable could be increased to nearly double.

Mr. Shannon: It is based on former premiums, too.

Mr. MILLHOUSE: Yes. They have received premiums to cover those claims but cannot go back over the years to pick them up. Perhaps the Government will not insist on this, but the rumours I have heard indicate that it will not be sympathetic. These companies cannot recoup themselves by way of increased premiums unless they try to load the lot on industry this year or next. They are stuck with a premium income to cover what is increased claims, and that is unfair. I do not know whether this was the Government's intention, but I believe that new section 28a is likely to have that effect. I should have hoped that the Government would take heed, but the payments that will be involved occur under various sections in the Act. I hope that the Minister of Works will indicate the Government's intention of playing it fair in this regard. They are the only two additional matters I wish to raise. They have

both cropped up since I last spoke, but that is not surprising, because it is only a week since the Bill was first introduced. The Bill was dreamt up no doubt by the Government and its supporters, and introduced without consultation with insurers or employers. If that is so, it is doubly undesirable that it should be pushed so quickly through this House and through another place, if it would allow itself to be pushed around in that way. I do not know if it will, but it has been foisted on us, and this is not good enough. I hope that what I have sa'd will bear fruit in Committee or in another place.

Mr. McKEE (Port Pirie): I shall not make a long speech because I believe it is bad policy to stonewall good legislation. I listened with extreme interest to the member for Mitcham and have concluded that, after saying nothing, he repeated himself. It would be impossible to comment on any part of his speech that supported the worker, although he did support insurance companies and industry generally. However, it gives me great pleasure to support this long-overdue legislation—like many other matters (social and otherwise) overdue because of the previous Administration. The workers of this State have always been behind their counterparts in other States, and I am pleased to be associated with a Government that has consideration for the people who play the most important part in the functions of the State. I agree with the member for Semaphore (Mr. Hurst) that the Bill does not go far enough, but it will at least afford provisions similar to those applying in other States. The trade union movement of this State was continually refused any consideration, despite its numerous approaches over many years. The Bill is welcome news to union officials and members alike.

The member for Torrens (Mr. Coumbe), who pretends to have some consideration for the workers, said that he believed £6,000 was too much compensation for permanent disablement, but I point out that that is little enough for a permanently disabled person, particularly for a young married man with a family to feed, clothe and educate. After all, £6,000 is an average earnings for six years, and six years in the life of a man in his early thirties is not much compensation if he is permanently disabled. I am afraid I cannot support the honourable member's suggestion that that sum be reduced. If that shows the honourable member's concern for the workers, I suggest he address some factory gate meetings, and tell the workers how he intends to support their case by suggesting that the Bill is too generous.

To assist him in his campaign to persuade the people that he is their champion, I suggest also that he approach the member for Mitcham (Mr. Millhouse) to see whether the honourable member will accompany him. Like the member for Torrens, the member for Mitcham has had ample time and opportunity to do something for the people about whom he and his colleague now pretend to be so concerned. On the other hand, I believe it would be wise for them not to attend those factory gate meetings, because, although they are covered for workmen's compensation through Parliamentary insurance, I do not know whether the sum involved would cover the cost of an expensive by-election. I compliment the Government on introducing the Bill, which demonstrates the Government's concern for the people who are so important to the welfare of the State.

Mr. HEASLIP (Rocky River): I do not oppose the Bill—

Mr. Jennings: What about the primary producer!

Mr. HEASLIP: When similar Bills have come before the House I have opposed clauses relating to the payment of compensation to workmen travelling to and from their work, the relevant provision in this case being contained in clause 4. The member for Enfield says, "What about the primary producer?" Well, what about him? What compensation does he receive when travelling to and from his work? What compensation do many other people receive in this respect? They receive no compensation at all but, according to the member for Port Pirie, our concern should be directed to employees in the community. I do not agree with that, for our concern should be directed to the whole of the community. By this provision, we shall force industry to pay a higher premium, ultimately to be borne by the consumer, for the consumer always pays. It will mean extra costs to the producer and to the manufacturer. Much of the legislation passed in the House this session will increase costs and rule this State out of competition with the Eastern States.

Mr. Jennings: Strangely enough, they have had this provision for years.

Mr. HEASLIP: They may have, but we have not, and we have not had many other provisions that they have. Therefore, we have been able to produce goods and export them to the eastern markets, and to maintain that

competition. We have been able also to build up our all-important secondary industries.

Mr. Ryan: They are only of secondary importance to primary industry, though, aren't they?

Mr. HEASLIP: Yes, but both are important. Costs must be kept at a minimum, so that secondary industries can compete with the markets in the Eastern States. Our present employment figures are a credit to South Australia, but our percentage of unemployment must grow if our costs continue to rise. South Australia has been able to sell its goods because it has kept its prices down.

Mr. Hudson: What percentage of increase in costs will result from this Bill?

Mr. HEASLIP: It will be small in this case, but from the start of the session the Government has introduced legislation that will add to costs.

Mr. Ryan: We are trying to make up the leeway for 27 years.

Mr. HEASLIP: South Australia has made up terrific leeway in secondary industries over the last 27 years.

The Hon. G. G. Pearson: The Government has taken £6,000,000 from South Australian taxpayers in the last six months.

Mr. HEASLIP: Yes. The Government's legislation has increased costs and those increases could mean that people will lose their employment.

Mr. Ryan: You admit that costs have increased over the years, even though that increase has been slight.

Mr. HEASLIP: Increases will always take place.

Mr. Hudson: What was the effect on costs of the stamp duties legislation introduced by your Government in 1964?

Mr. HEASLIP: That was an increase, but the present increase in stamp duties will be larger than that. The Bill before us will increase the costs of secondary industries. I will not oppose it because I should like to see workmen benefit from its provisions if we can afford them. We would all like many things but, if we cannot afford them yet still have them, we eventually lose everything. Because of this increase I am afraid that South Australia may lose all it has and that its workmen will be worse off than they were before. In the past they have got on very well. The Bill affects happy people who are better off than their counterparts in other States because costs in South Australia have been kept down. If costs are increased many workmen will be worse off because they will not have a job. However, if this small increase in costs can be supported by industry I shall be glad to see workmen benefit from the provisions of the Bill. I do not oppose the Bill.

Mr. BROOMHILL (West Torrens): I support the Bill, which provides for urgently required changes to the Workmen's Compensation Act. While these changes do not go all the way towards completely removing the difficulties experienced under the Act, the Bill does take care of four of the most serious matters that have created considerable trouble in the past for persons who, although injured at work, have not been entitled to workmen's compensation. Members on this side who have been members of Parliament for some years must feel great pleasure at being able, as a Government, to bring forward this Bill. The background of workmen's compensation matters shows that, often over the years, members on this side tried to introduce some provisions now included in the Bill. This means that Opposition members cannot now claim that they have not had adequate opportunities in the past to do something about these matters. The member for Mitcham obviously knew little about this matter. When I sought further information from him by way of interjection, he replied, rather rudely, that I was becoming emotional about workmen's compensation. It is true that I can become emotional about this matter.

Mr. Millhouse: It ill becomes members of Parliament to become emotional.

Mr. BROOMHILL: The member for Mitcham spoke about some workmen's compensation claims that he had taken before the court.

Mr. Hurst: How many do you think that would be?

Mr. BROOMHILL: I do not know. The honourable member spoke about representing the widow of a workman. Obviously he felt the claim was justified or he would not have proceeded with the case, yet his lack of success did not disturb him in the least. I should have thought that, if the honourable member had considered that this was a proper case, he would have proceeded, when he was unsuccessful, to attempt to rectify the matter in this House. The fact that the honourable member has not moved in this direction clearly proves that he was insincere when he spoke on the matter in this House. As a trade union official, I found that the most frustrating part of my duties concerned workmen's compensation. I was forced to tell many people

that they would not be entitled to compensation on account of their disabilities, nor would they receive compensation during the long periods they would be required to be away from work. This was simply because of the omission of one or two words from the Act, and I am pleased to see that rectified now. The provisions of the Bill are readily understood by most people, and I believe that they are incapable of misrepresentation. Misrepresentation has taken place previously on other matters before the House. Despite the simplicity of these provisions, the member for Mitcham could not understand some of them. The first provision provides for the removal of the words "by accident" from the Act. The members for Semaphore and Torrens drew attention to this amendment, but apparently both speeches were above the member for Mitcham's head.

Mr. Millhouse: That wouldn't surprise you, would it?

Mr. BROOMHILL: No, I am not surprised. The member for Semaphore drew attention to the fact that persons are occasionally employed in jobs where they are required to sit in unusual postures. He referred to typistes and said that, from time to time, they suffer back ailments and muscular pains in their arms. The member for Mitcham said that many injuries that workmen suffer are back injuries.

Mr. Millhouse: I now understand the point the member for Semaphore was trying to make.

Mr. BROOMHILL: Very good. I, too, have had many similar instances to this in the past, and it has been most difficult to convince those persons, who have been required to seek medical treatment and thus lose time from work, that they are not entitled to workmen's compensation. I had the instance of an employee who had entered the milk-processing industry, where he was required to transfer bottles of milk to crates. He found that the new occupation affected the muscles of his arms, and he was off work for some months without receiving workmen's compensation. In addition to this, he was dismissed from his job, after suffering absences with his injury, because he was unable to continue with his occupation. The member for Torrens admitted that, because of the provisions in the Act, a very large area of dispute had existed in the past in relation to the words "by accident". The only odd thing that struck me in relation to the honourable member's observations was his failure to support this proposal when he was a member of the Government. The next amendment sought relates to the coverage of an employee whilst travelling to and from work. This matter has been well dealt with by the members for Semaphore and Port Pirie. As has been pointed out in arguments on this matter in previous years, this provisions applies in most other States. The need for this provision has increased, particularly over the last few years, because industry has been established outside of what we may refer to as the city area. I refer to industry at Elizabeth and similar places, to which employees are now required to travel a much greater distance than has been the case in years past. The Opposition's attitude to this provision seems to relate only to the costs that are likely to be involved or to be placed upon the industries if this provision is implemented. The member for Torrens did, rather apologetically, give some wild estimation of the existing cost per employee at present applying in relation to workmen's compensation. I think he referred to 17s. and 20s. a week per man. I suggest that this is a great exaggeration, and that the honourable member should have another look at that question. My information is that 2 per cent of a total wage bill of an employer generally makes up the compensation premiums payable, and this is in the heavy industries; it comes down to as low as ½ per cent of the total wage bill in relation to office workers and the like. As an example, I have been provided with information that an employer in a heavy engineering workshop pays as wages for the year to employees £4,010, and his present workmen's compensation premiums are £86 a year.

Mr. Coumbe: He must be in a very small way.

Mr. BROOMHILL: I think the honourable member indicated that his figures were subject to correction, but obviously they were grossly exaggerated.

Mr. Hurst: That would be a very hazardous industry, too.

Mr. BROOMHILL: Yes, and the highest premiums would be payable in that industry. The only other objection that has been raised by the Opposition on coverage to and from work is that considerable difficulties of interpretation could be associated with the provision.

Mr. Millhouse: You would not doubt that, would you?

Mr. BROOMHILL: It was suggested by the honourable member that many cases had been taken in New South Wales on this question,

but he omitted to say that most of those difficulties were recognized and overcome recently when the section was amended in New South Wales. We have included in the Bill before us the existing provision that applies in New South Wales, and it removes the greatest area of dispute that can arise under this section. The next amendment relates to the increase of payments from £3,250 to £6,000. I do not think anybody could deny that the present payment of £3,250 is completely inadequate. I agree entirely with the member for Port Pirie, who has pointed out that even the £6,000 is not very generous when we consider the case of a person who has been widowed as the result of her husband's death at a youthful age. Obviously, if a young widow is left with a young family the payment of £6,000 could not be considered over-generous. How these people at present continue to raise their families with the present payment of £3,250 is a wonder to me. The percentage payments have also increased, and, although these percentages for loss of limbs or loss of portion of limbs have increased, I think members will agree that no sum can compensate an employee for the loss of a limb or for injuries that restrict the use of his hands. The sum provided should be sufficient to compensate for the disability suffered, and in most instances it should also compensate for the loss of earning capacity that the person so affected will be faced with for the rest of his life.

One of the biggest problems with the Workmen's Compensation Act, in my view, is that employers accept this as a ready excuse for dismissing an employee who has suffered an injury and who is unable to continue with his old occupation. The employer, instead of accepting his responsibility of finding another occupation within his industry for the employee, feels that his conscience is clear because the employee concerned has received a lump sum compensation settlement. However, as an example of our present situation, the payment for the loss of a finger (depending on which finger it is) is between £350 and £500. Even though these amounts will be increased, it is obvious that they will still not be extravagant for an employee who has to suffer this loss. At the same time, we must also consider the employee who may crush his hand and, although not losing any fingers, suffer a 50 per cent loss of the use of that hand. The sum of £1,225 at present payable hardly makes up for the disability that this employee will suffer for the rest of his life. I suggest that these examples show that the percentage increases for loss of limbs or partial loss of use of limbs are justified.

The other amendment affects the payment of weekly sums at current rates, and the situation at present defies logic. An employee may have been injured 10 years ago, but suffers recurring injury when he is unable to work. He may be off work this week because of the injury he suffered 10 years ago, but I can see no reason why he should receive the weekly rate applying then, as it will be about half the current weekly payment. How this provision has continued under the previous Government for so many years is beyond my understanding. There can be no merit or argument in favour of that proposition, and the amendment seeks to overcome this problem and to provide that any employee who suffers recurring injuries shall be paid at the appropriate rate. That is completely justified. The provisions about which I have spoken were overwhelmingly endorsed by many voters at the last election. I consider that many members opposite, particularly those who have spoken, have changed their attitude and are not opposing the Bill, although they have strenuously opposed it in the past. They have recognized the demand by the people of South Australia for amendments to this Act. I commend the Bill to the House, and trust that its passage through both Houses will be rapid.

Mr. SHANNON (Onkaparinga): I have close contact with people in the insurance business, and do not object to the Bill. However, I am sure that it will increase premiums, because benefits will be increased. Two fields of insurance give insurance companies the greatest problems—compulsory third party on motor vehicles, and workmen's compensation. In this State an Insurance Premiums Committee fixes the premiums that companies may charge the owner of a vehicle for third-party insurance, which is a compulsory insurance. I think such a committee should operate for workmen's compensation, as a thorough investigation by people competent in this field is necessary. I do not object to a man who suffers an injury in the course of his employment being appropriately compensated, but certain factors applying to the to-and-from work provisions should be considered. The Bill will be a legal beanfeast, and will not improve the lot of the worker greatly.

Circumstances occur over which neither the employee nor the employer has control, where an employee proceeding lawfully to or from his work can be feloniously injured by a third party. This is a case where the law of equity

and of common rights should apply, and I think we are trying to protect people in this Bill who should be more appropriately protected by common law. Clause 4 amends section 5 of the Act by inserting a new subsection. This is difficult to interpret and will create fine legal arguments. It excludes from compensation certain people who are injured going to and from work, but I cannot understand why the following words are included:

. . . unless in the circumstances of the particular case the risk of injury was not materially increased by reason only of such substantial interruption or deviation or other break.

They will create a sense of absolute befogment in the minds of insurer and employer. The employer will not be sure until a court has decided whether there was or was not a material factor applying to the case. We should stop at the word "journey", and we would still achieve what we want to do. We are tying things up in such a way that it will result in a legal beanfeast.

The Hon. G. G. Pearson: Could this be drafted without ambiguity?

Mr. SHANNON: The necessary exclusions are covered if we stop at the word "journey". If we want exclusions to cover culpability of workmen running into trouble, then we should say so. This provision will be contentious for every employer and employee, because the employee will get nothing until the court decides, although he may be justly entitled to something. I do not agree that all employers are hard-hearted scoundrels who do not look after their employees. I know from my own experience that, frequently, injured workmen have purposely been found light work, because of their loyalty to the employer who does not desire to dispense with their services and who finds a job suited to the circumstances of the employee after the injury has occurred. Dispensing with the services of a loyal employee is the last thing the average employer wishes to do.

The establishing of a premiums committee to consider premiums chargeable by insurance companies would cover the matter in the Bill that concerns me most. The member for Mitcham (Mr. Millhouse) said that the retrospective aspect of the payment of a weekly allowance in respect of an injury suffered in the past would be affected by the new rates to be applied under the Bill, where the premiums collected by the insurer had previously been fixed and could not be affected; nor could anything be recovered to offset the additional cost involved. That seems to me to be unjust. I do not wish to deny the workman a weekly payment in keeping with present-day costs, but the premiums should be sufficiently loaded to cover that added cost to the companies concerned. It is recognized in every branch of insurance (particularly in respect of workmen's compensation and third party motor vehicle) that, as soon as an 80 per cent loss ratio on claims paid to premiums is reached, the proposition becomes uneconomical. Administration costs and the costs of the general functioning of the company concerned have to be met out of the premiums paid.

A competent committee could assess the impact of this on premium rates for workmen's compensation, and perhaps advise the Government on the appropriate rates to be charged. Although I am connected with insurance concerns in this State, I offer no objection to such a control over premiums in that regard. After all, it offers just as much social protection to our working people as is offered by compulsory third-party insurance. I do not oppose the Bill, because I think all members are well aware that its provisions can be implemented only by increasing premiums. Since that increase is almost certain, I believe an investigation should be made, so that no company could arbitrarily increase premiums unreasonably as a result of the passing of this legislation. Unless an appropriate authority were set up to advise the Government on this matter, the Bill could lead to an unwarranted charge on industry. Although an extra charge will be imposed, in any case. I do not think it should be greater than is actually necessary. The member for Rocky River (Mr. Heaslip) pointed out that we depend on industry for employment; when we embarrass employment we also embarrass the employee. I hope that in Committee the Government will consider some of the amendments that have been forecast which, if accepted, will effect certain improvements.

Bill read a second time.

Mr. HURST (Semaphore) moved:

That it be an instruction to the Committee of the Whole House on the Bill that it have power to consider a new clause relating to additional compensation for medical expenses.

Motion carried.

In Committee.

Clauses 1 and 2 passed.

Clause 3—"Liability of employers to workmen for injuries."

Mr. COUMBE: I move:

In paragraph (*k*) after "employer" to insert "(first occurring)".

This is merely to correct a drafting error, and should clarify the provision beyond doubt.

The Hon. FRANK WALSH (Premier and Treasurer): The Government has no objection to the amendment.

Amendment carried; clause as amended passed.

Clause 4—"Circumstances where liability does not exist."

The Hon. Sir THOMAS PLAYFORD (Leader of the Opposition): I move:

To strike out "subsection" and insert "subsections"; and to insert the following new subsection:

(3) No compensation shall be payable in respect of any injury on any journey referred to in paragraph (*a*) of subsection (2) of section 4 where the injury was caused under circumstances creating a legal liability in some person other than the employer to pay damages in respect thereof unless and until the workman has taken proceedings against that person to recover damages except to the extent of the amount by which compensation which would otherwise be payable in respect of that injury under this Act exceeds an amount of the damages recovered in such proceedings.

My amendment deals with the case of an employee going to or from work who is injured as a result of the negligence of some other person. For instance, if there were a motor car accident and the employee were injured as a result of the negligence of another person, the employee would have the right to get damages from that other person. The amendment provides that if an employee took such a case to court and received compensation of £300 as a result of that civil action, and his workmen's compensation was £500, he would still receive the additional £200. The amendment provides that he should exert his rights under civil law before the workmen's compensation claim is dealt with. It is not fair to an employer to be responsible for the negligence of some other person where that negligence can be proved in court and compensation obtained from the court. The amendment does not take away from the employee his right to compensation but it fixes the obligation to pay on the person who is negligent, if such a person exists. I point out that if this amendment were accepted it would go a long way towards the Opposition's accepting the Bill. It is a fair amendment and I believe it should be accepted.

The Hon. FRANK WALSH: Under the broad principle of compensation, two compensation payments would not be paid in respect of the one accident. The clause provides that where a person meets with an accident when travelling directly to or from his place of employment he will be entitled to compensation. However, if he travels in a roundabout route he will have to prove the case himself. If the Leader's amendment were accepted, there would be doubt whether the clause would adequately meet the situation. I am sure that the Leader would not desire to impose hardship on a person who met with an accident whilst travelling to or from his place of employment. If the Leader examined the waiting time involved in litigations, I think he would see that his amendment could impose extreme hardship in many cases. To provide that the making of an application would be the end of the matter does not meet the case. I think the position would be covered if we provided that where a person met with an accident travelling to or from his place of employment he should be entitled to workmen's compensation, and that if he made a further successful application (which would undoubtedly be covered by third-party insurance) he would have to repay the sum involved. Instead of improving the position, I think the Leader's amendment makes it more difficult.

The Hon. Sir THOMAS PLAYFORD: I point out that my amendment does not debar a man from making an immediate application for workmen's compensation provided that, where a civil action can be taken, he has taken the necessary steps for that action to be taken. Otherwise, the position could arise where a motorist who is completely in the wrong knocks down a workman and seriously injures him, but the motorist does not pay any compensation and the employer, who is completely innocent of any negligence, pays the compensation. Undoubtedly, if a civil action claim were for a larger amount than an employee would receive in workmen's compensation he would take civil action. However, if the civil action were for a smaller amount than the employee would receive in workmen's compensation, there would be no point in his taking civil action because he would receive the workmen's compensation whether or not he took civil action. Another factor is that insurance companies would quickly adjust policies to meet the cost of these claims. It is provided in the Bill that no double insurance will be paid. If a civil action is taken the employee will not be the loser because he will still be guaranteed the full amount that is available under workmen's compensation; there is no attempt to

whittle down the amount he receives. The obligation should be fixed where it rightly belongs, namely, on the negligent motorist who has knocked the employee down. I think honourable members will agree that that is a fair and reasonable proposition. I was told in one State where this provision has applied for some time that the negligent motorist very often gets off and the employer is called upon to pay. Action should be instituted. The only other possible way to meet this position would be to give the employer the right to institute proceedings. However, I think the Attorney-General would agree that the right of civil action cannot be delegated to somebody else. I believe that what I have suggested would have an appreciable bearing on fixing the obligation where it rightly belongs, which could be upon a negligent motorist.

The Hon. D. A. DUNSTAN (Attorney-General): I appreciate the point the Leader is trying to make, but I suggest to him very earnestly that his amendment would not achieve what he suggests. In fact, it would provide a most difficult position for an employee to face. The Leader said that while it is true that under section 71 a workman will not get double damages (he will get either workmen's compensation or civil damages, but not both), his purpose in providing this amendment is to deal with those cases where a workman would think it more profitable to proceed for compensation rather than for common law damages. With respect, those would have to be very few because, as the member for Mitcham will know (and I hope he will agree with me on this), common law damages are almost invariably in excess of what can be recovered under the Workmen's Compensation Act, simply because the Act is not designed to provide full indemnity. The wages for which one can get compensation in a common law action for damages are full wages, and that is not the position under the Workmen's Compensation Act. The amount that a person will get as a lump sum payment for injury and inconvenience is invariably a greater amount than is fixed by the Workmen's Compensation Act, because as our Act now stands it is designed not to be a full compensation but merely an insurance. Therefore, the number of cases in which a workman who had a claim at common law for the recovery of damages that he would let go by simply in order to take workmen's compensation would have to be very few indeed, and I think they would be very small claims. The Leader's amendment provides:

No compensation shall be payable in respect of any injury on any journey referred to in paragraph (*a*) where the injury was caused under circumstances creating a legal liability in some person other than the employer to pay damages unless and until the workman has taken proceedings against the person.

How does one decide whether the circumstances were such as to create a legal liability? The greatest number of claims in the civil jurisdiction before the Supreme Court at the moment are in accident cases in which questions of disputed liability arise. If a workman was advised, for instance, that he may conceivably have a claim but it was a bit dicey, he could perhaps take a punt at it.

The Hon. G. G. Pearson: That is the whole point: he does not have to decide between one and the other at this point of time.

The Hon. D. A. DUNSTAN: What the amendment is requiring him to do is to issue proceedings. Is he to issue proceedings and then submit to their being struck out because he does not prosecute them?

The Hon. G. G. Pearson: He may get his compensation in the meantime.

The Hon. D. A. DUNSTAN: No, the Leader says he cannot get compensation until he has taken proceedings. He may be advised that the chances of his success in proceedings are not very bright. However, the Leader's amendment requires him to issue a writ, apparently. Is he required to go on and prosecute that writ? What happens if he does not do so and the defendant then moves the court to strike the writ out for want of prosecution?

The Hon. G. G. Pearson: He will still have his workmen's compensation.

The Hon. D. A. DUNSTAN: Then the whole thing would have been a useless and expensive exercise. If he is to go on then, you are saying to him, "Well, you must prosecute a case even if you are advised that the case may not be very good." Alternatively, if he is advised that his case is not much good and he decides that he is not in the circumstances creating a legal liability, the employer may say to him, "I do not have to pay you compensation unless you have taken proceedings". The workman may then say, "I do not think I should take proceedings; that is my advice", to which the employer could reply, "Well, my advice is that you should take the proceedings, and I will therefore defend an application for workmen's compensation, for I am provided with a defence under the Leader's amendment, namely, that you have not taken your proceedings." So the thing goes to the court

for arbitration under the Workmen's Compensation Act, and the question is tried before the local court as to whether this was an accident in circumstances creating a legal liability on the third party.

Mr. Chairman, this is a most impossible situation mechanically. The only way to achieve anything such as the Leader is putting forward would be to provide a statutory means of giving to the employer or to the insurance company the right to prosecute the workman's claim in respect of the action for damages, as happens in third party claims under the Road Traffic Act. This might be a device to meet the Leader's point, but to prepare a provision of that kind would require an extremely complicated piece of drafting. As the Leader knows, provisions in the Road Traffic Act had to be worked out over a long period and were subject to a series of cases leading to their modification. I cannot see how we can draft an amendment to follow that course in a short time. This would be a matter that would be better dealt with in the comprehensive amendment to this Act that will be introduced next year, because all the procedures will be dealt with then. In the meantime, it may be possible to deal with the position the Leader has raised.

The Hon. Sir THOMAS PLAYFORD: I am pleased that the Attorney-General did not contest the general fairness of the principle of the amendment, because I cannot imagine anyone doing that. His suggestion to include it in the comprehensive Bill next year is vague, because next year the Bill may not enjoy so much unanimity as is enjoyed by this legislation. Obviously the Government has introduced this Bill with the desire of getting some immediate cases accepted because of the statement of policy that I made and which the Premier made at the last elections. The Government has wisely introduced provisions that do not involve a division, but the next Bill may be more contentious. I suggest that I withdraw my amendment on the understanding that the Government considers drafting a suitable amendment to be considered in another place.

The Hon. FRANK WALSH: I shall be pleased to grant permission to the Leader to withdraw his amendment. We do not wish to impose a hardship on the employer or the employee, so in the meantime the Attorney-General has agreed to find a way to assist in drafting a suitable amendment.

Leave granted; amendment withdrawn.

Clause passed.

Clause 5—"Amount of compensation when workman dies leaving dependants."

Mr. MILLHOUSE: The Premier said that this clause raised the limit that any workman could recover under the Act to £6,000. I refer to him the case of *Mermingis v. Perry Engineering Company Limited,* 38 A.L.J.R., at 245. Then, the limit was £3,000, and it was held that a workman suffering a permanent disability, although it was partial, was entitled to weekly payments up to the then limit of £3,000 in addition to a redemption sum of the same amount, a total of up to £6,000. The High Court held that the workman was entitled to up to £6,000. We are now providing in certain circumstances that a workman should get up to £12,000 under this clause. We cannot do anything about it in this case, but I draw this decision to the Premier's attention in case it had escaped him. It means that what he said in his second reading explanation is not strictly accurate, and that we are going much further than the Government expected that it would go.

Clause passed.

Clause 6—"Compensation for incapacity."

Mr. COUMBE: I move:

In paragraph (*b*) to strike out "six thousand" and insert "four thousand five hundred".

This follows the principle of the difference between the lump sum payment paid to a widow on the death of her husband and that paid to a woman whose husband has been incapacitated. I agree that the full amount of £6,000 should be paid to a widow on the death of her husband. The present payment is £3,250. At present the amount payable to a dependent wife, if her husband is incapacitated, is £3,500, which is greater than that paid to a widow. I wish to increase to £4,500 the amount payable to a dependent wife where the husband is incapacitated. Most workmen's compensation cases arise in New South Wales, a State with much heavy industry, especially in metal manufacturing, and with a large population. In that State, the amount payable to a widow is £4,300, whereas the woman whose husband is totally incapacitated receives £2,300, exclusive of the sum paid to dependants. From that we see that the entitlement is almost two to one in favour of the widow. At the moment South Australia has the highest rate of weekly payments in certain cases. In respect of a dependent spouse the weekly payment in this State is £4 10s.; Queensland has the nearest figure of £3 12s., and New South Wales is £3 3s. a week. In South Australia the weekly payment in respect of children under the age of 16 years is £1 14s.

a week for each child; the next highest figure is paid in Tasmania, £1 8s., and New South Wales, £1 5s.

If my amendment is carried our figure will be higher than that of any other State. Section 26 of the Act sets out the scale of payments made to workmen incapacitated through various types of injury, which are all based on the maximum lump sum paid to a workman for total incapacity. The scale includes loss of both eyes or feet, and a hand and foot, right through to 7½ per cent of the loss of a toe, or injury to the joint in a finger. I am suggesting that the lump sum payment be £4,500. We must realize that 99 per cent of the number of payments made under the Act today come within the scope of this scale. Fortunately, the number of payments in respect of death are few, compared with those paid in respect of injury. If my amendment is carried, any workman injured after the passing of the Bill will still receive a proportionate increase of about 25 per cent more than he is receiving at present. This highlights my argument that a widow should receive more than is received by the wife of a dependent husband. After all, the widow loses the breadwinner and may be the mother of children under 16 years of age.

The Hon. FRANK WALSH: The Government does not intend to accept the amendment, and believes that £6,000 should be paid for total incapacity. The honourable member seeks to reduce that sum by £1,500. I admit that, during the election campaign, the Leader of the Opposition propounded a policy of £6,000 compensation on the death of a workman. On the other hand, we stated a policy in respect of compensation for persons travelling to and from their work. The Government finds it difficult to discriminate between the two categories. In the case of total incapacity, the person, previously the breadwinner, is denied future employment and suffers much hardship. How can we discriminate between that case and the case of the widow? We believe that £6,000 compensation is little enough.

The Hon. Sir THOMAS PLAYFORD: I am sorry that the Premier has not given more attention to this matter than he appears to have given. During the election campaign I said that the Opposition believed that death was a greater tragedy to a family than was incapacity to work. For that reason, we took the case relating to death out of the schedule in the Bill and placed it in a different category altogether. We stated that, if returned to the Treasury benches, we would provide compensation of £6,000 in the event of death, which I believe would have been appropriate. Apparently the Premier does not appreciate that, by raising the compensation for total incapacity to £6,000, he is also raising appreciably the amounts paid for minor injuries, because they are all based on a percentage of the total incapacity provision. If the amendment of the member for Torrens were carried, the provision for total incapacity would still be higher than that in other States. However, if the clause is passed the provision will be 25 per cent more than that in other States.

By increasing the total incapacity provision the payment for the loss of a toe would also be increased. This increase in total incapacity from £3,250 to £6,000 will more than double charges made on employers by insurance companies for workmen's compensation, and this is at a time when we are already in a serious position in competing with industries in other States. If the Premier will not accept the amendment of the member for Torrens he should at least isolate the provision for total incapacity. Where an employer is negligent, an employee still has an opportunity to take civil action. If the total incapacity provision were isolated from the scale of minor injuries the Bill would be improved, but if it is passed as it stands it will jeopardize the whole Bill.

The Hon. FRANK WALSH: I am prepared to ask the Parliamentary Draftsman to draw up an amendment that will isolate the £6,000 for total and permanent incapacity.

Mr. COUMBE: I accept what the Premier said about the effect of total incapacity on a family. I appreciate the Premier's undertaking that he will endeavour to isolate the provision for total incapacity. I point out that with a provision of £6,000 for total incapacity South Australia will still have the highest provision in the Commonwealth as New South Wales has £2,300, Victoria £2,800, Queensland £3,925, Western Australia £3,500, and Tasmania £4,459.

The Hon. FRANK WALSH: The amendment provides for £4,500. I suggest that the figure remain at £6,000 as provided in this clause in the Bill. I ask the honourable member not to proceed with his amendment on this matter but to move an amendment to clause 7 to strike out "six thousand pounds" and insert "four thousand five hundred pounds". The Government would accept that amendment.

Mr. COUMBE: I accept the undertaking given by the Premier that he will agree to an

amendment in clause 7 when we come to it. I therefore ask leave to withdraw my amendment.

Leave granted; amendment withdrawn.

Clause passed.

Clause 7—"Fixed rates of compensation for certain injuries."

Mr. COUMBE moved:

To strike out "six thousand" and insert "four thousand five hundred".

Amendment carried; clause as amended passed.

Clause 8—"Compensation to be at current rates."

Mr. MILLHOUSE: This is the clause to which I referred during the second reading debate and which contains the most undesirable element of retrospectivity because of the use of the word "incapacity". I do not think it is necessary for me to go over the arguments I used previously. I think it is perfectly obvious to everyone that this clause is likely to import a degree of retrospectivity. It will upset estimates of claims over a number of years made by insurance companies without giving any real chance to those companies to redress the upset that has been caused, because premiums have already been paid and they cannot be revised now. I do not know whether the Government will be prepared to abandon this clause, but I hope it will, and that is what I suggest it should do. In support of that, I point out that the Government itself will be one of the organizations hardest hit by this particular amendment. I do not know whether you, Mr. Chairman, are wagging your head at me, but I think you will find that it does, Sir, in this way: the Government, as I understand it, carries its own workmen's compensation insurance.

The CHAIRMAN: And it pays in accordance with this clause; it does that now.

Mr. MILLHOUSE: Then it will not be hit as hard as I thought it would be. I am very grateful at being put right by the Chair on a matter of substance; I have never known that before, and I hope this co-operation will continue. However, that is not the position with private industry, which is going to be hit very badly indeed. I should welcome some indication from the Government on two things; first, whether this retrospectivity was intended and, secondly, whether the Government intends that the compensation which is to be made retrospective should cover all sorts of compensation or whether (as I think the honourable member for West Torrens murmured during this speech) it was only in respect of weekly payments. I should welcome some clarification from the Premier on those two points.

The Hon. FRANK WALSH: I think the honourable member answered his own query at the close of his remarks when he said something about its being only in respect of weekly payments.

Mr. Millhouse: That is what I got from the member for West Torrens.

The Hon. FRANK WALSH: An injury may have happened years ago, and in the meantime payments have been increased in accordance with present-day money values. I refer to instances of recurrence of injuries. A person may have a recurrence of an injury and find that the payments he is receiving are completely out of line with present-day payments, for basic wage increases and other factors affect weekly payments.

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

The Hon. Sir THOMAS PLAYFORD: This is a provision that should not be accepted. It is putting back the clock and is altering insurance rates that may have been established 10 years ago.

Mr. HEASLIP: I am sure that the Government does not realize the import of this provision. Businesses have to assess their costs annually to calculate their profit or loss. This clause takes retrospectivity back 10 years or so, and under it businesses are liable for payments that they have not been able to show on a balance-sheet.

The Hon. FRANK WALSH: I move:

In new section 28a after "Part" to insert "in respect of any claim for compensation made after the commencement of the Workmen's Compensation Act Amendment Act, 1965".

During the election campaign I said that payment for recurring injuries should be brought more into line with modern money values. The clause imposes no hardship in respect of payments to be made from time to time.

The Hon. Sir THOMAS PLAYFORD: Does the amendment mean that, if an accident occurred a year ago and no claim has yet been made in respect of it, the new rates will apply to the original accident?

Mr. Shannon: On which premiums were fixed!

The Hon. Sir THOMAS PLAYFORD: Yes. If that is the effect of the amendment, I do not think the Premier has solved the problem. Overloading the clause with retrospectivity is undesirable. Two people may be involved in making a claim in respect of the same accident; one may lodge his claim immediately and have

it adjusted in relation to the existing provisions, whereas the other one, who may not make a claim for some time, will come under this provision.

Mr. Shannon: The worst feature of it is that some claims cannot be assessed until certain medical evidence is heard.

The Hon. Sir THOMAS PLAYFORD: This provision argues against the Bill, and is undesirable.

The Hon. D. A. DUNSTAN: Under the present provisions a person's compensation is assessed at the rate applicable to the original injury, regardless of any changes in the value of money and benefits provided under the Act. At the election campaign the Government said that the rate of compensation payable would apply to the time that a claim was made, because the compensation would relate to the disability and not to the period when the injury occurred. After all, it is when the disability occurs that the man needs assistance; that should be the date on which the compensation is assessed, and not the date of the original injury. The Premier's amendment does not significantly alter the clause, but makes it perfectly clear that compensation "shall be computed and based" in respect of any claim made in the future. The claim is made at the time the disability arises, and not necessarily at the time the injury occurred. The time within which a claim can be made in respect of the original injury is limited. I refer to section 30 of the Act. The claim cannot be back-dated to the original injury, except in respect of a recurrent disability.

Mr. Hurst: There would not be many.

The Hon. D. A. DUNSTAN: No. If the Government made it clear that the basis of compensation should be changed to the disability rather than to the date of injury, I think it is perfectly clear that it should proceed with this clause.

The Hon. Sir THOMAS PLAYFORD: This is a hybrid Bill, for it has taken not only what the Government promised at the last election but also what the Opposition promised, and provides for two sets of circumstances. I suggest that, from a practical point of view, the Government, having had a look at the complexity of workmen's compensation, decided that it would bring in an interim Bill to provide some immediate benefits and to alter materially certain compensation provided by the Act. It decided that it would bring in a comprehensive Bill later to deal with more controversial matters. The provision for retrospectivity should have been left for the later Bill.

The Hon. FRANK WALSH: When the Leader spoke on this point earlier, I admit that I thought the retrospectivity applied to any injury recurring on any claim. The amendment provides that the payment will apply to the retrospective payments to be made from the date of operation of the Act. Before the election the Government told the people that it would bring workmen's compensation payments up to date. Surely we are entitled to do this. We have gone some of the way to meet the Leader's wishes but now he wants us to go further. I do not dispute what the Leader is trying to retain in the Act, but I dispute his authority to retain it. I believe we should be more considerate to those people who suffer recurrence of an injury. The Government insists on its amendment.

Mr. SHANNON: The insurers have accepted a responsibility for these cases and have been paid a premium, and the six months referred to by the Attorney-General has no bearing whatever. These cases will go back far beyond six months: they will go back interminably. I agree that people who are so disabled should have proper compensation. However, we must be fair to the insurer. The Bill makes no provision for any recoupment by the insurer to take care of these contingent liabilities of which he could not possibly have had any knowledge until the introduction of the Bill. If we had a premiums committee dealing with these problems future premiums on workmen's compensation could be loaded to meet contingencies. Information could be procured from the records of the various companies. This matter should be investigated by competent people, on similar lines to the way we handle third-party insurance. My sympathies in this matter lean to the workmen. I know the insurance companies will accept without quibble the responsibilities placed upon them, and they will of necessity have to levy the employers an appropriate amount of premium for the risks they take. I know of cases which have become revived after some years.

The Hon. D. A. Dunstan: How many would there be?

Mr. SHANNON: I could not say, but such an investigation by competent people would disclose that information. I am sure the Premier only wants to do the right thing by both parties, and that is all we on this side are asking him to do.

Mr. HEASLIP: I do not believe in retrospective legislation, for it is bad. Therefore,

I do not agree with this clause. The extra cost of providing this retrospectivity must be borne by the consumer and not by the insurance companies or the firms that take out the insurance. We will be costing ourselves out of competitive trade with the Eastern States. The insurance companies are not going to lose. I do not know of even one insurance company that has gone into liquidation in the last 20 years.

Mr. Hudson: What about the Standard Insurance Co.?

Mr. HEASLIP: Yes, that was one, but very few of them have ever gone into liquidation. Ultimately, the consumer bears the burden, and the State will lose what it has gained in the last 20 years: there will be unemployment and a receding secondary industry. I do not believe in retrospectivity and I oppose the clause.

Amendment carried.

The Committee divided on the clause:

Ayes (17).—Messrs. Broomhill and Burdon, Mrs. Byrne, Messrs. Bywaters, Casey, Corcoran, Curren, Dunstan, Hudson, Hurst, Hutchens, Jennings, Langley, Loveday, McKee, Ryan, and Walsh (teller).

Noes (15).—Messrs. Bockelberg, Brookman, Coumbe, Ferguson, Freebairn, Hall, Heaslip, McAnaney, Millhouse, and Pearson, Sir Thomas Playford (teller), Messrs. Quirke, Rodda, Shannon, and Mrs. Steele.

Pairs.—Ayes—Messrs. Clark and Hughes. Noes—Messrs. Nankivell and Teusner.

Majority of 2 for the Ayes.

Clause, as amended, thus passed.

Clause 9 passed.

New clause 6a—"Additional compensation in respect of medical expenses."

Mr. HURST: I move to insert the following new clause:

6a. Section 18a of the principal Act is amended—

(*a*) by inserting after the word "renewals" in paragraph (*b*) of the definition of 'medical services' in subsection (2) thereof the word "repairs"; and

(*b*) by inserting before the word "arising" in subsection (6) thereof the words "or damage to any medical or surgical aid or curative appliance or apparatus".

This amendment improves section 18a of the principal Act. Members will recall that, when this section was amended, it was intended to cover the situation where an employee, wearing spectacles, or with false dentures, or a hearing aid, or an artificial limb, who had a minor accident, could claim compensation for damages or repairs. When the Leader amended the Act previously he tried to cover this situation. Some insurance companies met their obligations but a section did not. A case was heard at the Elizabeth court on August 17, 1964, when this section was tested after an employee had his glasses knocked off by a piece of conduit, but the insurance company refused to meet the compensation for them. Mr. Stanley appeared for the person, but judgment was given against the applicant and the union had to pay the costs of the action. Some firms paid the cost of a replacement and others paid half the cost, but the employee has no legal right to this payment. I commend the amendment to honourable members.

New clause inserted.

Title passed.

Clause 6—"Compensation for incapacity"—reconsidered.

Mr. COUMBE: I move:

In paragraph (*b*) before "six thousand" to insert "in the case of total incapacity"; and to add the following paragraph:

(*c*) By inserting after the word "pounds" in subsection (3) thereof the words "and in the case of partial incapacity the sum of four thousand five hundred pounds".

These are consequential amendments, as a result of the amendment made to clause 7 earlier, when partial incapacity was separated from total incapacity.

Amendments carried; clause as amended passed.

Bill reported with amendments. Committee's report adopted.

The Hon. FRANK WALSH (Premier and Treasurer) moved:

That this Bill be now read a third time.

Mr. SHANNON (Onkaparinga): I wish merely to draw attention to the fact that, if this legislation is passed, its impact will be to increase premiums payable in respect of workmen's compensation by 30 per cent.

Bill read a third time and passed.

LAND TAX ACT AMENDMENT BILL.

The Legislative Council intimated that it had agreed to the recommendation of the conference.

LOTTERY AND GAMING ACT AMENDMENT BILL (DECIMAL CURRENCY).

Returned from the Legislative Council without amendment.

ROAD AND RAILWAY TRANSPORT ACT AMENDMENT BILL.

In Committee.

(Continued from November 23. Page 3088.)

The Hon. FRANK WALSH (Premier and Treasurer): At the outset, I point out that,

for the benefit of honourable members, certain amendments have been incorporated in the Bill now before the Committee, as a result of discussions that have already taken place, and that certain additional amendments are now on honourable members' files.

Clauses 1 to 3 passed.

Clause 4—''Interpretation.''

The Hon. Sir THOMAS PLAYFORD (Leader of the Opposition): I move:

To strike out ''Subsection (1) of''; in paragraph (*a*) to strike out ''therein'' and insert ''in subsection (1) thereof''; in paragraph (*b*) to strike out ''therein'' and insert ''in the said subsection (1) thereof''; in paragraph (*c*) to strike out ''therein'' and insert ''in the said subsection (1) thereof''; and to insert the following new paragraph:

(*d*) by inserting therein after subsection (2) thereof the following subsection:—

(3) Every direction and every approval of the Minister given in pursuance of any provision of this Act shall be published by the Minister in the *Gazette* within seven days of the giving thereof.

The purpose of the amendments is to make it obligatory that every direction and approval given by the Minister pursuant to the Act shall be published by him in the *Government Gazette* within seven days of the giving thereof. All but one of my amendments are consequential. I have the gravest doubts about the propriety of having a Minister interfere at all in this matter. Already all sorts of rumours and statements are being made about things that have and have not been promised. One day we hear of a promise to exempt Eyre Peninsula and another day there is a definite statement that Whyalla will not pay any road charges. I have the exact words used by one member opposite to the effect that his district need not worry because it would be substantially exempt. It is not proper that statements like this should be made. Any exemptions that are made should be justified and approvals should be able to be examined. As the Bill stands the Minister can make all sorts of deals with people. I have heard that one of the principal amendments is not to be carried and that the Minister is not going to enforce one of the provisions of the Act. That was reported to me as coming direct from the Minister. If the approvals of the Minister are good there is no reason why they should not be published in the *Gazette*. This provision is to the detriment of the Government and of the administration of the Government.

The Hon. FRANK WALSH: I do not agree that every direction and approval of the Minister given in pursuance of any provision of this Act should be published by the Minister in the *Gazette* within seven days of the giving thereof. Nothing has ever been more misrepresented to the public than this Bill has been by certain people associated with the Parliament. No charge whatever will be made if there is no competition with the railway system. There is a map available that shows where one can carry goods without payment. The Government is attempting to improve the co-ordination of transport. There is no competition with the railway system on Eyre Peninsula or Yorke Peninsula.

Mr. Heaslip: Would Eyre Peninsula be exempt?

The Hon. J. D. Corcoran: The Premier did not say that.

The Hon. FRANK WALSH: I have already stated the position in that respect. Where carriers carry in competition with a railway service there will be provision for payment. The rates have not been promulgated yet. We have been accused of all sorts of things regarding the effect on the cost of living. When I was Leader of the Opposition I said I did not believe that the Railways Commissioner should have to advertise all his rates. He is giving special rates. He is a common carrier of goods, and I believe he is entitled to make contracts with people who desire to send their goods by rail.

At present the normal rail freight for aluminium hydrate and aluminium sulphide from Millicent to metropolitan stations would be £9 1s. 3d. a ton but, in order to assist the industry, the Railways Department is carting that freight for £3 a ton. The normal rate by rail for waste paper from Cellulose is £6 17s. a ton, but the department is carting it for £3 11s. The rate for chemical pulp would be £9 1s. 3d., but that is being carted today for £3 3s. In the case of one of the most recent industries established here, the Leader of the Opposition, during the time his Government was in office, made arrangements to encourage the South Australian Rubber Mills, in association with certain American interests, to establish a tyre factory at Salisbury. Over £3,000,000 has been invested in that plant, and about 80 per cent of its full production is earmarked for export to other States. However well these tyres are stacked, there is necessarily still much wasted space, and probably we are carting something with more air space than solid material. Why should the Minister have to advertise in the *Government Gazette* any price he fixes for the cartage

of these tyres to another State? The same thing applies to the South-East freight traffic that I referred to earlier.

We are waiting for final plans to be announced for the gauge standardization programme. These plans affect the question of providing a spur line into this factory that has been established at Salisbury. I maintain that many people have not given sufficient thought to what is involved in this matter. In broad principle, this is an attempt at co-ordination, an attempt to use the mobile vehicles that are in operation today and to use rail transport wherever we can. If people wish to compete with that rail transport, we provide that they shall pay a certain fee. The regulations concerning charges have not yet been promulgated, and although some of them may be known many are not. The plain facts are that people can still cart goods without charge for 50 miles in competition with the Railways Department, but if they are still in competition with rail transport beyond that distance they start to pay.

I do not think that the broad principle of the matter has been really understood. I know that some people are advertising extensively a suggestion regarding the avoidance of road tax. I am not prepared to agree that every direction and every approval of the Minister given in pursance of any provision of this Act shall be published by the Minister in the *Government Gazette* within seven days of such direction or approval. I do not think that suggestion is reasonable. We may as well advertise everything and give the people on road transport an open go. We said we would co-ordinate transport, and that we would provide that there would be rail cartage and that people should use the railways. When the Commissioner is not in a position to meet the situation, he could then say, "Well, we do not have the equipment, but the goods must be delivered." If there was a large sale of stock, where would we finish if we did not have the equipment? Where we can provide the equipment, we can still earn much more for the railways system, and that is what this Government aims to do. We said we could co-ordinate the services, and I believe that we can. I cannot see for one moment why the Minister should not have the freedom for which we have asked. I oppose the amendment.

The Hon. Sir THOMAS PLAYFORD: I think the Premier has completely misunderstood the amendment, which does not have anything to do with railway fares.

The Hon. Frank Walsh: I did not say that.

The Hon. Sir THOMAS PLAYFORD: Under the Act that Parliament has accepted the Minister has powers to deal with railway matters. This present question relates only to road transport, and it deals with the orders the Minister gives in connection with that road transport. The Premier is completely outside the scope of the amendment when he speaks about the Railways Commissioner advertising his rates. We want to establish, and this should be established, that there is not going to be crooked business in connection with this Bill. Already sinister rumours have been reported to me, and I say frankly that there is no logical reason why the Minister, having given an order with regard to road transport, should not make it public. The only reason he would not would be that it was not a proper and *bona fide* order. There is no other reason why he should not make it public. One district will be exempt and another district will pay, and that is the position we will be in unless this amendment is included in the Act. We have some definite proof of this. This has nothing to do with what the Railways Commissioner will charge for fares, as that is a matter he can fix in any way he likes. But this strikes at the root of fair and proper government. If the position is that the Minister will make one decision for one district and a totally different one for another district, the whole thing is corrupt.

The Hon. R. R. Loveday: You are trying to make it sinister.

The Hon. Sir THOMAS PLAYFORD: Every order of the Government up to the present has been published in the *Government Gazette;* how are people to know the position unless they are officially advertised? How are people to know what the Minister's orders are unless they are advertised?

The Hon. R. R. Loveday: Who do you suggest will be corrupt?

The Hon. Sir THOMAS PLAYFORD: I suggest that a formal administration that will enable the Minister to give a preferential decision for one district against another is corrupt.

The Hon. R. R. Loveday: The administration is by people: who is going to be corrupt?

The Hon. Sir THOMAS PLAYFORD: I do not know who will administer this Bill in the future, but it will be subject to administration by all sorts of people. It will be subject to all sorts of administration, but there is no reason on earth, if decisions are *bona fide* and will stand up to scrutiny by Parliament, why the orders and instructions of the Minister should

not be advertised. After all, it is on a public matter, not a private matter.

Mr. Hudson: Did the Transport Control Board gazette all its orders?

The Hon. Sir THOMAS PLAYFORD: They were in an annual report and subject to special investigation.

Mr. Hudson: On all its orders?

The Hon. R. R. Loveday: Every seven days?

The Hon. Sir THOMAS PLAYFORD: No, but the T.C.B. is not a single person, it is a board. The Government can make this subject to a board, to strike out "Minister", and put it in charge of the T.C.B., as we know that a board does not give partial administration. There is no reason why the district of Whyalla should be exempt.

The Hon. R. R. Loveday: Does the board suddenly become pure because it is a board?

The Hon. Sir THOMAS PLAYFORD: I have frequently disagreed to decisions of the board, not on the ground that it has been partial, but I believe that in the past it has been restrictive.

Mr. Hudson: Did you try to talk the board out of its decisions?

The Hon. Sir THOMAS PLAYFORD: If the Minister gives an instruction to the board on some matter of public interest, how are people to know? I am not speaking without some knowledge of this matter. I have some tape recordings on this topic and some shorthand statements on it. Already there are all the elements of people going to the Minister seeking special privileges.

Mr. Heaslip: And getting them!

The Hon. Sir THOMAS PLAYFORD: Yes, and getting them. If there is nothing wrong with the decisions of the Minister, why aren't they to be published? The Minister of Education, who interjected, makes decisions regarding matters in his department, and they are made public. Why isn't this to be made public? It has nothing to do with railway fares as the Premier said, because they are something that the Commissioner, with the Minister, can adjust and settle. I am not asking that they be made public because it may be a competitive rate.

The Hon. R. R. Loveday: If you are going to make insinuations why not tell the Committee all the facts instead of trying to scare everyone?

The Hon. Sir THOMAS PLAYFORD: I am not at the moment telling the Committee any facts. I am saying that this Bill, as it is now, places the Minister in complete control of all the road transport of this State.

The Hon. R. R. Loveday: You are also talking about tape recordings.

The Hon. Sir THOMAS PLAYFORD: The Minister is able to exempt one carrier and to charge another carrier: he is able to exempt one district and charge another district. There may be reasons for charging one district and exempting another, but at least we want them published so that we can see what they are.

Mr. Heaslip: We are entitled to know.

The Hon. Sir THOMAS PLAYFORD: Yes. If the Government refuses this amendment, then I will say that it points to the fact that the Government is going to do things it does not desire to be made public.

The Hon. J. D. CORCORAN (Minister of Lands): The Leader has just insulted every member of the Government by his statement. I for one would not be a party to, and I do not have to ask my colleagues if they would be a party to, any preferential treatment for any member of the Parliament whatever his district. I assure the Leader that it is not the Minister's intention in this case to exempt any district in this State from this charge. Wherever he has obtained his information, it is incorrect. It is as incorrect as the statements made by members of his Party and members of other organizations about this Bill. Indeed, only last week in the newspaper at Millicent appeared a statement made by an honourable gentleman from another place, which based this road maintenance tax on the same basis as existing ton-mile tax. This is completely false. This person made no attempt to disguise it at all, and this is what he said would happen. This insult has been handed out by the Leader who says that he is going to overcome this by making the Minister publish in the *Government Gazette* every decision he makes. How many decisions would he make in a day in the course of administering this legislation? Did the Transport Control Board have to gazette everything it did in relation to transport control, as it existed for 30-odd years in this State?

The Hon. R. R. Loveday: Of course it didn't. What about the other boards?

The Hon. J. D. CORCORAN: This is ridiculous. It would be administratively impossible to do that, and the Leader knows it. The inference is that we intend to do something "crooked", but that is not the case.

The Hon. C. D. Hutchens: He's the only one who would think like that, anyhow.

The Hon. J. D. CORCORAN: I doubt whether he believes it himself. I do not

know whether this has been put up as a red herring, but I would not be a party to it under any circumstances. I know what the intention of the Minister is in regard to this Bill, because I have studied it closely. The Leader would know that I have done that, because of the agitation and opposition to the measure in my own district. I want to be satisfied that everything in the Bill is in order, and that the administration of the Bill by the Minister will also be in order. I am perfectly satisfied that that is the case. I take it that the Leader's amendment relates to every decision that the Minister has to make in respect of the Bill. I would not know how many decisions would be involved, but the Leader knows that it would not be feasible, reasonable or practical to publish these things in the *Government Gazette*. I can assure him (if my assurance is worth anything) that there is nothing "crook" about the way the Bill will be administered. I hope that when I later refer to exemptions I can prove to the Leader exactly what he has wholly misunderstood in relation to them. Certainly, there are exemptions within districts. When transport travels from a district to Adelaide, regardless of where it comes from, it will be subject to a tax. No exemptions will apply in that particular field.

The Hon. Sir THOMAS PLAYFORD: I would have taken it from the Bill that the Minister did not deal with the day-to-day administration of the Act; the Transport Control Board would be giving the instructions, permits and licences, as well as carrying out every other daily duty, and it would not come within his scope.

The Hon. J. D. Corcoran: Subject to the Minister!

The Hon. Sir THOMAS PLAYFORD: However, the Minister does not have to give a direction unless he wishes to do something that the board would not normally do itself.

The Hon. J. D. Corcoran: You say "and every approval" in your amendment.

The Hon. Sir THOMAS PLAYFORD: Yes, because under the Act the board will still be the main approving authority. The Minister comes into it only when he wants to control the board. The general administration of the permit granted by the board does not interest me: what does interest me is what happens when the Minister gives a direction or special instruction to the board.

The Hon. J. D. Corcoran: In relation to what?

The Hon. Sir THOMAS PLAYFORD: In relation to anything that may crop up. Take a simple example: I am informed that a Whyalla carrier will not pay any tax in respect of goods carried from Whyalla to Port Pirie. That is interesting.

The Hon. R. R. Loveday: What do you mean by "interesting"? Are you suggesting that there is something "crook" about that?

The Hon. Sir THOMAS PLAYFORD: I am also informed that that carrier will not have to pay any taxation for another 50 miles this side of Port Pirie.

The Hon. R. R. Loveday: I thought you were complaining about taxation.

The Hon. Sir THOMAS PLAYFORD: I complain about the whole Bill. It should be brought in so that the public can see what are the rules, regulations and orders of its administration.

Mr. Jennings: Would the public know that by reading the *Government Gazette*?

The Hon. Sir THOMAS PLAYFORD: Honourable members complain about the misconception of this Bill, but who has been responsible for that? We could not get a statement of policy on it.

Mr. Hudson: So you made up your own!

The Hon. Sir THOMAS PLAYFORD: What the amendment is designed to do has nothing to do with railway freights; it is merely to provide that, if the Minister makes an order, that order shall be published in the *Government Gazette*.

Mr. Jennings: Within seven days!

The Hon. Sir THOMAS PLAYFORD: That is the normal time in the Act. The Government, itself, in another place has provided for it to be published in seven days, but if honourable members desired nine days I would not be fussy. Any order of the Minister should be published in the *Government Gazette*.

Mr. Hudson: What does "and every approval" mean?

The Hon. Sir THOMAS PLAYFORD: I have in mind the approvals of the Minister, and not of the Transport Control Board. I would hope that the board would probably carry on almost without any interruption from the Minister. If the Minister sees fit to impose some restriction on the board, I believe that that should consistently be made public.

The Hon. J. D. Corcoran: Can you give us one example of the type of direction he would impose on the board?

The Hon. Sir THOMAS PLAYFORD: I am informed that the Bill was introduced to provide that the transport of furniture should be

limited to furniture transported from house to house, and that, in future, furniture transported from shop to house would be subject to the provisions of the Bill.

The Hon. J. D. Corcoran: Do you believe that that is the whole reason behind the Bill?

The Hon. Sir THOMAS PLAYFORD: I am informed by a most authoritative source that that provision will be altered by the administration of the Minister. I am instructed that the Minister will delete that clause.

The Hon. J. D. Corcoran: Which clause?

The Hon. Sir THOMAS PLAYFORD: The Minister can exempt any goods. Quite obviously the Minister of Lands does not know what is involved in the Bill. He does not know that, under the Bill, the Minister can exempt any goods anywhere. He can exempt one person carrying goods in a district and charge another person who carries goods on the same route. Surely under those circumstances it would be better for the Minister to publish his approvals so that it could be seen that they were consistent and that they applied to all districts equally with no preference given to anyone. That is all the amendment seeks to do. If an approval is justified, then the Minister should want to publish it because it would clear up misconceptions. If the approval is not justified then it should definitely be published. I have great respect for the Minister and my amendment would protect him because it would make quite clear what he was doing. The only possible reason for opposition to my amendment is that the administration of the Bill will not be uniform.

Mr. HALL: The Minister of Lands said that he knew very well what the Minister's intentions under the Bill were, but do we?

The Hon. J. D. Corcoran: If you don't know, I shall tell you.

Mr. HALL: I am going to attend a meeting in my district on Friday night and I will be asked to explain the Bill. Am I to say that the Minister of Lands knows what the Bill means when other members do not know? This is one of the most important Bills to come before Parliament this session and we are expected to vote completely dictatorial power to the Minister of Transport without knowing what the Bill means. The Minister of Lands did not know there was an amendment to the clause relating to the removal of furniture. I object to the Minister's saying that he knows all about the Bill. It is up to him to inform honourable members on every question they ask about the Bill.

The Hon. J. D. Corcoran: I am not handling the Bill.

Mr. HALL: The Premier is handling the Bill. Doesn't he know what the Minister of Lands knows?

The Hon. J. D. Corcoran: Of course he does.

Mr. HALL: Then let him tell us. The Minister has said that the provision in this Bill is not the same as the ton-mile tax provision. Some features of the Bill may be different but many are the same. The definition of the load-carrying capacity of trucks is in the same wording as was used in the Road Maintenance (Contribution) Act. The exemption for primary producers is the same—eight tons. If the Minister is to be made solely responsible he must state his opinions in this place. A board will not be making decisions now, but a Minister. Therefore, decisions should not be kept in the dark. Why does the Government want to hide the decisions? If the Minister of Lands wants to be so frank about these matters he will obviously support the amendment.

The Hon. G. G. PEARSON: During the second reading debate I said that if I were offered the administration of a Bill of this kind I should not accept it. I said that because I believed that the Minister in this case was placed in an impossible position in attempting to administer a Bill like this. I also said that I believed the Minister's integrity was absolutely beyond question, and I stand by that statement.

Mr. Jennings: That is a little different from what the Leader implied. He said the Minister was subject to corruption.

The Hon. G. G. PEARSON: I said earlier that if the Minister could get through a period of administration of this legislation without being charged with certain things that would be a reflection on his integrity, it would surprise everybody. The further we go in Committee the more confused we get. The Minister of Transport will be like an umpire going out to umpire a football match without rules to guide him. Tonight two conflicting statements have already been made, one by the Premier and one by the Minister of Lands. The Premier said that Eyre Peninsula would be exempt and the Minister of Lands said that no district would be exempt.

The Hon. J. D. Corcoran: There is no need to worry about that; the Premier can explain what he meant.

The Hon. G. G. PEARSON: I am glad of that assurance, because I cannot work it out.

The Premier said, when the first Bill was introduced, that he could not understand why confusion had arisen. However, two Bills have had to be introduced, one to shed light on the other. How can the public possibly interpret these things? The Premier said that Opposition members had gone out into the countryside in an endeavour to confuse the public. That is not true. I attended a meeting last night and I refused to address it because I said that I did not want the meeting to be termed a political meeting. I was invited to the meeting, to answer questions, by the people who organized it. I quoted from the Bill on almost every occasion I answered a question, and so far as I can read the Bill it leaves the Minister without any rules to guide him. It leaves him entirely in control of the day-to-day decisions affecting the road transport of goods. The Premier said there was a map. What map? I understand that there is a map; I have heard about it, but it has not been seen in the Opposition members' rooms, so far as I know. I presume it is a map that purports to show what are the controlled routes.

The CHAIRMAN: Order! I ask the member for Flinders to link up his remarks with the amendment.

The Hon. G. G. PEARSON: Yes, Mr. Chairman. How is the Minister to make decisions which have any semblance of consistency about them unless he has some rules to guide him? Who knows whether the map of today's controlled routes will be tomorrow's map of controlled routes? The Minister can alter this overnight or from day to day. I look at this amendment as a real and proper protection to the Minister in his administration. If the Minister of Lands is correct in his assumption that every detailed decision of the Minister has to be published in the *Gazette*, then there is some problem about it, but I think he realizes now that what the Leader means is that in those cases where the Minister gives a direction or a special approval on any matter those decisions shall be published in the *Gazette*.

Mr. Ryan: That is not the way the amendment reads.

The Hon. G. G. PEARSON: I think it is.

Mr. Ryan: Your amendment does not read that way. Who is confused now?

The Hon. G. G. PEARSON: I think members know the Minister is not going to give every approval and every decision.

Mr. Ryan: Your amendment says that he must.

The Hon. G. G. PEARSON: The normal approvals would not be involved. I regard this amendment as being a protection to the Minister himself. I think if the Minister of Lands looks at this coolly he will appreciate the point I am making. I do not think the Minister proposes to be inconsistent in his administration. However, I consider that if he looked at his own well-being in this matter he would welcome this amendment.

The Hon. G. A. Bywaters: You are more generous than the Leader; he made all sorts of rash statements.

The Hon. G. G. PEARSON: I am not contradicting the Leader. I do not have the information that he has on this matter, and perhaps if I did I would feel more strongly about it. If I were the Minister I would welcome this proposal, for the simple reason that everybody would know what the Minister was doing and they would know that all his decisions would be under the glare of the light of day. I think that is the purpose of this amendment. I think it needs to be considered with perhaps a little less heat than has been engendered to see what good it can do. I consider it would do a great deal of good.

The Hon. R. R. LOVEDAY (Minister of Education): I say, first, that I resent very much the statements of the Leader of the Opposition regarding all this talk of corruption and the filthy insinuations which were made which I believe are only to stir up trouble outside of this place and to make people believe that the present Government is not honest and that its members are not honest. I believe this is deliberately done to foment Party-political strife throughout the State and to prevent people from understanding this Bill properly. The member for Flinders has adopted a somewhat more conciliatory tone and has been at least reasonable in his approach regarding that part of the matter. However, let me point out to the honourable member, who has been a Minister, just what this amendment means. It says that every direction and every approval of the Minister given in pursuance of any provision in this Act shall be gazetted within seven days.

In the Education Department we have a Transport Officer, and our transport is the second biggest in this State to the Municipal Tramways Trust. We spend over £600,000 a year in carrying children to school. Any member will admit that this is a big undertaking. Let me tell the Committee that every

recommendation from the Transport Officer comes across my desk and has to be approved by the Minister. Does the Leader suggest that in order to prevent corruption as between schools, preference to schools, preference to transport drivers or contractors who drive our children to school this should all be published in the *Gazette* within seven days? Here is the same opportunity for corruption that the Leader talks about. Many contractors drive our children to school. They write in letters asking for higher rates because of certain conditions of the road or because of a certain condition here or there, and I as Minister could disagree with the Transport Officer's recommendation if I happened to know a contractor and say, "Ah, I will give him another 2d. or 3d. a mile." In view of those circumstances, will any member opposite get up and say that becausse I am in that position as Minister I ought to publish every decision I make in the *Gazette* within seven days? How ridiculous it would be. This comes from people who have been in office, and who know what Ministers have to do. This is the most ridiculous thing we have heard in this place for a long time. The people opposite who were Ministers know this is ridiculous, because they know from their own experience the amount of material that came across their desk every day. What is more, the material I get from my Transport Officer is not the only material: there is plenty of material coming across my desk whereby if I were a corrupt Minister I could give preference to certain people in certain ways. Are members going to suggest that because of that every decision I make in pursuance of the Education Act should be published in the *Gazette* within seven days of its being made? Why, Mr. Chairman, the Opposition is being absolutely ridiculous, and it knows it is being ridiculous.

The Hon. J. D. CORCORAN: The Minister is responsible to this place for the operation of the legislation. If he makes a decision which (as the Leader of the Opposition has suggested) is crook or could be crook, he would be held up to ridicule in this Parliament. Would he not have to answer to this Parliament for every action he took? Would this not be sufficient to put any Minister off doing the wrong thing, particularly if it had the impact that the Leader has suggested it would have, that the Minister is going to exempt completely an area or a particular type of goods to a carrier? The Minister has to answer to this place, and this is one reason why these Acts are being changed. The Minister has to answer to this Parliament, and he cannot hide. This Parliament will see that he does his job. I know the Minister will do his job.

The Hon. Sir THOMAS PLAYFORD: To the honourable the Minister who has just spoken about the Parliament being able to control the Minister, I point out that Parliament would not know of many of the decisions that were made.

The Hon. J. D. Corcoran: It would find out if they were crook.

The Hon. Sir THOMAS PLAYFORD: I cannot understand the heat that has been engendered.

The Hon. R. R. Loveday: Oh no!

The Hon. Sir THOMAS PLAYFORD: If the Act is to be administered in the way the Minister says, what is the objection to having the orders published in the *Government Gazette?*

The Hon. R. R. Loveday: It is neither possible nor practical.

The Hon. Sir THOMAS PLAYFORD: Of course it is, because the number of orders made would be relatively few. I hope the Minister is not going to grant permits and other things every day and that he would leave that to the board established under the Act, and which has been doing the job without the assistance of a Minister for 30 years. Bringing the Minister into it is to override the board, because the board will not do what the Government wants it to do, and it wants to be able to direct the board. If the Minister's decisions are subject to analysis what is the objection to having them published? The Premier said he did not want railway competitive rates published. That is not involved in the amendment.

Mr. Hudson: You have not listened.

The Hon. Sir THOMAS PLAYFORD: The Minister controls the railways under another Act. Already many assertions have been made about the administration of this Act. Statements have been made, and it may surprise the honourable member, who has just interjected, that one honourable member has assured his district not to worry about things.

The Hon. R. R. Loveday: Who was it?

The Hon. Sir THOMAS PLAYFORD: I have that on direct evidence on a typewritten statement taken down at the time.

The Hon. J. D. Corcoran: What do you mean?

The Hon. R. R. Loveday: You want them to worry about it, don't you?

The Hon. Sir THOMAS PLAYFORD: Honourable members know the construction placed on words, and that intended to be placed on them.

The CHAIRMAN: Order! Order!

The Hon. Sir THOMAS PLAYFORD: When one gets a direct statement that a Bill will not affect a certain district that can only mean that that district will not be subject to the operations of the board.

The Hon. R. R. Loveday: You mean operations of the Act. What's wrong with that?

The Hon. Sir THOMAS PLAYFORD: We should like to know what these districts are.

The Hon. R. R. Loveday: If there is no direct competition with the Railways Department it does not affect the district.

The Hon. Sir THOMAS PLAYFORD: I have been informed and I have stated it publicly that Whyalla is not going to be subject to taxation under the operation of this Act as far as Port Pirie and probably beyond. If that is the position it would be interesting, because other people as well as the firm operating in Whyalla would like information.

Mr. Heaslip: Why choose Whyalla?

The Hon. Sir THOMAS PLAYFORD: I do not know the reason. It may be a perfectly good decision, but if exemptions are to be granted, and if the Minister is going to give orders, why is it that he or his colleagues are not prepared to allow those decisions to be published in the *Government Gazette*? This is a public matter or we would not be debating it here. Is there any other form of law making that is not notified to the public?

The Hon. D. A. Dunstan: There are plenty of orders under the Prices Act that are not gazetted.

The Hon. Sir THOMAS PLAYFORD: The public have a right to know what law is being made concerning transport over the roads in their district. I believe the publishing of the orders would be a good administration of this Act.

The Hon. J. D. CORCORAN: The Leader has spoken about the exemption from Whyalla to Port Pirie.

The Hon. Sir Thomas Playford: I understand it is 50 miles beyond.

The Hon. J. D. CORCORAN: I wonder whether the Leader would be surprised if I told him that from Millicent to Tailem Bend is also exempted completely.

The Hon. Sir Thomas Playford: Now the cat's out of the bag.

The Hon. J. D. CORCORAN: I am not letting the cat out of the bag, because it is contained in the Bill.

The Hon. Sir Thomas Playford: Where?

The Hon. J. D. CORCORAN: It refers to goods carried over a controlled route. Controlled routes exist under the previous Act, and the Leader knows that these controlled routes still exist. They will exist until 1968 under the present Act, and the position is that goods of any description can be carried in any type of vehicle anywhere in South Australia where there is not a controlled route. I can show the Leader a map of the existing controlled routes. The whole of my district can be traversed without paying road tax; the whole of the district of Victoria; the whole of the district of Albert can also be traversed without paying road tax except the ton-mile tax that applies now.

The Hon. G. G. Pearson: The route is controlled to Whyalla.

The Hon. J. D. CORCORAN: The route is controlled to Tailem Bend; it is controlled to Iron Knob. It is not controlled to Whyalla.

The Hon. Sir Thomas Playford: The route is controlled to Whyalla.

The Hon. J. D. CORCORAN: It is possible to go anywhere on Eyre Peninsula without paying road tax, and it is possible to travel the length and breadth of Yorke Peninsula. It is possible to travel in the northern part of the State; and from Millicent to Loxton and Renmark, too. The Bill is designed to catch the carriers coming into and going out of the metropolitan area on long distance hauling, and it is not designed to catch those on short distances.

The Hon. G. G. Pearson: The Bill states that the Minister can control any route at any time. I am not interested in what you say, but in what the Bill states.

The Hon. J. D. CORCORAN: The Bill states that goods can be carried on any controlled route or part thereof.

The Hon. G. G. Pearson: And the Minister can control a route at any time.

The Hon. J. D. CORCORAN: Exactly, but it would not be in our interest to do this. The purpose is to provide in respect of long hauls from country areas to the metropolitan area, and immediate vicinities need not be touched.

The Hon. G. G. Pearson: The Bill does not say that.

The Hon. J. D. CORCORAN: I cannot see how it doesn't say it. It mentions controlled routes.

The Hon. G. G. Pearson: It says the Minister can control any route at any time.

Mr. Hudson: The board could do exactly the same thing.

The Hon. G. G. Pearson: It will be done by the Minister now.

The Hon. J. D. CORCORAN: The Minister will not do it. The case of the route from Whyalla to Port Pirie is no exception; this situation exists in regard to every area outside controlled routes, as they exist at the moment, and that situation will be restricted to its present form; it certainly will not be increased.

The Hon. G. G. Pearson: Where will you get your £1,000,000 from?

The Hon. J. D. CORCORAN: The criticism is that we understated the amount by £1,800,000; we were going to collect £2,000,000 tax, according to the statement made by a responsible person and published in the press.

Mr. Hudson: Responsible?

The Hon. J. D. CORCORAN: That is why we have said we can collect only £200,000. Surely, there is sufficient indication that that is all that will be collected. It has been said that the Railways Department will increase revenue by £1,000,000 but, frankly, I do not believe that we shall achieve that, for I believe that the £1,000,000 has been grossly overstated. A carrier can run outside controlled routes anywhere in the State free of road tax, and when he meets a controlled route he can travel a distance of up to 50 miles before being subject to tax. It would not be reasonable, if the rail head were 100 miles from the place from which produce was to be carried, to charge tax from there to the rail head. The charge should and will be made from the rail head to the city.

Mr. Hudson: The South Australian Railways rail head!

The Hon. J. D. CORCORAN: Yes.

Mr. HALL: Statements were made just as vehemently last year as the one made by the Minister of Lands, to the effect that Eyre Peninsula should be exempt from the ton-mile tax.

The Hon. J. D. Corcoran: You needn't worry about any smokescreen from this one.

Mr. HALL: The same people are making the promises. We are expected to accept similar promises about something not written into the Bill, but what is written into the Bill are amendments to vital clauses that give the Minister power to declare a controlled route to be decontrolled or *vice versa*. The difference now, of course, is that a Socialist will be in control of the board, if the Bill is passed. The Minister of Lands said that a certain district would be free of tax, so that is something I can tell my constituents when I explain the Bill to them on Friday night. That is a revealing statement.

The Hon. R. R. Loveday: Why is it revealing?

Mr. HALL: Because the exemption is not written into the Bill. I am suggesting that this is the first time the Government has given these facts to the people.

The Hon. R. R. Loveday: Are you suggesting a Minister is corrupt?

Mr. HALL: If the Bill is to inconvenience people so much, and yet not raise the revenue, as estimated, why have the Bill at all? Why inconvenience people? Why disrupt South Australia's transport system at all? We all know that dictatorial powers over South Australian transport have been written into the Bill.

The Hon. Sir THOMAS PLAYFORD: The Minister tells us this is a good Bill, because his district will not be affected by it.

Mr. Hudson: He did not say that.

The Hon. Sir THOMAS PLAYFORD: There are no controlled routes in his district, so it is a good Bill.

The Hon. D. A. Dunstan: Will you tell the truth for once in your life?

The Hon. Sir THOMAS PLAYFORD: The Minister said the Bill would apply to controlled routes, but I point out that Parliamentary Paper No. 18 sets out all South Australia's controlled routes in the report of the board in the appendices on page seven. When the Minister says that the road to Whyalla and Iron Knob is not controlled, he is not talking in accordance with fact, because it is controlled. That control was put into effect on November 21, 1946. In one instance we have a district that is totally exempt, and in the other, a controlled route running from a district that will not be subject to tax.

The CHAIRMAN: Order! I have allowed enough latitude. The amendment before the Chair is that the Minister's decisions should be published in the *Government Gazette*, and I ask the Leader and honourable members to confine their remarks to the clause and amendment.

The Hon. Sir THOMAS PLAYFORD: I am confining my remarks to the clause.

The CHAIRMAN: I have ruled otherwise, and I ask the honourable the Leader to confine his remarks to the clause and the amendment.

The Hon. Sir THOMAS PLAYFORD: The clause gives the Minister power to make orders.

Mr. Hudson: Clause 4 does not do that.

The Hon. Sir THOMAS PLAYFORD: My amendment requires the Minister to publish his orders in the *Government Gazette* and, for example, to publish the order that would exempt the Whyalla road as a controlled route. The Transport Control Board was required to publish controlled routes in the *Gazette*. It is essential now that these should be published in the *Gazette*. The only reason for not publishing them in the *Gazette* will be that the administration is inconsistent.

Mr. SHANNON: The extra £1,000,000 revenue to be derived from the railway system by this legislation will obviously come from a restricted area, and my district appears to be one of the sufferers. Obviously the Government has intended to get as much traffic as possible on to the railway system. Although a railway line runs from Tailem Bend to Mount Gambier, apparently this district will not be affected, and I cannot understand why. Why should the extra revenue that could be derived from such a fertile part of the State be excluded? If we are to believe the Minister of Lands, it will be. I do not know whether the Minister knows as much about the Bill as he has alleged, but if he does, then he has informed the Committee of matters that are disquieting, to say the least. The Leader's amendment is really a continuance of the policy pursued by the Transport Control Board, which had to publish controlled routes. The Opposition would like the same provision to apply now. If this information were not published and Parliament were not sitting, a member might have to wait six months to ask the Minister a question. The Government will face difficulty if variations are made between districts and people in regard to the carriage of goods. I do not think there is any need for the Government to be placed in this position. The Leader's amendment will save the Government much embarrassment and enable honourable members to know the impact of this proposed legislation and from where the extra revenue for the railway system will come.

The Hon. T. C. STOTT: The definition of "controlled routes" is set out in section 13 of the Act and the Bill will amend the definition by adding the words "with the approval of the Minister".

Mr. Casey: It will be gazetted under those circumstances.

The Hon. T. C. STOTT: I will come to that. Section 39 (*d*) of the Act provides:

When all the licences in force to operate vehicles on a controlled route for the carriage of goods for hire have expired the Minister shall by notice in the *Gazette* declare that as from a date specified in such notice that controlled route shall be a route in respect of which the provisions of this Act relating to the operation of vehicles for the carriage of goods for hire shall not apply. From and after the date so specified such provisions shall cease to apply accordingly.

I have attended meetings on this matter.

Mr. McKee: You informed the meeting last night that you did not know anything about the Bill.

The Hon. T. C. STOTT: The honourable member was not there so he would not know what I said. I am concerned about the statement made by the Minister of Lands. I believe that parts of my district have already been declared controlled routes. A weakness of the legislation is that some people will have to pay tax and others pay nothing at all. This is absolute discrimination.

The Hon. Frank Walsh: You supported it last year.

The Hon. T. C. STOTT: Supported what?

The Hon. Frank Walsh: What you are complaining about now.

The Hon. T. C. STOTT: Surely this is not good legislation. I have always been hostile to the Transport Control Board. Much hostility was directed towards the ton-mile tax. When the provision for an open road was brought in people became less hostile towards the one-third of a penny ton-mile tax. Now the one-third of a penny ton-mile tax will remain and on controlled routes people will have to pay up to 2c a mile. The position is not clear. I have tried to find out where these controlled routes are going to be but I have been unable to find out. Apparently we are going to have up to 2c, and there will be something less than that, but we do not know. I point out to the Minister of Lands that the Minister may declare any other new controlled route. Surely we are entitled to know what the new controlled route is going to be and what the varying rates are going to be. Surely they will be published in the *Government Gazette*. If not, I should like to know why not.

The Hon. R. R. LOVEDAY: I invite members to look at the original Act and to see what is going to happen when this Bill becomes law and how it will affect the situation. Had they done that, it might have prevented much useless discussion about this. Section 3 of the Act provides that the board may by order declare that any goods therein specified shall be exempted goods and may from time to time revoke or vary any such order, and any such order can be limited in its application as to time, place or circumstance. Section 13 provides that the board may declare that any road or roads shall be a controlled route or controlled routes and may from time to time make further orders of the same kind in relation to additional roads. It goes on to say:

The roads to which any such order relates may be individually named in the order or may be all the roads within any portion of the State described in the order, or may be otherwise indicated either individually or collectively. The board may also by order declare that any controlled route shall on a date mentioned in the order cease to be a controlled route or that any part of a controlled route shall be excluded therefrom.

Section 31 provides:

Every order made by the board shall be signed by the chairman or person for the time being acting as chairman of the board.

It further states that every order made by the board shall take effect from the date of the making thereof or such later date as is specified in the order, and that forthwith after the making thereof it shall be published in the *Gazette*. There is nothing in this Bill that says that it shall not be published in the *Gazette* in terms of the original Act.

Mr. Heaslip: That is all we are asking.

The Hon. R. R. LOVEDAY: There is nothing in here to say that it will not be done, yet the amendment put forward by the Leader says that furthermore every direction and every approval of a Minister (because a Minister has to approve of what the board does) shall also be published in the *Gazette*. Can anything be more ridiculous? The board has to publish it and then, under the proposed amendment, the Minister has to publish it. It is about time some members opposite did their homework on this instead of trying to stir up public opinion for Party-political purposes, because that is all they are doing and have done over a long time. The Leader can grin as much as he likes, but he knows perfectly well that is what he has been doing, particularly with his insinuations here earlier this evening of corruption, particularly with these filthy insinuations that I said earlier when he was not in the Chamber that I resented. I say that again. The original Act does not alter the position that after the making of these orders they shall be published in the *Gazette* and be laid upon the table in both Houses of Parliament within 14 days after such publication. I defy any member opposite to say that those two points are altered by this Bill. As I said earlier, the whole thing is absurd. I pointed out what happens in the Education Department regarding its transport affairs, which all come across my desk and have to be approved. I repeat, for the Leader's benefit, that if I were a corrupt Minister I could be corrupt in relation to that. Members are not asking that the Education Act be altered in reference to all the transport orders that come across my desk or all the other things to which I could give preference if I were a corrupt Minister. The Leader knows perfectly well from his experience as Premier in this State over many years that this is an absurd amendment.

The Hon. Sir THOMAS PLAYFORD: I heard with a great deal of interest the Minister's statement. However, I must confess that it does not very much affect my point of view in this matter. If the Transport Control Board makes an order to recontrol a route it has to publish it in the *Government Gazette*. There is nothing in the Bill that says that if the Minister makes an order (and he can make the order) he has to publish it in the *Gazette*. There is nothing in the Bill up to this point which makes the Minister do that.

Mr. Hudson: You are wrong again; he directs the board.

The Hon. Sir THOMAS PLAYFORD: Wherever the board exercises the power under the Act, the new Bill transfers that power over to the Minister.

The Hon. D. A. Dunstan: It does not; it says, "with the approval of the Minister"; the board still has to do it. Why don't you read the thing.

The Hon. Sir THOMAS PLAYFORD: I can read, and I can see the Attorney-General too.

The Hon. D. A. Dunstan: It is about time you got a new pair of spectacles.

The Hon. Sir THOMAS PLAYFORD: I am a bit intrigued to know which Minister is in charge of this Bill, because every Minister has given a different interpretation.

The Hon. D. A. Dunstan: What nonsense!

The Hon. Sir THOMAS PLAYFORD: One Minister says it applies only to controlled routes and as his district does not have any controlled routes he will be all right. He

does not explain why certain other controlled routes apparently are not going to be subject to the provisions of the Act. That is the thing we would be interested to know. What is going to be the guiding principle? We heard from the Premier that this was going to apply where the roads were in competition with the rail. However, the new conception that has been given by the Minister of Lands is that it applies only in certain controlled routes.

Mr. Quirke: The Government is going to get all this tax between Adelaide and Jamestown.

Members interjecting:

The Hon. Sir THOMAS PLAYFORD: To say the least of it, the various interpretations are interesting. However, they do not help shed much light, because the Bill was hastily prepared; in fact, it has been altered in its policy since it has been prepared; we have had 3½ pages of amendments on a Bill which consists of about 3½ pages, and we are only just now learning in this debate what is going to be the policy, if any, of the Government. I still believe there is no policy on the part of the Government. I know that certain districts have been given the assurance that they will not be affected. That is wrong, and the only person who can give those assurances is the Minister and he should do it publicly so that we know what is involved in the Bill.

Mr. HEASLIP: I have not heard much information about this clause. I have been trying to find out the objects of this Bill and, although the Premier gave a second reading explanation, apparently we are getting a different interpretation tonight. The Premier said that he would raise an extra £1,000,000 revenue by stopping road transport from competing with the Railways Department. Tonight we find that road transport will be able to compete on certain routes, not necessarily where there is or is not a railway service. We are told by another Minister that only controlled routes will be included in this legislation where road transport cannot operate. Whyalla and Iron Knob are on a controlled route.

The Hon. G. A. Bywaters: There is no controlled route to Whyalla.

Mr. HEASLIP: That has been stated.

The Hon. G. A. Bywaters: I know, but it was a lie.

Mr. Casey: The Leader said it, but it is not true.

The Hon. Sir Thomas Playford: Can you get a route to Iron Knob without controlling the area from Port Augusta to Port Pirie?

The Hon. G. A. Bywaters: Who's talking about Port Augusta?

Mr. HEASLIP: I hoped that we would receive information about the Bill, but we will have to vote on it without knowing anything. I do not know what is in the Bill, but it seems that Government members have this information. It is not available to me.

The Hon. G. A. Bywaters: When you make statements, make sure they're true.

Mr. HEASLIP: I like to know what I am voting on. All the Opposition is asking is that the Minister shall tell the public, through the *Government Gazette*, what he has done about directions to the T.C.B. Why isn't the Government prepared to let the people know what the Minister is doing? The public is entitled to know this information. The Minister has given certain information about this Bill and members of certain districts know that their areas are exempt. Undoubtedly, they have private information, but why should that information be kept secret? I object strongly to the clause, and consider that the Leader's amendment is reasonable.

Mr. SHANNON: We have heard about the areas exempt from this tax. I should like to ask the Minister of Lands a specific question. If a consignment of fat lambs had to be sent to the metropolitan market from say, Millicent or Naracoorte, how much road tax would be charged?

The CHAIRMAN: The question is out of order.

Mr. HEASLIP: Certain statements were made that I was incorrect when I said there was a controlled route between Iron Knob and Port Augusta.

Mr. Hudson: I understood you to say there was a controlled route all the way from Adelaide to Whyalla.

Mr. HEASLIP: I never said that at all. I said there was a controlled route to Iron Knob.

The CHAIRMAN: Order! How do the honourable member's remarks apply to the amendment?

Mr. HEASLIP: We are entitled to know whether the route is controlled, and unless the amendment is carried we shall not know that, for the Minister will be able to give an order without our knowledge.

The Hon. D. A. Dunstan: The Minister cannot do it; the board has to do it.

Mr. HEASLIP: The Minister has full powers to do it.

The Hon. D. A. Dunstan: Where? Why don't you read section 10 of the Act?

Mr. HEASLIP: The people of Whyalla and Iron Knob are exempt, although the road between those towns is a controlled route. Is that fair? We did not know about that until just now.

The Hon. T. C. STOTT: When a person travelling from Port Augusta to Whyalla reaches Lincoln Gap, he traverses the controlled route from Port Augusta to Iron Knob. How can the route be exempt, when portion of it traverses a controlled route?

Mr. HALL: Last night the member for Chaffey (Mr. Curren) is alleged to have said that the people in his district would have to pay this tax, but tonight the Minister of Lands says that that district will be exempt.

The Hon. J. D. Corcoran: I did not say that: I said a person could go from Millicent to Loxton without paying the tax, by not using a controlled route.

Mr. HALL: Obviously, the member for Chaffey last night did not think his district was exempt.

The Hon. J. D. CORCORAN: No district in the State is exempt from the tax if it sends goods to Adelaide.

The Hon. Sir Thomas Playford: In respect of the whole journey?

The Hon. J. D. CORCORAN: Yes, or from the nearest rail head to Adelaide, anyway. For example, Robe is about 28 miles from Kingston (where the rail head is situated); people in Robe would not pay the tax from Robe to Adelaide, but from Kingston to Adelaide.

The Hon. Sir Thomas Playford: That is not a controlled route.

The Hon. J. D. CORCORAN: No, but they will travel over a controlled route for a distance of 50 miles, in competition with the railways. Within a district where there are no controlled routes a person will not pay tax when traversing the district itself.

Mr. Hall: From side to side?

The Hon. J. D. CORCORAN: Yes, and from length to length. The controlled routes are at present being revised, and it is intended to reduce them, closer to the metropolitan area. This revision of the controlled routes has not yet been completed. It is not intended, in any case, to lengthen controlled routes.

The Hon. T. C. Stott: Could a person travel from Murray Bridge and Tailem Bend to Millicent and not pay any tax?

The Hon. J. D. CORCORAN: Yes. The tax will be paid on cartage from Millicent to Adelaide but no tax will be paid on cartage from Millicent to Murray Bridge. The Government intends to catch the long haulier. The Bill is designed to apply to controlled routes.

The Hon. FRANK WALSH: I oppose new subsection (3) but I have no objection to the Leader's other amendments, which will not alter the Bill substantially.

The Hon. Sir THOMAS PLAYFORD: Having heard the explanation by the Minister of Lands, I believe it becomes apparent that my amendment is most necessary. As introduced the Bill affects only controlled routes. There are no controlled routes out of Tailem Bend or farther west than Iron Knob. However the whole area between Adelaide and Port Augusta and through the Murray lands to Renmark is controlled. Therefore, the present controlled routes extend to Yorke Peninsula. At present the Bill applies only to short haul and not to long haul trips. Under the Bill it will be competent for a person to cart any commodity in the South-East in competition with the railway system without contravening provisions of the Bill until that person gets to Tailem Bend. When he gets to Tailem Bend he will still have an exemption of 50 miles, as provided under the Bill. As Tailem Bend is 68 miles from Adelaide, he would pay road tax for the distance of only 18 miles because there is no power to levy the tax except over controlled routes.

The Minister of Lands said that it is intended to amend the controlled routes to make them extend over a longer distance. I understood the Minister to say that transportation from the South-East would be subject to road tax when it came into competition with the railway system. However, the Bill does not provide for that. That can be provided for only if the Minister of Transport makes subsequent orders. As these orders are of State-wide importance, they should be subject to public notification. It is obvious the Minister of Lands does not know what is in the Bill. The routes now subject to the provisions of the Bill are set out clearly in the Transport Control Board's report. These routes are as follows: Clare to Jamestown, *via* Spalding; between Eudunda and Robertstown, Morgan and Sutherlands, Two Wells and Balaklava *via* Mallala, Gepps Cross and Tarlee *via* Gawler, Roseworthy and Linwood. Those are the sort of place controlled at present, but there is no road control south of Tailem Bend. Therefore, when the Minister says that no taxation will be paid coming from the South-East, he is saying something that is not in accordance with the legislation.

Obviously, the Minister will make orders altering the schedule of controlled routes. I defy the Minister to show me anywhere where there is power of taxation except over a controlled route. The member for Frome has a railway line through his district, yet the roads there are not controlled, so the wool carters will be able to use road transport without paying taxation. Most important orders will be made by the Minister, and as those orders will be of public importance they should be published in the *Gazette*. If they are not, how can anyone know when they are liable to taxation? People will be travelling over controlled routes and will not know they are doing so unless those routes are published. Quite apart from any other considerations, in the interests of administration they should be published. It is very easy for the Minister of Lands to say that he is in favour of the Bill when it does not affect his district. However, it does affect other people's districts. The Minister was going to show me where routes that are not controlled routes are going to pay tax, but he does not seem anxious to do so. I cannot see any provision in the Act that enables a tax to be collected where the route is not controlled, and I should like to hear of such a provision.

The Hon. FRANK WALSH: I am concerned not with what the Leader wants or does not want, but with what is contained in the original Act. The Minister of Education has already pointed out the provisions of section 31, and I also refer the Leader to that section. I consider that the Leader has been endeavouring to side-track the Committee. If I may say so with respect, Mr. Chairman, I think a little too much latitude has been allowed in this debate. As the Bill does not provide for any alteration to section 31, and as honourable members opposite have not fully considered the provisions of the principal Act, I consider that the discussion that has taken place has just been a waste of time. Unless we make better progress we may not have got much farther by 9 o'clock tomorrow morning.

The Committee divided on the amendment:

Ayes (16).—Messrs. Bockelberg, Brookman, Coumbe, Ferguson, Freebairn, Hall, Heaslip, McAnaney, Millhouse, Pearson and Sir Thomas Playford (teller), Messrs. Quirke, Rodda, and Shannon, Mrs. Steele, and Mr. Stott.

Noes (17).—Messrs. Broomhill and Burdon, Mrs. Byrne, Messrs. Bywaters, Casey, Corcoran, Curren, Dunstan, Hudson, Hurst, Hutchens, Jennings, Langley, Loveday, McKee, Ryan, and Walsh (teller).

Pairs.—Ayes—Messrs. Nankivell and Teusner. Noes—Messrs. Clark and Hughes.

Marjority of 1 for the Noes.

Amendment thus negatived.

Clause passed.

Clause 5—"Exemptions from Act."

The Hon. Sir THOMAS PLAYFORD: I have been informed that, since the provision has been inserted, opposition has been raised to it, and the Minister has agreed that furniture shall not be subject to the control of the Act. Furniture that is competing with that manufactured in this State is not subject to control or to the ton-mile tax. It would be advisable if the Premier would consider this matter.

The Hon. FRANK WALSH: I have not been informed of the suggestion. The intention was that no charges would apply for the removal of furniture from house to house. If it is to be amended on the lines suggested by the Leader, perhaps we can wait until the Bill is in another place and it can be altered there.

Mr. RODDA: I refer to new subsection (3) (*b*), and ask the Premier whether the route from Naracoorte to Keith, which is in direct competition with the Railways Department will attract the ton-mile tax.

The Hon. FRANK WALSH: In some cases roads run adjacent to railway lines. Where a railway is more than 20 miles from a road no charge would be made.

The Hon. G. G. PEARSON: I cite the case of a railway zig-zagging over 50 miles; I take it that there would be no necessity to send the goods by rail for that 50 miles, when they could be sent by road over a direct distance of 20 miles. The best example to apply to paragraph (*b*) would be in respect of the road between Cowell and Port Lincoln if that were a controlled route, as it will be in due course. From Cowell to Port Lincoln the Flinders Highway runs through Arno Bay and Port Neill. It is 100 miles from Cowell to Port Lincoln by the direct route with no railway running directly from Cowell to Port Lincoln; but passing through Arno Bay, the railway at Verran is only 17 miles from the road; again at Port Neill the railway is only 14 miles away from Wharminda. Both Wharminda and Verran are more than 50 miles by rail from Port Lincoln. That would be a taxable route if controlled. Because the roadway passes within 20 miles of a railway line on a controlled route, that becomes a taxable journey. In regard to paragraph (*c*), if goods are to be transported from A to B over a distance of

100 miles by road, and if the railway runs via C, and the journey from A, C to B is 150 miles (in other words, half as much again as the road journey), then the road journey would be exempt. Similarly regarding paragraph (*b*), if the Flinders Highway from Port Lincoln to Ceduna (or any part of it) happened to be controlled, that also would become a taxable journey by reason of its proximity to the railway line at Mount Hope.

Mr. RODDA: Taking the distance by rail from Naracoorte to Mount Gambier (which is 60 miles), under paragraph (*b*) it must attract a ton-mile tax, if a person were carting goods in competition with the railway.

The Hon. FRANK WALSH: First, we must ask the question: "Is it a controlled route?"

The Hon. G. G. Pearson: Not the one I mentioned, but it could be tomorrow.

Mr. Burdon: There are no controlled routes in the South-East; that has been made plain throughout the evening.

Mr. Jennings: Any Act of Parliament can be altered tomorrow by another Act of Parliament.

The Hon. G. G. Pearson: It could be altered tonight!

The CHAIRMAN: Order! The Premier.

The Hon. FRANK WALSH: I think the member for Flinders should be reminded about what I said in respect of section 31 of the Act. I do not have the list of controlled routes with me. I briefly perused a map that the Minister of Lands had with him and I could see by looking at the roads and railway lines shown that it is difficult to know what is and what is not a controlled route. However, I am not able to say what are the controlled routes.

Mr. QUIRKE: My interpretation of paragraph (*b*) is that where there is 50 miles of rail and road between the beginning and end of a journey and the vehicle is 20 miles away from that, it means that a person does not have to put a load on the 50 miles of railway on a controlled route. The man who administers this Act will have to be the Wizard of Oz. My interpretation of paragraph (*c*) is that, if a man carts a load by road to a railway and the length of the combined distance of the railway and the road exceeds the length of road by more than one half, he can carry it by road free of permit. If my interpretations are wrong I should like someone to correct me.

The Hon. FRANK WALSH: I do not entirely disagree with the honourable member's interpretations. Paragraph (*c*) provides that if a road and rail or rail journey alone is more than 50 per cent longer than the road journey, the road journey is over a controlled route. That could apply to a journey of 100 miles.

Mr. McANANEY: I understood that the reason for the Bill was to bring the Transport Control Board under the control of Parliament. However, if the board wanted to make an order in an area such as Millicent, and the Minister vetoed that order, it would not come before Parliament at all. In those circumstances there would be less control now than when the Transport Control Board brought an order before Parliament.

The Hon. FRANK WALSH: The Railways Department is not interested in the cartage of furniture.

Mr. Quirke: That is, from a store to the buyer. You have altered that since the second reading explanation.

The Hon. FRANK WALSH: I say frankly that I did not know the position earlier. If it were a complete load of refrigerators it might be different, because that is not truly household furniture and perhaps some charges would be involved. On the other hand, if refrigerators manufactured in this State are being exported to another State, members can take it that it will be an open road.

Mr. HALL: I move:

To strike out paragraph (*a*) of the clause. I gather that the Premier has said the Railways Department has no interest in carrying these goods.

The Hon. Sir Thomas Playford: He has said they will be entirely exempt.

Mr. HALL: In that case, he will not oppose my amendment. The clause in its present form would have the effect of restricting the exemption that at present applies to the removal of furniture. I understand that the original Act enables any person to have furniture removed from a place of storage or a place of purchase to anywhere he wishes, provided that he is a householder and the owner of the furniture.

Amendment carried.

The Hon. FRANK WALSH moved:

In new subsection (3) (*c*) after "thereof" to insert "where the whole of the journey taken by such vehicle is taken".

Mr. McANANEY: I oppose the amendment. In my district there is a 25-mile radius free transport around Adelaide, and a controlled route goes from Langhorne Creek to Mount Barker. At no time does that controlled route compete against the Railways Department other than in the 25-mile free radius around Adelaide, so I cannot see why in

that area there should be a controlled route and why tax should be payable. Hundreds of tons of hay is transported out of that area, and that cannot be handled by the railways. I think it would be ridiculous for tax to be payable in those circumstances.

Amendment carried.

Mr. CURREN: I move:

In new subsection (3) (*c*) after "by" first occurring to insert "railway or".

This amendment would enable a factory with a siding of its own to load direct on to rail and to deliver to another destination with its own siding. This amendment has been sought by the co-operative wineries in the Upper Murray area to cover some anomalies that could occur.

Amendment carried.

Mr. QUIRKE: Does new subsection (3) (*d*) mean that there will be some towns in the State with a 10-mile radius exempt from the tax?

The Hon. FRANK WALSH: Yes.

Mr. QUIRKE: I am concerned with lateral transportation crossing railway lines. If a 10-mile radius is placed around a series of towns then routes crossing railway lines from east to west will be exempt. None of the towns are 25 miles apart, but I assume that they will always be exempt. In the second reading explanation the Premier enumerated many items that would be exempted. Can he say whether wine in tanks (which weigh 5½ tons), spirit in tanks and marc (a residual from wineries that has to be transported by road) will be exempt? Who will exempt these things and how can application be made to have them exempted?

The Hon. FRANK WALSH: Regulations cannot be introduced until the Bill has been passed. The matters about which the honourable member is perturbed will be provided for by regulations. Whatever the exemptions, application will be made to the board and not to the Minister. If the regulations do not cover the items with which the honourable member is concerned, then an application can be made to the board to determine whether further exemptions are required. I assure the honourable member that we are not trying to do an injustice to primary producers or to secondary industry.

Mr. HALL: New subsection (3a) (*a*) refers to vehicles owned and used by primary producers where the load capacity of such vehicle will not exceed eight tons. Apparently it is convenient to use the same tonnage limit as under the ton-mile tax. However, we are dealing with vehicles of eight tons at a maximum rate of 2c plus one-third of a penny a ton-mile. We are dealing with the penalty tax designed to force business off the road and on to the railway, despite a hollow claim that all primary producers are to be exempt. The Government says it will not obtain much in the way of taxation but will gain most of its revenue (£1,000,000) from the Railways Department. One important factor that has been overlooked is the effect of part loading, on which many carriers rely.

In quoting an economical price for transporting a full load over a distance, a carrier also often relies on maintaining an economical price in respect of back-loading a part load. With the tax to be levied on the capacity of the vehicle and not on the load, part loads will have to be abandoned. The economical functioning of many transporters will be ruined, not on the actual tax paid but because they will not be able to afford to take part loading. Paragraph (*a*), dealing with primary producers' exemptions, is inadequate in the face of the penalty tax. In relation to paragraph (*b*), business people in my district combine carrying and merchandizing, with trucks continually running to Adelaide and back, and delivering to depots off the road, from which sales are made. Because of the 4-ton capacity provision, they will be out of business. I move:

In new subsection (3a) (*a*) to strike out "where the load capacity of such vehicle will not exceed eight tons".

This will leave a primary producer's vehicle free of limitation in regard to the penalty tax.

The Hon. FRANK WALSH: We are doing our best to assist primary producers. However, I assure the honourable member that the Government does not intend to accept his amendment.

Mr. McANANEY: In many cases primary producers use a contractor-carrier. It is not economical for most farmers to have their own trucks. I have referred to lucerne from the lakes district. It is exported to Singapore and used for stock in South Australia. This unjust imposition will affect people concerned with lucerne, which cannot be carted by the railway system. I object to the fact that these people should pay a tax to subsidize the railway system which will subsidize an industry in Millicent. I cannot see the economics of that.

Mr. FREEBAIRN: Will the Premier consider the difficulty of policing this provision

if it becomes law? I understand the reasons the Premier has for insisting on the clause but I should like to stress to him how difficult it will be in practice to enforce. Generally speaking, no law that is difficult to enforce is good law and this provision will fall into poor repute because of this.

Mr. HEASLIP: I support the amendment. Many primary producers have vehicles with a rated capacity over eight tons. With the droughts in the North, these farmers have been picking up cattle at the abattoirs, which cannot be transported by rail, and transporting them inland. Under the clause these people will be prohibited from operating. The Government has seen fit to exempt people who export furniture but primary producers, who are transporting livestock, will be forced to pay the tax.

The Hon. Sir THOMAS PLAYFORD: I support the amendment. This legislation will raise revenue mainly from primary producers. A primary producer has to pay to have commodities taken to the seaport and also for commodities to come to his farm from the seaport. The limit of eight tons should not include a trailer attached to a vehicle.

The Committee divided on the amendment:

Ayes (16).— Messrs. Bockelberg, Brookman, Coumbe, Ferguson, Freebairn, Hall (teller), Heaslip, McAnaney, Millhouse, and Pearson, Sir Thomas Playford, Messrs. Quirke, Rodda, and Shannon, Mrs. Steele, and Mr. Stott.

Noes (17).—Messrs. Broomhill and Burdon, Mrs. Byrne, Messrs. Bywaters, Casey, Corcoran, Curren, Dunstan, Hudson, Hurst, Hutchens, Jennings, Langley, Loveday, McKee, Ryan, and Walsh (teller).

Pairs.—Ayes—Messrs. Teusner and Nankivell. Noes—Messrs. Clark and Hughes.

Majority of 1 for the Noes.

Amendment thus negatived.

[*Midnight*]

Mr. HALL: I move:

In new subsection (3a) (*b*) to strike out "and that the load capacity of such vehicle does not exceed four tons".

This provision imposes a similar type of limit of four tons on any vehicle owned and used by any person for the carriage of goods provided that such goods are not carried for hire. I have already said that I know of people who would be forced out of business if this limit was applied, and on behalf of those people I seek the removal of that limit.

The House divided on the amendment:

Ayes (16).—Messrs. Bockelberg, Brookman, Coumbe, Ferguson, Freebairn, Hall (teller), Heaslip, McAnaney, Millhouse, and Pearson, Sir Thomas Playford, Messrs. Quirke, Rodda, and Shannon, Mrs. Steele, and Mr. Stott.

Noes (17).—Messrs. Broomhill and Burdon, Mrs. Byrne, Messrs. Bywaters, Casey, Corcoran, Curren, Dunstan, Hudson, Hurst, Hutchens, Jennings, Langley, Loveday, McKee, Ryan, and Walsh (teller).

Pairs.—Ayes—Messrs. Nankivell and Teusner. Noes—Messrs. Clark and Hughes.

Majority of 1 for the Noes.

Amendment thus negatived; clause as amended passed.

Clauses 6 to 8 passed.

Clause 9—"Duty to obtain licence to operate vehicles on controlled routes."

Mr. QUIRKE: There are many truck operators whose livelihood depends on driving and operating one or perhaps two vehicles, and under this clause those people will be driven off the roads, for they carry goods practically exclusively on a controlled route. They take sheep to the abattoirs and cereals to Adelaide. In the case of one big business in Clare a return trip to Adelaide will cost £34 a trip. Who is going to pay that? If I was out of order in speaking to this clause, you never corrected me, Mr. Chairman. I wanted to make that statement in Committee because that is going to happen all over the Lower North and perhaps through the hills districts down the other way. The area comprising Saddleworth, Clare and up to Jamestown will suffer most as a result of this. If the Government is going to collect £200,000, it will get at least £100,000 from that area.

The Hon. G. G. PEARSON: Under the amendment in subclause (*b*), section 14 of the principal Act would read as follows:

The board may, with the approval of the Minister, by order in relation to any controlled route or routes fix a day after which it shall not be lawful for any unlicensed person to operate any vehicle on that route or those routes.

Why does the Government want to control every vehicle on the road? As I read it, a motor car, and even a horse and cart, may be brought within the ambit of control. What is the purpose of this? If the Government wished to bring hire vehicles under control the words "for hire" could have been deleted. As it is, it leaves the Minister in control of every vehicle on the road. Why?

The Hon. FRANK WALSH: We are referring to a controlled route for the carriage of goods. If the routes are to be controlled people have to be licensed. We are not going to control a motor car.

The Hon. G. G. PEARSON: This brings a utility or a station waggon into it.

The Hon. FRANK WALSH: I do not agree, because we are speaking of a controlled route for the carriage of goods, and people are to be licensed to operate on these routes so that unlicensed people will not be allowed to compete against them.

The Hon. G. G. PEARSON: In this Act the definition of "vehicle" is as follows:

Any vehicle used or ordinarily capable of being used, on roads or streets for the transport of goods or passengers or both, other than a vehicle propelled by human power only.

That brings in every motor vehicle. Apparently it embraces more vehicles than the Government intended to.

The Hon. T. C. STOTT: Section 14 (2) will provide:

After the appointed day no person shall operate on any controlled route or cause to be operated on any controlled route any vehicle unless he is the holder of a licence . . .

As the Act will read, it refers to any vehicle. We have had an illustration that the driver of a vehicle travelling from Tailem Bend to Adelaide over a controlled route must be licensed. This clause should be deleted.

Mr. SHANNON: It is obvious that the Bill has been hurriedly drafted, and the Government did not intend to do what this clause will do. The instances given by the member for Burra will be multiplied many times, particularly in my district. I cannot see the purpose of these amendments. We are told that controlled routes are being reviewed, but what will eventuate we do not know. Clause 9 should be struck out in its entirety.

The Hon. FRANK WALSH: It is merely a matter of transferring this provision to its appropriate place in the principal Act. I ask the Committee to accept the clause.

The Committee divided on the clause:

Ayes (17).—Messrs. Broomhill and Burdon, Mrs. Byrne, Messrs. Bywaters, Casey, Corcoran, Curren, Dunstan, Hudson, Hurst, Hutchens, Jennings, Langley, Loveday, McKee, Ryan, and Walsh (teller).

Noes (16).—Messrs. Bockelberg, Brookman, Coumbe, Ferguson, Freebairn, Hall, Heaslip, McAnaney, Millhouse, and Pearson, Sir Thomas Playford, Messrs. Quirke, Rodda, and Shannon (teller), Mrs. Steele, and Mr. Stott.

Pairs.—Ayes—Messrs. Clark and Hughes. Noes—Messrs. Nankivell and Teusner.

Majority of 1 for the Ayes.

Clause thus passed.

Clause 10—"Application and grant of licences."

The Hon. G. G. PEARSON: Section 17 (2) of the Act sets out the conditions under which the board shall take into consideration applicants for a licence, and I should like to know why it is intended to give the Minister power over the board, when the board's functions are so clearly enumerated in the Act.

Mr. SHANNON: Obviously, no need exists for a provision relating to the direction of the Minister in this regard. If a reason does exist, I should like the Premier to say what that reason is.

The Hon. FRANK WALSH: The amendment provides that section 17 (4) will read:

Subject to the preceding provisions of this section and to any direction of the Minister the grant or refusal of any licence shall be at the discretion of the board.

There is still provision for the board.

The Hon. G. G. Pearson: No fear! It is subject to the direction of the Minister.

The Hon. FRANK WALSH: Throughout the Minister has had a responsibility, and it is no greater in this clause than in any other provision. I am providing only that the Minister, together with the board, shall have discretion.

The Hon. Sir THOMAS PLAYFORD: The Premier's statement that the board will have the same discretion as the Minister is incorrect. The Minister has authority over the board. This is another of the extremely undesirable provisions in the Bill, because it gives the Minister the right to confer favours. As I said before, I received information that one district and one industry would be looked after. Tonight, in both instances, amendments to do those things have been accepted. Therefore, some of the rumours circulating about the Bill are not completely wide of the mark. The Government has refused to have even the Minister's directions made public. This clause is undesirable, and cannot be justified on any grounds whatsoever. There is no reason why the Minister should come into the matter.

The Hon. D. A. DUNSTAN: The original objection to this clause was to striking out section 17 (3). The purpose of striking out that section is to prevent the restriction that was originally placed upon the board in relation to applicants who made their business

the carriage of goods and passengers within the State prior to 1930. That will be removed so that the matter will be at large. The board has a discretion, which will be exercised subject to any direction given by the Minister. Unless the Minister gives a direction, the board will continue in its complete discretion. In the whole of this matter it has been the policy of this Government not to have the matter exercised by an independent board but to have a Minister responsible to Parliament for the administration of the Act.

The Hon. Sir Thomas Playford: Parliament will never know what he is doing.

The Hon. D. A. DUNSTAN: Parliament can scrutinize his actions. He will not be able to hide behind the activities of the board, which the previous Premier used to do. We had a dictator in this State, who exercised his influence through the back door and would then say that some board was taking certain action and that he was not responsible. The attitude of this Government is that the Minister will be responsible publicly, and that is all this Bill does.

The Hon. Sir THOMAS PLAYFORD: The Attorney-General has said that the Minister will be responsible publicly but, when I moved an amendment to make him responsible publicly, four Ministers opposed it. That is the very thing the Government does not propose to do.

The Hon. D. A. Dunstan: That is sheer nonsense. You did not bother to read the Act. Every order of the board has to be made public.

The Hon. Sir THOMAS PLAYFORD: They do not have to be made public and, when the board is directed by the Minister, they will never be made public. That is my objection to this Bill, and that is why I say it is completely undesirable.

The Hon. D. A. Dunstan: If anybody objects to what the Minister is doing, the objection can be brought here and the Minister will have to take the responsibility.

Mr. Shannon: How will anyone know?

The Hon. D. A. Dunstan: If they have any basis for objection, do you think they will not come here?

The Hon. Sir THOMAS PLAYFORD: Tonight we have had four Ministers trying to explain this Bill, and each one has given a different exposition and has contradicted the others.

The Hon. D. A. Dunstan: You talk as if the moon were green cheese. Why don't you get back to the Bill?

The Hon. Sir THOMAS PLAYFORD: The Attorney-General said that the Minister would be responsible publicly, but every Minister except one opposed my amendment on some pretext or another. Under the Bill, the Minister's actions will not be published. When I said that the Minister's orders should be published in the *Gazette*, every Minister except one opposed it. When I said that some districts would be looked after, I was told that that was all stuff and rubbish, but tonight, when an amendment was moved that would have the effect of totally exempting one of the districts, the Government did not say a word. That amendment slipped through quickly and quietly, and no doubt Government members hoped we would not notice it. However, we did notice it, and that only proves our contention that this Bill is rotten to the core, as the Attorney-General knows.

The Hon. D. A. Dunstan: I don't know anything of the kind, but I know there are some people who are.

The Hon. G. G. PEARSON: The Attorney-General's histrionics at 12.40 a.m. do not impress me. The Bill proposes to strike out subsection (3) of section 17; nobody has raised any objection to that, and I do not know why the Minister wanted to refer to it. The Premier said that it was the policy throughout the Bill to provide for directional power. Up to this point every reference to the Minister so far inserted in the Bill has contained the words "with the approval of the Minister". Now we get to "direction of the Minister". In only two places in the Bill do we get the term "direction of the Minister", and it is at this point that deals with the granting of licences and a little further on with the granting of permits. Why? I raised the point earlier, and it has still not been answered, that in section 17 of the parent Act the board's duties in respect of the issue of licences and the terms and conditions that it shall consider are set out clearly, and these provisions have operated satisfactorily for many years. Why at this point in time, and why only in respect to the issue of licences and the issue of permits, does the Government provide a power of direction? I have not yet been told, and I shall certainly vote against the clause and call for a division on it.

The Committee divided on the clause:

Ayes (17).—Messrs. Broomhill and Burdon, Mrs. Byrne, Messrs. Bywaters, Casey, Corcoran, Curren, Dunstan, Hudson, Hurst, Hutchens, Jennings, Langley, Loveday, McKee, Ryan, and Walsh (teller).

Noes (16).—Messrs. Bockelberg, Brookman, Coumbe, Ferguson, Freebairn, Hall, Heaslip, McAnaney, Millhouse, and Pearson (teller), Sir Thomas Playford, Messrs. Quirke, Rodda, and Shannon, Mrs. Steele, and Mr. Stott.

Pairs.—Ayes—Messrs. Clark and Hughes. Noes—Messrs. Nankivell and Teusner.

Majority of 1 for the Ayes.

Clause thus passed.

Clauses 11 to 13 passed.

Clause 14—''Special permits.''

The Hon. FRANK WALSH moved:

After ''amended'' to insert the following new paragraph:

(*aa*) by inserting after the word ''not'' (first occurring) in subsection (1) thereof the words ''and upon payment by such person of the prescribed fee''.

Amendment carried.

The Hon. FRANK WALSH: I move:

In paragraph (*a*) to strike out ''therein'' and insert ''in the said subsection (1) thereof''.

This is a consequential amendment.

Amendment carried.

Mr. MILLHOUSE: I have sat during the last few hours, dumb but attentive, listening to the debate on this Bill, but I am afraid that, in spite of my attention, I am no wiser or better informed about the purpose and the method of achieving that purpose than I was before I began. We have had conflicting explanations from five out of the six occupants of the front bench. Only the Minister of Works has been wise enough, and has had sufficient self-control, to keep out of the debate. However, the strange thing is that every explanation we have had, certainly from four of the junior Ministers, has been a different one. One of those Ministers (the Minister of Lands who has apparently now been sent out of the Chamber) got up three times and made three explanations on one clause. The only conclusion one can reach (indeed, I had reached it before, but this simply confirms it) is that the Bill is merely a blank cheque to allow of any policy it happens to please the Government at any time to put into operation. I believe that, whatever—

Mr. HUDSON: On a point of order, Mr. Chairman.

The CHAIRMAN: Order! The honourable member for Glenelg.

Mr. HUDSON: Is the honourable member addressing himself to the clause under consideration by the Committee? I ask that he address himself to his amendment.

The CHAIRMAN: The honourable member has not moved his amendment yet.

Mr. MILLHOUSE: The member for Glenelg has not been a member of this place sufficiently long to appreciate the subtleties of the situation and to realize that I am simply explaining my reasons for the amendment on the file. I think he will know, when he has been here rather longer than he has, that one can, in explaining the reasons for the amendment, be allowed some latitude by the Chair. I notice that you have given me that latitude, Sir. I think this is, of all the sorts of legislation, the most undesirable. The amendments I desire to move will at least ensure some sort of Parliamentary control over this, something for which the Bill is at present more remarkable because of its lack than because of its presence. The main amendment deals with the proviso in new subsection (2), which is the most outrageous proviso that one can imagine. Indeed, if the Parliamentary Draftsman sat down for a month, I do not think he could frame a proviso that would give more absolute power to the Minister than this one gives. The proviso states:

Provided that the Minister may direct the board to charge a fee less than the prescribed maximum fee or to remit entirely a fee in such circumstances as he deems justified.

It is in the most absolute terms. If that were the purpose of the Government, and I presume it was, I congratulate the draftsman on what he has done, because it is a perfect example of providing for absolute control by the Minister. Under it the Minister can do anything. The board does not have the slightest shadow of discretion as to what it does; it simply reacts to the direction of the Minister. This direction (if one can judge from the way in which the Government fought the previous amendment) is to be secret. It is certainly not to come out if the Government is to have its way, and the Minister can direct the board to charge either a lesser fee than the maximum prescribed or to remit the fee altogether if he deems the circumstances to justify it. I believe this is altogether undesirable, and this is the sort of legislation to which even the present Government, when it was in Opposition, would have taken great exception.

My amendment provides that these exceptions can be made only by regulation so that Parliament will see what is going on and will have an opportunity to express its approval or disapproval of what the Minister intends to do. Furthermore, it provides that the regulation shall not speak, as a regulation normally does, from the time it is made, but that it shall speak only after it has been laid on the

table in this House or in another place for 14 sitting days, which will give honourable members an opportunity to move for its disallowance if that be justified. I hope the Government will not say that so many regulations will be needed that this will not be workable, because surely the Government will not suggest that this is the sort of thing that will be done every day. I believe that only in this way can Parliament re-assert some of the control that it is being made to give away in this legislation by the present Government.

Mr. Jennings: Give away to whom?

Mr. MILLHOUSE: Give away to one of the Ministers.

Mr. Jennings: Give it away to a Minister answerable to this Parliament!

Mr. MILLHOUSE: That is a hollow sham. The Minister is not even in this place. The interjection made by the honourable member is similar to interjections made frequently. However, these interjections conveniently overlook the fact that for considerable parts of the year Parliament is not sitting at all. It is all very well to say that a Minister is answerable to Parliament, but how is the Minister answerable a week after Parliament rises if it is not to meet again for two or three months? It is difficult to make a Minister answerable then, and yet that is what we are supposed to swallow. I hope the Committee will not swallow that nonsense. I move:

In paragraph (*b*) to strike out "subsection" second occurring and insert "subsections".

The Hon. D. A. DUNSTAN: We have heard remarks about hollow shams and mockeries. I must say that for a cynical device designed entirely to defeat the administration of the Bill this would be hard to better. The honourable member has carefully refrained from explaining the purpose of what he has set out to do, because he wants to see to it that the Government is not able administratively to provide for those cases where the giving of permits and the charging of fees will create considerable hardship upon people, as they did under the previous administration of the Transport Control Board. Complaints were continually being made that to stick to the hard and fast rules laid down for the Transport Control Board administration was unfair and unjust. Members on both sides were continuously bringing matters forward, but no Minister could do a thing about it.

Mr. Jennings: There were even such cases as taking a busload of pensioners out on a Sunday.

The Hon. D. A. DUNSTAN: Yes. It was not possible to get anything done administratively to meet circumstances of that kind. The Minister will have discretion so that, where it is necessary for him to intervene when circumstances entirely justify a departure from the hide-bound control about which members on both sides have complained during the time of the previous Transport Control Board administration, there will be a means by which that can be done and by which the Minister can be questioned and made to take responsibility for his administration.

What does the honourable member's proposal do? It provides that regulations are to be made for this purpose that will never come into force, because honourable members opposite propose to add the same little device that they propose to put into effect in regard to the Town Planning Act. The honourable member is laughing cynically, because he knows that we know what he intends to do. He is not proposing that this be dealt with in the normal way by regulations under the Acts Interpretation Act that can be disallowed by this House at the proper time; the regulation is to lie on the table of the House and be subject to disallowance and, of course, members in another place can go ahead and move a motion to postpone its effect. Honourable members opposite propose the same sort of device as exists under section 28a (3) of the Town Planning Act.

This is not being particularly straightforward. The only proper way in which the matter should proceed by regulation is the way in which the previous Government provided for regulations, with one exception. The one exception was in the area where they desired to have nothing done at all, and they never did anything. This whole proposal is just a hollow mockery and a sham. Members opposite suggest that there is something corrupt about having a Minister who can exercise discretion, whereas he must stand up in the House when there is any complaint and justify what he has done. He cannot hide behind some board as the previous Government always did: he has to answer for his administration on every occasion. To say that this is in some way corrupt and detracting from the principles of Parliamentary Government is absolutely absurd. No doubt that will not deter members of the Opposition, for absurdity and misrepresentation do not matter to them. Anything that can be said (regardless of whether it is truthful or not) outside this House goes

in respect of this measure with members of the Opposition.

Mr. HALL: The Attorney spoke of absurdities. Mr. Chairman, he also said that members of this Party when in Government complained that the Ministers did nothing, yet now we hear it asserted that because of the complaints that came from the members of this Party the Government freed the roads in South Australia. Does the Attorney deny that? What has his Government done? It has introduced legislation to restrict and hamstring road transport once again. Who is talking absurdities now? The Attorney-General is talking about the hardships that will be created under an Opposition amendment to this Bill. He speaks of "hardship" in the face of hundreds of people in the country areas losing their livelihood and an Opposition amendment to alleviate a condition that may be applied to them is alleged to be a hardship! Does the Attorney-General say that that is absurd?

The Hon. D. A. Dunstan: This is not alleviating anything.

Mr. Millhouse: Those were the terms you said yourself: you referred to "hardship".

Mr. HALL: Yes. The Attorney-General said that members opposite had complained about the Transport Control Board. The Minister of Agriculture always praised the board, and this Bill, of course, is the result of such attitudes that have been held in the past by other members of the Government. I support the amendment. I utterly reject this talk of absurdity by a Government that is destroying the freedom of the roads.

The Hon. Sir THOMAS PLAYFORD: This clause is one of the most interesting clauses, because it is the one in which the Government put in one of its amendments to meet the requirements of the Opposition regarding the absolute discretion given to the Minister in respect of charges. When the Bill was first introduced, there was no suggestion that the charges would be fixed by regulation. However, because of the complaints by the Opposition, the Government saw fit to provide that fees would be prescribed by regulation.

Mr. Millhouse: It was only window-dressing.

The Hon. Sir THOMAS PLAYFORD: Yes, because tacked on to the bottom was a proviso that the Minister could alter the regulation at any time. That is the sort of thing that has brought this Bill into absolute contempt in the community. The Bill does not disclose any clear policy. Seeing that the Minister, without going to the Governor or Parliament or anybody else, can proceed to alter any regulation in that way, what is the good of such a provision? It is no good the Attorney-General's saying that there is a Minister responsible to Parliament. After the Government moved that private members' business no longer take precedence, the Government itself brought in a regulation dealing with harbour dues. That regulation is most obnoxious; it will have a great effect upon industry. When a regulation is introduced and challenged, the Government does not give the Opposition an opportunity to debate it. Being "subject to the will of Parliament" means "subject to the will of the Government". The only alterations to this Bill have been made because of the uneasiness of honourable members opposite who discover that their districts are in revolt. It is not what has been said here but the voice of the people outside in some districts that has made the Government realize that this legislation is unpopular.

Parliament may not be in session when the regulation is made and may have no opportunity of disallowing it. Even if the regulation is made when Parliament is in session, the Government can and does use its numbers to prevent the Opposition from moving a motion for disallowance. For the Attorney-General to talk about the "responsible Minister" is nonsense. We have seen five irresponsible Ministers tonight trying to explain an irresponsible Bill.

Mr. MILLHOUSE: The Attorney-General, when he apologized for the present form of this provision, said that this proviso, to which I have taken objection and which I desire to amend, was simply to take care of the hardship cases resulting from this Bill. He let one cat out of the bag by saying that but, even if we accept that this is the intention of the proviso, it is not the effect of the proviso. It means, in effect, that the Minister can fix any fee, or no fee at all, at his own whim up to 2c a ton-mile. That is utterly bad and capricious. It is not the Attorney-General but another Minister who will administer this Act. We do not know who that will be in a few months. We are giving to an unknown person absolute powers, and that is undesirable.

The Committee divided on the amendment:

Ayes (16).—Messrs. Bockelberg, Brookman, Coumbe, Ferguson, Freebairn, Hall, Heaslip, McAnaney, Millhouse (teller), and Pearson, Sir Thomas Playford, Messrs. Quirke, Rodda, and Shannon, Mrs. Steele, and Mr. Stott.

Noes (17).—Messrs. Broomhill and Burdon, Mrs. Byrne, Messrs. Bywaters,

Casey, Corcoran, Curren, Dunstan, Hudson, Hurst, Hutchens, Jennings, Langley, Loveday, McKee, Ryan, and Walsh (teller).

Pairs.—Ayes.—Messrs. Nankivell and Teusner. Noes.—Messrs Clark and Hughes.

Majority of 1 for the Noes.

Amendment thus negatived.

The Hon. FRANK WALSH moved:

In subsection (3) to strike out "Such a permit" and insert "A permit issued under this section".

Amendment carried; clause as amended passed.

Clauses 15 to 18 passed.

Clause 19—"Financial provision."

The Hon. G. G. PEARSON: I oppose this clause entirely, for it is not only bad in principle and in operation but also unjust, in so far as it takes the taxation imposed by the Bill on the users of road transport, and places the proceeds thereof in the Railways Fund.

It has always been a principle in this State that taxation for roads should go into the Roads Fund. That principle has always been observed in spite of some temptations to divert it into general revenue. However, this is the first time it has been intended to alter that principle. For many years the South Australian public has been informed that its railways was a national utility, and that we should all be prepared to accept some direction in favour of using that utility. The Railways Department has built up its capital asset out of a borrowed fund. On the other hand, roads have been built (and are being built and maintained) by the people who use them—nobody else. It has long been a bone of contention that all proceeds from road taxation do not find their way back to the roads. Proceeds from the Commonwealth petrol tax are not returned to the roads. However, South Australia returns to the roads moneys received from the Commonwealth, and taxation collected in South Australia on the registration of motor vehicles, the licensing of drivers and on road maintenance provisions. This money is paid into the Roads Fund and used to build and maintain roads. Government expenditure on roads would be about £15,000,000 a year, and to that is added contributions by councils. Therefore, is it equitable to dredge off revenue from taxation on roads (particularly the tax provided in the Bill) and apply it to the railway system in any form? This money is intended not for the benefit of the railway system but to help the Premier reduce the deficits in railway accounts that he is obliged to finance from year to year from general revenue.

During the previous Administration no-one ever raised any serious objection to the deficits by the Railways Department. The deficits were noted from time to time by people inside and outside of the Chamber, but everybody recognized that the railway system rendered a service not necessarily designed to make a profit. I hope that position will be maintained. Many other services are supplied below cost. The railway system is expected not to run at a profit but to benefit primary and secondary industries. It would be far better if the proceeds of this tax were paid into the Roads Fund. I shall move an amendment that would mean that the principle I have laid down would be observed. It would be a consolation to people paying this tax if they realized that it was helping to provide for a better roads system. I move:

In new section 37 (1) to strike out "Railway Improvement Fund" and insert "Transport Control Board Road Tax Fund"; and after "Act" second occurring to add:

> The whole of the moneys at credit in the fund shall, at the end of each month, be transferred to the credit of the Highways Fund.

The CHAIRMAN: I have been examining the amendment moved by the honourable member for Flinders. The Governor recommended the appropriation of such amounts of money as were required for the purposes mentioned in this Bill; that is, the Bill as introduced by the Government. As I understand the effect of the amendment, it would appropriate revenue for a purpose that has not been recommended by the Governor to the House of Assembly. Therefore, I rule the amendment to be out of order.

Mr. SHANNON: Unfortunately for the Government, Mr. Chairman, you do not do it a very great service.

The CHAIRMAN: Order! The honourable member cannot discuss the Chairman's ruling.

Mr. SHANNON: I want to discuss clause 19.

The CHAIRMAN: That is in order, but what you have been discussing is not.

Mr. SHANNON: It is not the custom for us to load a tax on to people to make them pay for deficits in another Government department, which is what this clause sets out to do. We are flying in the face of progress here, because in this fast-moving world the movement to road usage is most apparent. The average person who wants to get from place to place uses the roads. In that way, he avoids

the inconvenience of transferring and savings are great. We had evidence on this before a committee of which I have the honour to be Chairman.

The CHAIRMAN: The honourable member's committee has nothing to do with the clause.

Mr. SHANNON: I am dealing with the clause.

The CHAIRMAN: Order! I am asking the honourable member and other honourable members who discuss this clause to confine their remarks to it.

Mr. SHANNON: I am endeavouring to connect my remarks with the effect this clause will have upon our road system. If that is not in order, I want to know why it is not.

The CHAIRMAN: It has nothing to do with your committee.

Mr. SHANNON: If I am not allowed to draw attention to obvious examples of the point I am endeavouring to drive home to the Committee that roads are becoming more important—

The CHAIRMAN: Order! Roads are not mentioned in the clause. The clause under discussion deals with the Railway Improvement Fund. I ask the honourable member to confine his remarks to the clause.

Mr. SHANNON: I should like to ask you a question, Mr. Chairman. Is there no such thing in this clause as a fund that is being raised by way of a road tax?

The CHAIRMAN: I am asking the honourable member to confine his remarks to the clause.

Mr. SHANNON: I am trying to do that. I am asking for your direction. Is no such thing as a fund raised from road users inherent in this clause?

The CHAIRMAN: I will give the directions if I think they are necessary.

Mr. SHANNON: That is very good; you are helpful. A fund provided by road users is involved in this clause, and that is the only point I wish to make. Roads will be used more and more, not only by the people in South Australia but by people all over the world. If the time ever came when this country was involved in an attack from a foreign power, our roads would provide our means of transport; they did so in the last war, and they will do so again. We had to build a road in a hurry from Alice Springs to Darwin; we were forced to do that.

Mr. McKee: What would we have done without the railways?

Mr. SHANNON: What would we have done without that road? It was our lifeline, and the member for Port Pirie knows it. I regret that the member for Flinders cannot pursue his amendment. I will now content myself with voting against the clause.

The Hon. Sir THOMAS PLAYFORD: I oppose the policy provided in this clause, for I believe it is completely wrong. It is a policy that takes money from the road users and hands it over to their competitor. The clause is obnoxious in every way, and it is certainly not in keeping with other provisions this Parliament has passed in relation to taxation levied upon road users. It is not equitable in its application, and I therefore believe the Government should reconsider it. I have a further objection in that although new section 37 (2) sets out to appropriate the money for certain purposes a certain discretion is given for the money to be paid into what amounts to general revenue.

Mr. Shannon: That is probably where it will go, too.

The Hon. Sir THOMAS PLAYFORD: That is what it will amount to, because if the money is paid in to meet the deficit of the railways it relieves the Treasurer of his present obligation to meet that deficit. I believe the whole principle of the clause is wrong and that it is unsound in practice. I must confess surprise that a clause of this nature was included. If it had provided that the money received from the road user would be spent on the roads, it would have met some of our criticism. However, this part of the clause adds insult to injury, for this is bad financing and the whole basis on which the provision is set out is unfair.

Mr. McANANEY: I strongly oppose the principle in this clause. This is purely a sectional tax, and in addition it will not even apply equitably throughout the State.

The Hon. R. R. Loveday: You obviously don't agree with what your Liberal mates do in Canberra!

Mr. McANANEY: I am speaking to this clause, and I would have thought, Mr. Chairman, that you would rule any remarks about other places out of order.

The CHAIRMAN: I do not remember having ruled out of order any remarks referring to outside South Australia.

Mr. McANANEY: To boost the Railways Department by taking from its competitors is wrong in principle. To be successful in business one has to cut one's losses. If the Railways Department is not operating economically,

a new programme should be devised for making it pay its way. For instance, the delivery of superphosphate and small parts can be improved.

The Hon. G. G. PEARSON: There is a way out of the problem. If the Government sees merit in the intention I expressed and agrees with the objections to this clause raised by members on this side of the Committee, it would be in order for me to move the first part of my amendment, which is to strike out "Railway Improvement Fund" and insert "Transport Control Board Road Tax Fund", because that does not divert any money. It will then be competent for another place, untrammelled by the Governor's message, to strike out "railway" and insert "road" in the second half of the clause Therefore I move:

In new section 37 (1) to strike out "Railway Improvement Fund" and insert "Transport Control Board Road Tax Fund".

The CHAIRMAN: I rule the amendment out of order.

The Hon. G. G. PEARSON: May I ask your reason for that ruling, Sir?

The CHAIRMAN: That is the practice referred to in Erskine May's treatise.

The Hon. G. G. PEARSON: I move:

That the Chairman's ruling be disagreed to.

The CHAIRMAN: I ask the honourable member to bring up his reasons for disagreement.

The Speaker having resumed the Chair:

The CHAIRMAN: Mr. Speaker, I have to report that during the discussion of clause 19 the honourable member for Flinders moved to strike out the words "Railway Improvement Fund" for the purpose of inserting in lieu "Transport Control Board Road Tax Fund". I ruled the amendment out of order. The honourable member moved disagreement to my ruling on the ground that the amendment does not dispose of any funds or alter the disposition of any funds, but merely changes the name of the fund in the Treasury accounts.

The SPEAKER: I uphold the Chairman's ruling. In doing so I refer to Erskine May's treatise (page 729), which states:

The Royal demand or recommendation fixes the limits of a charge—the guiding principle in determining the effect of an amendment upon the financial initiative of the Crown is that the communication, to which the Royal demand or recommendation is attached, must be treated as laying down once for all (unless withdrawn and replaced) not only the amount of a charge, but also its objects, purposes, conditions and qualifications.

I believe the amendment seeks to alter that, and it would be out of order whether it were moved by a private member or by a Minister.

The Hon. G. G. PEARSON (Flinders): I move:

That the Speaker's ruling be disagreed to.

This is the first time I have moved this motion during my term in this House. I do so because I believe that the reasons I gave for disagreeing to the Chairman's ruling are valid, and my amendment does not dispose of any funds or alter the disposition of any funds. It merely changes the name of the fund. It does not add or subtract one penny of revenue to be collected; it does not direct that any funds should be applied to any particular purpose or to any other purpose. Erskine May states: ". . . an amendment infringes the financial initiative of the Crown, not only if it increases the amount (which my amendment certainly does not do) but also if it extends the objects and purposes".

I have done nothing whatever to extend or restrict the objects and purposes. There is no reason whatever why the fund in the Treasury (which I intend to call the Transport Control Board Road Tax Fund) should not be used for any purpose whatever. My amendment certainly does not prevent the fund from being used for the purpose set out in subsection (2). Erskine May states "or relaxes the conditions and qualifications . . .", but I cannot see how the amendment affects in any way the conditions and qualifications. If I am permitted to move my amendment, the objects as stated in the Bill remain intact. I cannot see that any objection to my amendment is expressed in Erskine May, which you have quoted to the House, and on which you have based your ruling, Sir.

The Hon. Sir THOMAS PLAYFORD (Leader of the Opposition): I regret, Sir, that I must support my colleague. I point out that the many accounts in the Treasury can be under all sorts of name, but that, in fact, that does not constitute a right for the Treasurer to use the money in any way other than is provided by Act of Parliament. The name of the account has no bearing on the appropriation. The appropriation is provided for in subsection (2), which states:

The said fund shall be applied towards railway expenditure whether current or capital as the Government from time to time directs.

That is the authority for the Treasurer to appropriate the money. In my opinion, the words "it shall be kept in the Treasury fund" could be deleted, and any name could be given to the proceeds. Why a name is stipulated in the Bill I do not know. The appropriation would go on in the same way even if no name were given to the fund. It is not in

accordance with the facts to say that this is an attempt to alter an appropriation that has been recommended. The honourable member merely sought to alter the name of the fund. The result of the amendment would make no difference at all to the purpose for which the money could be spent. I believe Erskine May makes the position clear, and he does not uphold the ruling. He refers to the objects, purposes, conditions and qualifications. The conditions are laid down in new subsection (2) and are brief and to the point; the Government could pay the money to the loan fund or the revenue fund of the Railways Department.

The Hon. R. R. Loveday: In other words, it is a completely stupid amendment.

The Hon. Sir THOMAS PLAYFORD: That is a matter for honourable members to consider. If the contention is that the name of the fund cannot be altered, then what sort of amendment can the Opposition move? If new subsection (1) were struck out the Bill would still function in precisely the same way as it will function whether the amendment is accepted or rejected. It is a curtailment of the Opposition's rights to say that the honourable member has no right to move the amendment. I submit that your ruling, Mr. Speaker, is neither in accordance with the Standing Orders nor with the authority you quoted, because it does not alter in any way the disposition of the money but merely alters the name under which the fund shall be held in the Treasury. This is clearly not an appropriation, as the honourable member has pointed out in moving his amendment.

Mr. MILLHOUSE (Mitcham): In supporting the motion, I agree with the arguments put forward by the member for Flinders and by the Leader. The only purpose of this amendment is to change the name of the fund. The fund will be administered in the same way and used for the same purpose, even if it does not have a name at all.

The Hon. Sir Thomas Playford: If the first new subsection were not in the Bill it would not make any difference.

Mr. MILLHOUSE: Exactly. How can it possibly be said that a change in the name of a fund, without anything else, affects its objects, purposes, conditions or qualifications? It does not affect any of those things and, according to Erskine May, it is only if one of those things is altered that the amendment infringes. The passage on which I understand you to rely, Mr. Speaker, reads:

The guiding principle in determining the effect on an amendment upon the financial initiative of the Crown is that the communication, to which the royal demand or recommendation is attached, must be treated as laying down once for all (unless withdrawn and replaced) not only the amount of a charge, but also its objects, purposes, conditions and qualifications.

It just does not do any of those things; it simply changes the name. It would not matter if the name of the fund were the Tom Jones Fund.

The Hon. Sir Thomas Playford: Provided new subsection (2) remained.

Mr. MILLHOUSE: Yes. With great regret, Mr. Speaker, because I genuinely respect your rulings, I must disagree with this one. It just is not supported by the authority you quoted in Erskine May to support it.

The Hon. T. C. STOTT (Ridley): An important question is involved in your ruling, Mr. Speaker gets down to the words "not only the amount of a charge, but also it objects, purposes, conditions and qualifications". It goes on:

In relation to the standard thereby fixed, an amendment infringes the financial initiative of the Crown, not only if it increases the amount, but also if it extends the objects and purposes, or relaxes the conditions and qualifications, expressed in the communication by which the Crown has demanded or recommended a charge.

I fail to see where this extends the objects and purposes. The member for Flinders has merely moved to change the name. If he had moved to strike out "Railway Improvement Fund" and to insert "Transport Control Board" and then said "use for roads", that would extend the purposes and would come within Erskine May's ruling. New subsection (2) still remains, providing "the said fund shall be applied", and setting out its objects and its purposes. There is no interference with that. There is no alteration or extension of the objects or purposes.

I would agree if you were saying that the fund had to be expended for some purpose, but I think this is giving too narrow a definition in regard to money powers. I have ruled in this House with the initative of the Crown, but this is an amendment to a Bill that has been founded correctly in Committee and introduced by a Minister, and which complies with all the Standing Orders. The amendment seeks to strike out a name. I am rather perturbed at the way the rights of private members appear to be diminishing in these matters. Obviously if a member says he considers this money

should be expended for a certain purpose he is out of order, and nobody questions that. However, I am rather perturbed at the narrowing of this interpretation, which is interfering with the rights of private members. I am sorry that the ruling has been given in this way.

The SPEAKER: Before putting the motion, I remind the House that Erskine May has laid it down that the communication from the Crown must be treated as laying down once and for all the objects, purposes, conditions and qualifications, and it is not only incompetent for the Opposition to move without further recommendation from the Crown but it is equally binding, as I mentioned earlier, on the Ministers or any member of the House. I hold that this amendment must be taken as a whole as dealing with the financial provision, and that the amendment does precisely what Erskine May has clearly ruled is out of order.

The Hon. Sir Thomas Playford: The honourable member has indicated that he is not proceeding with his amendment to subsection (2).

The SPEAKER: The honourable member's amendment was to leave out the words "Railway Improvement Fund" and to insert other words in lieu thereof.

The Hon. G. G. PEARSON: On a point of order, Mr. Speaker, normally these amendments would be considered as two entirely separate amendments, and I intended to move the first of those amendments.

The SPEAKER: That is the one that is in dispute.

The House divided on the motion:

Ayes (16).—Messrs. Bockelberg, Brookman, Coumbe, Ferguson, Freebairn, Hall, Heaslip, McAnaney, Millhouse, and Pearson (teller), Sir Thomas Playford, Messrs. Quirke, Rodda, and Shannon, Mrs. Steele and Mr. Stott.

Noes (18).—Messrs. Broomhill and Burdon, Mrs. Byrne, Messrs. Bywaters, Casey, Corcoran, Curren, Dunstan, Hudson, Hurst, Hutchens, Jennings, Langley, Lawn, Loveday, McKee, Ryan, and Walsh (teller).

Pairs.—Ayes—Messrs. Nankivell and Teusner. Noes—Messrs. Clark and Hughes.

Majority of 2 for the Noes.

Motion thus negatived.

In Committee.

Clause 20 and title passed.

Bill reported with amendments. Committee's report adopted.

The Hon. FRANK WALSH (Premier and Treasurer) moved:

That this Bill be now read a third time.

The Hon. Sir THOMAS PLAYFORD (Leader of the Opposition): I oppose the third reading, and will call for a division on it if I can obtain at least one supporter. Apart from the problems arising from the introduction of this Bill and the re-control of transport, the Bill is most unsatisfactory in two other ways. First, Parliament has no idea how this Bill is to be applied. We have had explanations about the various provisions of the Bill, but it is obvious from the contradictions that have appeared in these explanations attempted by the Ministers, that the policy of the Bill is unknown to the Government. All the Bill does is to leave the position open so that the Minister, without control by the Government or Parliament and without having to report to Parliament on his actions or to make public his decisions, is able to take complete control of all transportation systems in this State.

At present a limited number of roads are controlled in this State, but the Minister can, and no doubt will, control every road that competes directly with the Railways Department. If any policy has been stated, it is that the Bill will suppress road transport, and that seems to be the only policy that we can read into the Bill. Honourable members opposite agree with that. This State has been built up because for many years there has been a greater freedom of transport than exists in any other State of the Commonwealth. That is inherently necessary to the economy of this State, and it is hypocritical of Government members to say that they believe in transport control but then to move an amendment which has, as its object, the exemption of a district. The Minister of Lands can say that it is a good Bill but, when it is considered, we find that his district has not even one controlled route in it at present, and I suggest that it will not have.

Mr. Hurst: Some of your Party would like to see them there?

Mr. Hudson: You would like to extend the Act.

The Hon. Sir THOMAS PLAYFORD: The member for Glenelg, who is interjecting so vigorously, is saying that the purpose of the Bill is to control road transport.

Mr. Hudson: I did not say that.

The Hon. Sir THOMAS PLAYFORD: He got a total exemption for his district.

Mr. Hurst: Well, you can go and tell the people—

The Hon. Sir THOMAS PLAYFORD: The district of the member for Semaphore has a complete exemption. Many people favour road

transport control as long as it is the other chap being controlled and not people in their district, because they are not paying the freight. According to members of the Government transport control is a wonderful idea. Why did the Government desire to move an amendment to increase the radius of the metropolitan area from 10 to 25 miles? It was to ensure that every member in the metropolitan area would be totally exempt.

Mr. Hurst: It looked after Burnside and Mitcham!

The Hon. Sir THOMAS PLAYFORD: While the Government is in favour of controlling roads, it makes the reservation that it does not openly state: as long as it is the roads in the other fellow's district that are being controlled, it is all right. That relates to the district of every member opposite, with the exception of three, and they will try to get their roads decontrolled, if it is possible.

The Hon. G. G. Pearson: There are four of them.

The Hon. Sir THOMAS PLAYFORD: Be that as it may, the Bill also places unnecessary control in the hands of the Minister by arbitrary act. That is entirely undesirable, and it cannot lead to good results. When we associate that intention with the fact that even an amendment requiring the Minister to publish his decisions was strenuously opposed by five Ministers—

Mr. Hudson: You are not speaking the truth!

Mr. Millhouse: What do you mean? That is exactly what happened.

The Hon. Sir THOMAS PLAYFORD: Not the Minister in charge of the Bill, but five Ministers saw fit to get up and oppose—

Mr. Hudson: Your amendment was completely unnecessary.

The Hon. Sir THOMAS PLAYFORD: The Premier cut it short by opposing the amendment on the supposition that it dealt with another Bill altogether. This is a serious matter in regard to South Australia's economy, and members of the Government will find that to be so.

Mr. Hurst: Our Government is treating it seriously.

The Hon. Sir THOMAS PLAYFORD: The time will not be far distant when the Government will wish it had left this matter alone, because the freedom of the roads is inherent in the prosperity of the State. Apparently, it does not matter how much we wish transport control on to the other fellow; the fact still remains that when we get an opportunity we exempt our own district as quickly as we can.

Mr. Hudson: Rubbish! No district is completely exempt, and you know it. You are not telling the truth.

The Hon. Sir THOMAS PLAYFORD: While the Minister of Education is such a strong proponent of the Bill, it does not include his district.

Mr. Hudson: It will apply to goods coming from Whyalla to Adelaide.

The Hon. Sir THOMAS PLAYFORD: The Bill is undesirable on two grounds: first, it would do untold damage to the economy of the State; and, secondly, it places too much control in the hands of a Minister—a Minister who is not responsible either for giving publicity to his decisions or for reporting them. When the Opposition merely asked that he report his decisions, that was strenuously opposed by members opposite, because they know that they will not want those decisions reported. Under those circumstances I oppose the Bill. I hope it will be rejected here and, if it is not, I hope it will meet with its deserts in another place.

Mr. SHANNON (Onkaparinga): This is the worst type of legislation I have seen introduced since I have been a member of the House. It places a burden on a section of the people that is rendering a valuable contribution to the State's economy. What the Leader said about the possible use of the funds raised from this source is perfectly true. No assurance has yet been given about where the money will be spent. It may or may not be spent on the railway system. It may be that the Premier will be short of funds (his Ministers are finding ample opportunity for spending money) and that money will be used as an acquisition to the Premier's general fund to provide for services of which we know nothing. No assurance is given in the Bill that the money will be spent in any particular direction. There has been much talk about the name under which the fund will be ear-marked in the Treasury. That does not mean a thing: it is the money that counts.

I am also apprehensive about the responsibility forced upon a Minister of the Crown under the legislation, which provides that he will be the director of the policy to be pursued by the Transport Control Board. Therefore, he will be unable to avoid the odius task of approving or disapproving of what could mean life or death, as it were, to some road transport operators. He could have the task of deciding whether these people will continue in business

or have to disband businesses that they have carried on for many years, probably providing a valuable service. The Minister is to direct the board in these important matters, which should be as far divorced from political interest as possible. This is one reason why I believe the legislation will bring disrepute upon South Australia generally. I believe we shall eventually regret that authority has been given to a Minister to decide whether or not a man may earn his livelihood in a pursuit that he has become accustomed to following. That is totally bad, and I oppose the third reading.

Mr. QUIRKE (Burra): I wish to make a final protest about the Bill. Like many other members, I represent a district that will suffer from this iniquitous proposition. Certain districts will suffer because four main roads go north, all of which can be controlled, and four railway lines also go north. The majority of the revenue to be raised under the Bill will come from the Lower North because of exemptions to other areas.

Mr. Hudson: No country area is exempt on a trip to Adelaide.

Mr. QUIRKE: That is what the honourable member says but the Bill does not say it.

Mr. Hudson: The Bill does say it.

Mr. QUIRKE: All I know of the Bill is that any route can be controlled. Therefore, to say that a route is not controlled now is no guarantee that it will not be controlled. If the same Transport Control Board operates now as operated before, it will control everything. Honourable members must know that it only needs control on one mile to control the whole length of the road. The road down Accommodation Hill was controlled, and that controlled the whole route to the river. This Government is the most rapacious this State has ever had. The Premier said in his second reading explanation that it was hoped to raise £1,000,000 of which £500,000 would be profit and, in addition to that, £200,000. Who is going to pay that?

The Hon. Sir Thomas Playford: The people of Brighton?

Mr. QUIRKE: Not the people of Brighton, and not the people of Port Pirie. Those vociferously in favour of this Bill are those who will not contribute 1d., but all the people in my district will contribute. All the truckies with one or two trucks will be sent off the roads. It is easy to do that. One only has to keep rail freight charges down and put this imposition on the truckies and they will be ruined.

The Hon. G. G. Pearson: And then the rail freight will go up.

Mr. QUIRKE: Yes. This plan is easy to see.

Mr. McKee: You are not very convincing.

Mr. QUIRKE: The honourable member is not convincing, because he has nothing to talk about. Why doesn't the honourable member get up and speak?

Mr. Hudson: Port Pirie is not exempt.

Mr. QUIRKE: There will be an exemption for 10 miles around it.

Mr. Hudson: Doesn't Port Pirie trade with Adelaide?

Mr. QUIRKE: Yes, but 10 miles around Port Pirie will be exempt.

Mr. Hudson: What has that to do with the price of anything? What railway ever wanted to carry goods 10 miles?

Mr. QUIRKE: Brighton is exempt.

Mr. Hudson: Brighton is not exempt in relation to goods coming from the country.

Mr. QUIRKE: You have no trucks operating there. Why don't you get up and make a speech about it.

The SPEAKER: Order!

Mr. QUIRKE: I am sorry. I know what you are going to say, Mr. Speaker: that I have not been addressing the Chair.

The SPEAKER: I am going to say that interjections are out or order.

Mr. QUIRKE: Yes. They have caused me to transgress, but I shall always do that while honourable members interject. This Bill is going to cruel that transport industry in my district. There is no denying that, and they are the people on whose behalf I am protesting. It can do it and it will do it. Everyone is fearful of the effects, because the whole livelihood of many people is dependent on transport. They will have to get other jobs. This is a sabotage of country areas, because no-one else is affected to the same extent as the people who live in the country and the people who operate trucks.

The Hon. G. G. Pearson: Country people pay the freight both ways.

Mr. QUIRKE: They cop the lot. If untreated products, such as field peas, are sent to Adelaide to be cleaned, the freight for their return is more than the freight down, because they are then in the category of a processed products.

The Hon. T. C. Stott: It applies to citrus, too.

Mr. QUIRKE: Yes, it applies to all products that go back to the country. The country people get slugged every way. This Bill will

remove from them alternative forms of transport, so it is a vicious thing and I will never condone it. I take this opportunity to make a final condemnation of it on behalf of the people I represent and on behalf of those I know must be ruined because of it. Government members say that no-one will be ruined, but how can the Government take away the medium of their livelihood and yet not ruin them? The whole process is simple; the Government is going to make them increase their charges in order to keep their trade. Is that not true?

Mr. McKee: Of course it isn't. Nothing you have said is true, as far as I am concerned.

Mr. QUIRKE: I think the honourable member doubts his presence here.

Mr. McKee: I doubt your presence, the way you are carrying on.

Mr. QUIRKE: The honourable member may not be as smart as he thinks he is. Mr. Speaker, that is my final condemnation of this Bill. I condemn it on behalf of the people I represent.

Mr. MILLHOUSE (Mitcham): I agree with the final conclusion of the member for Burra but I join issue with him on one thing he said. The honourable member said that those whose districts were least affected by this were those who supported the Bill most strongly. Well, Sir, I want to tell him that even though my district may not be directly affected by this, nevertheless I still condemn this Bill as strongly as I possibly can, not only for the reasons he has given and which have been given by the Leader of the Opposition and the member for Onkaparinga but also because this Bill negates every principle of responsible Parliamentary Government that I know. Parliament is not here in the community simply to hand over irresponsible power to a Minister of the Crown, yet that is what we are doing under this Bill. We are abdicating all Parliamentary authority; we are handing it over to a Minister of the Crown, and there are no effective safeguards against it at all. That is the reason why I oppose the Bill, and that is the reason why I suggest every member who has any idea of Parliamentary democracy and any pride in democratic institutions should also oppose it. I hope this House will oppose it.

Mr. HALL (Gouger): I am disappointed that this Bill has come out substantially in the form in which we started to discuss it in the second reading debate. Two factors worry me: the effect on my district and the effect on the State. It will cause unemployment and a reduction in the business activity of various undertakings in the towns in my district, and, of course on a State level it must cause an increase in costs in many industries. I deplore this Bill because of its effect. I certainly deplore the fact that it has been stated by a Minister that the Bill will aid decentralization. I think the debate has clearly shown that not in one instance will decentralization be assisted. We have been reminded over a number of years of this theme of decentralization by the members of the Labor Party who then formed the Opposition; it was their catchcry over the last several years of their occupancy of the benches on this side of the House. However, I consider that in this Bill we find the greatest blow at decentralization that has ever occurred in South Australia. If the Bill does nothing else it will work against decentralization of industry in South Australia.

Those of us from country districts know where the hardship that the Government members speak of will occur and who is causing it. From information gleaned from the policy speech of the then Leader of the Opposition at the last election, the second reading explanation of this Bill, and statements by the Minister of Transport and others, the over-riding implication is (whatever the details of this Bill may be) that its powers will be used to gain revenue from the Railways Department. I believe the Premier when he says that the Government is not looking for big returns from the ton mile tax and when he states that most of the revenue will come from the Railways Department. We must all understand from this explanation that goods are to be forced off the roads by a penalty tax and that revenue is to be obtained from railway sources. Therefore, whatever details we may debate here tonight or may be debated in another place, we should not lose sight of the over-riding reason why this Bill has been introduced into this House: to obtain railway revenue, and the all-powerful Minister to be in charge of the implementation of this legislation will use it to achieve that end. It is envisaged that an additional £1,000,000 will be obtained by forcing goods off the roads. Because of the effect on the State and on the people I represent, I oppose the Bill.

Mrs. STEELE (Burnside): Last week this House sat until nearly 9.30 a.m. on Wednesday and now we are sitting at 2.45 a.m. on this Wednesday. There will be no doubt at all in the minds of the public of South Australia how strong and sustained has been the opposition by members on this side of the House to

this Bill. As a metropolitan member, I have listened with great interest and much admiration to the fight that country members on this side have put up for the rights of those people engaged in road transport. The public of South Australia will realize that this measure will affect the town dweller as much as the country dweller. Although I know that this Bill will pass because of the Government's superiority in numbers, I most emphatically oppose it on its third reading.

Mr. HEASLIP (Rocky River): A week ago, on Wednesday morning, I opposed this Bill as strongly as I could. I moved for an adjournment, which was refused. I do not want it adjourned any longer. It is now 2.49 a.m. a week later and I am still opposing this Bill, which is one of the worst pieces of legislation I have ever seen go through this Parliament. Apart from a few Government members who have been informed and have inside information, no-one understands what this Bill will do. The Leader's amendment asking for the Minister's action to be publicized, was refused. In my district are people who started from nothing and worked up a small carrying business by working 16 hours a day. They have helped primary producers by carrying stock and superphosphate, but they will be out of a job when this Bill becomes law. It is wrong that a small section of the community should be forced to pay, and it is obvious that country people will have to pay. I sit down at 2.52 a.m. still opposing this Bill.

Mr. RODDA (Victoria): I oppose the third reading. Despite the assurances we have been given tonight that we have no control over transport in the South-East, the major carrying firms there are interested in carting to the capital cities, and they will be carting to Melbourne. This week the stock agents in the South-East are considering holding stock sales over the border, as it will be chaotic to get stock to markets in this State. This is a bad state of affairs, but I hope it will not be as bad as we think it may be.

Mr. McANANEY (Stirling): I strongly oppose this Bill, mainly because of the effect it will have on my district, only 50 miles from Adelaide, which is one of the most rapidly developing country areas in this State. This Bill will mean increased costs, as goods will have to be sent by rail, which means double handling. The discrimination and injustice are the worst features of this Bill. From the four different interpretations placed on the Bill by the Ministers concerned, it would appear that these injustices will exist throughout the State. I oppose the Bill also because of the powers given to the Minister, who can veto an act or decision of the board in which we, as Parliamentarians, shall have no say, and of which, in most cases, we shall have no knowledge. It is a bad business axiom to throw good money after bad.

Our railway system definitely needs reconstructing so that a better service can be provided to the public and so that it can adequately compete with road transport on long hauls. That is the only way to cut its losses; we should not penalize one section of the community so that the system can function satisfactorily. Being short of Loan moneys, we will have to direct money from schools and housing if we want to enable the railways to carry more goods. Leaving our transport system in the hands of private enterprise, which provides its own funds, will work for the benefit of the community. It has been mentioned that city districts, such as the district of Glenelg, will not be affected by the Bill, but I point out that every district in South Australia will be affected because increased costs will be forced on to the consumer. The Bill is a backward step, which I strongly oppose.

The House divided on the third reading:

Ayes (18).—Messrs. Broomhill and Burdon, Mrs. Byrne, Messrs. Bywaters, Casey, Corcoran, Curren, Dunstan, Hudson, Hurst, Hutchens, Jennings, Langley, Lawn, Loveday, McKee, Ryan, and Walsh (teller).

Noes (16).—Messrs. Bockelberg, Brookman, Coumbe, Ferguson, Freebairn, Hall, Heaslip, McAnaney, Millhouse, and Pearson, Sir Thomas Playford (teller), Messrs. Quirke, Rodda, and Shannon, Mrs. Steele and Mr. Stott.

Pairs.—Ayes—Messrs. Clark and Hughes.

Noes—Messrs. Teusner and Nankivell.

Majority of 2 for the Ayes.

Third reading thus carried.

Bill passed.

PHARMACY ACT AMENDMENT BILL.

Received from the Legislative Council and read a first time.

LOTTERY AND GAMING ACT AMENDMENT BILL (BETTING CONTROL BOARD).

Returned from the Legislative Council without amendment.

FAUNA CONSERVATION ACT AMENDMENT BILL.

Returned from the Legislative Council without amendment.

CITRUS MARKETING CONTROL BILL.

Order of the Day, Private Business, No. 2:

The Hon. T. C. Stott to move:

That this Bill be now read a second time.

The Hon. T. C. STOTT (Ridley) moved:

That this Order of the Day be read and discharged.

Order of the Day read and discharged.

ADJOURNMENT.

At 3.4 a.m. the House adjourned until Wednesday, December 1, at 2 p.m.