

## HOUSE OF ASSEMBLY

Wednesday, December 1, 1965.

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

### QUESTIONS

#### SANDY CREEK SCHOOL.

Mrs. BYRNE: In the Loan Estimates, a further £41,000 was provided for continuation of work on the new Sandy Creek Primary School. This is a replacement school, as the existing school is antiquated and in a bad state of repair. Attached to the school is a schoolhouse that has been condemned. Can the Minister of Education say whether the new school will be ready for occupation when schools resume on February 8, 1966; what the time lapse is likely to be between the closing and letting of tenders for the new schoolhouse; and what are the department's intentions with respect to the existing school, schoolhouse, and site, after it is not in use?

The Hon. R. R. LOVEDAY: The Public Buildings Department has informed me that the new Sandy Creek school is expected to be available for occupation at the beginning of the 1966 school year. Tenders were called on November 13 for the construction of a new departmental residence at Sandy Creek. If a satisfactory tender is received, it is likely that a contract will be let by the end of December. When the new school and new schoolhouse are occupied, consideration will be given to disposing of the present schoolhouse and site.

#### FAUNA CONSERVATION.

The Hon. D. N. BROOKMAN: Has the Minister of Agriculture a reply to my recent question about the schoolboy capturing 16 wild parrots and offering them for sale?

The Hon. G. A. BYWATERS: A report from the Director of Fisheries and Fauna Conservation states:

In South Australia two species of rosellas are unprotected namely the eastern rosella and the Adelaide rosella. The other two species, the yellow rosella and the crimson rosella are fully protected. As both the protected species occur away from Adelaide it is likely that the birds taken by Kevin Clemow were Adelaide rosellas. The report in the *News* of November 22 is claimed by Mrs. Clemow as inaccurate inasmuch that six parrots were taken and sold by her son aged nine years. Mrs. Clemow is unable to identify the species but said that her son took them near Gawler on a family outing. She has assured the department that her son will not again take birds for sale.

#### RAIL STANDARDIZATION.

Mr. CASEY: Has the Premier a reply to my recent question about the route of the railway line between Broken Hill and Cockburn, and the progress of the survey?

The Hon. FRANK WALSH: The matter of the route of the railway for the Cockburn to Broken Hill section of the Port Pirie to Broken Hill standardization project is being considered by the Commonwealth Government, but no decision has yet been reached.

Mr. McKEE: Has the Premier, representing the Minister of Transport, a reply to a question I asked last September, concerning standardization of the railway line between Port Pirie and Adelaide?

The Hon. FRANK WALSH: The Minister of Transport has given me no further information on this matter, but I shall do my best to obtain a report for the honourable member by tomorrow.

#### MARGARINE.

Mr. SHANNON: Can the Minister of Agriculture say what stage has been reached in his department's report about the sale of margarine, and what action is to be taken?

The Hon. G. A. BYWATERS: When the honourable member asked me the question I had doubts about how far I could go with the action being taken, and I consulted the Clerk of the House to obtain his views. I now assure the honourable member that I have had many representations from people associated with dairying (as has the honourable member), and the department, after giving attention to this matter, has taken action. I cannot detail this action at present, but the department is fully conscious of the situation and is doing everything in its power.

#### TEACHER'S PROMOTION.

Mr. MILLHOUSE: My question concerns the use by teachers who are ex-servicemen or ex-servicewomen in the Education Department of their war service marks. A constituent of mine, who called to see me here yesterday, has been in the department since before the war, and spent five years in the Royal Australian Air Force, between 1941 and 1945. He has now reached the grade of Chief Assistant Class I. He recently applied for inclusion on the list of appointments for Deputy Headmaster, both for Class 1 and Class 2, but found that he was a fair way down the lists. He appealed, and it was only after the appeal closed that he

discovered that he could no longer use his war service marks. He told me that each of these marks had been the equivalent of one degree unit, and, as he had six academic units, he assumed he had 11 units to his credit. However, he had only six, and because of this he did not even make out a *prima facie* case on his appeal. He tells me that, according to Education Department Circular 60, he will be able to use his marks again in 1969, but that for the time being he is not able to use them. He had not known this and he requested me to ask the Minister to disclose why the marks had ceased to be credited, and whether such cessation was by the Minister's authority or by some authority within the department. Will the Minister, if he is not armed with all the facts at the moment, be kind enough to find out what the position is, and let the House have a reply as soon as possible?

The Hon. R. R. LOVEDAY: I shall be happy to investigate the matter for the honourable member, if he will give me the relevant information. True, all these matters come across my desk for approval, but I do not know the circumstances of this particular case.

#### NETLEY BUS SERVICE.

Mr. BROOMHILL: Has the Premier, representing the Minister of Transport, a reply to the question I asked recently concerning complaints I had received from residents in the Richmond and Netley area about the alteration to the bus services in that area?

The Hon. FRANK WALSH: The Minister of Transport reports:

The re-organization of bus services in the Plympton and Marion districts followed a detailed investigation into the present and probable future transport requirements of this expanding area. The arrangement of services decided upon and now operating is designed to provide the best possible standard of service for the majority of people in the area. Before implementation, the proposals were discussed with and received the support of the local government authorities concerned.

One of the main objectives of this re-organization was to provide a more direct and faster service between the city and the heavily populated Marion district. The few people who wish to travel between Ascot Park and Richmond are insufficient in number to justify the continued operation of a direct bus service between these points. The Plympton service operates to within a short distance of Anzac Highway and people may transfer from services operating on Anzac Highway by walking along Marion Road to Mooring Avenue, or alternatively they may change buses at Keswick bridge where the two routes merge.

#### RHYNIE SCHOOL.

Mr. FREEBAIRN: Has the Minister of Works a reply to my question of yesterday regarding what stage the building programme at the Rhynie school has reached?

The Hon. C. D. HUTCHENS: Following the honourable member's question I referred the matter to the Public Buildings Department and I have received the following report:

Public tenders were called on September 16, 1965, with a closing date of October 5, 1965, for the erection of boys' and girls' toilet blocks at the school and alterations to the school residence at Rhynie, but no tenders were received. Since that time, the department has been investigating the alternative methods of having this work carried out. Recently, two local contractors have signified their willingness to submit tenders, and it is now intended to re-call public tenders for the work.

#### KULPARA TANK.

Mr. HUGHES: About two months ago I drew the attention of the Minister of Works to a disused water tank, at the little township of Kulpara, that had once been used by the Engineering and Water Supply Department. I asked the Minister whether he would have officers of his department remove this unsightly tank. The Minister said he would take up the matter and see what could be done. Since then, the Minister reported that tenders were being called for farmers to take away the tank. I do not know whether the call for tenders was successful but the tank is still there, and my attention has once again been drawn to it. Will the Minister ask the officers of his department whether this tank can be removed before Christmas?

The Hon. C. D. HUTCHENS: The honourable member made a valuable suggestion when he suggested getting rid of the tank before Christmas. It appears that no-one is prepared to submit a tender for the tank, so possibly Santa Claus will take it away! However, I will take up the matter with the department to see whether something can be done as soon as possible.

#### WOOLGROWERS' REFERENDUM.

Mr. HEASLIP: My question concerns a referendum to be held amongst woolgrowers to determine whether they favour a marketing plan. As far as I know, the Government has many votes on the plan. The Government is concerned with Roseworthy Agricultural College, which grows wool and would qualify, as the qualification for a vote is at least 10 bales or 300 sheep. Also, the Government is concerned with Bundaleer, Wirrabara and other

forests where sheep are run and much wool is grown. Will the Minister of Agriculture say whether the Government intends to exercise its franchise in this matter? If the Government is to vote, will the Minister say who will vote on the Government's behalf and whether the Government favours the plan?

Mr. Ryan: It is a secret vote.

The Hon. G. A. BYWATERS: The Government was advised that it had only one vote on this. I do not know whether the Woods and Forests Department has had a separate vote. The one vote has been exercised by me and, as my colleague interjected, it was a secret vote.

#### METROPOLITAN WATER SUPPLY.

Mr. COUMBE: I recently asked the Minister of Works a question regarding metropolitan water supplies and the cost of pumping Murray River water into the Adelaide system. Has the Minister a reply?

The Hon. C. D. HUTCHENS: I referred the honourable member's question to the Director and Engineer-in-Chief, and I have now received the following report:

The metropolitan reservoirs now contain 14,088,000,000 gallons compared with their capacity of 23,821,000,000 gallons. The fall in storage during November was 1,026,000,000 gallons compared with a fall of 1,300,000,000 gallons in October. The improvement was due to increased pumping and the fall in consumption as a result of some rain and cooler weather. Pumping is being continued on the basis of four pumps during "off-peak" electricity tariff periods and three pumps during "on-peak" periods, giving a weekly delivery of 448,000,000 gallons. This is 92 per cent of the maximum capacity of 483,000,000 gallons a week. Pumping with three pumps is more efficient than pumping with four pumps as the friction losses are lower. Four-pump operation adds 3 per cent to the amount of electricity used per thousand gallons pumped. The present weekly cost of electricity is £14,900 and this would increase to £16,300 if it became necessary to pump at full capacity. No alteration is being made at present, but the position is being kept under close observation. As a result of the dry winter and spring, water consumption from July to November inclusive was 25 per cent above that of the corresponding period in the previous year in spite of the cool November.

#### CRAYFISH.

Mr. McANANEY: Some time ago I asked the Minister of Agriculture a question regarding an application for a 50-pot limit to be imposed on the crayfish industry. Has the Minister of Agriculture further considered this matter?

The Hon. G. A. BYWATERS: Some time ago the honourable member, on behalf of his constituents on the South Coast, raised the matter of a pot limit. Subsequently I met a group of fishermen at Millicent who expressed opposition to such a limit. However, those fishermen did want some form of control. In fact, they asked for special licences to be granted for full-time fishermen. Therefore, the problem has some complications and is not easy to solve. I have considered the matter at some length. I have had representations from people on the West Coast who earn part of their livelihood from fishing. Those people include waterside workers and others who spend some of their time working in their ordinary occupation and the rest of it in fishing. This is a matter in which I have some sympathy with the fishermen. However, a number of difficulties are associated with it. I have had discussions with the Director of the department, and he has made certain suggestions which, personally, I do not consider meet the situation fully. The matter is still very much in my mind, and I hope that, as a result of conferences between the people concerned, we may be able to come up with some sort of conclusion.

#### BOTANIC GARDEN.

Mrs. STEELE: Last week I asked the Minister of Lands a question concerning the possibility of trees being removed from an avenue in the Botanic Park. Has he a reply?

The Hon. J. D. CORCORAN: It is an unfortunate fact that the trees in the plane tree avenue were planted too closely together. The recommended distance to plant trees in avenues is not less than three-quarters of the likely height of the tree concerned. Plane trees in Adelaide will grow to between 70ft. and 90ft. high; therefore 60ft. apart should be considered the minimum. I can assure the House that all practical methods to improve the health and growth of the trees forming this beautiful avenue have been either considered or tried during the past 12 to 15 years. The removal of certain trees (as has been shown in the body of the Botanic Park) appears to be the only solution to give the required results. The position in Plane Avenue Drive is being watched carefully, but it appears that thinning must be carried out if the life of these trees is to be preserved. The anticipated thinning will greatly help the remaining trees to continue vigorous and healthy growth for at least another 50 years or possibly twice that time.

## UREA.

Mr. FREEBAIRN: Three weeks ago I asked the Minister of Agriculture whether he could give me information on work being done by his department on studies concerning urea for feeding sheep. In the preamble to my question I said that a farmer constituent of mine at Tarlee had had some success in feeding urea in solution form to stock, and I also pointed out that this could have a very great benefit in South Australia in a dry year such as this. Has the Minister a reply to my question?

The Hon. G. A. BYWATERS: Yes, I have a fairly lengthy reply. Properly constituted trials using both sheep and cattle have shown no significant benefit from urea treatment either in body weight gains or wool production. For example, one trial at the Minnipa Research Centre conducted during the summer and autumn of 1964 produced small body weight losses in Merino wethers in the supplemented group while the untreated controls maintained their weight. The treated group did produce an approximate extra 1s. worth of wool, but it cost an extra 1s. 6d. in urea supplement to produce it. An important effect was to increase the intake of dry pasture residues by up to 50 per cent. This last effect must have an important bearing on the use of urea supplements in a year like this when roughages, either pasture or stubbles, will be in short supply. The aim will be to eke out the available feed rather than eat it out. An additional problem in supplementing with urea, where the formula involves the incorporation of molasses in the ration, is the virtual non-availability of molasses in South Australia. Local molasses is in very short supply with agents quoting delays in delivery from three to seven months. Queensland molasses is available but at a prohibitive price. Regardless of any consideration of relative costs, we simply do not possess the necessary bulk of roughages to allow us to widely recommend urea supplementation. As in the 1959 drought, growers will largely have to rely on cereal grains fed at maintenance levels with predictable responses to bring their stock through to the break of the season. It is apparent from this that under South Australian conditions urea is of very limited value, and any gains due to its use are outweighed by costs and the increased utilization of the available dry feed. Although preparations containing urea are registered under the Stock Medicines Act with this State, their use is generally not recommended by the Agriculture Department.

Mr. FREEBAIRN: I thank the Minister of Agriculture for his comprehensive reply concerning urea feeding for sheep. I point out that that information contrasts with information being publicized by the Commonwealth Scientific Industrial and Research Organization, and I am a little disappointed that the Agriculture Department has not taken a more positive lead in this matter earlier than it has. However, will the Minister of Agriculture have the information that he supplied incorporated in the journal of the Agriculture Department?

The Hon. G. A. BYWATERS: Yes.

## SUPERANNUATION.

Mr. LANGLEY: Recently constituents of mine who receive superannuation benefits pointed out to me that a change in payment days would soon be made as a result of their receiving 26 payments instead of 24. As payment day could be a Saturday or Sunday, will the Premier arrange for payments to be made on a banking day preceding these days?

The Hon. FRANK WALSH: I shall ask the Chairman of the Superannuation Board whether that can be arranged.

## TOWN PLANNING.

Mr. McANANEY: Some months ago an application to transfer a section of a suburban allotment to a neighbour's property took nearly three months to be sanctioned. This was a simple transfer, and I ask the Attorney-General, as Minister in charge of town planning, whether this delay was due to a shortage of staff or whether the necessary machinery should be overhauled?

The Hon. D. A. DUNSTAN: The Town Planner's office is short of staff at present and it is difficult to obtain qualified staff. Qualified town planners are in considerable demand everywhere but, if the honourable member will give me the details of the transaction, I shall have it investigated to see whether there was any reason for the delay.

## PORT PIRIE SCHOOL.

Mr. McKEE: Has the Minister of Education information on the intended repairs to the Port Pirie Primary School, and can he say when the work will commence?

The Hon. R. R. LOVEDAY: I shall be pleased to check and obtain a report for the honourable member.

## HANNAFORD ROAD.

Mr. MILLHOUSE: Has the Minister of Education a reply from the Minister of Roads to my question about providing warning signs on Hannaford Road, Blackwood?

The Hon. R. R. LOVEDAY: My colleague, the Minister of Roads, informs me that on June 10 last the Road Traffic Board received a letter from the Mitcham corporation regarding a request from Mrs. V. Lillington concerning protection for children on Hannaford Road, Blackwood. This letter was acknowledged on June 15, and the council was informed that the matter would be investigated. In order to assess the situation, several inspections of the area were subsequently made by a board officer and discussions were held with an officer of the corporation. Hannaford Road is typical of many other subdivision roads in the Blackwood-Belair area, which are narrow and winding and which lack footpaths. It is considered that the erection of signs on the section of road suggested by Mrs. Lillington is no more justified than on many other similar roads in the district. The safety of the children who use the road could better be served by the provision of proper footpaths.

The Mitcham corporation was advised on November 1, as quoted in the House on November 11, with the exception that there was a further paragraph which stated—"The situation could to some extent be alleviated by the construction of footpaths, but this appears to be uneconomical at the present stage due to the sparse development in this area." Since the above letter was written the matter has been further examined, and the Road Traffic Board reports that, while the erection of "children" signs in this street might result in lower vehicle speeds, their provision would be no more warranted than in many other streets in the hills and the metropolitan areas. The board is of the opinion that warning signs should be provided only where they are justified, otherwise they will lose their impact and motorists will tend to ignore them. For these reasons the provision of "children" signs in Hannaford Road is not recommended.

## DECIMAL CURRENCY.

The Hon. Sir THOMAS PLAYFORD: Shortly, we will change to decimal currency in this State. Can the Premier say whether action will be taken to increase the normal staff of the Prices Department to assist in what will be a difficult change-over period for prices, particularly with reference to complications of decimal currency and the small

units? As I believe there is a special case for additional staff to be provided for this department, can the Premier say whether this extra staff can be obtained for the transition period?

The Hon. FRANK WALSH: I have discussed this matter with the Prices Commissioner and have given him an open go to obtain any additional staff required, but he has indicated that the department can manage with the present staff. However, should the need for extra staff arise, I know that the Public Service Commissioner will do everything possible to assist the Prices Commissioner in this matter. The question has been discussed by the Public Service Commissioner, the Prices Commissioner, and me, but at this stage no request has been received for additional staff.

## PORT ELLIOT BREAKWATER.

Mr. McANANEY: Has the Minister of Marine a report on the request for improvements and extensions to the Port Elliot breakwater?

The Hon. C. D. HUTCHENS: As far as I can remember, I have not yet received a report but, as the honourable member has raised this matter and as the House will not meet for the next few weeks, I shall obtain a report and inform him by letter, if necessary.

## UPPER SOUTH-EAST LAND.

Mr. NANKIVELL: Land in the district of Albert situated in counties Chandos and Buckingham (out of hundreds Crown land) has been twice investigated by the Land Settlement Committee. Whilst my Party was in office, the then Minister of Lands was considering proposals for legislation to be introduced to implement the suggestions of the Land Settlement Committee. Later, the present Minister of Agriculture, when Minister of Lands, considered alternative proposals. Can the Minister of Lands say whether he has any proposals in mind, or does he intend to adopt the proposals of his immediate predecessor?

The Hon. J. D. CORCORAN: I have no proposals of my own on this matter at present. However, I shall examine the proposals that were being investigated by my predecessor. As a result of that, no doubt I shall then decide whether I am satisfied with those proposals, or whether I should submit proposals of my own. When I have done this, I shall inform the honourable member.

## GOVERNMENT OFFICE BLOCK.

Mr. COUMBE: Has the Minister of Works a report on the progress of the Government

office block in Victoria Square? Is this building proceeding according to schedule, and can the Minister assure the House that the work on it is not being delayed? Further, can the Minister say what is the expected date of completion of this building?

The Hon. C. D. HUTCHENS: Slight difficulties encountered during the transition period between stages 1 and 2 have been ironed out, and I understand that satisfactory progress is being made and that no slowing-up of the work is taking place. As I cannot remember the expected completion date, I shall obtain a report for the honourable member and, if he desires, I shall let him have the information in writing.

#### ASSURANCE INVESTMENTS.

The Hon. T. C. STOTT: Has the Attorney-General a reply to my question concerning H. G. Palmer Proprietary Limited and the Mutual Life and Citizens Assurance Society, which matter has aroused much interest in the Commonwealth Parliament?

The Hon. D. A. DUNSTAN: I have not yet received a report from the Companies Office, but I point out that the law relating to life assurance societies is wholly governed by Commonwealth law. I understand that some investigations, in consequence, are being undertaken by the responsible Minister in the Commonwealth Parliament, and that the investigation in New South Wales concerns the situation relating to the firm of H. G. Palmer Proprietary Limited. I cannot see what investigatory powers I have in relation to M.L.C. I am awaiting reports from New South Wales in relation to the other matter. I do not expect that any means exists in South Australia of our investigating the situation within M.L.C., as I think that would be a Commonwealth matter.

#### LEAVE OF ABSENCE: HON. B. H. TEUSNER.

Mr. HALL (Gouger) moved:

That two weeks' leave of absence be granted to the honourable member for Angas (Hon. B. H. Teusner) on account of ill health.  
Motion carried.

#### PERSONAL EXPLANATION: TRANSPORT BILL.

The Hon. Sir THOMAS PLAYFORD (Leader of the Opposition): Mr. Speaker, I seek leave to make a personal explanation.  
Leave granted.

The Hon. Sir THOMAS PLAYFORD: In the *Advertiser* this morning some remarks of mine that were printed in association with remarks of the Minister of Lands could give the impression that my criticism last night was directed towards a Minister or Ministers. I emphasize that any criticism I made last night was directed only towards the Bill that was before the House. In fact, three or four times during the debate I specifically stated that my criticism was not directed towards Ministers. I ask the Premier to be good enough to convey these remarks to his colleague, the Minister of Transport, and to assure him that no remark of mine was intended in any way to be a criticism of him. I am sure that the Minister of Transport is an honourable gentleman, and in my opinion the same can be said for all other Ministers.

#### PRINTING COMMITTEE.

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

That the honourable member for Barossa (Mrs. Byrne) be appointed to the Printing Committee in place of the Hon. J. D. Corcoran.

Motion carried.

#### SUPREME COURT ACT AMENDMENT BILL (SALARIES).

His Excellency the Governor, by message, recommended to the House of Assembly the appropriation of such amounts of money as might be required for the purposes mentioned in the Bill.

The Hon. D. A. DUNSTAN (Attorney-General) moved:

That the Speaker do now leave the Chair and the House resolve itself into a Committee of the Whole for the purpose of considering the following resolution: That it is desirable to introduce a Bill for an Act to amend the Supreme Court Act, 1935-1965.

Motion carried.

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

The Hon. D. A. DUNSTAN: I move:

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

It increases the remuneration of the judges of the Supreme Court by £600 a year as from July 1, 1965. The last increase in their salaries was made in 1963, since when, as honourable members know, there have been adjustments in salaries of various Government officers including those governed by Act of Parliament. Under this Bill the salary of the Chief Justice will be £7,600 a year and that of each puisne judge £6,850 a year. This will

restore the previously existing relation between judges' salaries and those of the officers fixed by Act of Parliament, with whose salaries this Parliament has already dealt.

The Hon. Sir THOMAS PLAYFORD (Leader of the Opposition): A short time ago Parliament increased the salaries of certain senior officers almost to the level of the judges' salaries. This Bill is in accordance with the provisions of the previous one concerning senior officers, and I offer no objection to it.

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

Later, the Bill was returned from the Legislative Council without amendment.

#### EIGHT MILE CREEK SETTLEMENT (DRAINAGE MAINTENANCE) ACT AMENDMENT BILL.

Returned from the Legislative Council without amendment.

#### NATIONAL PLEASURE RESORTS ACT AMENDMENT BILL.

The Hon. D. A. DUNSTAN (Attorney-General) obtained leave and introduced a Bill for an Act to amend the National Pleasure Resorts Act, 1914-1960. Read a first time.

#### ABORIGINAL LANDS TRUST BILL.

The Hon. D. A. DUNSTAN (Minister of Aboriginal Affairs) moved:

That the Speaker do now leave the Chair and the House resolve itself into a Committee of the Whole for the purpose of considering the following resolution: That it is desirable to introduce a Bill for an Act to establish an Aboriginal Lands Trust, to define the powers and functions thereof, for purposes incidental thereto and for other purposes.

Motion carried.

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

#### PHARMACY ACT AMENDMENT BILL.

Second reading.

The Hon. D. A. DUNSTAN (Attorney-General): I move:

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

It makes a number of unconnected amendments to the principal Act which I deal with in order. The first amendment is dealt with by clause 3 (b) and (c). The effect of these subclauses will be two-fold. In the first place recognition will be given to State degree status as in the Eastern States. At present

in addition to apprenticeship the general qualification is the Leaving examination with certain examinations before the Board of Examiners appointed by the Pharmacy Board. This qualification will remain but the provision for State graduates will be additional and will gradually replace the present system. In the second place it is provided that apprenticeship (now traineeship) may be served not only (as at present) with a registered chemist, but also in a public hospital, mental institution or industrial establishment approved by the Chief Secretary. On the recommendation of the board the Hospitals Department has sought provision for training in Government hospitals for some years, and training in industrial establishments has been suggested by the Pharmacy Board as it will enable students to qualify as manufacturing or analytical chemists. In future the period of traineeship will be prescribed by regulation and not set at a fixed period as under the principal Act.

Clause 5 inserts a new section 26aa in the principal Act to enable approved hospitals to employ registered chemists for the purpose of dispensing drugs or medicines for in-patients of the hospital. At present it is against the law for a hospital to employ its own chemist for this purpose. Clauses 4, 6 and 7 substitute in various places appropriate references to trainees instead of apprentices. The Pharmacy Board has pointed out that the term "apprentice", in connection with pharmacy, causes confusion and is inappropriate. Clause 8 sets out in some detail the regulation-making powers of the board. At present these are in general terms, a position which the Pharmacy Board regards as unsatisfactory, and it is desired to bring the regulations up to date and to cover a number of matters which are not already the subject of regulation. There could be some doubt as to the extent of the present regulation-making power. Clause 9 increases the penalties by approximately 100 per cent having regard to the change in money values since the present penalties were set nearly 20 years ago. Clause 3 (a) and (d) removes obsolete provisions from the principal Act.

Mr. MILLHOUSE secured the adjournment of the debate.

#### MAINTENANCE ACT AMENDMENT BILL.

Consideration in Committee of the Legislative Council's amendments:

No. 1. Page 13, lines 34 to 37 (clause 8)—  
Leave out paragraph (c).

No. 2. Page 23, line 16 (clause 14)—Leave out “Sections 44 and” and insert “Section”.

No. 3. Page 34, lines 29 to 30 (clause 25)—Leave out “any two justices of the peace (whether sitting as)”.

No. 4. Page 34, line 31 (clause 25)—Leave out “(or otherwise)”.

No. 5. Page 34, line 32 (clause 25)—Leave out “this Division” and insert “section 47 or section 48a of this Act”.

No. 6. Page 34, line 33 (clause 25)—Leave out “justices” and insert “court”.

No. 7. Page 34, line 35 (clause 25)—Leave out “justices think” and insert “court thinks”.

No. 8. Page 34, line 43 (clause 25)—After “justices” insert “or the magistrate constituting the court and, if necessary,”.

No. 9. Page 34, line 44 (clause 25)—Leave out “justices” and insert “court”.

No. 10. Page 39, line 31 (clause 29)—After “under” insert “Division III of”.

No. 11. Page 39, line 33 (clause 29)—Leave out “this Part” and insert “that Division”.

No. 12. Page 56, line 13 (clause 46)—After “order,” insert “or that, at the time when the application was made, there was due under the maintenance order and unpaid an amount equal to not less than—

(a) in the case of an order for weekly payments—four payments; or

(b) in any other case—two payments.”.

No. 13. Page 118, lines 20 to 21 (clause 123)—Leave out “which has come to his knowledge by reason” and insert “in connection with which any officer of the department has in the course”.

No. 14. Page 118, line 21 (clause 123)—After “officer” insert “given advice to or been consulted by any person”.

*Amendment No. 1.*

The Hon. D. A. DUNSTAN (Minister of Social Welfare): I move:

That the Legislative Council’s amendment be disagreed to.

This amendment provides for the removal of paragraph (c) of clause 8 relating to the powers of the Minister. As was explained in this House (but unfortunately, apparently, the other place did not at the time have a complete explanation), this paragraph provides that the Minister shall have power to use any services of the department or of any officer or employee of the department for the promotion of social welfare within the community. This provision was to give the Minister that power to use officers of the department in the experimental and co-ordination work now to be carried out by the new department and promised by the Government prior to the election. The department has already undertaken some co-ordinating work in the social services field with voluntary agencies which are very keen to have voluntary co-ordination work done; but they are also keen to

see certain experimental work done which will be useful to voluntary agencies and to the department in providing youth and family welfare services that are not now covered either by the department or by the various voluntary social service agencies.

One of these projects has already been undertaken in the Kensington and Norwood area, following on a survey that was commenced under the previous Government, and the committees for that project have asked that a departmental officer be seconded for work in relation to the project, particularly in relation to the experiment of running a drop-in club for teenagers in which many voluntary agencies have expressed great interest. This is the only power in the Bill for the Minister to use officers of the department in the requested way, and loss of this power could mean that I am not able to provide officers on this sort of project. It is not intended that there be any wholesale use of officers in work of this kind, because at this stage the work must be experimental and it will be some time before we have adequate answers on the work in this field. The Government regards this as an essential feature of its proposals promised prior to the last election, and therefore I recommend to the Committee that the Legislative Council be notified that we disagree to this amendment. I think that, when the reasons I have outlined to the Committee are given to the Legislative Council, it may not insist on the amendment.

The Hon. D. N. BROOKMAN: This was one of the matters that was disputed by members on this side, and therefore the amendment is in accord with the thoughts of Opposition members. I regret that I did not hear the Minister’s full explanation just now, for which I apologize, but we had a fairly full discussion on the matter and we could not see why this power was required. I consider that there are almost unlimited powers in the Bill in any event. This power appears to have something extra attached to it which I do not consider is necessary for the administration of the Act. I think the Legislative Council’s amendment is perfectly sound and that we should accept it.

The Hon. D. A. Dunstan: The Government promised this prior to the election. After all, we did have a specific policy.

The Hon. D. N. BROOKMAN: I am not aware of what the Government promised, nor do I feel responsible for what it promised.



During the debate I did not hear it said that this was something promised by the Government. I think the power is totally unnecessary.

The Committee divided on the motion:

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

Noes (17).—Messrs. Bockelberg, Brookman (teller), Coumbe, Ferguson, Freebairn, Hall, Heaslip, McAnaney, Millhouse, Nankivell, and Pearson, Sir Thomas Playford, Messrs. Quirke, Rodda, and Shannon, Mrs. Steele, and Mr. Stott.

Pair.—Aye—Mr. Clark. No—Mr. Teusner.

Majority of 1 for the Ayes.

Amendment thus disagreed to.

Amendments Nos. 2 to 14.

The Hon. D. A. DUNSTAN: I move:

That amendments Nos. 2 to 14 be agreed to.

The amendment to clause 14 will have the effect of restoring section 44 into the principal Act. That section will enable a court to vary orders made under that division (which includes section 43 orders) and will expressly provide that where a husband has been ordered to pay maintenance to his wife under section 43, a *bona fide* offer made by him to his wife to maintain her adequately in his house would be a ground for discharging the order.

The amendments to clause 25 will have the effect of enabling an *ex parte* application to be made to a court of summary jurisdiction (instead of two justices) for a temporary order for the maintenance of a child of the family for a period of three months or until the making or refusal of an order for the maintenance of the child upon complaint.

The amendments to clause 29 will have the effect of confining the application of subsection (2) of new section 76e to the provisions dealing with the summary protection of married women contained in Division III of Part III of the Act. In view of the amendment to clause 14 which restores section 44 of the principal Act, this amendment is desirable.

The amendment to clause 46 will have the effect of bringing new section 96b into line with the Matrimonial Causes Act of the Commonwealth and the Maintenance Act of Victoria.

The amendments to clause 123 will have the effect of limiting the privilege that could be claimed by officers of the department under new section 180a to cases where the evidence or document relates to any matter "in connec-

tion with which any officer of the department has, in the course of his duties as such officer, given advice to or been consulted by any person". The amendment does not depart from the principles contemplated by the new section.

Amendments Nos. 2 to 14 agreed to.

The following reason for disagreement to amendment No. 1 was adopted:

The Government at the elections promised that the new Department of Social Welfare would expand into the area of family and youth welfare work generally. It is not proposed to work in fields already covered by voluntary agencies, but to co-ordinate their work with their voluntary co-operation and to endeavour to fill in the gaps in existing services. Much work has already commenced in the field and a pilot youth project commenced in Kensington and Norwood on the basis of interim findings from a survey taken over the last three years. The committees concerned with this project have asked for the seconding of a suitable trained departmental officer to certain of the works or projects. The power contained in paragraph (c) removed by the Legislative Council's amendment provides for the Minister to use officers on such work. It is not proposed to do so on any large scale immediately. Until the answers in this field have been established by experiment and research few officers will be used, but it is essential to have power so to use them or already announced projects must cease. The clause, the subject of the amendment, is therefore essential to the purposes of the Bill.

Later, the Legislative Council intimated that it did not insist on its amendment No. 1 to which the House of Assembly had disagreed.

## COUNTRY FACTORIES ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from November 25. Page 3189.)

The Hon. G. G. PEARSON (Flinders): I do not intend to offer serious opposition to this measure. The Minister of Works, in his second reading explanation, said that the Bill was an interim measure. The House understands that there is some degree of overlapping, or a close relationship, between the Country Factories Act and the Industrial Code, and this Bill intends to bring the Country Factories Act into line with the Code on this matter. It does not extend the operations of the Country Factories Act. The Government has indicated that it will introduce a more comprehensive measure dealing with the Industrial Code, and possibly the Government is wise in taking this step at present. This measure is not contentious, but a wide variation in the Industrial Code would engender more debate. The Act

embraces many places where there are operating small industries (for the most part) and some larger ones. There are 28 areas listed in the Country Factories Act schedule supplied by the Department of Labour and Industry, which cover areas all over the State. For the most part, they are areas where small industries function. I have no complaint about the intention to bring the conditions existing in the small industries into line with those existing in industries in the metropolitan area, because I believe it is proper that employees in industry in country towns should be afforded protection against accident (and conditions for work) equal to those existing in the larger industries in and around the metropolitan area, and in the large industrial towns.

Most small industries in the State are largely concerned with the processing of foodstuffs in various forms, depending on the part of the State concerned (whether it be on the river where canneries are to be found or whether it be at Port Lincoln, where the Government Produce Department has an undertaking). Further, small engineering shops are growing in number and diversification throughout the country areas. The increasing mechanization of primary industries has engendered an increasing number of small factories (in terms of the Factories Act) to service the modern requirements of mechanized primary production. Wherever we look we see plant set up to fabricate steel buildings, and to service tractors, headers, and all sorts of machinery, such as roadmaking and earth-moving machinery, etc., which necessitates the installation of modern equipment, with the hazards associated with the operation of such equipment.

However, I would urge that, in future legislation dealing with similar matters, it should be recognized that it is not easy to apply rigidly to small and isolated country factories all the terms and conditions that are comparatively easy to apply to the larger, more straightforward and more modern industries in the metropolitan area. For example, at General Motors-Holden's we see an assembly line where repetitive work goes on from day to day under well-controlled conditions, and where no variations in the operation take place. The same part of the plant is used for the same purpose at all times and it is therefore comparatively simple and economical to organize such an industry on closely controlled lines. However, we find many engineering works in country towns called on to carry out a wide variety of jobs at various times.

For example, an engineering works at Port Lincoln is called on to service refrigeration machinery installed in ships. Frequently, its employees are called out at night, on weekends, and at any old time, to carry out emergency repairs, say, to the refrigeration plant of a visiting ship. The next day, or even at the same time, they may also be extending a wheat auger for a header belonging to a firm or a private individual. Next, they may be repairing earth-moving machinery, or making up to a special order some piece of equipment for a firm or a farmer, as the case may be.

Such an undertaking is order, therefore, run with the same kind of orderly organization that exists so easily in a big workshop such as at Holdens or the Broken Hill Proprietary Company at Whyalla. I hope the Government has this matter well in mind, because the development of these small ancillary industries in country towns is extremely important. First, they provide a degree of decentralization, which is an important factor. For instance, in Port Lincoln relatively few industries exist, and yet the growth in the rate of industrial undertakings there was second only to Mount Gambier when I extracted the relevant figures a few years ago. This town depends almost entirely on a multiplicity of small industrial undertakings—the service industries (as I have frequently called them). They range over a wide activity, and it is therefore important that they be encouraged to develop and to render a wider service, so that they provide more employment in local towns, more security to the economic basis on which the town depends, and a diversification of employment for various classes of labour, skilled and unskilled.

Secondly, they are able to provide on-the-spot service facilities for the people who require them. With the increasing mechanization of every kind of activity (whether it be in respect of primary production or secondary industry, transport, or whatever the case may be) it is increasingly advantageous and, indeed, essential that these industries be established on the spot. I well remember 30 years ago, when I first went to Eyre Peninsula, that it was impossible to keep a complicated piece of machinery working satisfactorily throughout the year, because of the absence of local service facilities. Frequently, a vital piece of machinery would be out of action while we sent to Adelaide for the part required and had it sent over by some means or other. Transport was not readily available in those days, and by the time the equipment was

returned, and a mechanic obtained to install it, probably 10 days or a fortnight of extremely valuable time had been lost.

With the growth of service industries in country areas, particularly in the more remote parts of the State, this situation has been entirely transformed for the better. That is an important reason, therefore, why some understanding on the part of those who frame the legislation should exist, so that these industries are not prevented from functioning and rendering the service they are rendering at present. It could be that the imposition of a too rigid code of rules and behaviour in respect of these undertakings would prevent them from expanding, or would even set back their activity. I make this request of the Government at this time. I hope it will heed it and frame legislation that protects these essential small industries from undue pressure of legislative provisions. Apart from that, I have no quarrel with the Bill. We will all wait with interest for the next instalment of legislation on this matter, in respect of the Industrial Code, from the Government. However, that is another matter. I do not oppose the Bill.

Bill read a second time.

In Committee.

Clause 1—“Short titles.”

The Hon. Sir THOMAS PLAYFORD (Leader of the Opposition): Some time ago there was a proposal for an extension of the Act that affected certain areas in my district. I was concerned because at that time the department mostly reported on the state of a building rather than on the state of machinery in a building. The safety of the operative is the main purpose of this legislation. Obviously the same conditions cannot apply in small country factories as apply in metropolitan factories. Country factories may make a pump on one occasion and service a seed machine or do foundry work on another occasion. Obviously, buildings in which this type of work is carried out will not have the orderly appearance of a modern factory building in the metropolitan area. I hope that, when the provisions of the Bill operate, they will not close down small country factories that are servicing the community. I support completely the provision concerning sanitary conveniences, but it would be completely undesirable if judgment were passed on a factory merely because it was not a new building. I hope that when the matter is examined administratively it will not be thought that the same

standards can apply consistently all over the State.

The Hon. C. D. HUTCHENS (Minister of Works): I express my appreciation to the Leader and to the Deputy Leader for their support of the Bill. It is necessary in the interests of primary production to have versatile factories in the country. For that reason, and that reason alone, I am confident that the most lenient view will be taken by the department and that protection will be afforded to both the proprietors and employees of factories.

The Hon. G. G. PEARSON: I appreciate the Minister's assurance on this point. I think that it will be necessary in legislation that might come before us later not only to stress the need for leniency in administration, but to make some special provisions. I suggest that the department look at this matter and consult with practical people from the small industries field. I believe that would result in an improvement to the legislation and that it would benefit the people the Minister wishes to assist.

Clause passed.

Clauses 2 to 21 passed.

Clause 22—“Penalties.”

The Hon. G. G. PEARSON: I refer to new section 31 (3). An inspector may visit a factory and observe some matter which he considers to be unsafe or to require remedy. He thereupon serves notice on the owner of the premises or the occupier of the factory that this matter must be fixed up, and it is within his power to prescribe the time within which that must be done. If the occupier of the factory does not comply, either through dilatoriness (which I do not condone) or inability (which I think I must condone), then he has committed an offence and is liable for a heavy penalty.

This places a very stern power in the hands of the inspector, against whose decision there is no provision for an appeal. It is entirely in his hands to prescribe the time limit and to prescribe the degree of repair or replacement or safety protection in order to protect the employees as he sees fit. I think the penalty of a fine of not less than £50 nor more than £250 is a pretty heavy one. I do not desire that it be made easy for people to neglect their proper duty in respect of safety protection, but I think the penalty prescribed is a stern one for any offence of any degree. What to the inspector may appear to be only a small matter may in fact involve the owner in a re-arrangement of the

whole layout of his plant. He may be extremely busy with urgent work, possibly seasonal work or emergency work, for instance, on a ship, and the inspector may serve him with an order and say that the matter must be attended to within seven days.

I know that the intention is to be able to enforce safety provisions, but I put it to the Minister that the penalty is too severe. The owner may be required to shift a power saw, and this could require much work at a time when he is snowed under with urgent emergency work. Therefore, it could be an onerous provision. It may well be that this machine has been operating for many years in its present location, yet the inspector considers it ought to be improved. This is a statutory provision, and therefore it places an obligation on the court that hears a case of this kind. I know the Bill has been considered in another place, but I suggest that a minimum fine of £20 is adequate for a first offence.

The Hon. C. D. HUTCHENS: I have discussed the matter briefly with my colleague, the Attorney-General, and he tells me that under the provisions of the Justices Act the minimum fine could be reduced for special reasons. I suggest to the honourable member that the minimum fine is reasonably necessary. I know that £50 is not a small sum, but in these days it is not a large sum, either. In view of the fact that in special circumstances the fine can be reduced, I am not at this stage prepared to alter it. The inspectors who will be selected for this type of work will be men who will not be just looking for opportunities for prosecutions: I hope that such people will be considerate and that they will wish to encourage rather than to harass factory owners. Under this Bill they will have authority to give notice, but I am sure that the honourable member for Flinders, who has had some experience in Government, will appreciate that in the Public Service we encourage good relationships rather than dictatorial attitudes.

The Hon. Sir THOMAS PLAYFORD: I do not think the position is entirely as set out by the Minister. It is true that justices can disregard the minimum fine if they have very firm grounds for doing so, but the fact still remains that a minimum fine is not put in an Act just for the justices to alter it.

The Hon. G. G. PEARSON: The onus of proof is on the factory occupier, too.

The Hon. Sir THOMAS PLAYFORD: Yes. The fine that is prescribed will almost invariably be imposed. I would think that the mini-

mum penalty of £50 in these circumstances, with the onus of proof as it is, is too heavy. I ask the Minister to have another look at the provision, because I think it is unduly oppressive.

The Hon. G. G. PEARSON: I am sure that on reflection the Minister will agree that £50 minimum is too steep. I therefore move:

In new section 31 (3) to strike out "fifty" and insert "twenty".

The Hon. C. D. HUTCHENS: As it is the Government's intention to encourage rather than to dictate, we are prepared to accept this amendment.

The CHAIRMAN: Order! Clause 21 has been passed. Clause 22 "Penalties" was called before the honourable member rose. In fairness to the Chairman, we should find out what the correct position is by asking *Hansard* what it has reported. I shall ask the Clerk for a report.

The Hon. C. D. HUTCHENS: I shall be happy to have clause 21 reconsidered later.

Clause passed.

Schedule passed.

Clause 21—"Repeal and re-enactment of sections 30 and 31 and enactment of section 30a of principal Act"—reconsidered.

The Hon. G. G. PEARSON moved:

In new section 31 (3) to strike out "fifty" and insert "twenty".

Amendment carried: clause as amended passed.

Title passed.

Bill read a third time and passed.

Later, the Legislative Council intimated that it had agreed to the House of Assembly's amendment.

#### PARLIAMENTARY SALARIES AND ALLOWANCES BILL.

Adjourned debate on second reading.

(Continued from November 24. Page 3130.)

The Hon. Sir THOMAS PLAYFORD (Leader of the Opposition): This is an entirely new type of measure concerning Parliamentary salaries. The Bill itself does not raise salaries, but I think that every member will realize that its purpose is to increase them at some future date. Although I have reservations about the Bill, I should not like it to be inferred that I believe that members of Parliament should not receive a salary in accordance with salaries paid to the rest of the community, for I believe that if members are not paid adequately, the effectiveness of Parliament suffers. When I was privileged to occupy a seat on the other side

of the House, I introduced legislation from time to time which was accepted by the House and which dealt with the salaries of members, fixing them fairly and in accordance with salaries being paid to other classes of the community performing responsible work. However, the main purpose of the Bill is to take away from Parliament the fixation of members' salaries and to give that function to some other authority, about which I have the reservations. True, some embarrassment always exists in respect of members' fixing their own salaries, and that procedure is always criticized. Many people regard the work of a member as a rather "cushy" job, where we have an easy time, lounging on benches—

The Hon. Frank Walsh: We don't pay for anything!

The Hon. Sir THOMAS PLAYFORD: —and working limited hours, as well as sitting on limited occasions.

The Hon. Frank Walsh: Unlimited!

The Hon. Sir THOMAS PLAYFORD: I believe that all members of Parliament work hard. In fact, if we had been paid overtime since our new Premier came into office, we would not require this Bill. Every Parliament has a duty to show that it is responsible, even in the matter of fixing its own salaries, but the Premier has introduced a new formula. Even the critics of Parliament could not criticize the qualifications of the members of the tribunal set up by the Bill, for obviously they are all people of high reputation and of experience, who occupy positions that well qualify them to decide a matter such as this. Honourable members opposite may say, "If that is the case, what is your objection?" The member for Mitcham (Mr. Millhouse) has often advocated this form of approach, so what I am saying is not to be regarded as a statement on behalf of other members, but purely (as I believe it should be) a statement of my own personal view. I do not believe that the tribunal to fix the salaries is in the same position as one that adjudicates on the salaries of other employees in the State. Where an arbitration court or industrial tribunal fixes salaries, two sides of the question are presented at all times at the hearing. The employer would probably be opposing the employee's application and both parties would be represented by highly trained people.

Therefore, the application is contested. The employee is usually represented by a highly qualified advocate who knows all the facts of industrial decisions made before and puts forward the case for an increase in salary. On

the other hand, an equally qualified advocate appears for the employer; he knows all the ramifications of salary fixation and opposes the increase. Therefore, a tribunal fixing salaries in these cases has all the facts before it. Unfortunately, where a tribunal has previously been appointed in South Australia to consider Parliamentary salaries and where it has advertised in the newspapers that it desires people to give evidence, there has been no response of any consequence by anyone opposing the application submitted.

In fixing members' salaries the tribunal will have before it an application by members submitted by the Premier, and members will have the right to either collectively or individually submit to it facts and figures regarding the application. Unfortunately, I do not believe a contrary view will be expressed as it is in ordinary arbitration matters, and that is where I see difficulties in the Bill. The tribunal recommended is competent and it will undoubtedly decide on the facts presented to it. Notwithstanding a press advertisement that the tribunal is considering the matter and would welcome evidence, the fact remains that the people opposing the application will not make evidence available to the tribunal. That has been the experience at least three or four times before when a tribunal has been established to consider these matters. People do not respond to the public advertisement. However, after the tribunal has made its decision people exercise their undoubted prerogative and criticize the recommendation.

The Hon. R. R. Loveday: That is not the same as giving evidence to a tribunal.

The Hon. Sir THOMAS PLAYFORD: No, because it is done after the recommendation has been made.

The Hon. R. R. Loveday: It can also be done for an entirely different motive.

The Hon. Sir THOMAS PLAYFORD: That is so. Although the personnel of the tribunal could not be criticized, the tribunal will inevitably have presented to it only one side of the question. That is the problem in respect of the Bill. Therefore, is it wise to give the right of determination to a tribunal that does not have all the facts presented to it? I should be much happier about the Bill if the word "determination" were removed and the word "recommendation" inserted.

I agree with the Premier that this is something that honourable members should not have to decide themselves as a matter of course. This afternoon the House fixed the salaries of judges; there was no problem about that

because we were disinterested parties. The same position applies when we fix the salaries of senior public servants. However, when we fix the salaries of officers and members of Parliament we cannot escape the fact that we are interested parties. I suggest to the Premier first (and I believe this is the proper course to take) that, when the tribunal is given the job of fixing salaries, the Government should appoint an officer competent to advise the tribunal from a contrary point of view. The tribunal would then have balanced evidence before it.

The Bill provides that the Public Service Commissioner shall be one of the members of the tribunal. I believe it would be much better if the Commissioner were not one of the members of the tribunal but was given, by the Government, the duty of submitting the other side of the picture. The tribunal would then have both sides of the picture before it. Experience in the past has undoubtedly shown that, while the committee appointed to look at salaries does its utmost to get somebody along who would be competent to present a balanced view upon the matter, in fact no-one turns up. I believe that on one occasion one person said he would present evidence on salaries, but at the appointed time he did not arrive, so it was a complete washout.

An arbitration, obviously, is an arbitration between two entirely different points of view. I believe that the Commonwealth Government and every State Government has been faced with the problem that, when members' salaries come up for adjudication, people are not interested, but that when they come up for determination in the House people then become extremely vocal because they believe the matter has not been properly considered.

Mr. Casey: Which officer did you have in mind?

The Hon. Sir THOMAS PLAYFORD: I did suggest the Public Service Commissioner. As the chief personnel officer of the Government, he determines matters relating to all senior officers. I have not the slightest doubt (although the Attorney-General did not say so earlier this afternoon) that even the salaries of judges may be reported on by the Public Service Commissioner, because he is the officer competent to look at the relative salaries. I am sure that the Government would not in ordinary circumstances fix salaries of officers unless it had some recommendation from the Commissioner to justify its action. I have no objection to members making submissions to the tribunal, for they have a per-

right to do so. However, I believe the public mind would be greatly influenced by the fact that a proper arbitration was taking place, with both sides being properly represented and a tribunal making a decision, having heard the view expressed for an increase in salary but also having heard submissions that would perhaps be of a steadying nature.

We know that many of the determinations in industrial courts today are largely influenced by comparability. If it can be shown that certain people in another State get a certain salary, that in itself is an extremely potent argument for the tribunal to consider. I believe the question of comparability is most important. If an officer such as the Public Service Commissioner were appointed he would undoubtedly see that, if any submissions were made by members of this House in respect of a salary that was not comparable with the average position throughout Australia, the position was presented fully to the tribunal. I should be happy if the Premier would assure me that such a qualified person would be appointed, not to fix a salary but rather to criticize the submission (if I may put it that way) for a salary increase.

I believe that this in itself would be an improvement on the present Bill. I imagine that what will happen under this Bill is that the Government will appoint a tribunal, and that tribunal will advertise that it has had the matter submitted to it and that it is prepared to hear submissions. After that, members who feel that some submission should be made will appear before the tribunal and make submissions, and there the matter will end. Not one submission of a contrary nature will have been expressed and there will be no type of arbitration where both the employers' and the employees' contentions are equally heard, and where there is an arbitration based on a case presented in a factual and balanced manner. This Bill would be much more acceptable to me if the Commissioner were not a member of the tribunal. I say this not because I do not have confidence in the Public Service Commissioner but because I think he should be appointed rather as counsel who might be regarded nominally as being the opposition. The Commissioner has rare knowledge, particularly of how these matters are examined and determined. I do not believe any honourable member would deny that that would be a fair suggestion, nor do I believe any honourable member would want the position to be otherwise. Can the Premier say whether this proposition has some attraction to him? If the

salary is not to be fixed in the forum of this Parliament, with everybody having the right to publicly express his views upon it, such a procedure as I have outlined would be a steadying influence. As the legislation on Parliamentary salaries has come before Parliament previously, it has acted as a steadying influence. If that factor is removed something should replace it. The Bill is not entirely satisfactory: it does not cover the weakness that I see in a public approach as well as to the Parliamentary approach. If people have views they should be submitted to the tribunal.

Mr. Lawn: The tribunal will have the powers of a Royal Commission.

The Hon. Sir THOMAS PLAYFORD: I am not arguing about that. Obviously, someone will give evidence but the tribunal will not go up the street to obtain opinions of the public. I am not sure whether that system should be used, for the result might not be entirely satisfactory to members. Some of our efforts are not fully appreciated by people up the street.

Mr. Lawn: I appreciate the electors of Adelaide and they appreciate my views.

Mr. Jennings: Don't you think that such organizations as the Taxpayers Association or something like that would apply to give evidence?

The Hon. Sir THOMAS PLAYFORD: My suggestion does not prohibit anyone from giving evidence if he wishes, but some person should be appointed to see that evidence is given. That is essential with this type of Bill. I accept the Bill with the reservation that either the word "determination" is deleted and the matter finally resolved in this House, or that a proper authority shall be appointed to ensure that the tribunal has placed before it a balanced view before it makes its decision.

Mr. MILLHOUSE (Mitcham): Although I strongly support the principle behind the Bill, I, too, have reservations about the way in which that principle is to operate. My reservations, however, are not exactly on all fours with those of the Leader. As the Leader was kind enough to say, I have always advocated the fixation of Parliamentary salaries by a body outside and apart from Parliament, and I do not waver in that view. It is for that reason that I support the principle behind this measure, that our salaries should be the subject of a determination, and not of a recommendation that we must accept or reject. If it were a recommendation, we would inevitably accept it. The view I have expressed is that

of the overwhelming majority of people in the community. I remind members of the finding published in the Gallup poll sheet for March-June of this year, which showed that 93 per cent of persons thought that a court should fix Parliamentary salaries; 3 per cent said that Parliament should decide for itself; and 4 per cent had no opinion.

Mr. Ryan: What was the question asked of them?

Mr. MILLHOUSE: "Do you think members of Parliament should decide their own salaries or ask the Arbitration Court to fix them?" My reservations principally concern the tribunal we are setting up. I strongly believe that we should not be in a position significantly different from that of other classes of the community, and that our salaries should be fixed by the State Industrial Court. They should be fixed after an open hearing, and the judgment should be published in the same way as it is in any wage fixation case. If that were done we would overcome the difficulties referred to by the Leader.

The Hon. Sir Thomas Playford: It does not get over the difficulty that there is no official opposition to it.

Mr. MILLHOUSE: No, and I agree with the Leader that it would be a good idea to have someone in the nature of a "devil's advocate", as we would no doubt regard him. The Public Service Commissioner would be as good as anyone else to have power to intervene in the proceedings and put a case against any increase in salaries. I do not altogether go along with the Leader when he says that it is unlikely that anybody else would come forward to do this.

The Hon. Sir Thomas Playford: It didn't happen on three separate occasions.

Mr. MILLHOUSE: That is pretty strong evidence, then. However, some weeks ago I called to see a man who does not actually live in my district but who lives in that of the member for Onkaparinga (Mr. Shannon). He lives fairly close to my boundary, and is a man whom I have known and respected for some years. He got me to discuss with him the possibility of some sort of court proceedings for an injunction to stop members of Parliament increasing their own salaries. He was in deadly earnest about this, and is strongly advocating a radical change in the method of wage fixation throughout the community: he believes that an income should be determined for a single person in the community, and that then, by arbitration, the income, salary or wage of all other sections

of the community should be fixed as that basic amount, plus some percentage increase. That has certain difficulties, and in some way is similar to the present method of fixation of the basic wage. However, that is his idea, and it has some merit.

Let us face it: nearly everybody else says that members of Parliament should be treated in the same way as every other member of the community is treated, in so far as fixation of their salary is concerned. I believe that our salary should be fixed by a body outside, apart from, and independent of Parliament. It should be done after an open hearing, and after evidence has been given on both sides. I believe that an officer should be specifically appointed to put the contrary case, and also that any other body or individual in the community should have the right to intervene in the proceedings, and either to support or to oppose any increase. It has often been said outside and in this House that members of Parliament have the ultimate responsibility for making the laws of the State and, therefore, must take the ultimate responsibility of fixing their own salaries. I do not agree with that at all. Although something is to be said for that point of view, I think that the advantages are far outweighed by the damage done to the image (if I can use that over-worked word) of Parliament, when members fix their own salaries.

It is inevitably called a "salary grab" and so on. Inevitably, when people in the community, none of whom think they get enough money themselves (because we all believe that, whatever our occupations may be), see members of Parliament increase what is after all not a bad salary, at the stroke of a pen, there is envy and resentment. That is a far more damaging thing for the institution of Parliament than anything else could be, and that is why I have always believed that we should not do it ourselves.

I desire to refer to some specific matters in the Bill, because I believe the Bill is not in all respects in a satisfactory form. Clause 3 sets out the membership of the tribunal to be set up; a choice of membership exists of six classes of people. A number of these classes of people could be drawn from without the State. I do not really know what the advantages of doing that are supposed to be; I do not know why it would be better to have a Supreme Court judge from Western Australia, Queensland or Tasmania, and an Industrial

Court judge from somewhere else, fixing the salaries in South Australia, when intimate knowledge of conditions in this State would be lacking. However, that is the first class of member of the tribunal that is set out. The second is a judge of a county or district court established either here or in another State. The third is a presidential member of the Commonwealth Conciliation and Arbitration Commission. I should have thought there would be some difficulty in securing the services of such a presidential member, and that the Commonwealth Government would not be anxious to make the services of such an officer available. The fourth member is to be a judicial member of the Industrial Court or Court of Industrial Arbitration, either here or elsewhere. Indeed, I am gratified to see that, because that, of course, qualifies the President of our own Industrial Court to be a member of the tribunal.

As I say, in my view, the Industrial Court in this State, constituted as it now is, only of the President (but there is provision for a Deputy President as well), should be the body to fix our salary. I am glad to see that at least this tribunal may include him. The fifth member is the Chairman of the Public Service Board (whom we have already discussed) and the sixth is the Auditor-General. It seems rather strange to me that we should put in the Auditor-General who, of all the public officers in this State, is regarded as an officer of Parliament, and that one of our own officers should fix our salaries. What I suggest is likely to happen with this tribunal is that the appointees will be the President of the Industrial Court, the Public Service Commissioner, and the Auditor-General. I cannot but think that the first three classes of person set out (those who can come from another State) is a bit of camouflage, and that we are unlikely to have appointments from that source. I do not think that the obvious tribunal that I have mentioned is a particularly satisfactory one, although I do not reflect on any of those persons in their personal capacities.

Mr. Ryan: Whom do you suggest?

Mr. MILLHOUSE: I would have it done by the Industrial Court at an open hearing. This tribunal, even though it is invested with the powers of a Royal Commission, and so on, does not work in the public gaze and, more seriously still, it does not have to give any reasons for its fixation. Let us look at clause 9 (1), which provides:



The tribunal may prepare—  
“may” and not “shall”—

such report as it thinks fit by way of explanation of a determination.

If it does think fit to prepare that report, there is an obligation to have the report laid on the table of this House. That is good, but it is not good that there is a discretion in the tribunal as to whether or not a report is prepared. The tribunal could merely give its determination, publish it, and give no reasons at all. I think that would be badly received by the community generally, and I think it would deserve to be badly received. This, above all things (if Parliament's reputation is not to suffer, as it has suffered in the past whenever this matter has arisen), must be done openly, and everybody must be able to see what is going on. I think that, when we get to the Committee stages, “may” should be altered to “shall”. I think there should be an obligation to prepare a report.

Clause 11 removes the determination of the tribunal from the proceedings of a normal court because it provides that the determination shall not be challenged, reviewed, quashed or called in question before any court or in any legal proceedings, or restrained, removed, or otherwise affected by prohibition, mandamus, certiorari, or otherwise. In other words, it is a final determination. Perhaps that is inevitable but when it is allied with the other features to which I object, I think it is an undesirable feature.

The members of the tribunal are to be appointed at the Governor's pleasure, and, therefore, they will last only as long as the Government of the day wants them to last. This makes them (they are not dependent on this job for their income although remuneration is paid to them) to some extent creatures of the Government of the day and that again, I suggest, is undesirable. I believe that our salaries should be fixed by a body outside Parliament. I do not believe it should merely be a recommendation but that the body should be a court and that the proper court to do it would be the Industrial Court. I believe that there should be an open hearing at which there could be intervention by a specific officer or by any group in the community desiring to oppose an increase in our salaries. I believe that the determination should then be published and reasons given in the normal way. In other words, I do not believe that members of Parliament, simply because they are members of Parliament, should be in a position different

from any other section of the community regarding fixation of salaries.

The Hon. R. R. LOVEDAY (Minister of Education): I wish to deal with one or two matters raised by the Leader and by the member for Mitcham. Although there is some difference in what they said in relation to their minor objections (their objections were minor—they accepted the general principle of an outside tribunal), both members drew a parallel between an industrial tribunal and the type of tribunal suggested in the Bill. I suggest that this is not a good analogy at all. In an industrial tribunal the inevitable position under our economic situation is that, on the one hand, employers are endeavouring to prevent a wage increase and, on the other hand, employees are endeavouring to get one. If members think about this surely they will be able to see that there is no true analogy. If we were to have this analogy the only way it could be properly made would be to get people who were vociferous about members' salaries to attend the tribunal with a representative and put their side of the case when an application by members for increases in salaries was being made. That would be the only way to achieve a perfect analogy. To appoint an officer such as the Public Service Commissioner as an opposing advocate would be ridiculous. It was interesting to hear him referred to rather facetiously in that context as a “devil's advocate”. Many a true word is spoken in jest.

Mr. Millhouse: I meant it seriously.

The Hon. R. R. LOVEDAY: It was suggested that the Commissioner should be appointed by members of Parliament to be an advocate against them, but that is really the most Gilbertian situation one could imagine. I believe that when one reflects on the situation one can see that there is no real analogy at all. Surely the Public Service Commissioner would feel that he was in an invidious position when he was appointed by members to be an advocate against their application. Surely such a suggestion does not make sense.

As he is mentioned as one of the possible members of the tribunal, is it not true to say that as a responsible officer dealing with this type of question all the time he would give responsible advice on this subject to the tribunal as a member of it? He would not be appointed to this position unless we had faith in him as a public officer who dealt in these questions. In this matter he would have to exercise careful judgment. From his experience over many years he knows about salary fixation problems, and because of that we

have noted him as a likely member of the tribunal. As the member for Mitcham said, he is most likely to be one of the members of the tribunal; in fact he is almost certain to be a member. Because of his skill, experience and public probity we included his office in the Bill. It is unreasonable to suggest that he should be an advocate against us. The member for Mitcham said that he believed that the President of the Industrial Court, the Public Service Commissioner and the Auditor-General would be most likely to be appointed as the tribunal. He drew attention to the fact that the Auditor-General was really an officer of the House. That may be so, but that could be a big advantage because, after all, he knows something about Parliamentary matters.

One of the greatest problems in getting anyone as an advocate to present the opposite point of view is that so few people in the community know much about Parliamentary matters or about the real duties of members of Parliament. I suggest that, when the Leader said that people did not give evidence on these matters, this was a fairly clear indication that, when it came to analysing the position, they knew they did not know much about Parliamentary matters and about what members of Parliament really did. It is all very well to say in public that members of Parliament should not receive half the salaries they do receive, but it is entirely different to come before a responsible tribunal and give evidence on the matter. I believe they failed to give evidence in the past because they realized their shortcomings; they just did not know. It is unrealistic to make a big thing out of the fact that there will be no opposing advocate appearing before the tribunal. I do not believe there is a true analogy between this situation and what goes on in an industrial court where employers and employees are represented. Surely no member would say that the position was the same.

In an industrial hearing experts in both fields put forward their cases. Who are the experts to put the case against an application by Parliamentarians for increases in their salaries? Such experts just do not exist. We intend to appoint to this tribunal the people with the greatest knowledge of the situation. They will be men whose public probity is beyond criticism, men of complete integrity. Surely that is a realistic approach to the situation. I should be prepared to go along with the suggestion of the member for Mitcham that the tribunal should prepare a report. I do

not know whether the Premier would be prepared to accept that, but I do not mind it at all. I think the importance of this Bill is to get the determination of Parliamentary salaries out of the hands of Parliamentarians. That is the essence of the question. I am sure all of us here are embarrassed by this thing; we do not like it, whatever people outside may say.

Mr. Millhouse: And it does not do Parliament any good.

The Hon. R. R. LOVEDAY: No, it does not, and, what is more, nothing of this nature should ever come back as a recommendation for Parliament to decide, because there is nearly always somebody who wants to take advantage of it and pose as a hero by saying, "I do not want this", for purely ulterior motives, in my opinion. We do not want that situation. I think members want not a recommendation but a determination. This Bill is a good one because it strikes at the essence of the problem. What is more, it appoints an outside tribunal of people of the utmost integrity, with the best knowledge of Parliament and the best knowledge of the fixing of salaries. We have a person there who also will be accustomed to dealing with judicial court matters; in other words, we have the legal knowledge, we have the wage fixation expertise, and we have in the Auditor-General a man who knows much about costs and about what goes on in Parliament. In other words, we have the best sort of tribunal we can get in the circumstances.

It is still open to anybody outside who regards himself as sufficiently knowledgeable about Parliamentary matters to come along and give evidence, and if he has that knowledge the tribunal will surely welcome him. As to having a hearing in the open, I do not think that matters one way or the other. The point is that we should get the expert knowledge on the question, and the tribunal should be open to take evidence from whomsoever cares to come along and give it.

Mr. HALL (Gouger): I am happy to support the Bill in so far as it sets up a body outside this Parliament to fix the salaries of members. Some time ago when salaries were increased the Minister who has just resumed his seat got cross with me and with a colleague of mine for opposing the raise. I am very pleased that we do not have to go through this again, for it was not pleasant. However, I do not see why I or any other honourable member at that time should not have expressed an opinion, and, as I say, it was unpleasant. For

that reason, among many others, I am happy to see that this is to be arranged outside of Parliament.

At the time of that increase my remarks and those of the member for Mitcham received great prominence next day in the daily newspaper: I think it was the leading news item on page 1, which I regretted. However, such was the extent of public interest in this matter, in my district, at any rate, that I received only two notices about that matter, and one of them was from outside my district. That indicates how much interest of any sort was taken. Therefore, I would say that although we see letters written to the newspaper and odd sarcastic remarks, public interest in this matter is not great. As I say, only two people expressed an opinion to me on the matter, and that was after it had received great prominence in the newspaper.

Mr. Ryan: But you were opposing the increase.

Mr. HALL: Yes. As I say, it was an unpleasant and undesirable position to be in. I cannot go along with the suggestion of the Minister of Education that there is a Gilbertian situation in the appointment of the Public Service Commissioner as a person to take the contrary side in any consideration by the tribunal. The Minister said that few people would be qualified to oppose intelligently in this matter, and therefore I believe that he himself has made out a case for the necessity to have someone appear for the public. I think the member for Adelaide will agree that the Minister said the public was not qualified to consider this case or to give evidence because members of the public were not aware of the duties of members of Parliament or Ministers of the Crown. Therefore, I believe that strengthens rather than diminishes the case outlined by the Leader of the Opposition and the member for Mitcham. I support the Bill but I will also support moves, if they are made, by the Leader or the member for Mitcham to perhaps try to do something about including a capable person to take the opposite side of the case in this salary-fixing situation.

Mr. LAWN (Adelaide): I congratulate the Government on introducing legislation of this kind. I have studied the position in the Commonwealth Parliament and in the Parliaments of the various States, and I find that in 1962 Tasmania introduced a Bill in almost identical terms with the one now before this House. In fact, practically the only difference was in the dates of the repeal of previous Acts.

Another difference from the Tasmanian Bill is that in this Bill a suggested appointee is the Auditor-General. Apart from that, the personnel to be appointed are identical.

I appreciate also the remarks of honourable members opposite. Whilst those members are not 100 per cent in support of the Bill, I think that at least they all appreciate that something is necessary to overcome what has happened in the past. I am pleased that the member for Mitcham's attitude today is consistent with the attitude he adopted in 1963. Since the introduction of this Bill I have had the pleasure of re-reading the remarks he made then when the report of the committee appointed by the Government was before the House. Although the honourable member did not know then that this Bill was coming before the House, his remarks at that time were fully in support of this present Bill. Everything he said then is consistent with his attitude to this Bill today, yet at that time he had no idea (nor had I) that the Bill was coming before the House. I have no criticism of the practice of the previous Government in appointing an outside committee to recommend salaries and allowances, except where that committee comprised departmental officers, Treasury officials and the like.

That is not fair to the Government or to the officials concerned who make recommendations on this question. In 1963, the Government did not appoint departmental officers but appointed the Auditor-General and the Deputy President of the Industrial Court. I compliment the Government on selecting that committee and both officers are referred to in this Bill. On a previous occasion the Government appointed Sir Edward Morgan, President of the State Industrial Court. However independent those committees are, we still have the embarrassment of having a Bill come before Parliament and of voting on the fixation of our salaries and allowances. There is public resentment against members of Parliament (as is thought by some) fixing their own salaries, although in fact Parliament adopts the report of an independent committee. It was suggested that we ask the tribunal to recommend and use the services of the Public Service Commissioner to collate evidence from persons opposed to an increase.

The decisions of this tribunal will not only be concerned with increases: it could be concerned with reductions should the State's economy so warrant. It has never been suggested, even in another Bill, to use the Public Service Commissioner or anyone else as

an advocate for or against an increase. I appreciate the thought behind that suggestion, because I know that tribunals or committees of this kind advertise in newspapers asking people who wish to give evidence to write in asking to be heard. I know that the Leader thought that that evidence should be collated by an expert, and properly presented to the tribunal. However, I prefer to leave that decision to the tribunal if it considers it necessary.

Mr. Jennings: Couldn't the secretary of the tribunal do that?

Mr. LAWN: He could. I have the latest report of the committee appointed in Queensland to consider the salaries and allowances of members of the Queensland Parliament. It states:

A particular requirement which influenced the committee is that there should be an adequate pool of experienced talent in the administrative field in each party to ensure that a Cabinet of competent Ministers could be selected if a party or group of parties was called to office.

Since I have been a member I have considered (particularly early in my career) that there was a thought amongst members opposite that opposed increased salaries for members of Parliament. I considered that it was because they wanted to depress wages and conditions deliberately. In my private discussions with members opposite, and with one or two who have subsequently left Parliament, I have found that their view was that because they had outside interests they believed that it was an honour to be elected to Parliament.

Mr. Hall: Now, now, Sam!

Mr. LAWN: There are members opposite, including one who was defeated in recent years, who told me this. They were prepared to do the job purely for the honour, and it has been only in later years that I have found that there is a growing thought by Opposition members of this House and another place, that the salaries for members should be based on the fact that it is a full-time occupation with the member having no other interests. Also, it is now suggested that we should encourage political Parties to nominate candidates capable of presenting an adequate pool of experienced talent to ensure that a Cabinet of competent Ministers may be selected if the Party is called on to govern. In all the reports that I have studied similar comments have been made. It was said that this Bill took away authority from Parliament. I have checked the *Oxford Dictionary*, which defines "tribunal" as follows:

A tribunal is a judgment seat; a seat or bench for judges or magistrates; a court of justice, as before the tribunal of public opinion.

What better way could we have our salaries and allowances fixed and determined than before a tribunal of public opinion, an independent tribunal? No criticism has been levelled at the persons referred to in the Bill, and I would prefer to have my salary and allowances fixed by that tribunal than for it to make recommendations on which we would have to vote. Having appointed the tribunal, Parliament would not be justified in voting against its recommendations. We have asked it to do a job, and we would be letting it down if we voted against its recommendations. People, and occasionally the newspapers, have objected to members of Parliament fixing their salaries, although, in fact, they did not. The same thing is happening in Brisbane and Western Australia. In Brisbane, members of my Party said that they did not want the £700 increase recommended by an independent committee, but would take £233 10s. What a ridiculous position! An independent committee was appointed by the Government to investigate and recommend salaries and allowances in Queensland. For some particular reason some members (and members of my Party) said they did not want the £700, but only £233 10s. The independent committee recommended reductions ranging from £45 to £260 in electoral allowances. Our members who did not want the salary increase said, "Leave the allowances as they are." Where shall we get if we have this sort of squabble within the Parliament? I have no doubt that this is one of the best Bills to come before the House in the 16 years that I have been a member. I know of only one other State that has similar legislation, and I urge members to support the Bill. I have no false ideas about the lack of organized opposition before the tribunal, or about receiving any startling increase. All wage-fixing tribunals take what is called "comparative wage justice" into account. I have asked this question in the House before: "Why should a carpenter in South Australia receive anything less than a carpenter in another State receives?" The only difference should be the differential basic wage. That principle is accepted by wage-fixing tribunals. The committee appointed by the Government in 1963, in making a recommendation in regard to our salaries and allowances, stated:

In making the recommendations contained herein we have had regard to the rates payable in other States and the dates on which

such rates were fixed. Should there be any substantial general movements in such salaries in the near future, a further review may be justified.

In 1963, our salaries and allowances were fixed, having regard to what applied in other States. It does not matter whether we have an advocate looking after our own interests, or whether someone opposes our claims: the tribunal will have regard to the principles expressed in the 1963 recommendation, namely, that whatever is applied to members here must be comparable to that which applies in the other States.

Mr. Jennings: The tribunal is always there, too.

Mr. LAWN: Instead of this matter having to be considered every 12 months, two years, three years (or whatever it may be), and instead of having to appoint some committee and having to re-hash the matter all over again, we shall have a permanent tribunal. The personnel, of course, may not be permanent, because the Government has a choice of a number of people specified in the Bill. If, say, three judges are utilized on the first occasion, three different judges may be utilized on a subsequent occasion. However, the legislation is provided on a permanent basis, so that the Government can at any time ask the tribunal to make a determination. A huge spiralling in prices could occur, or, on the other hand, there could be a falling off in the country's economy (I hope that will not occur); therefore, rather than stipulate that the tribunal shall meet at a certain time, I prefer to leave the Bill as it is. Suppose we had a huge spiralling of costs, and wages were increased six months after the tribunal had fixed our wages: we would have to wait three years for another determination. On the other hand, if the tribunal fixed salaries and allowances for members, and this fixation was followed by a falling off in economic conditions within six months, so that salaries and wages in general fell sharply, the tribunal could not meet for another 2½ years to adjust our salaries. That would create a huge public outcry, and rightly so. I think the Bill is really well prepared, and I commend it to the House.

Mrs. STEELE (Burnside): Twice previously, since I have been a member, I have refrained from speaking when similar legislation has been considered, but I speak on this occasion because I believe there is much to be commended in this Bill in the form in which it has been introduced. In case any public disquiet may occur (and it often does when

this sort of legislation is considered) I think the Bill will set the public's mind at rest, because it sets up a permanent tribunal similar to the Arbitration Court and various other wage-fixing tribunals. I think that that fact alone will commend itself to the people. I think the public will realize that, in this matter, salaries will not be fixed at the whim of members of Parliament themselves: a proper body will, at the regular times stated in the Bill, consider members' salaries. I believe, too, that the public's confidence in this tribunal will be increased by the fact that the members of the tribunal, by virtue of the public positions they occupy, will be better able to consider the various facets of the legislation. As the Minister of Education said when speaking to the Bill, "Who of us has not suffered embarrassment because of people making derogatory remarks about members of Parliament?" I have read an article by somebody sarcastically referring to members of Parliament as being under-worked and over-paid. All of us have encountered this sort of thing; it does not matter what we may say; we cannot justify our claims to the people making the complaints.

I think the strength of the measure, again, lies in the fact that the tribunal will be similar to a Royal Commission. I imagine that, when it is appointed, it will invite people to give evidence and, if people believe that they are able to question an increase in members' salaries, they will be able to put evidence before members of the tribunal. I agree with the Leader that it is possible that this will not occur, but at least it will give to members of the public the opportunity actually to let their actions speak louder than their words, by appearing before the tribunal and saying why they think members should not receive the kind of consideration that everybody else in the community receives. From time to time we hear that raising the salaries of members of Parliament sets off an economic spiral in the community. However, when one considers the numbers of members of Parliament in Australia and the sum total of what the increase in the salaries of all would be (if they were all increased within one particular year), the total sum would be about £500,000. I cannot see that an increase of this kind could cause an economic spiral or a rise in prices or that everybody would think that they should have a rise simply because members of Parliament had received one. I do not think this would happen.

Today I had a visitor to Parliament House who told me that he had been trying to telephone me at Parliament House and at my home for days and told me how difficult it had been to get in touch with me. He said, "I am beginning to alter my opinion about members of Parliament. I think they must really do some work." Knowing that the Bill was to come before the House this afternoon, I took the opportunity to say to him some of the things that I am saying now in my speech. There is much ignorance amongst the public generally about the duties of members of Parliament. The fact that there is little interest in politics can be seen by the lack of people in the public gallery. Of course, it follows that because people are not interested in politics they do not know just what members of Parliament do. They have no idea of the responsibility we have or of the work we do in the community, quite apart from the time we spend in Parliament. I commend the Government for the Bill and for the type of tribunal it intends to set up. I have much pleasure in supporting the Bill.

Mr. SHANNON (Onkaparinga): With you, Mr. Speaker, I have seen the ups and downs of Parliamentary salaries over the years. You and I saw the "downs" during the depression when our salaries were reduced from £400 to £360 because of the restricted economy of the State. I find difficulty in this Bill because it means that I will, in fact, be shedding some of my responsibility. I have never been one to shirk doing what, in the opinion of the general public, may be the odious task of deciding what my salary shall be. This is not a pleasant duty. I make no complaint about the quality of the suggested tribunal to investigate the matter, and I could make no better recommendation. However, I see the same problems seen by the Leader in regard to the tribunal in that it will have difficulty in calling evidence in rebuttal should it wish to do so. Where would it go for evidence in rebuttal? Who would put up a case for the taxpayers? After all, it is the taxpayers' pockets that will be affected either beneficially or otherwise as the result of determinations made by the tribunal.

I do not know whether it would be appropriate for the Taxpayers Association to employ legal aid so that a watchful eye could be kept on evidence tendered to the tribunal. This evidence appears to me to require some check. I should be embarrassed if a finding were made that provided for a steep increase in Parliamentary salaries over which I could have no say. I should not do what some members

have done in the past (I think it was futile) and refuse the increase. That does not get a member anywhere and it is a paltry approach to a problem that should not be approached in that way. The only way members can face up to these problems fairly and squarely is for Parliament to finally solve them by an Act of Parliament. We appropriate funds for various matters while carrying on the affairs of the State. Probably the most important affair of the State is Parliament itself because it makes the law. It is the custom of Parliament to appropriate money for paying members and officers of Parliament, and this has been the custom through the ages. The Bill provides for a clear break away from that established practice.

I find much difficulty in accepting the Bill because it takes from my shoulders the responsibility for an odious task. I do not think we should avoid odious tasks. After all, at times we must levy taxes on the people of the State, and it is our duty to decide how much tax people should pay. I do not see that it is any more difficult to decide what our salaries should be than to decide what taxes should be paid by the people of the State. Of course, we earn odium quickly by taxing people. If we put our hands in the pockets of the average man he understands that very well indeed. Hence I believe that the Bill should have some brake upon it. We should have at least some opportunity to review whatever is recommended. I do not like the word "determination" at all but I have no objection to a recommendation. I agree that reasons should accompany the recommendation, because then members could accept the responsibility for fixing their salaries knowing that a panel of responsible people had recommended the increase. However, to give the right of determination to a tribunal goes one step too far for me. It has been suggested that industrial tribunals do this sort of thing all the time. That is true but it is hardly analogous.

Properly speaking, we are not really employees of the State, although I admit that we are servants of the State. If we are employees of the State it appears that there is an amazing link in the association of members of Parliament with taxpayers in that all the taxpayer knows is that we can tax him, and that he can say nothing about what we should receive in salary. In no industrial matter does that apply, because both sides are heard. There is a theory that the ability to pay should have some bearing on the salary

fixed, and if that is the case I suppose the sky is the limit for Parliamentarians because we hold the privy purse; there is no upper limit, and there is no such thing as what can be afforded. In my view, the matter can be assessed only by a proper investigation of the duties that are involved. I am not suggesting that those duties are light. I have taken my full share of the responsibilities of a member of Parliament in the interests of the people I represent, and in my experience all other members have done the same. I suppose it is cheap and tawdry to praise ourselves for a job that we ourselves elect to do. We offer our services. It is not necessary for somebody to go out in the street and dragoon people to come along and serve here: members of Parliament offer their services, and if they are selected they become the representatives of their electors. Therefore, the comparison between industrial courts and any tribunal set up to deal with Parliamentary salaries appears to me to be quite unrealistic.

I understand that the Leader has been discussing with the Parliamentary Draftsman certain minor amendments that would take some of the sting out of this proposal. The thing that I like least is having no voice at all. It could be said that if I am so strong-minded about this matter I could tender evidence before the tribunal, and while that is true I much prefer to be heard here and not before a tribunal on what my views are regarding appropriate recompense for the services members render in this place. I consider that this is the appropriate place in which to put those views forward. I gather that there is almost unanimous support for this Bill. In fact, apparently the only speaker who took any exception to the Bill was my own Leader. I am not blindly following my Leader; I made up my mind about this as soon as I heard what was proposed. If I am doing any member an injustice in the comment I have just made, I will withdraw it at once.

I issue this word of warning to every honourable member: if in the upshot we set up this body of people and it comes in with a determination, don't for a moment dream that as a member of Parliament you have dodged the issue; don't for a moment dream that the elector will be voiceless on the problem, especially if the recommendation happens to be for a reasonable lift in salary or electorate allowances (I understand that the whole question of salaries and allowances is to be investigated); if there is an increase of

even 10 per cent or 15 per cent (which is a fairly modest one these days); don't for a moment dream that the elector will not be vociferous: he will let you know what he thinks. I know that the average elector will say, "You have shelved your responsibility; you knew when you passed this legislation that you were getting rid of the odium of fixing your own salary; you certainly trusted an outside body to fix it for you, and in the result you have got a handsome increase." They will call anything a handsome increase, as long as it is an increase, and we will catch the odium for it.

Trying to avoid an issue mostly gets you in deeper. I have always discovered that where you have a ticklish task it is better to hop in and do it yourself and not push the responsibility on to somebody else, which I think is what we are doing here. I must admit quite frankly that I have very strong reservations about this Bill, particularly regarding the ability of this tribunal to determine the matter outright. I consider that the tribunal should bring down a recommendation, that that recommendation should be accompanied by proper reasons, and that it should then be left to the House to make up its own mind about it, having heard the case put up by the people selected for this task. I understand the Leader has a few amendments, and I wish to see how they will look when we have them on the file. I do not propose at this stage to vote against the second reading because I shall be endeavouring myself to make certain amendments to the Bill when we get into Committee.

Mr. QUIRKE (Burra): I have nearly always spoken on this matter, and as you, Mr. Speaker, well know I have pretty fixed opinions about it. There is only one real and faultless way to fix members' salaries, and that is for members of Parliament to do it themselves. A member is elected to do his job and to do it in its entirety, and if he thinks the salaries are not sufficient he should, without fear or favour, take steps to have legislation introduced into this House to increase them and take the public rebuff that comes no matter how those salaries are raised.

I have an objection to this determination in that once our salaries were determined they would become operative. What is the reason for that? Is it to be done that way so that there can be no discussion here? What is the reason for having a determination similar to that which would be made by an arbitration

court? I do not believe in the principle of an arbitration court or anything like that fixing Parliamentary salaries. Parliament is the supreme body in the State, and it should do its own work, including fixing salaries, in its own way. I do not propose to do it myself, but if somebody else does it I will vote against the right of determination, because I think that is not the way this particular job should be done. I have held those views for as long as I have been in Parliament, and I go back to the time when we received £400 a year. The Lord only knows how we lived.

Mr. Jennings: I am wondering how I live now.

Mr. QUIRKE: I could not have remained in Parliament unless I had some other form of income, and no other country member could do so unless he carried his bread and jam around with him in a satchel. Those days were not good days. A member of Parliament is expected by the people who elect him to have some dignity of approach and appearance and in the way he lives. They expect him to uphold his position with dignity. If anyone as a member of Parliament has made money and put anything away, then he must have been niggardly, indeed. That has never happened in my experience, and I have been here a long time. Never has there been a time when, with the rapid increase of costs, a Parliamentary salary has been sufficient to build a bank account, and I am not afraid to advance that argument. We should do this job ourselves, but it seems to be the opinion of the House to have a tribunal do it. However, it should not be determined and become operative without reference to Parliament. That would be utterly wrong, and I will not have a bar of the determination clauses of this Bill.

The Hon. FRANK WALSH (Premier and Treasurer): I assure the House that much consideration has been given to this legislation, and it is not a question of hiding under someone's cloak. The matters to be investigated are set down clearly in the Bill, and because of the contribution of members it seems that they appreciate that there is much merit in this Bill. I do not want to be accused of working people overtime every night, but because of the need to have another place consider this legislation in its almost present form, I submit it now for the consideration of the House.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—"Parliamentary Salaries Tribunal."

Mr. MILLHOUSE: Can the Treasurer say whether serious consideration has been given to getting a person from another State as a member of the tribunal? That would seem to be the only purpose for including the first three classes, but it does not seem necessary or practicable.

The Hon. FRANK WALSH (Premier and Treasurer): Consideration was given to this question and although all these persons may not be called on, we are providing for any emergency that may arise. No reason exists why they should not be included.

Clause passed.

Clauses 4 to 7 passed.

Clause 8—"Treasurer to be notified of determination and determination to be published in the *Gazette*."

Mr. QUIRKE: As I oppose this clause, I shall vote against it as a means of registering my protest.

Mr. SHANNON: The words "determination" and "recommendation" are used throughout the Bill. It seems that the member for Burra wants to make it possible for the tribunal to make a recommendation, and go no further. Why cannot we give the tribunal power to make a recommendation as well as a determination? That would meet my major objections, as then Parliament would be able to consider the matter.

Clause passed.

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

Clause 9—"Tribunal may prepare report on a determination and Treasurer shall cause such report to be laid before Parliament."

The Hon. Sir THOMAS PLAYFORD: I move:

In subclause (1) to strike out "may" and insert "shall"; to strike out "such" first occurring and insert "a"; to strike out "as it thinks fit"; to strike out "where such a report is prepared"; and in subclause (2) after "determination" to insert "or recommendation".

My amendments ensure that a report is presented to Parliament, and that all the pros and cons will therefore be considered before a determination is made.

The Hon. FRANK WALSH: I agree that the amendments make the tribunal's obligations more definite, and I accept them.

Amendments carried; clause as amended passed.

Clause 10 passed.

Clause 11—"Determination to be final."

Mr. MILLHOUSE: Can the Treasurer explain why this clause is necessary?



The Hon. FRANK WALSH: The report will be tabled in Parliament. Although the clause may not be necessary, it will do no harm.

Clause passed.

Clause 12 passed.

Clause 13—"Numbers of members and salaries payable."

The Hon. Sir THOMAS PLAYFORD: An article in the press has stated that this is a Bill to alter members' salaries but, as far as I can see, no such alteration is contemplated. Can the Committee be assured that there will be no alteration of salaries?

The Hon. FRANK WALSH: There is no suggestion by the Government that salaries will be increased. In the event of the passing of the Bill, the Government will appoint the tribunal to inquire into members' salaries and, if it recommends that salaries be reduced, members will have to accept that decision. On the other hand, if an increase is recommended, that recommendation also will be accepted.

Clause passed.

Remaining clauses (14 to 16), schedules and title passed.

Bill read a third time.

The DEPUTY SPEAKER: The question before the Chair is "That this Bill do now pass."

Mr. SHANNON: Mr. Deputy Speaker, do you have to give a certificate that this is a Constitutional Bill and that it has been carried by the necessary majority?

The DEPUTY SPEAKER: The Bill amends the Constitution Act, but it does not amend the Constitution of the House.

Bill passed.

#### SOUTH AUSTRALIAN HOUSING TRUST ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from November 24. Page 3132.)

Mr. FERGUSON (Yorke Peninsula): I oppose the Bill. It brings under direct Ministerial control the operations and administration of the Housing Trust. It is merely a repetition of the provisions contained in many other Bills that have been introduced this session. It is almost a daily occurrence for a clause of a Bill introduced to provide for a board or trust to be brought under Ministerial control. Early this morning we discussed a Bill that sought to bring a board under the control of a Minister. I trust that members on this side will resist this Bill with the same vigour with which they resisted the Bill debated early this morning. This is apparently only a

small Bill, and one could assume that little is involved in it. However, I believe a great deal is involved. I shall refer to the time when the South Australian Housing Trust was constituted and mention some of the things that were done and said on that occasion.

The Bill to constitute the trust was introduced in this House by the then Attorney-General on November 5, 1936. The second reading explanation was moved by the then Treasurer (Hon. R. L. Butler) on November 10. It is interesting to note that on that occasion two Bills were introduced for the establishment of the trust. After the Treasurer gave his second reading explanation he desired to move an amendment so that certain Government funds could be appropriated. Therefore, on the day after the second reading explanation had been made and after the consent of the Governor had been obtained for the appropriation, the Treasurer proceeded to move a second Bill. Some argument took place about which Bill was before the House. It was finally resolved that the second Bill introduced was the Bill to be considered. It was also decided that the second reading explanation given on the first occasion would apply to the Bill before the House. During his second reading explanation, the Hon. R. L. Butler said:

It will be generally recognized that there is a genuine demand for cheaper houses in this State.

Those of us who can remember back as far as 1936 will remember the time through which the State was passing, and the housing conditions that existed at that time. Although that time was considered opportune for establishing the trust, at all times it has been felt that the trust could apply its operations to the demand for housing. Later in his speech the then Treasurer said:

The South Australian Housing Trust will consist of five members and a chairman. The Government naturally desires to get the best possible men. It certainly will give representation to Labor because it is entitled to it. The Government is hopeful that it will be able to find people who are prepared to give their services free in the management of this project.

The first report of the trust shows that its members were thanked for the services they had rendered gratuitously to it. On that occasion it was able to find men who were interested in the establishment of this trust for the purpose of providing a housing scheme for this State, and it was also able to find men who were willing to give up their time free for that purpose.

I should like to refer now to the general progress the Housing Trust has made over the period in which it has been operating. The Auditor-General reported for the first time on the operations of the trust in 1938, which was the first time the results of a complete year were available. The first houses were completed and occupied by tenants in the first week in November, 1937, and at June 30, 1938, 84 houses were occupied at a weekly rent of 12s. 6d. a house. To give some comparison of the growth of the trust, I quote from the Housing Trust report of April 1, 1965. At that period, during the nine months ended March 31, 1965, the trust completed 2,409 houses under all schemes, including flats. Since it began to build in 1937, 54,790 houses and flats have been built, and under the trust's house sale scheme initiated in 1946, whereby houses are built expressly for sale, 24,891 have been completed and sold throughout the State. On March 31, 1965, 3,124 houses and flats were under construction by the trust. The total rents received by the trust from all its houses up to March 31, 1965, amounted to £4,587,675. What is more, the development that has taken place through the operations of the trust has not been confined to the metropolitan area, for the trust has expanded its operations into country areas and has provided a most necessary service there. Nor has the trust confined its activities to building houses, for it has provided industry with the means of setting up establishments in South Australia. Indeed, the achievements of the trust have gone so far that it has enabled satellite towns to be established in this State.

I think some indication of the trust's progress will be shown by a study of the Auditor-General's reports. I believe that the first report of the Auditor-General showed that the finances handled by the trust were about £138,000, and that at the end of the first year it had only about £8 in credit. From the latest Auditor-General's report we find that the funds employed (excluding provision for depreciation) increased by £6,879,000 to £93,894,000 at June 30, 1965, and included accumulated surpluses of £4,688,000. Funds made available to the trust by the State Treasury during 1964-65 amounted to £5,000,000 (up £400,000 on 1963-64) and were all made available under the Commonwealth-State Housing Agreement. Other borrowings by the trust totalled £1,789,000. I could go on quoting to show that since the Housing Trust was first established there has been

vast development and a steady progress in the growth of operations of this authority, which has done such a magnificent job in this State.

The second reading explanation of this Bill, given by the Premier, was a very scant one. I say this in view of the questions that have been asked concerning the Housing Trust during this session. I consider that the Premier in his explanation should have referred to a question the Leader of the Opposition asked during this session. The Leader said:

My question relates to the announced proposed alterations to legislation affecting the Housing Trust. The law now governing the trust was carefully worked out at a conference between the late Prime Minister (Mr. Chifley) and me to ensure on the one hand that the trust did not become liable to pay Commonwealth taxation and on the other hand that it retained its semi-governmental status for the purpose of borrowing money. It is extremely important that the trust does not become a State department, because as such it could then obtain its finances only through the official agencies of the Commonwealth Government. From memory, I believe that about £1,250,000 is being borrowed as semi-governmental loans by the trust, and this sum could not have been borrowed had the trust been a department of the State, as it would have to obtain its money through the official programmes. Will the Premier, in the preparation of this legislation which is at present exercising his mind, have examined the question of what the implication would be if the trust lost its semi-governmental status and its present right to borrow money in addition to that which it obtains from the official Loan programmes of the State?

The Premier replied:

A few weeks ago in relation to this matter the Leader indicated that I was about to feed red meat to the tigers. This, however, is an entirely different question. I doubt whether there would have been any immediate proposition had it not been for the impossible position in which I was placed. In order to prevent a recurrence of this position, the legislation will deal with certain aspects of Ministerial activity in respect of the trust. The question of Housing Trust borrowing powers is awaiting the decision of Cabinet, and that is why there has been some delay in this matter.

Therefore, I believe that the Premier should have told the House whether Cabinet had considered this matter and what Cabinet had decided. The Premier did not say much about the Bill in his second reading explanation. The Bill contains four clauses, the last of which amends the principal Act by providing:

In the exercise of the powers, functions, authorities and duties conferred upon the trust by or under this or any other Act the trust shall be subject to the direction and control of the Minister.

This brings under the provisions of this amending Act two other Acts administered by the Housing Trust—the Housing Improvement Act and the Country Housing Act. During this session the member for Torrens, on the day that increases in trust rentals were announced, asked the Premier the following question:

As sweeping and very steep increases in Housing Trust rentals have been announced in today's *News*, can the Premier explain the justification for these extremely savage increases, some of which are as high as 10s. a week? Can he justify this further slugging of the workers of this State and this increase in the cost of living of those who can least afford it, especially in view of a move last year by the former Opposition to reduce rentals on railway cottages?

The Premier replied:

I have received no information on this matter. I have no doubt that I would be able to justify any increases, but whether my reasoning would be acceptable to the honourable member and to other members of his Party, I am not sure. However, I will obtain a report and give the fullest information possible to the House as soon as it is available to me.

I believe that tomorrow did not come for the member for Torrens, but in the meantime the Premier had received his instructions and we know what happened in this case on the day of tomorrow. We saw enacted in the House a drama in which the leading role was taken by the member for Glenelg. It was a drama that was aptly titled by the Leader as a "palace revolution".

Mr. McKee: It stole your thunder.

The SPEAKER: I ask the honourable member not to re-hash a previous debate, but to link his remarks to the Bill.

Mr. FERGUSON: I am trying to connect my remarks with something the Premier said after he had read his prepared second reading explanation. He said:

This Bill would probably not have been introduced at this stage had it not been for a recent unfortunate happening concerning the trust.

I believe this was the opportunity seized on by the Government to implement one of its principles to bring the Housing Trust under the direct control of a Minister. In his second reading explanation the Premier said definitely that the trust would come under the direction and control of a Minister, and he finally said:

It is the aim of this Bill not to interfere in any way with the trust but to ensure that everyone knows what is to happen in the future. Why introduce an amending Bill to bring the operations and administration of the trust under the control of a Minister if it were not necessary for the trust to be interfered with

and controlled by a Minister? If this Bill is passed and the trust is controlled by the Minister in charge of Housing, he will have under his control an establishment that has produced a housing scheme second to none, and which is the envy and admiration of every State of the Commonwealth. The trust has played an important part in the development of this State and has produced houses at a unit cost cheaper than can be produced anywhere in the Commonwealth. I pay tribute to the personnel of the trust, particularly those appointed to the trust on its inception. They have been men dedicated to their job, and were chosen from all walks of life; they have operated unfettered and unhampered by any control, and under their direction the trust has done a magnificent job to produce the housing scheme we have in South Australia. They have applied their knowledge and experience to the task.

Mr. Jennings: And their energy.

Mr. FERGUSON: Yes. I hope that members will oppose the Bill so that its provisions will not operate.

The Hon. Sir THOMAS PLAYFORD (Leader of the Opposition): Perhaps the Treasurer considers that there is something to be gained by undertaking this obligation. I do not believe that this is much different from previous legislation that we have accepted, for instance, concerning the Railways Commissioner. We expected that the Commissioner would be subject to the direction of a Minister. Some advantages exist, in my opinion, in not having an organization such as the trust under the direct control of the Minister. On the other hand, the organization of a Government department is obviously a matter for the Government to decide. However, I personally would repeal this provision and bring the trust back to its present position, because it would effect an administrative improvement.

When the Housing Trust was first established it was completely independent of the Government, but difficulties were quickly encountered in respect of Commonwealth taxation. With fairly heavy duties having to be paid on imported materials, the trust was subject to the payment of duty on those importations. This was the subject of a conference between the Prime Minister (Mr. Chifley) and me, namely, to obtain a formula to enable the trust to be free of that Commonwealth taxation, and at the same time retain its individuality, so that it could raise money on semi-governmental loan, and yet remain as free to carry on its duties as it had been previously. I remember that the formula required the trust at every

stated period to report to the Treasurer on two specific matters: first, the land it had purchased, and the price it had paid for that land; and, secondly, the contracts it had entered into, the person with whom those contracts had been made, and the value of the contracts.

Later on, by courtesy of the trust, it forwarded (and I presume it still does) a list of sales and the hirings of its houses, so that the Treasurer could at any time ensure that everything was being carried out under the established formula. If the trust is brought under the direct control of the Minister, the Loan Council will probably ultimately challenge its eligibility to borrow on the semi-governmental market. Although I believe the Treasurer is satisfied that that point is satisfactorily covered, the Loan Council may ultimately have to be satisfied that the trust is distinct from a Government department. Indeed, I should ascertain that the advice I had received on this matter was in accordance with the Loan Council's requirements. The trust now raises an appreciable sum outside Government circles, and that sum will increase in the future. When the Housing Trust was constituted, it was specifically laid down that it had to be absolutely responsible for the repayment of the principal and interest on all money advanced to it.

Therefore, any loan to the trust by the Treasurer is subject to a debenture, in respect of which the security is taken out. That applies to every loan received by the trust from the State Bank, the Treasury, the Savings Bank or any semi-governmental activity. I believe it is unreal for a department to be subject to the control of a Minister, but for the Minister not to be financially responsible for that department. The anomalous position arises where the trust is responsible for the repayments of all loans, but at the same time has to accept every instruction that may be given by a Minister. I believe that this Bill should contain a clause similar to the one appearing in the South Australian Railways Commissioner's Act Amendment Bill, which states:

Where any direction or proposition given or transmitted in pursuance of subsection (1) of this section adversely affects the accounts of the railways, the Commissioner shall notify the Minister thereof from time to time, and the amount of any loss occasioned by the direction or proposition shall, if certified by the Auditor-General, be paid to the Commissioner out of moneys to be provided by Parliament.

Such a provision would not embarrass the Treasurer. I understand that the Treasurer

is not anxious to become involved in the daily affairs of the trust, but desires the trust to enable him to enunciate a general policy from time to time. Once it is known that the Minister is in charge of the trust, people with any housing troubles will be telephoning the Minister at all hours of the day and night, asking him to examine their problems.

Mr. Jennings: They do it now!

The Hon. Sir THOMAS PLAYFORD: I have been through this and speak with some knowledge of it. Although anyone with a housing problem today goes to the member or to the Minister, that is nothing compared with the concentration of representation that will be made to the Minister if the Bill is passed. All the representations now made to 39 members will go to the Treasurer as Minister of Housing. If I were the Treasurer I would not want a bar of the Bill. As I said before, is it like feeding red meat to a young tiger: the bigger it gets the more it wants. This is a Government department and if the Government has decided that it should be brought more directly under the control of a Minister then that is an internal arrangement by the Government. If the trust is to be financially responsible (and this is the key to successful housing), then it is necessary to protect it against a loss that could conceivably arise from Government policy. I do not intend to oppose the second reading but I shall move an amendment in Committee to clarify the financial responsibility of the trust.

Mr. CUMBE (Torrens): This is an important Bill. As the member for Yorke Peninsula said, this Act has a long history in South Australia. Mr. Horace Hogben, a former member of the House, was largely instrumental in the introduction of the South Australian Housing Trust Act into the House at a time when Sir Richard Butler was Premier. It was largely because of Mr. Hogben's work that the Act appeared on the Statute Book, and it was largely his thinking that initiated this legislation. Mr. Hogben is still a member of the trust. Today the trust is administered by a Chairman and board, and its chief executive officer is Mr. Alex Ramsay. I should say that Mr. Ramsay is a friend of every member of the House and a highly-respected member of the community. The members of the board are also highly respected citizens. The Chairman was, first, Sir William Goodman and is now Mr. Jack Cartledge. Over the years the members of the board have done a good job in providing housing for a worthy type of person in the community, and

have assisted in the expansion of housing in the State. Since 1937 the trust has built thousands of houses throughout the length and breadth of the State. It has extended its activities throughout the metropolitan area and through dozens of country towns. I do not believe any member does not have in his district some trust activity.

Mr. Jennings: How many trust houses are there in your district?

Mr. CUMBE: I have no Housing Trust houses in my district; I do have trust flats. This indicates the scope and extent of trust activity in the State and the influence it has had on the housing of people since 1937.

Mr. Millhouse: Do you think it is desirable?

Mr. CUMBE: I think it is worth while.

Mr. Millhouse: Do you think it is desirable that it should be under the control of the Minister?

Mr. CUMBE: I was pointing out the beneficial effect on the economy of the State achieved by the trust under its present administration. Not only have houses been provided by the thousand for average income earners and for pensioners and people on low incomes: many shops, flats and factories have been built. Since 1937, when the first house was built, the trust has completed 54,790 houses and flats (which is a marvellous record), and 24,891 of these have been houses built for sale. This outstanding record has been achieved by a semi-governmental body and has been carried on in a successful and businesslike way since 1937.

I emphasize that one of the outstanding examples of town planning in Australia was the development and planning of Elizabeth, which has been called a wholly Housing Trust city. In that city the whole of the planning and development has been carried out by the trust under the administration of the board through its executive officer, Mr. Ramsay, and by architects, planners and workmen. Work has been carried on also at Christies Beach. Special housing has also been provided in many areas to meet the needs of industries, and Whyalla is an example of this. Some of these industries may not have been set up if cheap rental houses had not been available in large numbers. All this has been achieved since 1937 under an Act of Parliament that specifically and deliberately separated the administration of the trust's activities from the direct control and the active direction of a Minister. I point out also that, under the Act, the trust's accounts have to be audited by the Auditor-General, who must report to

the House. Further, the trust is required to present to Parliament each year an annual report, along with a balance sheet. It is further required to report direct to the Treasurer and to furnish him each year with a balance sheet and a statement of earnings and accounts.

We find that there is today a direct report and a direct control by Parliament of the activities of the trust through its annual report, which illustrates the number of houses being provided in various categories and in various parts of South Australia, through the fact that it has to report to this House its financial activities, and through the fact also that the Treasurer is required to demand from the trust a balance sheet each year. We have hitherto had this remarkable and outstanding record of house building by the trust. It has often been stated to be the envy of the whole of Australia. I remember (as no doubt many other members remember) that frequently we have had visitors to this State, people who have come from other housing authorities throughout Australia to see why it is and how it is that the South Australian Housing Trust has been able to achieve such a magnificent record of house building and how it has been able to maintain such low economic rentals. One of the things we have been able to point out, up till now, is that this authority is divorced from direct Ministerial control and that we have a semi-governmental organization conducted by a board responsible to Parliament. Incidentally, it operates in the same way as the Electricity Trust board operates to this day.

We are entitled to ask: why this sudden alteration? Why this desire now to bring in a Bill to provide that the Minister shall be responsible for the direction of the trust? There must be some reason for it. Apart from the fact that the present Premier in his last election speech said that it was Labor Party policy to have a Minister of Housing, there must be some other reason, because the member for Edwardstown, upon assuming the portfolio of Premier and Treasurer, also assumed the portfolio of Minister of Housing, and he has occupied that portfolio ever since March of this year. To suggest that the Minister of Housing has no control over the Housing Trust is so much poppycock. I remember vividly (and I was somewhat concerned in this and made some comments earlier in the year in this regard) that the Housing Trust suddenly announced, after the advent to office of the new Administration, that it would not proceed further with plans to build a

multi-storey block of flats on East Terrace. This was obviously a direction from the Minister of Housing, because that was Labor Party policy. I am not arguing with that, if it is the policy, although I am sorry that this project was not proceeded with. But, Mr. Speaker, this was obviously a direction by the Minister of Housing to the trust that the Government preferred to proceed with the £50-deposit type of housing rather than build a multi-storey block of flats, so the Government cannot claim that the Minister of Housing has no active control over the Housing Trust; that is too much to believe. I believe the main reason for this sudden desire to have more active control over the trust is the series of events that followed the sudden rise in Housing Trust rentals a few months ago. In fact, the Premier went so far as to admit this in his second reading explanation of this Bill.

Mr. Millhouse: Do you really think that is the reason?

Mr. CUMBE: I believe what the Premier said when he explained this Bill. He said:

This Bill would probably not have been introduced at this stage had it not been for a recent unfortunate happening concerning the trust.

That concerns rentals, which, as the member for Yorke Peninsula (Mr. Ferguson) mentioned a few moments ago, was sparked off by my question to the Premier on this increase of trust rents, when the Minister of Housing did not know at that time specifically what was going on but at the same time said that he could justify these increases. Then we had the remarkable spectacle the very next day of the member for Glenelg (Mr. Hudson) moving virtually a motion of no confidence in his own Party. I believe that this is one of the things that led up to the introduction of this Bill. Let me further quote from the explanation of the Bill:

The previous Government relied upon a Minister who was recognized as being responsible for the trust's activities.

That is the best compliment I have heard paid to Sir Thomas Playford for many years. I believe that that was a sincere compliment from the Premier, and a tribute to the wonderful work done by the previous Premier. But, Sir, the previous Premier had no active Ministerial control, so I query the real need for this Bill. If this Bill had been introduced to accelerate the rate of house building, it would have had my utmost support. If it had been introduced to provide a more economic rate of rentals it would have had my support. Certainly that would have been welcome, because today

more than ever we must step up the rate of our house building, especially the rate of Housing Trust building, not only in the city of Adelaide but also in many country towns. I mention Whyalla specifically, where hundreds of houses are being built. Also we have to build more in the Christies Beach area and in many other country towns, as well as in the metropolitan area. We must increase the rate of house building to keep up with the influx of migrants and with the demand from many people. We must build more houses to keep up with industry. If this had been the object of the Bill I would have given it complete support. However, I point out that that is not the reason for the introduction of this Bill. Furthermore, I say deliberately that the passing of this Bill will not cause even one extra house to be built in South Australia.

Mr. Jennings: Nor one less.

Mr. CUMBE: It seems from the honourable member's interjection that all he wants to do is to retain the *status quo*: he does not want to progress as a result of building more houses. I have said that, if this Bill had been brought in to increase the rate of house building or to give more economic rentals, it would have had my complete support. However, this Bill will not result in any more houses, and you, Mr. Speaker, know that as well as anyone else here. The member for Enfield asked me earlier how many housing trust houses I had in my district. An hour ago I parked in the driveway of several housing trust flats in my district. I do not know how many there are, just as the honourable member cannot say how many are in his district: he has far more than I have.

The Hon. R. R. Loveday: I bet you don't want too many more.

Mr. CUMBE: The member for Enfield cannot deny hearing me ask questions and advocate on several occasions the building of a large block of trust flats at Gilberton in my district. This project was promised by the previous Government, but the Premier has said that it has now been postponed indefinitely. We are building many more trust houses in Whyalla and we should step up the rate of building. I assure the Minister of Education and the Minister of Lands that this Bill will not give them more houses or accelerate the rate of building. The Premier in his second reading explanation said that the Bill would increase the rate of building.

The Hon. R. R. Loveday: It would be a good idea to speak to the Bill.

Mr. COURCE: The original Act provided that the Housing Trust had the right to float semi-governmental loans (the total amount being subject to the Commonwealth-State Loan Agreement) in exactly the same way as in the case of the Electricity Trust, another semi-governmental body. That is not under the control of the Minister, but two or three times a year it seeks money by way of loans. This provision is in the original Act, but the trust has not entered the money market for many years. As the Leader pointed out, some years ago he successfully negotiated with the late Mr. Chifley (the then Prime Minister) for a special rate at least 1 per cent lower for money devoted to housing, and this has been beneficial to the trust and to the people of South Australia. This power is still in the Act and perhaps one day it may be necessary for the trust to use it.

Perhaps a problem will arise if the trust, with a Minister in direct control, goes to the market for a loan as is the practice in respect of other bodies not under Ministerial control. I do not know how this problem will be solved. I will vote against this Bill. I am interested in the suggested amendment of the Leader, but I do not believe this is beneficial legislation. Other legislation has been introduced for the improvement and advancement of the State and of the people, but those factors cannot apply to this legislation. It is not going to improve the lot of the trust or increase the number of people who will receive houses more easily or more cheaply in this State. It is, in fact, a retrograde step. The present board of the trust is doing a magnificent job in promoting house building, and has assisted industries and many departments, but this Bill will not assist anyone.

Mr. MILLHOUSE (Mitcham): I do not like the Bill, either. The only good thing about it is that it is short. As with most short provisions it is exceedingly sweeping in its terms. It was inevitable that we should have a Bill of this nature introduced, and inevitable that we should get it within a few months of the Government's coming into office. I cannot accept the pretext that the Premier put up in his second reading explanation. I do not believe that was the reason for this Bill: the real reason is that it is and always has been part of the policy of the Australian Labor Party to have a Minister of Housing. When the Government came into office a Minister of Housing was named, but he had nothing to do and was only a name.

I remind the House that the platform of the Australian Labor Party under the heading "Housing"—

Mr. Hurst: Have you a new book?

Mr. MILLHOUSE: Yes, I have. I went to get the amendments made at the last June conference and had to buy a new book. I have bought two now.

Mr. Hurst: You follow that line and you will do all right.

Mr. Coumbe: This isn't one of the free books is it?

Mr. MILLHOUSE: No, it cost me 5s.

Mr. Nankivell: They were going to hand them out free, but we never got them.

Mr. MILLHOUSE: The platform states:

1. A Minister for Housing should be appointed to carry out all the functions of such office.

The whole purpose of this Bill is to give the Minister of Housing such functions to perform in that capacity. The member for Torrens praised the trust, and I agree with him that it has had a tremendous influence, mostly for good. However, it is now by far the largest landlord in the State, and this is a matter which to me is incipiently dangerous. So far, the trust has been an influence for good in the community for two reasons. First, it has been divorced, at least formally, from Governmental control, and that is a good thing.

The Hon. R. R. Loveday: I thought you were keen for Parliament to have control.

Mr. MILLHOUSE: Secondly, it has the outstanding ability of Mr. Alec Ramsay, the General Manager. I often shudder to think what will happen to the trust when, as must happen, he goes. It is for those two reasons I think that the trust has been the good influence that it has. But now the trust is to be subject to the direction and control of the Minister. The Minister of Education can wag his head if he likes, but those are the words set out in the clause.

The Hon. R. R. Loveday: I am being sympathetic for you, that's all. You were shuddering so much.

Mr. MILLHOUSE: I thought the Minister was having difficulty in following me, because I was being so simple. I do not believe it is a good thing for the trust to be subject to the direction and control of the Minister. This is a further step (an inevitable step, as I say, in view of the policy of the Party opposite, which is one of Socialism) towards the socialization of housing in this State, with which I do not agree. The Minister of Education agrees with it, because he is a Socialist,

and he would be the first to admit that. All the members on the Government side are Socialists, and that is the sole objective of their Party, but it is not my objective, for I think it is a bad one. Because this is a step towards that, I oppose the Bill.

Mr. HEASLIP (Rocky River): Like the previous speaker, I do not believe in Socialism. This is the first step towards socialization of an institution, and I know that the Party opposite believes in Socialism. The Housing Trust has been beneficial to the State, not only to the metropolitan area but also, and in particular, to the country area. Houses have been built by the trust in the country more cheaply than would otherwise have been the case. With the taking over of the trust by the Minister, the efficiency that has existed over the last 30 years will be reduced. Any Government enterprise is not as efficient as a private enterprise. Although I know that the trust is a semi-governmental organization, I also know that no need exists for the Minister to take it over for the reasons given by the Premier. The Premier said:

'This Bill would probably not have been introduced at this stage had it not been for a recent unfortunate happening concerning the trust.

When the Labor Party came into power two things occurred that demonstrated the Government's control over the Housing Trust. The first was the decision not to build the block of flats on East Terrace. That demonstrated immediately that the Government had power over the trust, a power it had always had and would have continued to have without the control of the Minister. The trust cannot obtain money, except through the Government. The next thing that occurred (and this was referred to by the Premier) was the proposed increase in rentals. I am sure that the relevant information had been passed on to the Premier, and that he knew all about it. The trust's being under the control of the Minister will not necessarily stop that sort of thing happening. The Bill is a backward and unnecessary step, although I realize that it conforms to a plank of the Labor Party's platform, and to the socialistic system in which it believes. I oppose the Bill.

The Hon. FRANK WALSH (Premier and Treasurer): I think I have taken just about more than is good for anyone tonight. I have always prided myself in never having yet attempted to mislead the House or to tell untruths. The member for Mitcham (Mr. Millhouse) has said that he does not believe

my second reading explanation, but I am not in the least concerned with what he believes. I am concerned only with stating the facts, and when giving the second reading explanation I told the truth. The member for Rocky River (Mr. Heaslip) said I would have known all about the proposed rental increases when I said "No". In fact, I said I believed I could justify what the trust was doing. The information had been given to the member for Torrens.

Mr. Coumbe: By whom?

The Hon. FRANK WALSH: The honourable member read it out of the newspaper; he purchased a newspaper especially, and then asked his question, in reply to which I told the truth. Many matters have been brought into this discussion. We have had historical references, from *Hansard* and from Acts since 1936, from the member for Yorke Peninsula (Mr. Ferguson). I agree with what he says, namely, that the trust was originally established as an efficient organization, and it still is an efficient organization. In relation to the flats that were to be built by the trust on East Terrace, I point out that, if I am any judge, the trust was not conditioned to undertake that work. I believe the Minister of Local Government has already introduced legislation that would give councils the right to erect flats in their areas on their lands with the proviso that they remain the owners of the properties. I hope that one of my colleagues will introduce an amendment to the Local Government Act next year that will give any council an opportunity to build flats wherever it desires in its own area. If the member for Torrens has any worries in respect of flats at Gilberton he can support that amendment. It is not my prerogative to say whether the Leader's amendment will improve the Bill, but if it will assist the passage of the Bill I will ask to suspend Standing Orders so that I can move the amendment and thus assist the Leader.

Bill read a second time.

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

That it be an instruction to the Committee of the Whole House on the Bill that it have power to consider an amendment to provide for the reimbursement of losses in certain circumstances.

Motion carried.

In Committee.

Clauses 1 to 3 passed.

Clause 4—"Ministerial control."



The Hon. FRANK WALSH moved:

After "3a" to insert "(1)"; and to insert the following new subsection:

- (2) Where any direction given in pursuance of subsection (1) of this section adversely affects the accounts of the trust the Chairman shall notify the Minister and the amount of any loss occasioned by any such direction shall, if certified by the Auditor-General, be paid to the Chairman out of moneys to be provided by Parliament.

The Hon. Sir THOMAS PLAYFORD (Leader of the Opposition): I thank the Treasurer for his courtesy in moving this amendment, which needed to be moved by a Minister. The amendment means that the trust must still be completely responsible for the financial servicing of its debts, and when it gets money from the Minister it will still have to pay principal and interest. That is extremely necessary in a function of this type. I do not think this provision will embarrass the Treasurer for I doubt whether he will wish to be involved in money matters in this connection. I support the amendment.

Amendment carried; clause as amended passed.

Title passed.

Bill read a third time and passed.

#### STATUTE LAW REVISION BILL.

Adjourned debate on second reading.

(Continued from October 13. Page 2138.)

Mr. NANKIVELL (Albert): This Bill amends 19 Acts, hence its name. There is nothing new about this principle, and we cannot criticize the practice because it was used by the previous Government as recently as 1957, and it is a fairly straightforward way of doing things. However, there is one thing about it that is not straightforward. If a person wants to find out how the Acts are amended, he cannot always be sure that the Acts he is looking at have been brought up to date. For instance, we do not know that an amendment has been made to a particular Act, because it does not show in the files. This criticism was made in another place. The problem with this is that the indexing is not such that one can make sure that all legislation one sees on the Statute Book is fully amended.

We have legislation before us indicating that there is to be a consolidation, and I can only hope that the consolidation moves fast enough to catch up with these amendments before they in turn are out of date, because most of us have had experience in trying to

find the most recent edition of a particular Act. If we get a reprint, we are all right, but if we have to refer to the Statutes as printed we can easily find, unless we get an annotated copy, that we are not up to date with a particular Act.

This Bill repeals the Sand Drift Act, which I think might well have been repealed about 20 years ago, because, with the introduction of the Soil Conservation Act in 1939, the Sand Drift Act was completely superseded, and I doubt very much whether any council that has wished to take action to prevent or control sand drift has actually resorted to the Sand Drift Act in that time. The Soil Conservation Act is a far better one: it is more comprehensive; it places the powers in committees which are fairly universally distributed, and this is a far better way of dealing with the problem. It was introduced, of course, at a time when it was most necessary to have something of this nature. Most of us who know anything of the Murray Mallee lands are aware that serious soil drift problems developed in that country as a consequence of inexperience in farming that type of land. These systems of farming have changed, because we have learned much. I notice that the Minister of Lands is showing some interest in this matter. I suggest that he look closely at his Marginal Lands Act, because I believe that Act is another one that has served its purpose. A considerable area in the Murray Mallee, particularly, could now be brought in to production.

The Hon. G. A. Bywaters: That would apply to pastoral lands, too.

Mr. NANKIVELL: Yes. These Acts were introduced to meet certain circumstances. They have met those circumstances, and if we do not require them any longer they should not be left on the Statute Book just cluttering up the pages. I think the repeal of the Sand Drift Act is a wise move, and therefore I raise no objection to it. I also support the repeal of the Travelling Stock Waybills Act. Here again, we have an Act that was devised and thought to be foolproof.

The Hon. G. A. Bywaters: It was catching the wrong people.

Mr. NANKIVELL: Yes, the honest man was getting caught because he forgot to have a waybill filled out. The intention of this was more specifically related to the movement of stock by droving, not by motor transport or any other form of movement such as the railways, which, of course, we must not overlook at this time. The fact that stock is now

moved in large numbers by fleets of vehicles makes it difficult to keep waybills and have them up to date. I wholeheartedly support the intention to introduce a system whereby a police officer can stop a vehicle and challenge the driver of that vehicle to say where the stock came from and where it is going, and then counter-check to see whether the information he receives is correct. I consider that this is bringing the legislation up to date, and I have no doubt that this is a wise move.

The Hon. G. G. Pearson: You are not suggesting that a problem does not exist, are you?

Mr. NANKIVELL: No, nor do I suggest that there is any system that we can adopt to prevent the illicit movement of stock. This movement of stock at night is prevalent in the South-East, and it is being currently investigated. When foot-rot controls were being policed, much of this illicit movement of stock was detected. These movements do take place at night, and if these people are not apprehended it makes little difference whether or not they have a waybill; but now if we apprehend them they have to account for their movements, and no false waybill will get them out of their difficult situation. A problem certainly exists, but I believe the suggestion of the Commissioner of Police that those people should be dealt with in this way will possibly result in a simpler way out of the situation than the way we attempted to solve it under the old scheme.

One or two other things are altered in this Bill. I was interested to hear of the interest of the Minister of Education in this question of operative dental assistants. I believe there is one of these licensed people in the Minister's district. This amendment to enable a licensed operative dental assistant to practise without the oversight of a dental surgeon does not introduce a very sweeping power. I believe there are only four such people licensed and that only two of them are operative. This is something that is currently going out of usage. There is an interesting facet that can be tied in more to the amendment of the Nurses

Registration Act, which refers to dental nurses and the licensing or acceptance of dental nurses by the board. This will all be tied up with the present Government's sound proposals to introduce a dental nurse assistant or an operative dental nurse scheme for school-children whereby these nurses, operating under the supervision of a qualified practitioner, can help meet the situation that has been aggravated by a shortage of fully trained personnel. This scheme has been introduced and is operating in New Zealand, and I understand that other States of the Commonwealth intend to follow the lead. The amendment to the Nurses Registration Act requires the insertion of the word "dental" before "nurse" at one point, and the fact that the licensed operative dental assistant is to be allowed to operate while not under supervision can open up a field so that these people can practise by themselves. I understand that this will make the present practice at Whyalla legal. Other minor amendments are made, one of the most important (certainly to the Minister of Marine) being aimed at people who pollute the waters around the coast. Now, the agent as well as the owner or ship's captain can be asked to meet the cost of removing certain pollution that can occur from the discharge of cargoes. I support the Bill.

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

#### PARLIAMENTARY SUPERANNUATION ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from November 25. Page 3191.)

The Hon. FRANK WALSH (Premier and Treasurer): Members will recall that, while a conference with another place was being held recently, the second reading speeches were made on this Bill. I ask members to support it.

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

#### ADJOURNMENT.

At 9.31 p.m. the House adjourned until Thursday, December 2, at 2 p.m.