HOUSE OF ASSEMBLY

Tuesday, October 10, 1967

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

QUESTIONS

SUNDAY ENTERTAINMENT

Mr. HALL: My question refers to statements made by prominent churchmen concerning the Government's intention to introduce a Bill dealing with Sunday activities. In view of those statements, one of which is to the effect that "the church representatives have had no chance to sit down and discuss matters with the Government", I ask the Premier what contact he or any other member of his Government has had with church leaders in South Australia concerning any change in the control of Sunday activities.

The Hon. D. A. DUNSTAN: Having written to the Bishop of Adelaide on June 19 last, I think it will be useful for members to have the complete information concerning the contents of that letter. I had previously discussed with the Bishop the matter of referring through him to the church leaders of South Australia a number of questions that would be of interest to them. The leaders of the churches in this State meet in committee under the Bishop's chairmanship to discuss matters of mutual interest. Following the conversation that I had with the Bishop, I wrote to him in the following terms:

My Lord,

Following my conversation with you the other evening, I should be grateful if you would place before a meeting of the heads of churches in South Australia, the problem of Sunday entertainment, and request their views on the future course which Government should take. The Government has previously set its face against any entertainment on Sundays which involved charges for admission or the making of some commercial profit. To some extent this policy was relaxed by allowing recognized church groups to run entertainments on Sundays in places of public entertainment provided that there was no charge for admission. The Young Christian Workers, the Service to Youth Council and other like organizations have made considerable use of this facility. We have recently, however, had a great deal of pressure upon Government to allow commercial entertainment on Sundays. Members of sporting bodies have sought that they be allowed to use the major sporting fields and to charge for admission. The Amateur Athletics Association and various football associations have sought to run matches on Sundays and charge for admission, too. So far, the Government has not been prepared to accede to this request.

Under an amendment to the Places of Public Entertainment Act, cabaret licences can be granted in South Australia, and this allows cabarets to operate on all nights of the week including Sundays. While we have endeavoured to stop cabarets from operating on a basis of a charge for admission, there merely being a charge for food which would cover the price of any entertainment offered, this section of the Places of Public Entertainment Act has proved difficult to operate, and has so many loopholes that it is clearly going to be very difficult to help the present situation. At the same time, there is no provision in the law which prevents Sunday entertainment in hotels other than that numbers of these have not obtained licences under the Places of Public Entertainment Act. It will not be possible for us to prosecute hotels for holding entertainments on Sundays other than by closing all entertainment and hotels which would so far cut across established custom as to be unenforceable in the community. At the moment we are keeping a hold on matters by agreement only with the Australian Hotels Association, but it is by dint of moral suasion rather than by force of law.

The Government is now facing two pressures: one is from those who, while complying with the law, are aware that there is a widespread demand for entertainment on Sundays and who are not going to continue to comply with the Government's wishes for very long when they can see that others are able to make use of the loopholes in the present law and conduct entertainments on Sundays for commercial gain. The other is that there is a continued claim by social workers that in a developing and affluent society, the younger generation requires some more entertaining activities on Sundays than are at present available, and that it is preferable that there should be organized and controlled entertainments on Sundays rather than that the field be simply exploited by those who will use loopholes in the law under unsatisfactory conditions, or that the younger people simply become bored in such a way that mischief and graver forms of delinquency occur simply because constructive and more useful activities acceptable to them are not available.

I should be grateful for the views of the churches on whether after 12 noon on Sundays we should be prepared to allow activity on sporting grounds with charges for admission, in picture theatres with charges for admission, in licensed places of public entertainment, either in dancing or in cabarets, with charges for admission, or whether we should allow licensed clubs and hotels to conduct entertainments in their licensed diningroom facilities with a cover charge on Sundays, and in the case of any of the above, whether these activities should be restricted to certain approved purposes for charities or sporting bodies, or should be generally allowed.

I realize that this suggestion involves a substantial departure from what the community at the moment is paying lip-service to, but I would emphasize that it is very difficult under the present state of the law to help the present situation which is steadily deteriorating as a result of what is clear public demand.

As you are aware, large sections of the Licensing Act have for many years been honored in the breach rather than the observance, and it is apparent that unless there is a revised standard in the law applicable to Sunday activity, the law will be flouted and it will be extremely difficult effectively to enforce it.

I then received a letter from His Lordship saying that a meeting of the heads of churches had been held, that they would consider the matter that I had put to them, and that, if it were possible, they would formulate a policy acceptable to all. In addition, His Lordship said:

> The heads of churches asked me to express to you their deep appreciation of your having consulted them on this matter and to assure you that they will give the most serious consideration to it in the hope that they may be able to provide you with a clear statement of their agreed opinion upon it.

That reply was dated June 21 last. The Bishop later wrote to me and asked for further time. I asked then that the submission of the churches be made to Government, if possible, by the end of September. On September 21 I received, through the Bishop, the submissions of all churches except the Presbyterian Church. It was clear that it was not possible for a submission to be drawn up that would represent the views of the churches as a whole, because there were different views on the matter. Therefore, the submissions of all churches except the Presbyterian Church were forwarded to me then. In my previous letter to the Bishop I pointed out that I asked for these submissions so that a Bill could be drafted in time for presentation in this session, and that was known to the heads of all churches in the State in August last.

It has been the view of the Government that there should not be radical changes in this area, because many social changes have been made in the past two and a half years, and it is considered desirable, as far as possible, not to make too radical a change in the habits of the community. However, because the cabaret sections of the Places of Public Entertainment Act have presented this Government with so many problems and also because of the wholesale evasions of the Act that are now taking place, involving grave problems of public safety, the Government decided that it would have to take action during this session to tighten up the Places of Public Entertainment Act. Inevitably, because of the position regarding the cabaret sections, that would involve dealing with the question of entertainment on Sundays. It is not possible to deal with that Act without considering the matter of entertainment on Sundays, and that is why at the beginning of this session I wrote to the heads of the churches asking for their assistance and guidance about what Government should do. There can be no suggestion that this has been done hastily or ill advisedly. The fullest information has been given to the heads of the churches: they have been taken fully into the Government's confidence. I am extremely grateful for the consideration they have given the matter and I am somewhat astounded that, in view of the approach to the churches, for which I was specifically thanked by the Bishop on their behalf, and about which motions have been carried by most of the church organizations in South Australia thanking the Government for its courtesy to them, we should now see the kind of propaganda that has been reported in newspapers in the last few days.

Mr. MILLHOUSE: As I understood the purport of the Premier's reply, there is a difference of opinion between the various churches on what, if anything, should be done on this matter. I understand from the Premier that he has had a reply from the Lord Bishop of Adelaide as chairman of the meeting of heads of churches. Can the Premier say whether he has had replies expressing the various views of the individual churches so that he is in touch with all shades of opinion on the matter? As I understand the comments that have been made since the Premier's announcement in this House last Thursday, they relate to the speed with which any change in legislation will now have to be made in this State because of the approaching end of the session. Therefore, in view of the comments that have been made, which have gone to this point rather than to the substance of any changes (changes as yet not widely known), does the Premier intend to restrict any changes to matters concerning cabarets (I think he referred to measures such as that) and to leave wider questions to be determined later, or does he intend to ask the two Houses to sit rather longer than has been rumoured so that more time will be available for public discussion on these important topics?

The Hon. D. A. DUNSTAN: I should hope that the session would finish in reasonable time. I have not yet set an end to the session, and I should think that there would be time for ample discussion on the matters in question. I have had submissions from all the churches, except the Presbyterian Church, setting forth their views. Overwhelmingly the churches' view was that, with some minor

modifications, at least the provisions of the recent Tasmanian Act on Sunday observance should be allowed. Specifically, the Methodist Church in South Australia accepted that proposition in principle and, since those submissions were made in the knowledge that they were designed to be the basis of a Bill to be introduced this session, I am extraordinarily surprised that the comments made in the last two days should have been made.

WATER SUPPLIES

Mr. BROOMHILL: I noticed in the *Advertiser* recently a report by Mr. Stewart Cockburn suggesting that, if local water restrictions were not imposed at this time, because of the effects of salinity on our river water supply the water could soon become unusable in our local supply and the salt content of water could damage home gardens. Has the Minister of Works seen this report and, if he has, can he comment on it?

The Hon. C. D. HUTCHENS: I have seen the report, as has the Director and Engineer-in-Chief. We viewed it with so much concern that we conferred on Sunday so that the Director might give me a detailed report on the matter before he left for the meeting of the River Murray Commission this morning. His report states:

The leader page article of the *Advertiser* of Saturday, October 7, by Stewart Cockburn takes up earlier statements by the Hon. Mr. Kemp, M.L.C. The inference of the matter as printed is that present policies are almost maliciously wrong and that restrictions now could save metropolitan gardens from later salt damage. The submissions are right in that they stress the sensitive conditions of river supply during the coming summer. At present, the salinity at Lock 9 is about 250 parts a million chlorides, and this means difficulty by the time this water reaches as far as Waikerie, with the increase that occurs along the river channel. Any degree of improvement that can be obtained is difficult to forecast, but every endeavour will be made to have the operation of the river system controlled, with salinity levels given top priorities. The dissipation of slugs of saline water already encountered has left Lake Victoria water at about 200 parts a million and not available to give effective dilution.

This coming summer is likely to be a difficult one on the Murray River, with water quality a matter of continuing concern. In the metropolitan area any decline in the quality of Murray River water will affect consumers, some of whom receive Mannum-Adelaide water direct, others as a mixture with reservoir waters. In the western suburbs there is already the use of bore water at salinities greater than the normal reservoir-river quality. To apply restrictions, as a solution to metropolitan problems set out in the article, would not attain the objective set. If pumping from Mannum were stopped in January the only restriction level that could maintain supply would be a complete ban on all watering of gardens and recreational areas, and other water uses would need to be severely curtailed. This is a level of restriction not achieved since 1914. The present campaign to make all consumers aware of the need for care will succeed if the decrease in use is of the order requested. Should the disaster suggested by the Hon. Mr. Kemp materialize the main trouble will be in the irrigation areas.

The Hon. Sir THOMAS PLAYFORD: I have asked several questions about the problem of the salinity of the Murray River in this year of low flow. Has the Minister obtained a report from the Director and Engineer-in-Chief, who is a member of the River Murray Commission, on the seriousness of the position and can he say whether it can be achieved?

The Hon. C. D. HUTCHENS: Following the questions asked by the honourable member I have spoken to the Director and Engineer-in-Chief, and he has informed me that the position as regards the quality of water entering South Australia is far from good and, unless heavy late rains fall in the Central Murray catchments, it is expected that the quality will not improve but will further deteriorate as the season progresses. The catchment above Albury contributes more than one-quarter of the total flow in the system, and this year the inflow from this area is only two-thirds of the previously recorded lowest in 1914. This has the effect of lower than normal flows in the central region which in turn leads to an increase in salinity. Consequently, the average salinity of the water entering South Australia is higher than normal, even apart from the isolated "slugs", and, with the restricted flow in force, the figures farther down the river will be higher still.

With coincident low storages under these conditions there is no water of any magnitude to allow quality control by flushing and, therefore, the position is very serious and must be recognized as such by irrigators. The River Murray Commission is extremely conscious of the problem but, at present, does not have the water available in storage to control a situation that developed because of prolonged condition of drought. The last three years have seen a progressive deterioration of water resources. The season is a critical one, and will demand the most careful farm management by irrigators to ameliorate the damage from the high salinities expected.

The Hon. B. H. TEUSNER: Last week I asked the Minister of Works a question regarding proposed water restrictions in the Barossa Valley, and I understood from his reply that departmental officers would visit the Barossa Valley last week to confer with the executives of the Barossa Valley Branch of the Market Gardeners' Association. Can the Minister now say whether his officers have conferred with representatives of that organization and, if they have, how successful were the deliberations? Also, can he now say whether an appeal will be allowed against the quotas that may be fixed in respect of market gardeners, and whether the department will permit the accumulation of two months' unused quota water, which was permitted in the late 1950's when restrictions were last imposed?

The Hon. C. D. HUTCHENS: I understand that Mr. Thomas of the Engineering and Water Supply Department visited the area and met members of the committee on Thursday evening. As yesterday was a public holiday, it has been difficult to obtain a report in time for today's sitting. However, I have sent the honourable member's question to the departmental officer asking for an urgent reply, and I expect to have that tomorrow.

Mr. QUIRKE: Has the Minister of Works a reply to the petition of White Hut residents that I forwarded to him concerning a small water scheme for the area?

The Hon. C. D. HUTCHENS: The Director and Engineer-in-Chief reports that the provision of a water supply for White Hut is at present being investigated by the department, and he expects to submit his report soon.

Mr. McANANEY: Certain statements have been made about the salinity of Lake Alexandrina and Lake Albert, including an estimate of how the salinity of the lakes will increase perhaps threefold because of evaporation. I believe that, in making such an estimate, the people concerned overlook the fact that a large quantity of reasonably fresh water is already present in the lakes. Will the Minister of Works ascertain the volume of water at pool levels in the Murray River between Blanchetown and Wellington, as well as in Lake Alexandrina and Lake Albert?

The Hon. C. D. HUTCHENS: Although I think that a threefold increase in salinity is rather an exaggeration, I do not minimize the seriousness of the salinity problem this year. However, I shall call for a report and inform the honourable member when it is to hand.

Mr. QUIRKE: Has the Minister of Works a reply to my recent question regarding a proposed water scheme between Clare and Auburn in which I submitted that the Whyalla and Warren mains could be linked together and could serve the intervening country?

The Hon. C. D. HUTCHENS: The Director and Engineer-in-Chief of the Engineering and Water Supply Department has supplied the following progress report:

The scheme referred to for a water supply from Clare to Leasingham or Auburn has been referred to the Regional Engineer, Central, who has commenced preliminary studies of the problem. However, with the present dry seasonal conditions, he and his staff are considerably involved in administering the water restrictions which have been imposed in areas served by the Warren reservoir, but a report on the proposed scheme will be forwarded as soon as possible.

The Hon. B. H. TEUSNER (on notice):

1. How much water was held by the Warren reservoir on the last day of March, June, September, and December, in 1966, and on the last day of March, June, and September of this year, respectively?

2. How much water from the Warren reservoir was discharged into the South Para and Barossa reservoirs during each of the years ended September 30, 1966 and 1967, respectively?

3. How much water was discharged into the Warren reservoir from the Mannum-Adelaide main during each of the quarters ended the last day of March, June, September, and December, 1966, and March, June, and September, 1967, respectively?

4. What is the maximum quantity of water that can be discharged weekly into the Warren reservoir by boosting from the Mannum-Adelaide main?

5. What was the average weekly quantity of water discharged into the Warren reservoir from the Mannum-Adelaide main since September 1, 1967?

The Hon. C. D. HUTCHENS: The replies are as follows:

1. Water storage in the Warren reservoir in 1966 and 1967 is tabulated as follows:

	1966 m.g.	1967 m.g.
March 31	251	402
June 30	247	405
September 30 ..	1,401 (full capacity)	696
December 31 ..	950	

It should be noted that until July 23 the storage in 1967 was greater than in 1966 at comparable dates.

2. No water from Warren reservoir was discharged into South Para and Barossa reservoirs in either 1966 or 1967.

3. The quantity of water transferred from the Mannum-Adelaide main to Warren reservoir for the quarters of each year 1966 and 1967 was as follows:

Quarter ending	1966 m.g.	1967 m.g.
March 31	367	206
June 30	239	367
September 30	104	394
December 31	Nil	394 (proposed)

Without relief by natural intake it is proposed to transfer water continuously, and it is estimated that 394,000,000 gallons will be transferred in the quarter ended December 31, 1967.

4. The maximum quantity of water which can be transferred weekly from the Mannum-Adelaide main to Warren reservoir is 30,000,000 gallons.

5. The average quantity transferred weekly since September 1 has been 30,000,000 gallons.

GRAPES

Mr. CURREN: I understand the Minister of Agriculture has a reply from the Grape Industry Advisory Committee on my suggesion that he refer to the committee several points for its members' information.

The Hon. G. A. BYWATERS: The Grape Industry Advisory Committee held its second meeting on September 13, 1967, as soon as the newly arranged vine and wine statistics were released from the Commonwealth Bureau of Census and Statistics. An earlier meeting of the committee would have been worthless because the necessary facts on which recommendations must be based were not available. The committee has drawn up recommendations on vine planting requirements, based on these new statistics. The resulting document is at present in circulation to members of the committee for checking. It will be presented to the Minister together with the first annual report of the committee's activities, before November 1 next. The consideration of a crop-estimating service has not previously been suggested to the committee. This information is also in reply to a question by the member for Angas.

HIGHBURY SEWERAGE

Mrs. BYRNE: My attention has been drawn to an area at Highbury that has been omitted from the approved Highbury and Hope Valley sewerage scheme (I refer to certain allotments facing Reservoir Road, Teal Street, Edmund Road, and Fraser Street). A constituent of mine received correspondence from the Engineering and Water Supply Department on March 21 last confirming this statement, and subsequent inquiries reveal that the streets mentioned, although not included in this scheme, appear to be included on the map that has been given to me. Will the Minister of Works say whether what I have outlined is correct and, if it is, will he have the matter examined with a view to including the area concerned in the approved scheme, particularly as this area abuts the Hope Valley reservoir catchment area?

The Hon. C. D. HUTCHENS: Although I cannot definitely say whether what the honourable member has outlined is correct, I point out that this morning Cabinet approved further work to be carried out in her district in regard to sewerage. I will certainly have the matter investigated and let the honourable member know in due course.

HANSARD PROOFS

The Hon. D. N. BROOKMAN: Has the Treasurer a reply to the question I asked during the Budget debate whether *Hansard* proofs could be produced in a more convenient form than the form in which they are at present produced?

The Hon. D. A. DUNSTAN: I am informed by the Government Printer that galley proofs are 25in. long, an even cut-out of a full sheet of paper, and proofs are pulled on two special machines, on the spot, direct from the typesetting machines. Over 100 proofs are made from each galley for Ministers, each member of Parliament, certain Government departments which are required to give information for Parliament, and the Leader of *Hansard*, for checking any alterations and corrections that may be necessary. Additional labour and overtime would be required if the galleys were to be made up into page form. This would necessitate printing on larger machines in a separate department, which would considerably delay the delivery of proofs.

PUMPING STATION

Mr. NANKIVELL: Has the Minister of Works a statement to make about contracts for the Tailem Bend to Keith pumping station, which is to be situated at Tailem Bend?

The Hon. C. D. HUTCHENS: The honourable member, together with the Minister of Agriculture, having shown much interest in this scheme, I shall read the following minute, which was forwarded to me and which I duly approved:

Tenders were called for the supply of pumping station equipment in the Tailem Bend pumping station in connection with the major water supply scheme known as the Tailem Bend to Keith water supply. Four tenders were received for this plant, but no recommendation was made because of the various difficulties which arose in regard to this project. As a result of the overall delay in the project, it will now be possible to use pumps which will become surplus from the Morgan-Whyalla No. 1 pumping station when the new pumps have been installed in the pumping station now being constructed at Morgan to supply water through the duplicated Morgan-Whyalla main.

It will be necessary now only to purchase electric motors and switch gear, which, in conjunction with the existing pumps referred to above, will be satisfactory for installation in the Tailem Bend pumping station. Approval is therefore recommended to cancel the call for pumping station equipment under contract 8/66, to inform all tenderers of this fact, and to prepare a new specification and call tenders for the supply of electric motors, switch gear and the installation of the existing pumps *ex* Morgan-Whyalla main in the Tailem Bend pumping station. By this means not only will the department save a considerable amount of money in the purchase of pumping station equipment but will also be able usefully to employ sound large-pumping units becoming surplus as a result of the duplication of the Morgan-Whyalla main.

THEVENARD HARBOUR

Mr. BOCKELBERG: Has the Minister of Marine a reply to the question I asked on September 26 last about the Thevenard harbour?

The Hon. C. D. HUTCHENS: I point out that the Marine and Harbors Department has well prepared programmes and that the matter to which the honourable member referred would have been submitted to the Public Works Committee ere this except for a slight complication. However, as soon as that complication is overcome, I shall be pleased to give the honourable member what I think will be a pleasing report.

CHOWILLA DAM

Mr. COUMBE: As I understand that the Director and Engineer-in-Chief (Mr. Beaney) is now in another State attending a meeting of the River Murray Commission, can the Minister of Works say whether the Chowilla dam project is on the agenda of that meeting? When Mr. Beaney left to attend the meeting, did he receive any instructions or directions from the Government concerning the Chowilla dam and, if he did, will the Minister say what they were?

The Hon. C. D. HUTCHENS: Although I conferred with Mr. Beaney as late as Sunday about the agenda of the meeting, I regret that, as we had not received an agenda at that stage, we did not know precisely what was to be discussed at the meeting. We knew only, as a result of a telephone communication, that the problem of salinity would be discussed. However, I think it is unlikely that the Chowilla dam project will be discussed at any length, because at the last meeting of the commission work on the project was deferred pending an inquiry to be undertaken by a technical committee, and the commissioners have been informed that that committee's report is unlikely to be available before December next.

Mr. MILLHOUSE (on notice):

1. Upon what motions were votes taken at the meeting of the River Murray Commission at which deferment of the Chowilla dam project was agreed?
2. How did the South Australian representative vote on each of such motions?

The Hon. C. D. HUTCHENS: The replies are as follows:

1. This information is not available, as the proceedings of the River Murray Commission meetings are not made public.
2. This was replied to in the House on Thursday, October 5.

GLENCOE ROAD

Mr. RODDA: My question relates to the Kirip road at Glencoe which, as the Minister of Lands will know, is the boundary between our districts. This road is used by schoolchildren in all weathers throughout the year and by milk lorries travelling to Glencoe and, with the extended afforestation programme that is taking place in the area, the road is becoming an inportant one generally for people travelling to and from Glencoe. I know that Councillor Burston has made strong approaches to have the road sealed. Will the Minister of Lands impress on the Minister of Roads the need to seal this road?

The Hon. J. D. CORCORAN: It sounds as though the honourable member attended the Glencoe Show yesterday. I shall be happy to take up the matter with my colleague, to add my support to the honourable member's request and to obtain a report for him.

DERAILMENTS

The Hon. Sir THOMAS PLAYFORD: Has the Minister representing the Minister of Transport a reply to my recent question in which

I requested a report concerning the recent derailments, particularly on the line between Adelaide and Melbourne, and in which I asked whether any particular reason existed for the derailments and whether any action could be taken to prevent them?

The Hon. FRANK WALSH: The track between Adelaide and Serviceton is in a safe condition for traffic at authorized speeds. Since January 1, 1967, there has been a total of seven derailments, either on this main line or on sidings but resulting in a blockage of the main line. They may be classified as follows: safeworking omissions, three; structural failure in rolling-stock, one; uneven distribution of load by consignee, assisted by minor track irregularity, one; high centre of gravity of loading, associated with track irregularity, one; and cause still to be determined, one. None of the above derailments was associated with a passenger train, nor with a passenger vehicle. During the period under review there would have been about 6,000 train movements between Adelaide and Tailem Bend, and 3,800 between Tailem Bend and Serviceton. The corresponding vehicle movements would have been 142,000 and 113,000 respectively.

SHEOAK LOG ELECTRICITY

Mrs. BYRNE: Has the Minister of Works a reply to my question of September 19 about the replacement of the existing single-phase electricity supply at Sheoak Log with a three-phase system without additional charge to the consumers?

The Hon. C. D. HUTCHENS: The General Manager of the Electricity Trust reports that Sheoak Log is at present supplied with electricity by a single wire earth return line. This line, although adequate to supply all the existing requirements of the nine consumers served by this extension, is not capable of supplying the additional equipment that Messrs. L. R. and M. P. Ahrens wish to install. On the other hand, the amount of electricity that this equipment would use is not sufficient to justify the expenditure required to construct a three-phase supply. The trust now has more than 8,000 miles of single wire earth return line in operation and a similar position has at times arisen elsewhere in the State. In these cases the trust will consider the construction of a three-phase supply if the consumer will contribute towards the cost. The trust is obliged to treat alike consumers in similar circumstances and, therefore, cannot provide a three-phase supply free of charge in this case. It will, however, be pleased to provide a quotation for the conversion, if requested.

CHRYSOPRASE

Mr. MILLHOUSE: My question concerns the mining of chrysoprase at Musgrave Park. I remind the Minister of Aboriginal Affairs that he answered a question on this matter which had been asked on August 31 by, I think, the member for Port Pirie, to the effect that things were going fairly well but that he was to visit the area subsequently and would then give the honourable member further information. So far as I have been able to check, no answer has been given in this House since that time. As I understand that while the Minister was at Musgrave Park the staff member responsible for the mining of chrysoprase resigned, I should like to ask the Minister whether, in fact, this was so and, if it was, what reasons obliged the staff member to resign. Further, can the Minister, as a result of his visit, give more information on this matter than he gave earlier?

The Hon. R. R. LOVEDAY: The Aborigines at Musgrave Park are mining chrysoprase at Mount Davies, but no mining was proceeding when I flew around that mountain, because most of the Aborigines were at a corroboree at Warburton. That is why I did not land at Mount Davies. Cutting and polishing has been proceeding in an elementary way with a small amount of equipment. It has not reached the stage yet where there is any appreciable quantity for sale. I understand that the chrysoprase is being sold to Hong Kong as it is mined. There is no difficulty in selling it, and the returns are good. True, the officer to whom the honourable member refers has resigned, for his own reasons. Beyond that, I do not think there is anything I can say about the matter.

WATER RATES

Mr. McANANEY: Landholders in the Brinkley area, which is one of the areas most affected by drought, are this year faced with an increase in land tax assessments and also with the quarterly system of water rate payments. As a result, the landholders have to make two or three payments before they would otherwise have been obliged to do so. I think that the rates were previously paid in March. However, this year some of these people are having difficulty in meeting the accounts. Will

the Minister of Works consider granting extensions of time, because of the special circumstances, so that the landholders may be able to get a small harvest (although even that is doubtful at present) and thus be better able to meet the payments?

The Hon. C. D. HUTCHENS: If the persons concerned make applications to the department for deferment of payments, the applications will receive consideration. Each case will be determined on its merits.

MEAT PRICES

Mr. RODDA: During the weekend I spoke to some lamb producers in the South-East who were concerned about lamb prices. A report in today's newspapers refers to lamb for sale in shops being too expensive. Mr. D. C. Cowell (Chairman of the State Lamb Committee) urges housewives to shop around and to change their butcher if he is over-charging. The report says that producers are getting from 13c a pound to 15c a pound for lamb, whereas butchers are charging from 42c a pound to 58c a pound. That is a big margin, and leg chops and chump chops have been marketed for as high a price as 64c. Despite the bad conditions, many good quality lambs are available in parts of the South-East, but these lambs are not moving at sales. The situation seems serious when the home market is forced to shop around because of the high prices that butchers are charging. Although I am not being so rash as to ask the Minister of Agriculture to invoke the Prices Act, I draw his attention to the fact that cheaper meat is available and, as I consider that housewives should have the benefit of it, can he comment on the present position?

The Hon. G. A. BYWATERS: True, we have a Prices Act, but the retail price of meat is not controlled, although the Prices Commissioner can invoke control at any time if he so desires. I shall take this matter up with the Commissioner, who frequently checks meat prices. Personally, I consider Mr. Cowell's suggestion that housewives should shop around to be quite valid.

POULTRY

The Hon. D. N. BROOKMAN: Can the Minister of Agriculture say what has been the outcome of the request for Government assistance for the South Australian Poultry Marketing Co-operative?

The Hon. G. A. BYWATERS: This matter is being investigated at present and discussions are taking place between the parties.

MARKET TRADING

The Hon. SIR THOMAS PLAYFORD: Legislation passed last year provided for the gazettal of regulations about the trading times of wholesale fruit markets in South Australia. Some time ago I asked the Minister of Agriculture when such regulations were expected to be gazetted, and he said that he expected finality to be reached soon. I noticed with some concern that at the annual meeting of the Fruitgrowers and Market Gardeners Association this week adverse comment was made that no regulations had been gazetted and that the position was becoming more chaotic. Does the Minister expect to gazette the necessary regulations soon?

The Hon. G. A. BYWATERS: At present the Crown Solicitor is preparing to draw up the necessary regulations and, as I marked this matter as urgent, I hope that these regulations will be drawn up as quickly as possible. The matter of these regulations was not as easy as I first expected. Some complications existed, but I believe that satisfactory arrangements have now been made. Last week I met representatives of the two marketing companies and I have spoken to the Secretary of the Fruitgrowers and Market Gardeners Association, also with the Town Clerk of the Adelaide City Council. Mr. Miller (Chief Horticulturist) has done much work on this problem in order to arrive at a conclusion satisfactory to all concerned.

EMERGENCY HOUSEKEEPER SERVICE

Mr. MILLHOUSE: Recently, I have asked the Minister of Social Welfare several questions about the emergency housekeeper service, and I understand he now has a reply.

The Hon. FRANK WALSH: It has been customary to consider the standard charges made by the department to householders for the services of emergency housekeepers when the latter receive wage increases. Based on the rates of pay determined from July 11, 1966, the standard charge was fixed at $5.50 daily or $38.50 weekly. There was a wages increase from February 6, 1967, but the standard charge was not then varied. There was a basic wage increase from July 3, 1967, and the standard charge was then fixed at $5.75 daily or $40.25 weekly. Except for cases specifically assessed the new rates have been applied to all cases where arrangements were made after the increase was fixed.

When the honourable member asked these questions that aspect had not been brought to

my attention. However, resulting from a discussion with the Director of Social Welfare on October 6, 1967, it was agreed that the Minister would be informed of any intended increases prior to their becoming effective. It had been customary for the department to carry on without any direction from the Minister.

I now reply to questions that were asked during the Budget debate. Of those who used the emergency housekeeper service in 1966-67 and for the first quarter of 1967-68, a total of 99 in the fifteen months, there were 40 who described themselves as doctor, dentist, or solicitor. The member for Mitcham had said that it was a service provided for professional people rather than for others. The occupation of those who used the emergency housekeeper service during 1966-67 was as follows: doctor, 24; dentist, five; chemist, five; solicitor, three; grazier, 13; engineer, six; manager, six; sharebroker, one; company director, three; lecturer, two; and one each of accountant, land and estate agent, financial officer, public servant, press operator, welder, meter reader, and retired person. The details for 1967-68 show that there were five doctors, one dentist, two graziers, two solicitors, two engineers, six managers, and one sharebroker, kiosk proprietor, librarian, nurse, and metal buyer.

The use of the service has been declining, the annual figures being as follows: for 1962-63, 155; for 1963-64, 145; for 1964-65, 124; for 1965-66, 100; and for 1966-67, 76. The reasons for the decline include, first, that the department insists on a high standard for its housekeepers. This is particularly important because it has only a full-time live-in service, and the housekeepers take charge of the household and the children. Secondly, suitable housekeepers prepared to go to any part of the State, often at short notice, and prepared to move frequently from place to place are difficult to find. To increase the supply of suitable women prepared to do this work continuously would need a publicity campaign and probably more attractive financial conditions. The department has used housekeepers who are prepared to be away from their own homes for only a limited number of times in any given period, but there are difficulties. They are sometimes not available when needed or there is no work for them when they are available and they seek other employment.

Thirdly, unless a householder's house has adequate accommodation for the housekeeper to live in we are unable to supply a housekeeper. Some houses are too small to provide a separate room. In other cases the conditions are unsatisfactory. Fourthly, the charge made by the department is a difficulty in some cases. Although we may reduce a charge on application some householders prefer to make other arrangements. They seek assistance from agencies providing a non-residential part-time service; they persuade relatives and friends to assist; they place their children elsewhere while the emergency continues; they manage themselves, before and after work, by using daily child-minding centres for pre-school children and by relying on older children being at school most of the day; they arrange paid holidays from work or take time off without pay.

Fifthly, if the department had a standard charge below cost it would, in effect, subsidize those householders who were able to pay in full. It is unlikely that we could increase the use of the service to any great extent by financial measures alone unless the charges were very considerably reduced. Sixthly, if the use of the departmental service continues to decline, consideration may need to be given to discontinuing it completely. A part-time non-residential service could be introduced, but this field is already covered at least partially by voluntary agencies.

The total number of State children placed on subsidy in private foster homes throughout the year cannot readily be obtained, but on June 30, 1967, there were 619 such children. Other State children were placed with their parents, relatives, or friends without subsidy. When a State child is placed out, whether on subsidy or otherwise, we ensure that his clothing is of satisfactory standard. We provide either a complete outfit or make up his own clothing to a complete outfit. Most children placed on subsidy receive a new complete outfit. The average cost is about $100 a child.

I obtained a report from the Chief Secretary in which he stated that Meals on Wheels employs three permanent housekeepers and a panel of casual housekeepers who, between them, catered for 111 cases during 1966-67. However, it must be remembered that this service is largely available to people in the older pensionable group, and this group would account for 90 per cent of the cases.

Wanslea apparently handles many cases, and uses trainee child care aides for much of the

work. Rates payable for housekeeper services are:

17 year-old students	$18 a week
Senior students	$21 a week
First-year trainees	$26 a week
Qualified aides	$30 a week

The Government subsidizes salaries of trainees at Wanslea.

The Country Women's Association also operates a housekeeping service, the losses of which are made good by the Government. During 1966-67, nine such cases were subsidized for a total cost of $219. The Family Welfare Bureau operates a housekeeping service which is confined to Second World War members. However, the service is well patronized and employs five permanent live-in type housekeepers plus other casual day-only help. Rates are $5 a day, subject to a means test in cases of hardship.

RETARDED CHILDREN

Mr. McANANEY: Having attended a seminar addressed by a panel of experts on retarded children, I am interested in this subject. I understand that about two years ago a report on the work of this branch of the Education Department was to be made. Can the Minister of Education say whether such a report has been made and, if it has, whether it could be made public?

The Hon. R. R. LOVEDAY: I cannot say from memory whether the report has been made, but I will inquire and let the honourable member know.

SOUTH-EAST DRAINAGE

Mr. NANKIVELL: I have often discussed at length in the House the question of over-drainage in the South-East, and this matter is now raising its head seriously and critically for some people. I have pointed out to the Minister of Lands that most of the present drainage has been based on the 1924 Royal Commission. In view of what is happening, will the Minister have a full-scale inquiry into this matter made soon?

The Hon. J. D. CORCORAN: This matter has been the subject of discussions between the newly-constituted South-Eastern Drainage Board, the members of which I named in the House recently, and the South-Eastern Drainage Relief Committee, which is a properly constituted committee. Those discussions took place in Millicent on September 27 and extended over a period of time when many aspects of the problem were discussed. I am at present awaiting a report from the Chairman of the South-Eastern Drainage Board, and whether or not a full-scale investigation into this matter is warranted will depend on that report and further negotiations that take place. However, I shall be happy to let the honourable member know of any progress that is made in this direction.

PUBLIC SERVICE ACT

Mr. MILLHOUSE: Especially in view of some of the things that have been said in this House in the last fortnight, can the Premier say whether the Government still intends this session to introduce a new Public Service Bill?

The Hon. D. A. DUNSTAN: Yes.

HOMES ACT

The Hon. Sir THOMAS PLAYFORD: The Homes Act was passed to enable people receiving a low income to obtain the benefit of its provisions in purchasing a house under a Government guarantee. The Government was to guarantee the lending institution an amount between 70 per cent and 95 per cent of the cost, for which a small commission of only ¼ per cent was to be charged. This enabled people of low income to purchase a house under guarantee and at a low interest rate. However, I noticed that prior to the last election there was a tendency for a number of institutions to forget about the Homes Act and to make the conditions of the guarantee sufficiently stringent to enable them to carry on without the provisions of the Homes Act and without the guarantee and the conditions attached thereto. Will the Premier ascertain whether lending institutions that originally came within the provisions of the Act are still using the Act or whether they are requiring the borrower to have a much higher income, thereby avoiding the necessity of a Government guarantee?

The Hon. D. A. DUNSTAN: I shall obtain a report for the honourable member.

TITLES

Mr. MILLHOUSE: The Premier has recently notified me that he has answers to a number of questions I have raised both during Question Time and during the Budget debate. However, he was not able to find one when I asked him for it recently. Has he now in his bag an answer to the question I asked some time ago about the noting on titles of any orders made under the Housing Improvement Act and, if he has, will he give it to the House?

The Hon. D. A. DUNSTAN: I thought I had a reply to that question: it was in my bag for some time earlier, but I am afraid it does

not seem to be there at the moment. However, I think I can give the honourable member the gist of the reply. The Registrar-General views it as distinctly undesirable that matters of this kind should be noted on the title. If we widened the notices on the Torrens title system to include warnings of this kind not related to specific interests in land, we could have a multitude of notifications on titles that could become so complicated in consequence as to defeat the original intention of the Torrens title system. The Registrar-General has carefully examined this matter but considers the provisions of the Housing Improvement Act can adequately cover the situation without notification on the title.

GOVERNMENT BUILDINGS

Mr. MILLHOUSE (on notice):

1. What was the actual cost of maintenance in each of the years 1964-65, 1965-66 and 1966-67, of each of the following classes of building:

(*a*) education buildings;

(*b*) hospital buildings;

(*c*) police and courthouse buildings; and

(*d*) other Government buildings?

2. What is the estimated cost of maintenance of each class of buildings in 1967-68?

3. What are the reasons for the variations, if any, between the actual costs of maintenance of each class of buildings in these years?

4. What are the reasons for the variation, if any, between the actual costs of maintenance of each of such classes of building in 1966-67, and the estimated costs of maintenance in 1967-68?

The Hon. C. D. HUTCHENS: The replies are as follows:

1. Class of buildings	1964-65 $	1965-66 $	1966-67 $
Education buildings	1,522,862	1,727,274	1,749,803
Hospital buildings	1,235,742	1,234,204	1,294,170
Police and courthouse buildings	212,316	225,052	270,088
Other Government buildings	787,654	813,068	873,497
	$3,758,574	$3,999,598	$4,187,558

2. Class of buildings	1967-68 (est.) $
Education buildings	1,771,200
Hospital buildings	1,301,000
Police and courthouse buildings	271,600
Other Government buildings	879,800
	$4,223,600

3. The actual costs of maintenance for 1964-65, 1965-66, and 1966-67 varied because of increased costs of labour and materials and additional maintenance commitments on new buildings, offset by greater efficiency resulting from improved organization and control of maintenance activities in the department.

4. The increases in the estimated expenditure for 1967-68 compared with the actual expenditure for 1966-67 provides for increased maintenance costs and commitments after allowing for further efficiencies in maintenance activities.

COUNTRY ABATTOIRS

The Hon. Sir THOMAS PLAYFORD (on notice):

1. Are any country abattoirs at present paying a contribution for permission to bring meat for sale into the metropolitan area?

2. If so:

(*a*) which abattoirs are paying;

(*b*) which are not;

(*c*) what is the amount of the contribution;

(*d*) upon what basis is such contribution charged;

(*e*) what charges are proposed for the future?

The Hon. G. A. BYWATERS: The replies are as follows:

1. I presume the honourable member, in referring to "country abattoirs", means those defined as such in section 78b of the Metropolitan and Export Abattoirs Act, 1936-1964. In this section of the Act they are defined as abattoirs situated more than 50 miles from the Gepps Cross abattoirs. Assuming that these are the abattoirs referred to by the honourable

member, I give the answers to the questions as follows:

2. (*a*) None.
(*b*) Two.
(*c*) Nil.
(*d*) Not applicable.
(*e*) This matter will be considered when current permits expire and when applications are received for renewal.

PUBLIC WORKS COMMITTEE REPORTS

The SPEAKER laid on the table the following reports by the Parliamentary Standing Committee on Public Works, together with minutes of evidence:

Christies Beach High School Additions,
Northern Teachers College.

Ordered that reports be printed.

CONTROL OF WATERS ACT

The Legislative Council intimated that it had agreed to the House of Assembly's resolution.

MINING (PETROLEUM) ACT AMENDMENT BILL

In Committee.

(Continued from October 4. Page 2440.)

Clause 4—"Interpretation."

The Hon. D. A. DUNSTAN (Premier and Treasurer): I move:

In paragraph (*f*) after "can" to insert ", in ordinary circumstances,".

This adds little to the definition. In a previous draft of the Bill, these words were included and their omission occasioned some nervousness on the part of the industry. It asked for the original words to be included in the Bill and, in consequence, we felt it proper to meet its wishes.

Amendment carried.

Mr. COUMBE: I should like some clarification of the definitions of "petroleum" and "pipeline". Does the definition of "pipeline" mean that a company which has a product taken from the natural gas pipeline and reticulated through pipes will have to have a pipeline licence?

The Hon. D. A. DUNSTAN: For any main pipeline taking the petroleum from the field to some other vicinity there would have to be a pipeline licence. A mere reticulation system would not require a pipeline licence. The conveyance of the gas from one vicinity to another will require a pipeline licence and spur lines from the main trunk line will be covered by a pipeline licence. All those licences are expected to be normally operated by the company on lease to whatever authorities are involved.

Clause as amended passed.

Clause 5 passed.

Clause 6—"Transitional provisions."

The Hon. Sir THOMAS PLAYFORD: I drew the Premier's attention previously to the extension of certain leases beyond the period to which the Government is committed by conveyances. New subsection (3) (*f*) states that the Minister shall grant a renewal, although this would go beyond the period of the present conveyance and would include an area of not less than 270,000 square miles. Has the Premier an explanation of this provision?

The Hon. D. A. DUNSTAN: Perhaps I should refer to a number of clauses in giving the honourable member an explanation relating to the Delhi-Santos group agreement. The covenant between the Minister and the Delhi-Santos group under section 40 (2) of the Mining (Petroleum) Act, 1940-1963, was made in 1958 and consequently there is a little over 10 years of the covenant period remaining. The exemption from the provisions of section 15 (1) under new section 4a (3) (*a*) extends after the expiration of the covenant period because that new subsection is inappropriate except in relation to licences granted after the commencement of the amending Act. The new subsection provides that a petroleum exploration licence shall comprise an area of not more than 10,000 square miles. It would be unnecessarily harsh on the Delhi-Santos group to invoke the provisions of this subsection immediately upon the expiration of the covenant period. The exemption from the provisions of section 15 (1) under subsection (3) (*a*) corresponds with a similar exemption given under subsection (2) to other licensees who held oil exploration licences immediately before the commencement of the amending Act. Subsection (3) (*e*) does not give the Delhi-Santos group an unqualified right to the renewal of its licence during the covenant period; that right is expressly made subject to new section 18a (1) of the Act. That subsection provides that a renewal of the licence is conditional on the Minister's being satisfied that the licensee has, in the past, adequately satisfied his obligations under the licence and the Act and has sufficient resources and possesses the necessary competence adequately to satisfy those obligations during the period for which the licence is to be renewed.

The right of Delhi-Santos to the renewal of its licence is thus no greater than the right of any other licensee.

Paragraph (*f*) provides that upon the renewal of the licence following the simultaneous expiry of the term of the covenant and the term of the licence, the licence is to be deemed to be a petroleum exploration licence granted for an initial term for the purposes of new sections 17, 18a and 18b of the Act. These are the provisions that require the excision of a quarter of the licence area upon each renewal and prescribe the expenditure that the licensee is required to undertake on approved works. The provisions of new section 18a, which require the excision of a quarter of the licence area, might possibly have been invoked immediately after the expiration of the covenant. However, as the Government has dealt generously with other licensees holding oil exploration licences by guaranteeing them, under subsection (2), a renewal in respect of the whole of the area held by them, a corresponding generosity has been extended to Delhi-Santos under subsection (3).

The Hon. Sir THOMAS PLAYFORD: This matter is complicated, particularly because different clauses are affected. I wish to discuss the clause not on a strictly legal basis but in connection with policy. When the original Act was passed, the opinion was strongly held that Australia had no petroleum resources of consequence and it was also considered necessary, in order to attract outside capital for exploration, to offer extremely generous conditions. In addition, important taxation concessions were given by the Commonwealth Government on exploration expenditure. My Government gave to Santos, as the company was then, a large area for investigation, and that company used that area to atttract outside partners with capital. Discoveries of gas and petroleum products in South Australia resulted from those activities and I do not want it to be assumed that I do not appreciate what has been done by the companies. However, I consider that the time has come when one company should not hold an area larger than the company's finances enable it to develop. No company in Australia could undertake the development of an area of, I think, 270,000 square miles.

The Hon. D. A. Dunstan: It is not that large.

The Hon. Sir THOMAS PLAYFORD: I do not know the exact area, but it is extremely large and, although every covenant should be observed strictly, I consider that the word "shall" first occurring in new section 4a (3) (*f*) should be struck out and "may" inserted. Such an amendment would enable the Minister to grant concessions. I repeat what I said in my speech on the second reading that perhaps Queensland has had a more intense exploration campaign because more companies have been operating, and although I do not intend to move an amendment, I ask the Premier to consider striking out "shall" and inserting "may".

The Hon. D. A. DUNSTAN: At this stage I think it would be undesirable to strike out "shall" and insert "may". Upon the simultaneous expiry of the licence and the period of the covenant, an application may be made. If it is made, it is to be granted and, upon the licence being granted, the renewal brings the licence under this Act as if it were an initial licence granted, and from there on the provision for excision of portion of the licence would operate. In regard to the Delhi-Santos lease, extremely large amounts will be spent, and this is required in terms of the agreement between the company and the Government.

The entry of Burma Oil to the Santos company and the appointment of the Director of Burma Oil as General Manager of the company here, as well as the provision of large sums for both exploration and development, guarantee much expenditure in both areas. It has been on this basis that we have had committed to South Australia many millions of dollars in the foreseeable future for both development of the gas field and exploration. In the circumstances, I consider that the agreement is for the best benefit of the State.

The Hon. Sir THOMAS PLAYFORD: I accept the Premier's statement about striking out "shall" and inserting "may". I gave the wrong reference: I was referring to "shall" second occurring in new section 4a (3) (*f*). It is important that this land should not be left idle. If the Government will be able to ensure that, apart from the covenants already maintained, it will be able to insist on a working and not a dilatory programme, my objection is overcome.

The Hon. D. A. DUNSTAN: I assure the honourable member that the Government has assured itself of the undertaking of a vital programme in both development and exploration.

Clause passed.

Clauses 7 to 12 passed.

Clause 13—"Repeal of sections 15, 16, 17 and 18 and enactment of sections 15, 15a,

16, 17, 18a, 18b, 18c and 18d of principal Act."

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

In new section 18a (2) to strike out "of" second occurring and insert "comprising or areas comprising in aggregate"; in new section 18a (3) after "area" thrice occurring to insert "or areas"; and in new section 18a (4) after "area" first occurring to insert "or areas".

These amendments permit the excision of the area to be excised on the renewal of a licence in blocks of not less than 800 square miles.

Amendments carried.

The Hon. D. A. DUNSTAN moved:

In new section 18a to insert the following new subsection:

(5) Each separate area excised under this section shall comprise not less than 800 square miles or the total area to be excised whichever is the lesser.

Amendment carried; clause as amended passed.

Clause 14 passed.

Clause 15—"Repeal of section 27 and enactment of sections 27a and 27b of principal Act."

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

In new section 27a (1) to strike out "have a preferential right" and insert "be entitled"; and in new section 27a (2) to strike out "have a preferential right" and insert "be entitled".

Amendments carried; clause as amended passed.

Clauses 16 to 19 passed.

Clause 20—"Repeal and re-enactment of sections 32 to 37 of principal Act."

The Hon. D. A. DUNSTAN moved:

In new section 35 (6) after "shall be" to insert "an amount calculated by subtracting from"; to strike out "if it were a condition of the sale that"; after "expenses" to insert "actually incurred or to be incurred by the licensee"; and to strike out "were to be borne by the purchaser" and insert "to the purchaser".

Amendments carried.

The Hon. D. A. DUNSTAN moved:

In new section 35 (7) after "shall" first occurring to insert ", in accordance with subsection (6) of this section,"; to strike out "be conclusive evidence of" and insert ", in any proceedings before a court or other tribunal, be taken as"; and to strike out "and royalty shall be paid in accordance with that valuation" and insert ", unless the contrary is proved".

Amendments carried; clause as amended passed.

Clauses 21 to 34 passed.

Clause 35—"Enactment of Parts IIa, IIb and IIc, sections 80a to 80v, of principal Act."

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

In new section 80t (1) to strike out "an order or action" and insert "a decision, valuation, instruction or order"; to strike out "of the order or action" and insert "on which the decision, valuation, instruction or order becomes effective,"; in new section 80t (2) to strike out "his decision or order" and insert "the decision, valuation, instruction or order"; and in new section 80t (3) to strike out "or order" and insert "valuation, instruction or order".

These amendments make the intention of the clause clearer and are drafting amendments.

Amendments carried; clause as amended passed.

Remaining clauses (36 to 40) and title passed.

Bill read a third time and passed.

BUILDERS LICENSING BILL

Adjourned debate on second reading.

(Continued from October 3. Page 2368.)

The Hon. D. A. DUNSTAN (Premier and Treasurer): When I was given leave to continue my remarks I pointed out that I had received from the Housing Industry Association certain proposals that did not align themselves with what had been said by the Leader of the Opposition and other members on his side relating to the views of the Housing Industry Association or to certain newspaper reports as to the motion it had passed. However, even though the Housing Industry Association originally supported the provision, as did all others who made representations to the Government on the score of a builders' licensing board representative of producers in this industry, the Housing Industry Association, after having supported such a board and requested its own representation on it (which had been granted), now proposed a different board. I thought that this new suggestion was a useful one that might resolve certain difficulties about conflicting interests on the board. I therefore wanted to meet with all representative groups on this matter to see whether some conclusions could not be arrived at.

I met with the representatives of the Master Builders Association, the Institute of Architects, the Employers Federation (representing a number of master tradesmen's organizations in South Australia), the trade unions in South Australia and the Housing Industry Association representatives. After considerable discussion, the objections of the Master Builders Association and the trade unions to having a non-producer board were withdrawn. I suggested not the composition of the board suggested by the Housing Industry Association but a compromise proposal that would meet the views of all present; and this was unanimously

accepted by the representatives at that meeting. The board now proposed is not directly representative of the producer organizations in the industry. In fact, it is not a board to which persons in the industry will be nominated by outside organizations. It was agreed by the industry that this would be inappropriate and that it was desirable to have a board entirely nominated by the Government, and that is the proposal that will come before members in Committee.

In addition, a number of minor matters were dealt with at that meeting, and other major objections raised by the Housing Industry Association to provisions of the Bill were shown, on explanation, to be without a valid basis, particularly the sections relating to supervision of buildings which appeared, as presented by Mr. McCoy to the association, to be entirely misread. The Bill had not been clearly read or understood by those who prepared the material for the association, and that was accepted by other representatives at the meeting. Certain minor matters were dealt with at the meeting as matters of amendment to improve the provisions of the Bill, and I shall detail these to honourable members shortly.

Mr. Quirke: Has the Master Plumbers Association of South Australia been a party to all these discussions?

The Hon. D. A. DUNSTAN: It was represented at the meeting by the Employers Federation. The Master Plumbers Association sent me a note concerning the matter, but it was pointed out to the association that I had received from the Employers Federation a submission that it was, in fact, representing the association at the meeting and that its representations had been taken into account, and that assurance was accepted.

Minor matters, apart from the constitution of the board, were agreed to at the meeting. The Bill, in its amended form, then had the approval of the representatives of the industry. First, in addition to the Licensing Board, there is now to be an advisory committee representative of all sections of the industry. This will have to be constituted by regulation because from time to time organizations representative of the industry change, and it would not be appropriate to spell out the specific organizations in the Bill. There is no specific limit to the number of members of the advisory board, and all representative organizations in the industry will be included on that board. The licensing board may refer matters to the advisory board and obtain its advice on whatever matters it thinks fit, in seeking expert guidance on the industry. This situation is accepted, as I said, by all sections.

Secondly, it was considered that there should be clarification in respect of putting up boards outside buildings at which tradesmen were engaged on work. It was pointed out that in some cases as many as 15 people with restricted licences could be working on a site and that this would be a hopeless proposition if everybody had to put up his name on a board. It was therefore agreed at the meeting that it should be sufficient, if a builder with a general licence were engaged on the work, that that general licence covered everything and that there need be only the one board of the builder generally licensed. In other cases, of course, where restricted work was being carried out under a restricted licence, two people at least were likely to be working on the premises under a restricted licence, but generally there would only be one, so there would be no difficulty about this.

Thirdly, it was considered that there should be more clearly spelled out (although this is provided for in the Bill) the right of a person to build his own house with his own labour and to sell the house, and that is to be included in the Bill. At the same time it was considered by the industry that where somebody had chosen to build his own house and the house had not been built by a registered builder, the purchaser should be told that the house had not, in fact, been built by a registered builder, and that provision will be included also in the Bill. These were the major matters resolved at the meeting. As I have said, the other objections raised by the Housing Industry Association were overcome on explanation and formally withdrawn by the representatives of the association at that meeting. In these circumstances we have before us a measure that will give stability and protection to the industry as well as effective protection to the public and, at the same time, the rights of individuals are adequately protected. The measure has been based on legislation applying both in Western Australia and California, where it has proved of great benefit both to the industry and the public. The people in the industry and, I believe, the public entirely disagree with the point of view that has been put in this House to the effect that this measure is Socialist and repressive, and they entirely disagree with the point of view advanced by the member for Gumeracha (Hon. Sir Thomas Playford) that the result of the Bill will be to restrict competition and to increase prices.

I do not believe that to be so; I do not believe it is for the common weal in South Australia that buildings should be erected by those who are not competent, where the law of contract simply cannot protect the average citizen adequately in present circumstances, and where the average citizen does not have available to him a common law that is convenient, swift and effective, providing remedies against negligence an incompetence in building. Further, I do not believe that we should continue a situation in which people in the industry are forced to work, because of conditions existing in the industry, at less than a reasonable return for their work. I believe that this measure is widely supported; indeed, it will help the industry and put an end to a myriad of practices in South Australia through which the public have been hurt by what is clearly incompetent and negligent building. This is not rare: it has happened not only in the circumstances referred to by the member for Barossa (Mrs. Byrne) but in numbers of cases that have continually come to the Government's notice. Only recently a case of gross negligence in building on the part of what was a registered company in South Australia (but, nevertheless, consisting of people inexperienced in building, simply acting as building brokers) was brought to the Government's notice, and the report on the buildings concerned showed the vital necessity of enacting legislation of this kind for the protection of people in Australia and to maintain the standards of housing that we have tried to establish here. I therefore commend the Bill to honourable members.

The House divided on the second reading:

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

Noes (14)—Messrs. Bockelberg, Brookman, Coumbe, Ferguson, Freebairn, Hall (teller), McAnaney, Millhouse, Nankivell, Quirke, Rodda, and Shannon, Mrs. Steele, and Mr. Teusner.

Pair—Aye—Mr. Ryan. No—Mr. Heaslip.

Majority of 4 for the Ayes.

Second reading thus carried.

In Committee.

Clauses 1 and 2 passed.

Clause 3—"Arrangement."

The Hon. D. A. DUNSTAN (Premier and Treasurer): I move:

To strike out "The Builders Licensing Board of South Australia, ss. 5-12" and insert "The Board and The Advisory Committee—

Division 1.—The Board, ss. 5-12:

Division 2.—The Advisory Committee, s. 12a".

Clauses 3, 4 and 7 contain consequential amendments on new clause 12a, which sets up the advisory committee. In my view, new clause 12a is consequent on the alteration to the constitution of the board and the advisory committee. I think it is simpler to go through the amendments as they arise in the Bill.

Amendment carried; clause as amended passed.

Clause 4—"Interpretation."

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

In definition of "deputy" to strike out "under subsection (7) of section 5 of this Act".

This amendment is consequential on the proposed amendment on the word "member" which is extended to include "member of the advisory committee".

Amendment carried.

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

In definition of "member" after "Board" to insert "or, as the case may require, member of the advisory committee".

This amendment extends the definition of "member" to include "member of the advisory committee".

Amendment carried.

The Hon. D. A. DUNSTAN moved:

To insert the following definition:

"the advisory committee" means the Builders Licensing Advisory Committee constituted pursuant to this Act, and includes any subcommittee of that committee:.

Amendment carried.

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

In definition of "the chairman" after "Board" first occurring to insert "or, as the case may require, chairman of the advisory committee,"; after "Board" second occurring to insert "or the advisory committee"; and after "Board" third occurring to insert "or the advisory committee".

These amendments are designed simply to extend the definition of the "chairman" to include "chairman of the advisory committee".

Amendments carried; clause as amended passed.

Clause 5—"The Board."

The Hon. D. A. DUNSTAN moved:

In the heading to Part II to strike out "The Builders Licensing Board of South Australia", and insert:

"The Board and the Advisory Committee.
Division 1.—The Board."

Mr. HALL (Leader of the Opposition): The Premier is running before the wind with the amendments he is presenting. He said that this was not a socialistic or repressive Bill but he has seen fit, after the representations and protests that have been made by the Opposition and by members of the industry, to alter drastically the control he originally considered should be exercised over the building industry in South Australia: that control would have been socialistic and repressive. It is no good his now running before the wind of public opinion and apologizing for the Bill he originally introduced. He has justified changes he is making to the Bill by saying that he has referred to provisions in Western Australia and California. In referring to provisions in Western Australia, he did not tell the public or members of this place how different were the powers of the board there from those originally intended to be exercised by the board here. If it had not been for the existence of the Upper House, the original Bill to establish iron-clad control by the board would have been passed quickly. In the face of public opinion and with the knowledge that the Upper House exists, the Premier has run away from his first proposal.

In general, I do not oppose the constitution of the new board. The powers to be exercised are far less objectionable than those that would have been exercised under the original provision. However, I think I speak for all members of my Party when I say that the provisions of the Bill are far more restrictive than we would like to see if we decided that control of the building industry was necessary. It is simply against our principles to control an industry in this way to the detriment of consumers and of many in the industry.

The Bill does not contain anything to remedy the ills of the industry. Neither the Bill nor the Premier's explanation contains any reference to anything that would exclude from the industry those who have already built the houses about which the Premier complains. There is no provision in the Bill that will prevent the Housing Trust from building houses in future (as it has in the past in certain areas) that will crack or suffer other damage. Therefore, I do not intend to call for a division on each clause, nor will I offer any amendments to the Bill. The onus is on the Premier and his Government for introducing this socialistic legislation. If the Premier wishes to tie up the industry, to restrict it and order it, he can take the blame; I will not try to amend this rotten legislation. I have no objection to this amendment. The board is obviously much better in this form than in the previous form, but I oppose the Bill generally.

The Hon. D. A. DUNSTAN: The Leader has made himself foolish in public on previous occasions and he continues to do so. It is not for me to protect him from his own folly. The things that he has said this afternoon would make anyone laugh. Originally his objections to the board were that there would be three members from the trade unions and two members nominated by the Government and that, therefore, it could be assumed that the Government would have control of the board through these five of the nine members and that it would use the board in some restrictive or repressive way. He said this, despite the representation on the board of all sections of industry that had been asked for, even by the association that the Leader's delegate, Mr. McCoy, tried to work up against the legislation.

Let us consider the board that the Leader says is much better. It would comprise four Government nominees. Does not the Leader think that that makes the situation somewhat easier than having a whole series of nominees from outside organizations? If his objection to the Bill was as had been stated originally, his statement that this was much better was strange. The Leader has been playing politics on this whole issue. He was desperate to find something with which to beat the Government over the head and he thought that, if he could work up some objections, he could get a front page report in the newspaper. However, how much good has his action done him with members of the public, who have seen just how silly he has been? If the Leader believes that the public will get nothing of the 18th century dogma that seems to underlie the thinking of honourable members opposite about how the Bill ought to work, I hope he continues to do what he has been doing, because the public knows what kind of Opposition we have.

Mr. MILLHOUSE: I would not have spoken had it not been for the things said by the Premier, which surprised me greatly. Perhaps I should not be surprised though, because I know the Premier fairly well. The honourable gentleman is now trying to make a victory out of a substantial defeat, because last week or 10 days ago the honourable gentleman, in introducing this Bill, extolled its virtues, and talked about a board comprising nine persons being provided for in the Bill. In Parliament

and in the community generally there was an immediate outcry against the whole Bill and particularly against the constitution of the board.

About 80 or 90 people who attended a meeting of the Housing Industry Association unanimously condemned the provisions. So strong was the outcry against this provision that the honourable gentleman had second thoughts, and now he has completely changed the nature of the Bill because of the pressure exerted on him here and in the community generally. Yet he now tries to pour scorn on the Leader, who has drawn attention to the changes that have been made. If that is not trying to make a victory out of a defeat, I do not know what is. We all know that the greatest strength of the Premier is his ability at propaganda and public relations, and this is the greatest example. However, far too much has been said in the community for him to be able to get away with this. One member of the profession to which the honourable gentleman and I belong, a person for whom I know the Premier has expressed the greatest of respect, said to me on Friday, "Well, you have got a different sort of Committee procedure now. Your Committee procedure is outside the Chamber, isn't it, when the Government gets together with interested parties, completely alters the nature of legislation and announces it before the Bill comes back."

I assure the Premier that these things are being said in the community today, and a few other things are also being said. An interesting letter from people who I do not suppose are supporters of this side was reported in this morning's newspaper. Last week I said that we had three objections to this Bill. The first was the constitution of the board, which gave control to the trade union movement; the second was that there was no classification of trades within the building industry; and the third was that no details were given about what requirements would have to be fulfilled in order to get a licence. One justification for my second and third objections was that a board of practical men would be able to frame the trade classifications and, because those men would have had experience, they would be able to set out requirements for incorporation in regulations.

However, apparently we will not have that board comprising three representatives of the trade unions, the Master Builders Association, and other people. Let me hasten to say that I think we have a much better board, because we now have a board comprising professional men, most of whom are divorced from the industry itself and who have some claim for respect. I am glad that the Premier has succumbed to the pressure exerted on him. However, it makes the Bill worse in other ways, because now we have a body not as well qualified as the original body to decide the classifications of industry and trade and the requirements for licences. I guess the advisory committee will be involved in that matter. A paragraph in the long letter that appeared in this morning's newspaper, signed by the President and Secretary of the Bricklayers' Society, the President and Secretary of the Plasterers' Society, the Secretary of the Plumbers' Union and the Vice-President and Secretary of the Building Trades Federation of South Australia (obviously supporters and close associates of the Government Party), states:

> This brand of bias, particularly since it comes from an anonymous source, is rejected out of hand, and the BTF, representing workers in the industry, is strongly claiming to be accorded an administrative representation in such licensing procedure as results from the Government's Bill.

What does this mean? One wonders whether the Government has made a deal with the building trade unions and, if so, what is its nature. One is re-assured but amused, particularly after hearing the Premier, by an earlier paragraph in the letter, concerning the changes in the board, which states:

> The fact that union involvement on the Builders Licensing Board is restricted to a minority representation is either being ignored or misrepresented. The Premier's suggested amendments to the Bill are going further to reduce union involvement in administration of the Act.
>
> It is our opinion that this is to be regretted, particularly since the Premier's attitude is largely a compromise measure designed to disarm criticism . . .

The honourable gentleman said that this was some sort of victory for him. I should not have said what I have if it were not for the insulting language the Premier used when replying to the Leader of the Opposition, language that ill becomes the Premier who is capable of better things and who only uses such language when he has no arguments to support his case.

Mr. SHANNON: It ill becomes the Premier to use the language he did use, when he is legislating by negotiation and trying to reach a compromise in order to obtain general agreement amongst a certain section of people with whom he has to agree. He has been negotiating with people who will decide what efforts

will be made at the next election fight. It has been unusual in this Parliament for major legislation to be introduced without a further three or four pages of Government amendments, and the Premier is as guilty as anyone else in amending his legislation. The Playford Government did not introduce legislation until much thought had been given to it. The Premier was correct when he said that this legislation was worse than it had been when first introduced. He is honest enough to admit that he now has complete control of the board. However, this legislation does nothing to improve the quality of a house. Better protection would have been given to house owners if amendments had been made to the Building Act, because a provision could have ensured that builders lodged a bond, and if the work was unsatisfactory the bond could have been estreated and assistance given to the house owner who had suffered. This Bill has serious shortcomings, the main one of which is that it purports to bring about an improvement in the building industry for those who want houses built.

The Hon. D. A. DUNSTAN: A certain amount of whistling in the dark has gone on on the opposite side. When this measure was first proposed, the Government consulted with the parties who proposed it: the Master Builders Association and the trade unions. The Housing Industry Association made representations to be included in the talks, as did the Employers Federation, and they were included because they represented sections of the industry. Before the Bill was introduced all these organizations had been in favour of a producer board. Indeed, the Housing Industry Association asked for such, and for representation on it. In consequence, the Government introduced a measure providing for a producer representative board as requested by the industry. I assure members that I am not given to such boards, because the public can experience difficulties with them.

The Government, however, has tried to do something that the industry wanted, and it felt that the representation on the board was sufficient to protect the public. After the measure had been introduced (about which there had been no objection by organizations as to the board), and very late in the piece (indeed, the day before the Bill was introduced), the President of the Housing Industry Association said there were difficulties about the number of trade union representatives. I pointed out that the trade unions themselves were opposed to the number of employer representatives on the board, that it was therefore six of one and half a dozen of the other, and that there would have to be a compromise. When the measure was introduced no-one raised any substantial objection.

Mr. Millhouse: Why did they change their minds?

The Hon. D. A. DUNSTAN: A certain amount of lobbying went on in sections of the Housing Industry Association, and there was a certain amount of misrepresentation about the contents of the Bill. We responded to representations from the organizations that there could be a change in the board which would meet the objections raised by various sections of the industry about competing membership on the board. We also wanted to meet with those people to explain to them where their objections were baseless, which we did.

Mr. Shannon: Shouldn't that have been done earlier?

The Hon. D. A. DUNSTAN: I do not know why a meeting was not held earlier, because they had plenty of time in which to have one. They had two revised copies of the Bill before it was introduced, when it was represented to the Government that a substantial section of the community was prepared to have an entirely non-producer representative board. There was much support for the Government having a non-producer representative board. I thought those representations contained a useful suggestion, so I was prepared to adjourn the debate on the measure to put it to the other sections of the industry, all of whom had asked for a producer representative board. A meeting was held, and I pointed out the virtues of having a non-producer board.

Mr. Clark: Did you have much difficulty?

The Hon. D. A. DUNSTAN: It took me a little while but we got agreement. It was I who urged this course upon the meeting.

Mr. Millhouse: Did you include such a provision in earlier drafts?

The Hon. D. A. DUNSTAN: No, because the earlier drafts were submitted not by the Government but by various sections of the industry, all on the basis of producer representation.

Mr. Millhouse: You changed everyone's mind!

The Hon. D. A. DUNSTAN: Not everyone's, because the Housing Industry Association also changed its mind, and I was in favour of a proposal vaguely of that kind. The suggestion

adopted was not the Housing Industry Association's proposal but what I put to the meeting, and if one examined the two proposals one would see that there was some difference. That was achieved and we got complete agreement in the industry on it. If honourable members think this is some defeat for the Government, they are havering, because the basis of their attack on the constitution of the board was not that it was a producer representative board but that the Government might have undue influence on it. What has now occurred is that we are to have a board completely nominated by the Government. Where is the enormous change in the principle of this Bill?

Mr. Shannon: How will that take when it is well known?

The Hon. D. A. DUNSTAN: It was emphasized that this was the proposal and it was considered to be a virtue. This makes nonsense of the suggestion that the Government is changing this Bill in principle because of some objections raised by the absurd speech of the Leader of the Opposition about the repressive nature of this legislation, whereas, in fact, there has been no change in principle whatever in this legislation. The Government has something that is more sound administratively. Members opposite may think they have had a great victory publicly. If they do, then I suggest they talk to the public and representatives of the industry, when they will soon find out what the position is.

Mr. Millhouse: Would you care to say something on the sentiments expressed in this morning's newspaper?

The CHAIRMAN: Order! Order!

The Hon. D. A. DUNSTAN: Representatives of these trade unions were present at the meeting and I put it to them, together with members of the Trades and Labor Council. that there were virtues in the set-up, to which they agreed. They said that, although they would like to have representatives on the board, they could see the point of the argument in having a non-producer representative board. They said specifically at the meeting, and afterwards, that there had been unanimous approval of the proposals being put forward.

Mr. HALL: The Premier and I agree with each other. He said no major principle had been changed, but we say that the rest of the Bill is not acceptable to our thinking; therefore we oppose it.

The Hon. D. A. Dunstan: Although the Housing Industry Association, the Master Builders Association, the Employers Federation, and the trade unions all want it.

Mr. HALL: The Premier said he did not particularly want a producer representative board. It is strange that the Master Builders Association did not want it in that form. No-one but the Trades and Labor Council wanted this provision. I emphatically deny that I even so much as discussed the constitution of the board with the L.C.L. candidate for Glenelg.

Amendment carried.

The Hon. D. A. DUNSTAN moved:

In subclause (4) to strike out "nine" and insert "four"; after "Governor" to insert "who have in their respective professional capacities substantial knowledge of and experience in the building industry and"; and to strike out paragraphs (*a*) to (*f*) and insert the following new paragraphs:

(*a*) one shall be a legal practitioner as defined in the Legal Practitioners Act, 1936-1964, of not less than five years' standing, who shall be the chairman of the Board;

(*b*) one shall be a resident of this State who is a member of the South Australian Chapter of the Royal Australian Institute of Architects;

(*c*) one shall be a resident of this State who is a corporate member of The Australian Institute of Building;

and

(*d*) one shall be a resident of this State who is a member of The Institute of Chartered Accountants in Australia or The Australian Society of Accountants.

Amendments carried.

The Hon. D. A. DUNSTAN moved:

To strike out subclauses (5) and (6).

Amendment carried.

The Hon. D. A. DUNSTAN moved:

In subclause (7) to strike out "upon the recommendation or nomination of the Minister, governing body, chapter, board or council on whose recommendation or nomination that member was appointed".

Amendment carried; clause as amended passed.

Clause 6—"Tenure of Office."

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

In subclause (3) to strike out "(*a*)"; and to strike out:

or

(*b*) if the governing body, the board, the chapter or the council which nominated the member or, in the case of any member appointed on the recommendation of the Minister of Housing, the Minister of Housing sends a written request to the Governor requesting his removal from office on grounds which, in the opinion of the Governor, are sufficient in all the circumstances of the case.

These amendments are consequential on the proposed reconstitution of the board.

Amendments carried; clause as amended passed.

Clause 7—"Proceedings of the Board."

The Hon. D. A. DUNSTAN moved:

In subclause (3) to strike out "Five" and insert "Three".

Amendment carried.

The Hon. D. A. DUNSTAN moved:

In subclause (5) to strike out "nomination, recommendation or"; and to strike out "nominated or recommended, and was duly".

Amendments carried.

The Hon. D. A. DUNSTAN moved:

After subclause (7) to insert the following new subclause:

(7a) The Board may refer any matter to the advisory committee for its consideration and recommendations and shall have regard to, but is not obliged to give effect to, the recommendations, if any, made by the advisory committee.

Mr. SHANNON: The advisory committee may well be a rubber stamp because, after all, a court of law will have the final say. This committee is merely window dressing, which I abhor.

The Hon. D. A. DUNSTAN: The honourable member happens to be the Chairman of an important advisory committee (the Public Works Committee) which reports to this Chamber. That committee's recommendations do not have to be accepted, and the Government can proceed contrary to those recommendations if it thinks fit. It is proper to have advisory committees that have an opportunity to consider matters specifically within their knowledge.

Mr. SHANNON: The Public Works Committee was set up by the Government, and its members are Government appointees. My committee reports not to the Minister or to the Governor but to Parliament which, having considered a particular report, decides whether it should be acted on. The difference between this committee and the Public Works Committee is in regard to which authority they must report.

The Hon. D. A. Dunstan: The Public Works Committee reports to the Governor.

Mr. SHANNON: That is obligatory, but the Governor does not act on it: Parliament acts on it. Even a Minister, without the consent of Parliament, cannot act on the report of the Public Works Committee. Therefore, there is a difference between the two committees.

Mr. McANANEY: There should be a limit on the number of members on the committee. Also, I believe the committee will slow down the board's activities without being of assistance to it. If the four members of the board are capable and have had experience in the building trade that should be sufficient.

Mr. MILLHOUSE: The clause means nothing in itself but it may be that the Government has plans for this committee. Has any thought yet been given to the constitution of the advisory committee and, if it has, what is intended? How many members is it intended to have on the committee and what interests will they represent? What particular matters are likely to be referred to the committee?

The Hon. D. A. DUNSTAN: I cannot give the honourable member a complete reply at present because there is some dispute in some areas of the building industry as to proper representation; in consequence, we want to get that matter resolved before final appointments are made to the committee. As I pointed out in my second reading explanation, from time to time organizations within the building industry tend to change in composition and membership; this has to be looked at constantly. Regarding the matters to be referred to the board, members opposite raised one matter, that is, categories into which people should be placed for the matter of classifying trades for restricted builder's licences.

Amendment carried; clause as amended passed.

Clauses 8 to 13 passed.

Clause 14—"General builder's licence."

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

In subclause (4) to strike out "seven" and insert "twenty-one".

This provision was designed to give a body corporate or partnership one week to enable one of its directors or partners to obtain a licence. This period is considered rather short and the amendment seeks to increase the period to 21 days.

Mr. MILLHOUSE: This amendment makes the provision only marginally less objectionable than it was before, but I shall not go over the objections to which I referred earlier. Clause 14 provides for a general builder's licence. Who does the Premier expect will decide on the requirements for the licence?

The Hon. D. A. DUNSTAN: Certain requirements for the licence are set forth in the Bill. Regarding other requirements that may be prescribed, regulations will be submitted to the Government by the board and I should imagine that on this subject also it will seek the advice of the advisory committee.

Amendment carried; clause as amended passed.

Clause 15—"Restricted builder's licence."

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

In subclause (4) to strike out "seven" and insert "twenty-one".

This amendment similarly increases from seven to 21 days the period within which one of the directors or partners of a body corporate or partnership that is the holder of a restricted builder's licence will be able to obtain a licence after the director or partner originally holding the licence for and on behalf of the body corporate or partnership has ceased to be licensed.

Amendment carried; clause as amended passed.

Clause 16 passed.

Clause 17—"Cancellation or suspension of licences."

Mr. MILLHOUSE: I protest against this clause; it is most objectionable. It gives the board power to cancel and suspend a licence, having sat in judgment on the holder and having exercised, in effect, judicial powers. It is less bad that the board as now proposed should do it than that the board proposed last week should do it, but it is still most undesirable that a board of this nature should sit in judgment on occasions on anyone (as it does here, on the holder of a licence). Subclause (1) (*a*) provides that the board may cancel or suspend a licence if the licence or any renewal thereof has been obtained by fraud, dishonesty or misrepresentation. Presumably it is for the board to decide whether there has been fraud, dishonesty or misrepresentation.

I also refer to paragraph (*b*), about which I said something the other day when the Premier made a silly rejoinder to me about *certiorari*. I also refer to paragraph (*c*). So far as those two objectives can be pinned down to any precise meaning, they are matters for a court, not an administrative board, to decide. Paragraph (*d*) refers to fraudulent conduct or dishonesty, whatever those words mean, and paragraph (*e*) refers to supervision and control.

These are enormous powers to give to anyone, and it is wholly undesirable to give them to an administrative board. I am surprised that the Premier, who is a lawyer, and who has rightly talked about upholding the rule of law, subscribes to such a provision. It is contrary to what he said when he was in Opposition and I am sure it is contrary to what his views would be if he were only a lawyer and not a politician, a Labor politician at that, as well. This is a wrong principle and I express my strong protest about it.

The Hon. G. G. PEARSON: I agree with the sentiments expressed by the member for Mitcham. I cannot understand the meaning of the words "other tribunal" in paragraph (*c*). If the words "any court" were used, I would have no objection.

The Hon. D. A. DUNSTAN: "Other tribunal" refers to arbitrators. It is normal to go to arbitration in relation to many building contracts.

The Hon. G. G. Pearson: You are severely limiting the scope of that in this Bill.

The Hon. D. A. DUNSTAN: We have limited it, but submissions will be made to arbitration in many cases and it is proper for the decision of the arbitrator to be taken into account.

The Hon. G. G. PEARSON: I am not satisfied that the answer is a proper one. I should like to know whether these matters will be first referred to the board, or to the arbitrator in the case of arbitration, or to the court. The livelihood not only of the holder of the licence but also of those who work for him could be involved if his licence were cancelled while he was performing a contract. If his licence is cancelled, work must cease and the employees must leave that employment at least *pro tem* until the holder of a licence takes up the contract. Difficulty has been experienced in getting someone else to take over a partly completed contract. In many cases new tenders have to be called and the work has to be reassessed. Paragraph (*e*) imposes a difficult duty because of the words "inadequate or incompetent". Those words would enable a reason for cancelling a licence to be found easily but, on the other hand, if the board did not want to cancel a licence, it could use those words as an escape. I do not know that I can suggest words to take their place, but it is not my function at present to do so.

The Hon. D. A. DUNSTAN: A matter may come before the board in any one of three ways. The first is after a court hearing in which a certain finding has been made and a second is after arbitration in which a certain finding has been made. In those cases, the board may inquire and make a decision. If those things do not happen, the board may institute an inquiry after receiving a complaint, and such an inquiry would be in the nature of a judicial inquiry such as the Land Agents Board may institue after a land agent has been involved in a criminal or civil action.

Mr. Clark: The holder of a licence has the right to put his case.

The Hon. D. A. DUNSTAN: Yes, and he has considerable rights of appeal. This provision is not novel. It ensures that builders who do shoddy work will not be able to hide behind the law. The threat that they may lose their licence is a real one to those people who have to be kept up to doing their work competently and effectively. Complaints have been made about building in Port Lincoln and I have had telegrams from people in the honourable member's district commending the Government on this measure because of instances that those people can give of not having had any remedy although they would like to have put matters regarding ineffective work before such a board. Adequate protection is given to those in the building industry to defend themselves against charges and to have the right of appeal.

The Hon. G. G. PEARSON: I resent the implication by the Premier that I am arguing this case in order to protect people who should not be protected.

The Hon. D. A. Dunstan: I am not suggesting that.

The Hon. G. G. PEARSON: The Premier did suggest it. He elaborated on that point and said that he had received telegrams from people in my district. The inference is clear. The Premier is a master at doing this, and I resent it. I said that I had much sympathy for people who had suffered if the allegations made against the builders were true. I do not care who the person is, but he should have a fair hearing before being condemned. He should be heard by a proper tribunal, that is, the court, and if I had my way the board would not have the right to cancel a licence until it had placed evidence before the court for a judicial decision.

Clause passed.

Clause 18—"Appeal."

Mr. MILLHOUSE: I remind the Premier that jurisdiction of the Local Court of Adelaide in civil matters is limited to $2,500. Now, it is being given the final adjudication on whether a man should have his licence suspended. Apparently, it is to be the sole appellate tribunal. As the Government has dismissed the Local Court Judge from his position as Returning Officer for the State—

Mr. Langley: Are you being biased?

Mr. MILLHOUSE: Is the member for Unley suggesting that the Local Court Judge is biased?

The CHAIRMAN: No arguments are allowed to take place during the debate.

Mr. MILLHOUSE: I hope that that is not what the member for Unley meant. Judge Gillespie is an upright gentleman—

The CHAIRMAN: The member for Mitcham should direct his remarks to the clause.

Mr. MILLHOUSE: I am sorry I strayed from the clause, but what the member for Unley said made me hot under the collar, particularly in view of what has happened in the last few days.

The CHAIRMAN: This matter cannot be discussed.

Mr. MILLHOUSE: Why has the Local Court of Adelaide been given the final appeal, and why is there no further appeal to the Supreme Court? The Premier referred to the Land Agents Board but, in that case, an appeal lies to the Supreme Court.

The Hon. D. A. DUNSTAN: The honourable member seems to know only part of the story about the Local Court of Adelaide. I suggest that he wait a day or so and he will see that, in fact, additional duties are being given Judge Gillespie. The member for Mitcham is prone to make snide insinuations—

Mr. Millhouse: Nonsense.

The Hon. D. A. DUNSTAN: —and suggestions that we are doing something improper or unfair to public servants.

Mr. Millhouse: That is how it looks, too.

The Hon. D. A. DUNSTAN: The honourable member sees to it that he can say something unpleasant regardless of the facts. If he had inquired he would—

Mr. Millhouse: What are the facts?

The Hon. D. A. DUNSTAN: If the honourable member waits until Thursday he will find out. Considerable additional duties are being imposed on Judge Gillespie and the work of the Local Court will not be confined to matters of civil jurisdiction.

Mr. MILLHOUSE: Why is the appeal limited to the Local Court of Adelaide and not to go to the Supreme Court?

The Hon. D. A. DUNSTAN: For the same reason as in many other cases: there is only one appeal. I draw the honourable member's attention to the old adage *Interest reipublicae est ut sit finis litium.*

Clause passed.

Clause 19 passed.

Clause 20—"Offences."

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

In subclause (6) after "sale" to insert "or for immediate letting under lease or licence".

The amendment extends the application of this subclause to construction of any building

for immediate letting under lease or licence where the construction is not carried out under the personal supervision or control of the holder of a general builder's licence. If the building is put up for immediate sale this amendment covers the instance where it may be put up for immediate letting under lease or licence.

The Hon. G. G. PEARSON: Why have the provisions been extended?

The Hon. D. A. DUNSTAN: If it were not included the immediate sale section of the provision could be evaded by the building being let for a period and then sold.

The Hon. G. G. PEARSON: What is wrong with it being leased for a period? This is not an evasion. Apparently, the Premier intends to blockade completely the activities of people who renovate houses and offer them for lease or sale. As this is a legitimate activity, why should the provision include letting?

The Hon. D. A. DUNSTAN: In order to prevent what could be an effective evasion of this clause. If the building were let for a period and sold, it would not be a building for immediate sale.

Amendment carried.

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

In subclause (7) after "purpose" to insert:

;

or

(*c*) that the building was built for his own use and occupation.

This amendment provides a further defence to a charge under subclause 6, namely, that the building was built for the defendant's own use and occupation. In the Government's view, on the advice given to it, that provision was already included in the meaning of the section, but it was desirable that it should be spelt out, because there seemed to be some confusion.

Amendment carried.

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

In subclause (8) after "sale" first occurring to insert "or for letting under lease or licence"; and after "sale" second occurring to insert "or for immediate letting under lease or licence".

These amendments are consequential on the extension of the application of subclause (6) to the construction of any building for immediate letting under lease or licence.

Amendments carried.

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

After subclause (8) to insert the following new subclauses:

(8a) On or after the appointed day, a person shall not—

(*a*) falsely state or imply in any advertisement of a building offered by him or on his behalf for sale that the building was constructed by or under the directions or supervision of a master builder or the holder of a general builder's licence;

or

(*b*) state or imply in any advertisement of a building offered by him or on his behalf for sale that the building was constructed by or under the directions or supervision of a person who then was a master builder or the holder of a general builder's licence unless the advertisement also states the name and address of the person by whom or under whose directions or supervision the building was constructed.

Penalty: Four hundred dollars.

(8b) A person who, after the appointed day, has constructed or caused to be constructed any building the construction of which has not been carried out by or under the directions or supervision of the holder of a general builder's licence shall not advertise the building for sale by him or sell the building unless he states in the advertisement or, as the case may be, he informs the purchaser of the building in writing that the construction of the building had not been carried out by or under the directions or supervision of the holder of a general builder's licence.

Penalty: Four hundred dollars.

This amendment inserts into clause 20 two new subclauses (8a) and (8b). New subclause (8a) makes it an offence to include in an advertisement of a building for sale a false statement that the building was constructed by or under the supervision of a master builder or the holder of a general builder's licence, or to include in an advertisement of a building for sale a statement that the building was constructed by or under the supervision of a master builder or the holder of a general builder's licence unless the advertisement also states the name and address of the person by whom or under whose directions or supervision the building was constructed.

New subclause (8b) makes it an offence for a person who has constructed or caused to be constructed any building, the construction of which has not been carried out by or under the supervision of the holder of a general builder's licence, to advertise the building for sale or to sell the building unless he states in the advertisement or, as the case may be, he informs the purchaser of the building in writing that the construction of the building had not been carried out by or under the directions or supervision of the holder of a general builder's licence. The trade, at the conference with me, pointed out that if people were to build houses for their own use and occupation or under the exceptions in subclause (6) (the defence

clause), then if they were subsequently to sell that house the first purchaser (at least) should be informed that the building was not constructed under the supervision of a licensed builder.

The Hon. G. G. Pearson: How far back will this apply?

The Hon. D. A. DUNSTAN: It goes back only to the original constructor.

The Hon. G. G. Pearson: Does it apply to a house built 10 years ago?

The Hon. D. A. DUNSTAN: It applies only to a house built after the passage of this Bill—"any person who, after the appointed day, has constructed or caused to be constructed . . ."

Mr. MILLHOUSE: What does the Government intend with regard to supervision? Does this provision import the presence of a licensed person on a job all the time? It has been pointed out to me by a master builder who came to see me about the Bill that most master builders (certainly those operating in a big way) have a number of jobs running at once, and they certainly cannot be everywhere at once. How strict does the Government believe that the oversight of a building job should be?

The Hon. D. A. DUNSTAN: The matter of supervision is quite specifically set forth in earlier clauses. The "personal supervision" referred to in clause 17 (1) (*e*)—and this was a clause about which the Housing Industry Association had raised some objections originally—relates only to the provisions of clause 20 (6), (7) (*b*), (9), (10) (*c*) and (15). The obligation on the licensee to exercise personal supervision and control under those provisions can in each case be discharged if personal supervision and control was at all material times exercised by, say, a foreman or other employee of the licensee if such foreman or other employee were competent to supervise and control the carrying out of the work concerned.

It is specifically stated in clause 20 (7) (*b*) and clause 20 (10) (*c*) that, at the time building is being carried out by a licensed builder, when supervision should occur according to the general principles of the trade to ensure that the building is constructed properly, a competent person must be present to carry out the supervision.

Amendment carried.

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

After subclause (14) to insert the following new subclause:

(14*a*) Where the holder of a restricted builder's licence is carrying out building work in association with the holder of a general builder's licence, it shall be a sufficient compliance with subsection (14) of this section if the provisions of that subsection were complied with only by the holder of the general builder's licence.

This means that, if a general builder is present, only one board need be erected and that is the general builder's board.

Amendment carried; clause as amended passed.

Clauses 21 and 22 passed.

Clause 23—"Effect of submission to arbitration of dispute concerning building work."

Mr. MILLHOUSE: This in my view is another objectionable clause: in effect, it cuts out arbitration altogether from the building industry. There was no reason at all to include this provision except for the Premier's obvious dislike of this State's arbitral machinery. Another instance, of course, is the Premier's refusal to submit the offshore boundary dispute with Victoria to arbitration. The clause is inserted really under false pretences. What on earth has arbitration between a builder and an owner got to do with the licensing of the builder? This clause means the virtual abolition of all arbitration in building matters, and I think that is a pity, because no party under this clause can be compelled to go to arbitration until after a dispute has arisen. What party, unless he is absolutely certain of his ground, will go to arbitration in those circumstances? Not one! We are interfering with the rights of parties to draw their own contract to include an arbitration clause. I should like to know (a) why this clause has been inserted in the Bill and (b) why it is desirable to cut out arbitration in the way in which this clause will cut it out.

The Hon. D. A. DUNSTAN: Often in building contracts, particularly where small owners are building, an arbitration clause is included. Few of those who sign contracts with arbitration clauses in them realize what they are committing themselves to at the time they sign those contracts. What they are committing themselves to is a procedure which can be tortuous, involved and vastly expensive. There is no quick means under the Arbitration Act of 1893 of bringing arbitration in South Australia to a speedy conclusion. To get an effective arbitration is an extremely expensive procedure to which members of the legal profession have drawn our attention on innumerable occasions.

Mr. Millhouse: Then why don't you do something about the Arbitration Act?

The Hon. D. A. DUNSTAN: If I am to do something about that, it will bring that Act much closer to ordinary court proceedings. What the honourable member says about the provisions of the Bill (that it will put an end

to arbitration) is untrue. I have discussed this matter with the industry, which is experienced in arbitrations, and it is perfectly satisfied that it is reasonable that, where a dispute has arisen and people want to go to arbitration, they should be allowed to do so, and that is provided for.

Mr. Millhouse: Do you think they will ever want to?

The Hon. D. A. DUNSTAN: I do not see any reason why they should not want to if they were satisfied with the form of arbitration particularly involved at that stage. They can take action when a dispute arises and when they know what is involved rather than being committed willy-nilly before they know what is involved and before the dispute arises.

The Hon. G. G. Pearson: What do they do?

The Hon. D. A. DUNSTAN: In many building cases, people can go to court, which is much quicker and cheaper. In the case of arbitration, one of the parties, or both, must bear the costs. If the case is at all involved, that cost can be considerable. However, the community provides the cost of the court, and all the parties must do is provide a hearing fee. In fact, the procedures of the court are much swifter and surer than arbitral proceedings. Certainly, there is a place for arbitration in building matters, particularly in the case of major contracting parties, and I believe a similar practice to that which exists now will continue to operate. In those circumstances, I see no difficulty in this particular provision.

Clause passed.

Clauses 24 to 28 passed.

New clause 12a—"The advisory committee."

The Hon. D. A. DUNSTAN: I move to insert the following new divisional heading and new clause:

Division 2—The Advisory Committee

12a. (1) There shall, for the purposes of this Act, be a committee which shall be called the "Builders Licensing Advisory Committee".

(2) The advisory committee shall consist of—

(*a*) such number of members as shall be prescribed; and

(*b*) such members appointed by the Governor as shall, in the Governor's opinion, be representative of the various sections of the building industry.

(3) The Governor shall appoint one of the members of the advisory committee to be the chairman and one to be the deputy chairman of the advisory committee and may at any time appoint a deputy to act for a member while he is unable to perform his duties as such or is acting as the chairman or deputy of the chairman.

(4) The Public Service Act, 1936-1967, shall not apply to or in relation to the appointment of a member of the advisory committee and a member of that committee shall not, as such, be subject to that Act.

(5) Subject to this section, a member of the advisory committee shall be appointed for such term of office as shall be specified in the instrument of this appointment, but on the expiration of his term of office as a member, a person shall, subject to paragraph (*b*) of subsection (2) of this section, be eligible for re-appointment as a member.

(6) The Governor may, by notice in writing served on a member, remove him from office on any ground that may be prescribed.

(7) The office of a member shall become vacant if—

(*a*) he dies or his term of office expires;

(*b*) he resigns by written notice given to the Minister;

(*c*) he is removed from office pursuant to subsection (6) of this section; or

(*d*) he becomes bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent persons or compounds with his creditors.

(8) On the occurrence of any vacancy in the office of a member of the advisory committee, a person eligible under this Act for appointment as a member shall, in accordance with this Act, be appointed to fill the vacancy.

(9) The advisory committee shall consider and make recommendations to the board on such matters as are referred to it by the board and for that purpose may establish and appoint such sub-committees as may be approved by the Minister.

(10) The chairman and other members of the advisory committee shall be entitled to receive remuneration and allowances at such rates as are fixed by the Governor.

(11) The Governor may make regulations regulating and prescribing the practice and procedure of the advisory committee and providing for such matters as are necessary or convenient for the proper functioning of the advisory committee.

(12) Subject to this Act, the business of the advisory committee shall be conducted in such manner as the committee may determine.

(13) An act or proceeding of the advisory committee shall not be invalid solely on the ground that there was at the time thereof a vacancy in the office of any member, and shall, notwithstanding the subsequent discovery that there was a defect in the appointment of a member, or that a member was not entitled to act as such, be as valid and effectual as if the member was duly appointed and was entitled to act as a member.

(14) No liability shall attach to any member of the advisory committee for any act or omission by the committee or by him in good faith and in the exercise or purported exercise of its or his powers or functions or in the discharge or purported discharge of its or his duties under this Act.

The clause sets up the Builders' Licensing Advisory Committee (which has been described previously in debate) and sets forth its responsibilities and functions.

Mr. MILLHOUSE: I am surprised that the Premier would bring in a new clause such as this and give no explanation of it. I suppose he hopes that it will go by default. As nearly two pages of script are involved in the clause, I think it ill becomes the Premier not to give information about it, especially as it introduces something entirely new to the Bill. By the provisions of subclause (6), the advisory committee will be entirely in the pocket of the Government. This provision makes even more a mockery of the committee than subclause (*7a*) which was inserted in clause 7. If the Government did not like the tie that one of the members happened to wear and if that were brought within the prescribed grounds (and I suppose this would be done by regulation), that member could be kicked off the committee.

The Hon. D. A. Dunstan: You know well that, under the Acts Interpretation Act, this has to be by regulation.

Mr. MILLHOUSE: That is what I said. The Premier is using a new word today: he has said that everybody who happens to get in his way is havering. The subclause to which I have referred gives the Government the power of life and death over the members of the committee. Even though the committee has no real work to do and may not be given any jobs to do (and even if it does any jobs it may not be listened to), the Government takes unto itself the power of dismissal at will. That is undesirable.

The Hon. G. G. PEARSON: I cannot understand what purpose the committee will serve, because its functions are not set out in the Bill. I cannot see that the board is obligated to use the services of the committee, and no provision is included to give the committee the right to tender advice to the board. I should like the Premier to explain the functions of the committee.

The Hon. D. A. DUNSTAN: The advisory committee was suggested in the original submissions which were sent to the Leader of the Opposition just as they were sent to me by the Housing Industry Association. It considered (and I think it was right) that it would be useful to a board, constituted as the board now is, to have expert advice on many matters. For instance, this afternoon I referred to regulations prescribing certain categories of restricted builder's licence and prescribing the matters to be set forth in regulation about qualifications for a general builder's licence.

Mr. Millhouse: In other words, this is to be a sop to the building trade unions!

The Hon. D. A. DUNSTAN: The building trade unions are not the only organizations to be represented on this committee, and it was suggested not by the building trade unions but by the Housing Industry Association.

Mr. Clark: But both are in agreement about it. Everyone except the Opposition is in agreement.

The Hon. D. A. DUNSTAN: Yes, and the Opposition is not in this industry at all. I know what sort of industry it is in, but perhaps I had better not utter words on that subject at this stage. The honourable member will see that new subsection (9) provides:

> The advisory committee shall consider and make recommendations to the board on such matters as are referred to it by the board and for that purpose may establish and appoint such subcommittees as may be approved by the Minister.

They themselves pointed out that there would be numbers of matters on which the board would be likely to consult and want the help of a special subcommittee with an expert background in some particular aspect of building.

New clause inserted.

Title passed.

Bill read a third time and passed.

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

PRIMARY PRODUCERS EMERGENCY ASSISTANCE BILL

Returned from the Legislative Council with the following suggested amendments:

No. 1. Page 2, line 31 (clause 5)—Leave out "and".

No. 2. Page 2 (clause 5)—After line 36 insert—

> "and
> (*c*) direct grants of money to primary producers in necessitous circumstances as a result of drought, fire, flood, frost, animal or plant disease, insect pest or other natural calamity to enable such persons to continue in the business of primary production".

Consideration in Committee.

The Hon. J. D. CORCORAN (Minister of Lands): I move:

> That the Legislative Council's suggested amendments be agreed to.

I do not object to these amendments although, initially, the Government considered that the provision for payments that applied under the Bill was sufficient in that they could be made for the purchase of fodder and water, or for any other purpose considered necessary by the

Minister, and it was possible for the Minister to set out terms of repayment. Also, the Minister could have remitted all the repayment or any portion he considered necessary. This could be termed a grant. The amendments may make difficult the administration of the legislation, which is permanent and covers many aspects of calamity, but they also may mean that urgent specific aid can be given and, for that reason, they should be agreed to.

Mr. HALL (Leader of the Opposition): I, too, support the amendments, which demonstrate the good work that the other place does when considering legislation affecting the State. Obviously, some of the people we are trying to help will need more than a loan at bank overdraft interest. These amendments make more clear the intention of the legislation, and I congratulate the Government on accepting the advice of the Legislative Council.

Mr. FREEBAIRN: I, too, congratulate the Government on accepting these amendments, which allow the Minister greater power to do good work. I visited the Loxton Show yesterday, and the situation of the people in the Murray Mallee has to be seen to be believed. Anything that can be done to help these people must be done. I spoke to a young farmer who told me that three or four years ago he invested most of his savings in a farm and, subsequently, invested his remaining capital in improvements to the property. He is committed fully to a stock firm and to a bank, but does not know what to do because of the present seasonal conditions. I told him that, unless these amendments were accepted, his only hope was an extension of an interest-paying advance.

Mr. Curren: That's not true.

Mr. FREEBAIRN: It is basically true, but I shall be pleased to tell this gentleman when I write to him where he now stands.

The Hon. J. D. Corcoran: That's completely unfair.

Mr. FREEBAIRN: I thought the Minister would accept my praise with good grace, because I am pleased to support these amendments.

Mr. SHANNON: The Minister has been fair, because this Bill covers not only the present problem of the shortage of rainfall but other future calamities. I am pleased that the Government has seen fit to accept this amendment, because it will help to retain on the land people who know something about primary production. I am glad, too, that this measure is confined not only to the conditions that we are experiencing at present.

Mr. McANANEY: Although I support the amendment in principle, I should hate to be the Minister administering this clause because of the anomalies that could arise under which one farmer was obliged to repay an advance that he had received, whereas another was not.

Mr. NANKIVELL: I, too, support the amendment, but I sympathize with the Minister in having to administer a direct instruction as is now provided. Indeed, I thought sufficient powers already existed in paragraph (*d*), under which the Minister could, if necessary, waive repayments of capital and determine the rate of interest to be charged. Nevertheless, the amendment will assist in special cases.

Mr. RODDA: I congratulate the Minister on accepting this amendment. It has been said that the Minister will have difficulty in sorting out the "sheep" from the "goats". However, as I was an officer in the Lands Department for about eight years, I know that people in the department can do that. If a man is worth his salt and is in needy circumstances, I have no doubt that assistance will be granted him and a good man will thus be kept on the land.

Mr. CURREN: I commend the Minister for accepting this completely innocuous amendment. Apparently, it makes members opposite happy that an amendment recommended by another place has been accepted. At the Loxton Show yesterday, many farmers told me that the primary need in the area at present was for them to be able to obtain finance beyond what was available from banks and stock firms. They realize that the Government is helping them in this way. I hope the member for Light heard the remarks of the Chairman of the society in opening the show, because he said much the same thing. Most of the farmers in this area have been four years without a crop. The Bill relates to all forms of primary production and sets up a permanent structure to make finance available in times of emergency in a natural disaster. The Bill will thus be advantageous in regard to any natural disaster that occurs in the future. I support the amendment.

Mr. QUIRKE: I, too, support the amendment, although I do not think it is altogether necessary because provision already existed in this respect. Primary producers are subject to all the vicissitudes of the weather. I see considerable substance in the idea that a man whose holding has been destroyed over a period

of years should be enabled to hold on to it until, through his own efforts, he can revive his land. It takes a year or two to do that. The price received by primary producers for their products is right on the margin in many cases, including the production of wool and wheat. Therefore, in years such as this, when these people suffer further intrusions into their economy, they can suffer gravely. The money under the Bill will not be granted haphazardly, and what is granted will be more than compensated when farms are revived.

I congratulate the Government on accepting the amendment. However, once the Bill is passed, it will be up to the Government to find the money, and I believe that much more than the $500,000 referred to will be required. I have travelled north beyond Jamestown, east and west. In the south of Yorke Peninsula conditions are good, but not far away they deteriorate. On the West Coast, conditions are reasonably good but in other areas it is a different story. However, an inch of rain this month and another inch early next month would save a colossal quantity of wheat in this country. The wheat plant is capable of survival in hazardous conditions and an inch of rain this month, followed by another inch next month, would save the State much grain, which means wealth. Otherwise, everyone will feel the impact.

One of the Ministers asked the financial organizations to be easy on the producers. I do not think that financial interests of this country do sufficient for people affected by such calamities as drought. These institutions hold the title deeds to the properties, yet they fall back on the Government when something goes wrong. It is not true to say that the institutions have reached the limit of their assistance. These institutions are falling down on their job in regard to the drought.

Mr. Casey: That was proved in the 1930's.

Mr. QUIRKE: Yes. What capacity has any South Australian Government to meet the situation? This Government has undertaken responsibility, but the $500,000 is sufficient to provide only a plate of stale scones and a cup of tea for each farmer. It is the responsibility not only of the Government but of everyone who fattens on the economy to restore the position. I do not expect this Government or any other to find the money necessary to restore the equilibrium of primary production.

If we do not get rain, the primary producers will be flat on their backs. At present they are being propped up by this assistance. I support any move that maintains the stability of production. In the words of the Commonwealth Minister, there is now an opportunity for the people who advertise on television by saying "Chances are he's backed by a bank." Who is backing the Mallee farmer today? If anything, he is being backed down the bank. These statements seem strange ones for a Liberal member to make, but I have been in the position about which I speak, as have honourable members opposite.

Mr. Hall: You aren't saying banks are not backing farmers in the Mallee, are you?

Mr. QUIRKE: Of course they are backing them, but they have reached their limit, whereas there is no limit to what these people need to enable them to withstand these tribulations and get back into production. Their ability to pay their debts depends on their capacity to do that, and the people who hold the title deeds to the properties must assist the Government.

Mr. SHANNON: The member for Burra (Mr. Quirke) has omitted to acknowledge what is being done by certain financial institutions other than banks. The only people we need be concerned about are those who have no equity. In my wide experience in this field any man with an equity is a valuable client. That condition applies not only to the company that I have the honour to represent but also to other companies that want to keep good and knowledgeable people on the land. The member for Burra does not want to do a disservice to those who are assisting people on the land. Today, some of those on the land cannot pay their ordinary household accounts, and these people should be assisted immediately by this legislation. Those with an equity of $60,000 or so in their property do not want, and should not be given, a gift.

Mr. QUIRKE: I do not want the member for Onkaparinga to think that I overlooked the attitude of stock companies and others who are assisting these unfortunate people today. When there is no equity the responsibility is placed upon the Government, which is required to assist these people. The Government's action improves the value of securities held by other people: those holding the securities should help the Government in this situation. They should be able to help the farmers in adversity, and the Government should not be the final and only salvation of these unfortunate people. Farmers who need it should be given help in order that they may resume production because, when they

do, they become one of the State's finest assets. Therefore, everyone in the State should help them regain that position. Stock companies have done a magnificent job and the Government is to do its share, but others have a responsibility to help.

Mr. McANANEY: During the last depression I worked in a bank that played its full part in lending money to people to the absolute limit, as did stock firms. The bank will carry to the limit anyone who has sufficient equity in a property and in respect of whom a reasonable chance of recovery exists. When someone says that the Government has no responsibility to assist farmers—

Mr. Quirke: Who said that?

Mr. McANANEY: The honourable member for Burra—

Mr. Quirke: I never said that.

Mr. McANANEY: —at one stage said that we could not come back at the Government. It is because of the many efforts made to keep secondary industry going that the farmer, who is the most efficient producer in the world, has not sufficient assets to carry himself through a bad period such as the one now being experienced. It is not fair to make private enterprise responsible for a situation that in some respects has been created by a Government.

Mr. FERGUSON: I support the amendment. I am pleased that this measure will assist primary producers not only affected by drought but any primary producer who is in necessitous circumstances arising out of a number of problems. We know that share-farmers have little equity in a property and depend mainly on the return received from share-farming activities. On the other hand, if a primary producer has used up the whole of his equity in the property he owns, he knows that with land values as they are today there is little chance for him in the future.

The Hon. J. D. CORCORAN: Honourable members have referred to two extremes: that the Government should be responsible in this matter or, alternatively, the banks. However, I believe that both should be responsible and that both the Government and the banks are playing their part in this regard. Bearing in mind the prevailing conditions in this State, I point out that the banks and stock firms have been extremely co-operative and that the present situation has been contained only because of the co-operation we have received from them. In my opinion the Commonwealth Government is primarily responsible in this matter because that Government benefits most from the proceeds of primary production. Only today the Premier forwarded to the Prime Minister a second letter setting out the present position in South Australia.

Mr. McAnaney: I hope it is better than the other one.

The Hon. J. D. CORCORAN: I do not appreciate that comment, and I do not think the honourable member could have improved on the first submission or on the submission forwarded today.

Mr. Nankivell: Have you suggested a sum?

The Hon. J. D. CORCORAN: Yes; we have conservatively estimated the adverse effect on the economy of this State as being over $85,000,000 and we have stated that the sum required to help primary producers in necessitous circumstances could amount to $6,000,000 this year. Although it is extremely difficult to say what will be required, we expect that about 700 farmers will require assistance initially. The whole situation has been examined at length, and the officers concerned have worked hard to prepare the submission that was sent today to the Commonwealth Government. Since I have been made responsible for this measure, I have given some thought to extending the committee that will advise me on certain matters, and I state categorically that I have not been prompted in this matter by anyone. I am pleased to say that as a result of my contacting a Mr. Shannon who lives at Pata, near Loxton, that gentleman is willing to serve on this committee, and he has recommended that a Mr. B. G. Schmidt of Lowbank also be asked to serve on the committee, the latter gentleman having also subsequently agreed. We shall therefore have on the committee primary producers from two of the worst affected areas in the State.

I think the member for Light (Mr. Freebairn) represented this legislation most unfairly. If I understood him correctly, he said to the young farmer at Loxton that the only way he could be assisted was by means of an advance on which he would have to pay interest. In the first instance, I point out that clause 5 (1) (*a*) refers to the following:

> (*a*) advances to primary producers in necessitous circumstances as a result of drought, fire, flood, frost, animal or plant disease, insect pest, or other natural calamity as may be approved by the Minister of Lands on the advice of the Minister of Agriculture, to enable such persons to continue in the business of primary production . . . .

I also draw the attention of the honourable member to paragraphs (*a*) and (*d*) of subclause (2).

Mr. Freebairn: What I said was not contrary to the Bill.

The Hon. J. D. CORCORAN: The honourable member said that the type of assistance to which he referred was the only type of assistance that could be granted. In subclause (2) (*b*) no reference is made to "interest" in relation to the payment that can be made. By the provision of subclause (4), the Minister can remit part of the payment. These provisions were in the Bill when the honourable member spoke to the person at Loxton. Although the honourable member may not have understood the provisions of the Bill I point out that these things were included before the amendment was moved in the Legislative Council.

In considering whether we should accept the amendment, I took into account the matter of the word "equity". On that basis, possibly a need for the amendment exists because a grant could be in order where there was no equity. The prospect of being able to continue in the business of primary production is important and a grant could possibly provide for this where an advance could not. A share-farmer could be in a position where a grant would be of great benefit. Farmers are mainly self-reliant and will not be looking for handouts; under this legislation, they will not get them because resolute administration will be carried out. The amendment will make administration more difficult but I will face up to that. I hope that, with Commonwealth assistance (if it is forthcoming), we will be able to do something worthwhile for primary producers who have suffered so severely in certain parts of the State during this season.

Suggested amendments agreed to.

INDUSTRIAL CODE BILL

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.

Adjourned debate on second reading.

(Continued from October 5. Page 2479.)

Mr. COUMBE (Torrens): The Bill is like the proverbial curate's egg: it is good in parts. It is too important to be rushed through Parliament, because it affects all the workers in the State who do not come under Commonwealth legislation. In fact, clauses dealing with safety also affect to some extent those under Commonwealth awards. Because the Bill is so far-reaching we must consider it carefully, and yet we are asked to rush it through with scant time to study it; as yet the Bill is not even on members' files. The second reading explanation was given last Thursday afternoon after the Government had been considering representations for about three months.

The consolidation of this legislation is overdue and is a good feature, especially after the major amendments made by Parliament last year exclusively in respect to the Industrial Court, the Industrial Commission and the conciliation committees. Most of those amendments have been included in the new Bill. Another good feature is the inclusion in this Bill of the Country Factories Act. Therefore, all the industrial legislation of the State is now included in the one Bill.

The Bill is in two major parts; first, courts and awards; and, secondly, working conditions in factories and safety provisions. Although the Bill has good features, in Committee I will seek to amend many clauses to improve it; some clauses I consider are objectionable and I will seek to remove them. The court procedures are taken en bloc from the 1966 amending Act and are incorporated in the new Bill. In doing this, the Government has taken the opportunity to slip in some rather important variations. The industrial wing of the Labor Party has prodded the Government on this occasion, putting forward its views which the Government has incorporated.

Because the Bill is of such size and importance, this evening I intend to deal only with the major clauses; I shall leave details to the Committee stage. I intend to proceed in the same order as the Minister proceeded in his second reading explanation. The Bill contains small variations in wording that are rather significant in their effect. The first provision dealt with by the Minister was that of equal pay and, as this subject has never been fully debated in this House to my knowledge, I intend to deal fairly fully with it. I support the principle as provided in the Bill, and the Opposition also supports this view. Only one clause is necessary to deal with this subject. Clause 80 (1) provides that the commission shall, upon application, make provision in any award for equal pay as between the sexes where they perform work of the same or a like nature and of equal value. That last phrase is of extreme importance. Clause 80 (2) provides that the commission shall consider whether female employees are performing the same work or work of a like

nature as male employees and doing the same range and volume of work as male employees and under the same conditions.

Subclause (3) provides that, where equality is established, increases and adjustments up to parity are to be spread over five years. There is an interesting comment in subclause (6) (*b*), which completely limits the application of the whole of clause 80. In order to appreciate the significance of this provision, we must consider the whole matter of awards made in the past and how those awards affect us today. Since the first Commonwealth award, the Harvester Award of 1907, was made the amount granted by the court was based on the needs of a man, his wife and his children. This continued, with variations such as automatic payments.

Mr. Quirke: That provided for two children, didn't it?

Mr. COUMBE: Yes.

Mr. Broomhill: That no longer applies, does it?

Mr. COUMBE: The same principle has, to some extent, continued. Variations were made, particularly when the court a few years ago introduced the matter of the ability of industry to pay.

Mr. Broomhill: This hasn't continued until today, has it?

Mr. COUMBE: I am developing this argument, and the member may agree with me when I have finished.

Mr. McKee: I doubt that.

Mr. COUMBE: I do not expect the member for Port Pirie to agree, but the member for West Torrens is brighter.

Mr. McKee: Why didn't you support equal pay when you were in Government?

Mr. COUMBE: I have just said that I support the view that the Government has put forward. The reason why the court in those days made that determination was that it considered that the needs of a man were greater than the needs of a woman, because a woman was not expected normally to have to support her husband and her children. It is important to remember that there has never been a female basic wage, as such. The court, having determined the male basic wage, decided that the female living wage would be 75 per cent of the male wage. Then, margins are provided for men and women and when similar work is done there is a greater parity between the margins than is the case in relation to the basic wage. While there is equality in most professions today, some jobs are essentially done mainly by women. Some office work is mainly done by women, as is some factory work. That is why the Government included those words in clause 80. There is no doubt that many women should receive the same amount as men, and I could deal at length with the anomalies that have occurred.

Mr. Clark: In many countries they get it.

Mr. COUMBE: It applies here in some cases. It should apply in cases of graduates and in professional and sub-professional types of work, as well as in some especial types of occupation. In factory production, specific awards cover work essentially done by women. Different conditions are laid down for women and men. For example, women working in factories have more compulsory tea breaks than men have. Further, seats sometimes have to be provided for women, whereas they have not to be provided for men. In the old Act and in this Bill women are prohibited by law from lifting by hand weights of more than 35 lb. and women under 18 years of age are prohibited from lifting by hand weights of more than 25 lb. In addition, protracted overtime is banned.

The New South Wales legislation, on which the Minister has said that this Bill is based, is important. That legislation was passed in January, 1959. On that occasion, equal pay was given by the tribunal when male and female employees were performing work of the same or a like nature and of equal value. When the legislation was introduced, there was conjecture about the interpretation of that provision, and the Full Bench of the New South Wales Industrial Court ruled in 1959 on the meaning of the phrase, and this is the report of the decision:

> The tribunal held that equal pay could be granted in New South Wales on the following conditions: only in awards providing for both male and female workers; only when the work of males and females are fairly precisely the same; only when the work of males and females in the industry concerned overall is of equivalent nature and value; only when the award classified the work so specifically that it was possible to compare groups or classes of employees. The value of the work was not to be the employer's assessment of its worth. The commission itself alone would decide if work was to be of equal value. Equal pay could not be granted to females engaged on work essentially or usually performed by females but also done by males. Equal pay could not be granted to juniors.

The classifications there and the wording are important and have been observed from that time. Much publicity was given to the New South Wales legislation but, despite that

publicity and the political capital made at the time, the drafting of the legislation was such that it could be applied to relatively few workers in New South Wales. In fact, that is the present position in that State. Similarly, this legislation can apply to relatively few female workers in this State.

What does "Equal pay for equal work" mean? Is it work of the same volume, content, and nature? If equal pay for equal work is referred to in that context we should consider men and women doing the same physical operation and producing the same volume and quality of output, doing the same maintenance work and having the same knowledge of machines, and of women attending as regularly as men do. However, in reality only a small number of women would meet those requirements. The phrase "equal work" is misleading to the public. Obviously, thousands of women in this State have been looking forward to the introduction of this Bill, but these same women, who expect to receive an increase in pay, will be disappointed. The legislation will apply to some women but not to the many that the Government has led to believe it will apply to.

The Hon. B. H. Teusner: It should not apply to barmaids.

Mr. COUMBE: There will have to be a definition of duties.

The Hon. B. H. Teusner: I think barmen handle kegs.

Mr. COUMBE: Yes, and other things. I should think that a woman would not be able to lift a keg, but she will have to do the same work to receive equal pay. Obviously, with work of equal nature, volume, and content, equal pay should apply, for instance, to teachers, doctors, and professional people, but where the job content varies this will not be so. The Minister said that the New South Wales Act seemed to have little economic impact in that State in which it has operated since 1959. Obviously, it has not affected many people.

I do not argue about the economics of operating full equal pay or total equal wage, but it has been estimated that the additional cost would be up to $700,000 a week. I do not fully agree with that figure, because the calculation would be difficult and we do not have to do that. The manufacturing industry uses about 20 per cent of all women working in industry, banking about 6 per cent, commerce about 25 per cent, and amusements, hospitals, and service industries about 10 per cent. Many of these people will receive no increase in pay. Where women are engaged in essentially women's work they will receive no increase.

The Opposition supports the Government, because it believes this is a correct principle and should apply. The Government has aroused much interest in what it has led people to believe it is going to do, but there may be many thousands of disappointed women in this State, because many will not receive extra pay.

Mr. Clark: Do you think we have gone far enough?

Mr. COUMBE: It is the Government's job to legislate, and the Opposition supports the Government as far as it has gone. The Bill also deals with preference to unionists, but I am sorry that members cannot refer to what they do not have.

Mr. Broomhill: You had a Bill a week ago.

Mr. COUMBE: I did not have one then. I received mine at 5 p.m. last Thursday, and was asked to speak to it this evening.

Mr. Broomhill: Didn't you have one before last Thursday?

Mr. COUMBE: I received mine from the Minister at 5 p.m. on Thursday.

The Hon. C. D. Hutchens: That is correct.

Mr. COUMBE: Although the Government has had this matter before it by representation in one form or another for months, the Opposition had its first look at the Bill at 5 p.m. last Thursday, yet I am expected to research and speak to it this evening.

The Hon. C. D. Hutchens: Everyone received an advanced copy on Thursday afternoon.

Mr. COUMBE: Preference to unionists is referred to in clauses 25 and 69, and in the definitions. The effect of this will be that when this legislation is enacted many applications will be made both to the commission and a conciliation committee, with the result that before long all the State awards will provide for preference in employment to unionists.

I oppose the idea of providing for compulsory unionism in our State awards. Why should we have an extension of the closed shop principle? Of course, we hear the same old story that, by the work of trade union officers, better conditions have been obtained for workers in a particular trade and yet non-unionists receive the benefit, but that does not excuse the plea now being made by the Government (no doubt as the result of some prodding it has received from the industrial wing) that it should include this blatant preference for unionists.

Mr. Broomhill: Perhaps the Government accepted the fact that Liberal Governments in Queensland and Western Australia do the same.

Mr. COUMBE: Just because a position applies in other States does not necessarily mean that we must provide accordingly. I believe in some degree of minimizing regimentation in this State. Indeed, we have had a whole series of Bills along these lines. Why should we have preference in this regard?

Mr. Broomhill: Don't you think the court ought to determine that?

Mr. COUMBE: I invite the honourable member to examine carefully the wording of these provisions, because I personally do not think it will achieve what he hopes it will achieve. The Minister next referred to an omission from the Bill that relates, of course, to strikes and lock-outs. We therefore have a Bill that seeks to establish a magnificent set of industrial laws, which the Government no doubt proclaims will be the most enlightened laws in Australia, yet the Bill contains no enforcement provisions. The penal clauses to which I refer are, of course, binding on both parties and are a feature of Commonwealth legislation and most State legislation today. Many of the clauses in the Bill that cannot be enforced will be useless, and we may be leading ourselves into much industrial trouble. These provisions could well be re-inserted in the Bill.

Although some of the old provisions relating to this matter are now old-fashioned, I sincerely believe that if some of them were redrafted along the lines of Commonwealth legislation they could, with considerable benefit, be included in the Bill. Without such clauses, the Bill will not be worth the paper on which it is printed. The Minister referred also to subcontractors in building work who are to be covered by an award. Clause 28 includes definitions of "subcontractors" and "contractors". This new provision empowers the Industrial Commission to determine rates of pay that must be paid to a subcontractor; it can also determine working conditions. This certainly breaks new ground in South Australia. It appears to conflict absolutely with normal building and mercantile practice and it interferes with the relationship between a contractor and subcontractor. It provides for direct control of subcontractors. This will certainly bump up the cost of building, whether of house-building or any other type of building, and it will be a difficult provision to administer. Earlier today we dealt with the the Builders Licensing Bill and this provision should be viewed in that context.

Because of its insufficient knowledge of industry, I am sure the Government does not realize what can happen under the clause. It deems a subcontractor to be an employee of the contractor, and nothing is done to change the relationship between a subcontractor and his employees. Therefore, I presume that such employees shall remain the employees of a subcontractor, who must remain responsible for their wages. Under this provision, a contractor will have no control over those employees: he will have no say in what other employees shall be employed, nor will he have the right to choose other employees or the right of dismissal. I assume that what is intended is that the subcontractor, after paying his employees their award rates, shall have a balance which should be equivalent to his award rate.

However, what will happen if he does not? If a subcontractor is dismissed summarily by a contractor, he will be left responsible for giving wages in lieu of notice to his own employees in respect of which he will have no recourse back to the contractor. The clause does not empower the commission to make an award to ensure that the subcontractor pays any particular wage to his employees; all it does is to make an award fixing remuneration of the subcontractor.

The Hon. G. G. Pearson: Does this assume that the subcontractor is always self-employed?

Mr. COUMBE: It is difficult to work out what it means. The provision states that a subcontractor shall be deemed to be an employee of the contractor. In the building industry, a man often has his sons working for him, learning the trade. However, if a subcontractor employs his sons they will not be entitled to the benefits of the award because they are not employed according to the provisions set out in the Bill. I cannot understand what basis there is for an award to be made if the remuneration is to have no relationship to the numbers of persons employed by the subcontractor. It is the remuneration of the subcontractor and not that of his employees with which this clause sets out to deal. However, it does not achieve what the Government wants to achieve.

Subclause (3) contains an anomaly because it provides that, for the purpose of applying the other provisions of the Bill, a subcontractor is deemed to be an employee: for all other purposes he remains a subcontractor. I can only assume that, although he may be entitled

to receive remuneration for work he performs, he will still be liable as a subcontractor for damages for a breach of contract which may arise through faulty workmanship he performs or through his failure to complete work by a certain date. This clause goes too far altogether. I do not believe for an instant that the Government realizes what it is doing. It wants to regiment and control another section of people. However, it has gone completely overboard and is upsetting the relationship of master and servant and of contractor and subcontractor. All we will have is a lot of confused people, and the cost of building will increase.

The Minister referred to certain clauses dealing with factory safety, with which I agree. I give grudging support to the clause that provides that no new factory is to be built without departmental approval. Under this provision a person who may want to build only a prefabricated type of garage for which he would employ only one man would have to submit a plan to the department as well as to the local council. This would be understandable in the case of a large factory but it would mean much additional paper work in cases where only minor buildings were involved.

As I have said, I agree with the incorporation into this Bill of the Country Factories Act and the Bakehouses Registration Act. As I am doubtful about other provisions of the Bill, I want to raise them at this stage so that the Minister will have an opportunity to look at them. Clause 92, which deals with dismissals, provides:

> Except pursuant to an award or order, no employer shall dismiss any employee from his employment or injure him in his employment by reasons merely of the fact that his employee (a) is an officer or a member of an association, or (b) is entitled to the benefit of an award, order or industrial agreement.

That is perfectly fair, but the Government has deliberately omitted a provision in the old Act that provided that an employer shall not dismiss an employee because he is not a member of an association. That is important, and that provision should be re-inserted. The current legislation provides that an employer shall not dismiss a man just because he is a member of a trade union, and also that he shall not dismiss a man because he is not a member of a trade union.

Another provision is that he shall not dismiss a man because the man is entitled to a benefit of an award. The Government has not included the provision that a man shall not be dismissed because he is not a member of a trade union. Where is the justice and equity in that? This Government is supposed to be democratic, but it has deliberately expunged this provision. The Government does not want that provision but it has provided that a man shall not be dismissed if he is a member of a union.

This is another aspect of the preference to unionists that I have already mentioned. I venture to say to the Government that, if it inserts this provision, it will gain the support of many people. In addition, the provision will not do any harm. It may lead to better industrial relations between employer and employee in this State. The provision as set out in the Bill is definitely loaded, and I shall move to insert the provisions of sections 122b of the current Industrial Code. The definitions clause deals with industrial matters, and power is given in clause 5 (2) (*a*) to rule upon—

> the wages, allowances, or remuneration of any persons employed or to be employed in any industry, or the piece-work, contract, or other prices paid or to be paid therein in respect of that employment, including the wages, allowances, or remuneration to be paid for work done during overtime or on holidays, or for other special work, including the allowances payable to any persons in respect or on account of time lost between times of employment and also including the question whether piece-work shall be allowed in any industry.

I draw attention particularly to the reference to allowances payable to any persons in respect or on account of time lost between times of employment. What does that mean? Power is given to the commission to determine what payments are to be made in the form of allowances to cover the period between when a man leaves a job of his own accord or is dismissed and when he commences another job. Will the employer whom the man has just left be paying, or will the employer to whom the man wants to go be paying?

Those words have no other meaning than that payment is to be made to cover the period between jobs. This is utter rubbish. I know the history of this matter regarding the building trade, but it can apply throughout industry. How will the man be affected regarding unemployment relief benefit for the period between jobs? This provision puts on one employer an impost over which he has no control, and that is going too far.

Conciliation committees were set up by the 1966 amendment, and most of us thought they were a good idea. We now have an Industrial Court, Industrial Commission and conciliation

committee. The committees comprise representatives of employers and employees under the chairmanship of a commissioner, who is appointed to the commission by the President. The committees are set up for various trades and callings, and have considerable power. However, they have not worked out as we hoped. I consider that an improvement in the present system could be made, and I suggest that consideration be given to abandoning the present system and replacing it by another procedure.

The committees consider country and metropolitan awards, and there is not a similar set-up anywhere else in Australia. It is wasteful of the time of the commissioner, the members and the advocates. Where we have both country and metropolitan awards covering one industry, the awards are mostly identical, and much overlapping occurs. The variation of wages or conditions within an industry requires at least two attendances by representatives and commissioners, and sometimes three. There is usually one for the country award, one for the conciliation committee to meet on the metropolitan award, and one for the commission hearing the metropolitan award case. In addition, it is always necessary to check the commission's minutes of draft variations or new awards, and often necessary to attend settlement of minutes conferences. The trade unions and employer representatives have complained about this matter, saying that time is wasted, particularly where country and metropolitan awards run conjointly.

Some further unsatisfactory incidents have occurred, because the committees have to meet during working hours when it is difficult for both union and employer representatives to meet at the same time and, as a result, the committees have sometimes lacked a quorum. Sometimes the committee cannot be as free and open in its discussion as members would like. The Chairman frequently closes the meeting and then sits as a Commissioner to arbitrate. Whilst technically the hearings are open, when the Chairman closes the meeting committee members present may know about the proceedings but the interested parties do not.

I believe that there are dangers in the Full Bench of the Industrial Commission giving full powers to a conciliation committee to make a State-wide award. Closed session awards establish precedents for other industries with similar work factors. We all hoped last year that these committees would be satisfactory; some are, but others have trouble. As an improvement, I suggest that, instead of the conciliation committees operating, we adopt the practice of a claimant before the commission serving copies of the claim to all interested parties. All persons involved can be heard but, before commencing any claim, the Commissioner may direct the parties to confer to ascertain whether agreement cannot be reached. The Commissioner should not attend these meetings unless requested to do so by a majority of the parties.

They should then go to the Commissioner and inform him on what they had agreed, and ask him to rule on matters that had been disagreed to. Much time would be saved by this system and it would help to overcome the present back-lag. This constructive suggestion may improve features of this Bill. Clause 52 deals with the tribunal and the rules it should adopt, but I believe that it provides a shocking way to conduct a court. Courts of summary jurisdiction, in which justices of the peace preside, have strict rules of evidence and how it shall be given and how witnesses are protected. This clause departs from that principle. Although we passed it last year I suggest it should be amended. It would benefit the commission and parties if elementary rules of evidence applied, and this practice would create a better appreciation of the evidence that is tendered.

I do not reflect on the commission, but I believe that the present practice is not fair to witnesses and advocates, and the clause should be amended so that ordinary rules of evidence should apply. This is the only State in Australia in which the present practice is adopted. For many years employers have deducted from employees' wages, with their consent, hospital and medical payments, insurance premiums, and similar deductions. The Government now intends to go further and, in addition to authorizing these payments, it provides that union dues can be deducted by the employer. How far can one go? Why should employers be compelled to do this: they are doing the work of the union organizer or shop steward. It is a sure way of having union dues paid, but this matter concerns only the unionist and the union.

Anomalies are present in the drafting and will have to be dealt with in Committee. I have enumerated the major features of the Bill; to some I object and of some I approve, and I have suggested one or two constructive improvements. Although I support the provision relating to equal pay, I oppose one or two other provisions, which I believe are

obnoxious. I particularly oppose the omission of strike and lock-out provisions, the provision relating to preference to unionists, and the provision for the extension of awards to building subcontractors. Indeed, the latter provision will not achieve what the Government hopes it will achieve. Finally, however, I believe it is a good thing that all industrial legislation will now be consolidated.

Mrs. STEELE (Burnside): I believe that members will agree with me that the member for Torrens, having virtually been charged by the Opposition with accepting the responsibility for answering the second reading explanation of this important legislation, has ably discharged that responsibility. No-one could have dealt with the matter to better effect than the honourable member, who has had a long and valued experience of industry. I agree with him that it is a pity that a Bill of such magnitude should be introduced so late in the session.

Mr. Broomhill: Why?

Mrs. STEELE: The Bill has tremendous implications, notice of some of its provisions having been given nearly three years ago when the policy speech was given by the present Minister of Social Welfare when Leader of the Labor Opposition. Containing 213 clauses, the Bill should have had the attention of this House for some considerable time before it was actually debated. Indeed, that applies to any Bill as important as this measure, which amends the Industrial Code and consolidates other enactments. However, the Bill having been introduced last Thursday, we are now debating it this evening, that is, on the next sitting day. I intend to speak only to Part VI, Division 1, of the Bill which deals with rates of pay for adult females, a provision which, as far as it goes, I support in principle. This important innovation will affect many hundreds of women, although many more women in South Australia will be disappointed at the restricted limits of the Bill.

Mr. Broomhill: Do you think it ought to go further?

Mrs. STEELE: I am saying that I agree with it as far as it goes.

Mr. Broomhill: You wouldn't agree if it went further?

Mrs. STEELE: When explaining the Bill, the Minister of Works referred to this important innovation merely by saying:

To implement one of the promises contained in the policy speech of my Party, which was endorsed by the electors in March, 1965, provision is made by clause 80 of the Bill requiring the Industrial Commission and Conciliation Committees to award to adult females the same rates of pay as are prescribed for male employees who are doing the same work. The progress towards such equal pay will be spread over a period of five years. Clause 80 is based on the equal pay provisions of the Industrial Arbitration Act of New South Wales which has operated in that State since 1959, and notwithstanding the existence of those provisions industry has continued to expand and prosper in that State.

That is little explanation for what is a fairly revolutionary departure in this State.

The Hon. C. D. Hutchens: What really was left unsaid?

Mrs. STEELE: I think more was left unsaid than was actually said.

The Hon. C. D. Hutchens: What was left unsaid?

Mrs. STEELE: Much could be said about this important provision. I was one of two members who introduced a deputation on this matter in, I think, 1964. I reiterate that I am rather disappointed at the Minister's limited explanation, because many women working in the professions and in industry will no doubt desire more explanation of what this legislation means to them. In 1961 female employees represented about 23.6 per cent of the work force. It was impossible for me to obtain the relevant figures beyond that date because the latest figure available, to which I have just referred, is based on the 1961 census. I learned from the Commonwealth Statistician that further figures from the 1966 census will not be ready until 1968. It is therefore difficult to estimate the current percentage of female employees represented in the work force. It has been suggested that the proportion is 25 per cent, allowing for the increase in population, largely because of the great influx of female migrants who have been quickly absorbed into the work force of this State. Therefore, I believe that interest in this matter is high and I think that, had we had more time to discuss it, the discussion would have been stimulating indeed.

I want to refer to the difference in terminology that is found in a study of what has happened over the years in this fight for equal pay. As I have said, this has taken place in many countries. It was brought to a climax at the I.L.O. meeting in 1951. As late as 1964, about 56 countries had ratified convention No. 100, which provided for equal remuneration for men and women workers for work of equal value. Although it has been ratified by all those countries, it has not actually been

implemented by a number of them, of which Australia is one. Some countries, in one way or another, have introduced equal pay legislation in the last few years. For instance, in the United States of America all Federal civil servants are covered by equal pay legislation and many States have passed similar Acts to bring them into line in this respect. The United Kingdom in the 1950's instituted equal pay provisions that apply to civil servants.

In New Zealand (and that Act has been said by many people to be the Act on which the proposed legislation in South Australia should have been based) equal pay applies only to Government employees. In the definitions that Act states that "Government employees" means all employees of Her Majesty in respect of the Government of New Zealand and includes all other employees whose salaries or wages are met wholly from moneys appropriated by Parliament. Therefore, in New Zealand the Bill is limited to those particular female employees. In New South Wales, the Act is more general and covers many more people than Government employees. Of course, New South Wales is the only State to have introduced equal pay legislation.

The member for Torrens referred to the differences in terminology. He said there were many different ways of explaining what equal pay for work of equal value might mean. I have taken the trouble to look at the different ways in which this provision has been worded in the Acts I have studied, and a tremendous difference in the terminology is apparent: for instance, equal pay for identical or substantially identical work; equal pay for equal work; equal pay or remuneration for work of equal value; and equal pay for the sexes. I have a document from the Department of Labour and National Service which deals with equal pay and gives some aspects of Australian and oversea practice. It goes on to explain the meaning of the various pieces of terminology to which I have referred.

I agree with the member for Torrens when he says that the terminology of the Bill applies only where men and women are doing the same work. He analysed this matter satisfactorily. Of course, this Bill will not cover many occupations. Again I echo what was said by the member for Torrens: many women who probably thought they would benefit from this kind of legislation will not benefit at all. Included in this category are some women who follow occupations which, for some reason or other, are considered to be confined to women or in which only women are engaged.

It is rather interesting to consider the different professions in which women will not qualify for equal pay. For instance, social workers who are employed by the Government and private organizations will not qualify under this legislation because social work is considered to be an occupation that employs mainly women. I think most members know that this interpretation is not correct and that many male social workers do exactly the same course and the same kind of pactical work, and are involved in the same type of case; yet women get only 75 per cent of the male rate of pay.

Speech therapists are in much the same category. Only the other day I received a letter from a female speech therapist who said she understood from what she had heard of the Bill that she would not qualify, because speech therapy was considered to be a profession in which women predominated and to be confined mainly to women. That is erroneous because, even if there are not male speech therapists in South Australia, there are many in Australia. In recent years men have entered the field of nursing. Here again, although this is predominantly a woman's profession, when men are employed as nurses there is a differential rate of pay in their favour.

Another person wrote to me recently complaining that she was in the Public Service and had often deputized for her immediate superior in the department. When he retired she had retained the position and was still doing his work. She had applied time and again to have her pay increased (if not to the figure he had received) but she had been turned down.

Many anomalies will occur as a result of the legislation and many women will be disappointed. I do not think it will benefit a great many women in industry, because most are employed in processes in which men are not engaged. What I am saying is confirmed by an article that appeared in the December, 1966, issue of *Public Service*. After having their hopes raised by the Government's announcement that it intended to introduce equal pay for work of equal value, when they got around to studying who would benefit from the legislation, members of the Public Service Association found that the position was not as good as they had expected. The comment was made that what emerged clearly from those activities, which were submissions and deputations, was that equal pay would be introduced in South Australia and its full implementation would be spread over a five-year period. The report went on:

So far, so good. Everyone took heart that this target of long standing was on the eve of complete fulfilment. It was never though to mean that every female in employment would receive the same salary or wage that was being paid to some male in the community. There are so many different rates of pay. What it was taken to mean was that the male rate would be paid to a female who was doing the same work as the male or work equal in nature or value. The comment was made that the Government was riding on the reputation that it had to take the credit for introducing equal pay. The report, which was written by the editor, said that this was most confusing, because a study showed that that was not going to be the case at all. We know that teachers are having their pay brought up to equality, and that that is being done over five years for the purpose of spreading the impact on the State's economy over that period. However, some have found that they would be disqualified from receiving equal pay under the legislation that was intended to be introduced. The Public Service Association mentioned the New South Wales Act as being verbose, restrictive and inadequate, yet the Minister has stated that that is largely the legislation on which this measure has been based.

I said that the New Zealand Act was short and simple, and related only to specific employees, those who were employed by the Government. I understand that that legislation has been most successful and laid down, for the implementation of equal pay, lines that have been easy to act upon. Equal pay legislation is something for which women have battled for a long time, and to me it is socially just that women should receive equal pay for work of equal value. As every member knows, the women members of this Parliament could not do other than support equal pay, because we ourselves benefit from just that. There is no doubt that support will come from this particular section of Parliament.

Mr. Quirke: Can you name any occupation other than member of Parliament in which women get equal pay?

Mrs. STEELE: Yes, the judiciary is one. Doctors do the same courses of study, and I remind the member for Burra that in 1961 the Honourable Mrs. Cooper and I persuaded the Government to pay women doctors at the Royal Adelaide Hospital the same rates of pay as were paid to their male counterparts. Strangely enough, this was done at a time when for many years women students had been topping the medical results but yet were not getting the same rates of pay as male doctors at the Royal Adelaide Hospital.

In Australia generally, according to information given by the South Australian Equal Pay Council in the booklet *Equal Pay for Equal Work,* women receive equal pay in these categories: journalists; registered pharmacists other than in Government hospitals (that is rather interesting); hospital technicians in metropolitan and some other hospitals, for example, radiologists, laboratory technicians, etc.; resident medical officers in most hospitals; university teaching staffs and certain other categories of professional workers in the universities; and shop assistants engaged in selling groceries, cooked provisions and certain other categories of goods. I am not certain that equal pay applies in South Australia in respect of the last category I have mentioned.

Another highly technical profession is that of librarian and, although women librarians do the same course of study as men, they do not receive the same pay but yet are most proficient in carrying out their duties. There are certain professions and categories in which women already receive equal pay for work of equal value, and I think it is only just that women should receive equality of pay with men in those circumstances. I think I have said sufficient to indicate that I support entirely the principle of equal pay, but I reiterate that I think many women in South Australia will be disappointed because they have been expecting the introduction of equal pay legislation to bring about a much better state of affairs than is the case.

Mr. McKEE (Port Pirie): I support the Bill. The member for Torrens (Mr. Coumbe), who now claims to support equal pay, reminds me of the saying that when things are different they are not the same. He was a member of a Government and, if he supported equal pay at that time, he kept it quiet. During the debate on the Licensing Bill members opposite opposed equal pay for barmaids. However, barmaids perform equal work.

The Hon. B. H. Teusner: Not entirely.

Mr. McKEE: They do, apart from cellar work. However, equal pay for barmaids was opposed by members opposite.

Mrs. Steele: I don't think there will be many of them.

Mr. McKEE: That is debatable. I think there could be quite a few eventually. The member for Torrens also claimed that there were anomalies in the Bill. Having listened to him, I am satisfied that he is convinced that the whole Bill is an anomaly! He said that we had riding instructions. However, there

is no doubt that he has received his riding instructions from certain people who support his kind of politics. Those people are not happy about the Bill, because similar legislation met a sudden death in another place last session.

The member for Burnside (Mrs. Steele) also had ample opportunity to make her voice heard about equal pay when she was a member of the Government, but she accepted equal pay and forgot about her sisters. Then, we did not hear from the honourable member, but now she claims to support the principle entirely. We are making a start, but during 32 years of Liberal Government equal pay was never discussed. Like lotteries and the Totalizator Agency Board the issue was ignored, and that is why the Opposition is where it is now. This important legislation repeals the State's out-of-date Industrial Code, which was originally passed more than 20 years ago. That is astounding: it is unbelievable to think that people are working under legislation that has been outdated for nearly three decades.

I have personal satisfaction in being associated with a Government that is concerned for the welfare of the people. The Bill will modernize the present Industrial Code, and will make available to most people conditions that they should have enjoyed many years ago, but have not received under a Liberal Government. The Bill requires the Industrial Commission to award equal rates of pay to adult females doing the same work as males. Everyone must agree that that principle is not unreasonable, and I am pleased that the members for Burnside and Torrens, and other Opposition members, realize that it has public support. The Bill empowers the commission to give preference in employment to members of trade unions. Although most working people voluntarily join a union—

Mr. McAnaney: What percentage?

Mr. McKEE: Ninety per cent.

Mr. McAnaney: Bunkum! It's about 30 per cent.

Mr. McKEE: From my experience as a union organizer I am confident that most people join a union voluntarily.

Mr. Clark: They have other reasons, too.

Mr. McKEE: I have found that they are proud to be members of, and to actively support, trade unions. It is fair and reasonable for them to do this because they should support an organization that has fought for many years to obtain better conditions. Conditions that prevailed prior to the Second World War were appalling but, because of the efforts of the trade union movement, conditions have gradually improved. However, unions must continue to fight because, if they relax, conditions would revert to their former state. The Bill provides for the commission to consider an application by a union for an award to cover agricultural workers.

Mr. Bockelberg: The workers will be far worse off than they are now.

Mr. McKEE: The member for Eyre, as a farmer, will agree that a man employed in that industry works long hours and is entitled to a reasonable reward for that work.

Mr. Quirke: Do you say they are underpaid today?

Mr. McKEE: Some generous farmers do live in this State. Some time ago, free firewood was available from friendly farmers but, at the same time, efforts were being made to reduce the basic wage by $1.20. If these workers are overpaid, Opposition members should not fear because their consciences are clear. Obviously, they are not, because I hear rumblings of dissatisfaction. This legislation brings relief to subcontractors in the building industry, people who are generally hard workers and who should be entitled to a reasonable return for their labour. I am sure that those engaged in that work will congratulate the Government on including this provision, as these people are looking forward to the Bill becoming law.

Mr. Clark: You have had experience of this?

Mr. McKEE: Yes, I meet these people frequently as I move around my district. The Bill includes provisions dealing with health and safety in industry, and these conditions should be accepted by employer and employee, both of whom will benefit. An important clause, removing the penal penalty for lock-outs and strikes, met a sudden death in another place last session. Why?

Mr. Bockelberg: They would strike every week if you let them.

Mr. Clark: No-one wants strikes.

Mr. McKEE: If this Bill meets the same fate as the last Bill did there will be some new faces in another place after next March.

Mr. Lawn: There could be some new faces on the Opposition side of this House, too.

Mr. McKEE: The legislation is eagerly awaited by the work force of this State, and if it does not pass in its present form many thousands of people will be disappointed, including members of the Opposition who

may not be present in this House. For many years workers have been looking forward to the day when they would be released from Liberal and Country League dictatorial legislation.

Mr. Jennings: And bondage.

Mr. McKEE: Of course. They are hoping to throw off the shackles and chains, and this Bill will bring new life to the vast work force of this State.

Mr. Lawn: Just the same as this Government's social legislation has!

Mr. McKEE: Indeed; the shackles have been thrown off them. This measure will put the final seal on the return of the Labor Government, the people having waited many years for these provisions. I hope that members opposite will seriously consider passing the Bill in its present form, because it has public support. I support the Bill.

Mr. McANANEY (Stirling): The member for Port Pirie said that, bearing in mind our approach to equal pay for barmaids, we were inconsistent in supporting this Bill, but the Government itself is inconsistent in this matter: although it believes that equal pay should be immediately granted to some people, the relevant provision in the Bill is to be implemented over five years. The Government was ordered by an outside body to implement equal pay for a certain section of the community; indeed, the only way in which it could provide for the employment of barmaids was to provide equal pay for them. Although I support the principle of equal pay for females, I think it will be to South Australia's detriment if we move faster in this matter than the other States are moving, because we must keep our costs as low as possible. We have already accepted the principle of equal pay in our education system and there is no discrimination, for example, in the issuing of scholarships.

Perhaps the Commonwealth Government could make the position concerning females more equitable by increasing child endowment. We have heard about the wonderful conditions that the workers of South Australia are now enjoying, having thrown off the shackles of the Liberal Government. Indeed, the Labor Government has looked after the ladies to the extent that only 1,300 more females compared with 3,460 more males are now unemployed than were unemployed two years ago! On the other hand, over the last two years of this so-called prosperity, only 3,900 more males and only 6,800 more females have been employed than were employed in the last two years of the golden age of the Playford Government (at which stage 18,200 more males and 9,300 more females had been employed over a corresponding period). If that is not conclusive proof of the higher degree of prosperity that existed before this Government took office, I do not know what is.

The learned industrial advocate, Mr. Hawke, has produced statistics to show that the worker over the last one or two decades has received more or less an even proportion of the benefits of the total production achieved in Australia. Indeed, if one can create the conditions (as the Liberal Government created them) under which full employment and increased production exist, the workers will share in the increased productivity, whether or not they are affected by an award. I agree that the trade union movement achieved many things earlier this century when conditions were not good. In fact, I once took over a farm on which the people employed were paid 50c a week plus keep, at a time when people were begging for jobs under those conditions.

Immediately trebling that 50c wage, I was probably then receiving less than 50c. Under the conditions that the Commonwealth has achieved over the last 15 or 20 years, the workers are generally receiving over-award payments. I accept the principle of equal pay for equal work, provided we do not rush ahead of the other States, for South Australian employees could suffer if their wages were higher than those applying in the other States.

Mr. Clark: Weren't you criticizing us just now for taking five years to implement equal pay?

Mr. McANANEY: Not at any stage. I criticized only the Government's inconsistency in wanting equal pay for one section of the community immediately and then expecting another section to wait. I am prepared to accept the proposal to provide an award for agricultural workers. There should not be two sets of working conditions: if there are awards then I do not see why agricultural workers should not be covered. Nearly all agricultural workers now receive more than they would receive under an award. In order to employ people, I must offer a 40-hour week (and sometimes less), pay travelling allowances to come to my property, and also pay a higher rate of pay than could be obtained in a country town. I believe any award would react against agricultural workers because most

of them now receive concessions such as meat, milk and bread, and through profit-sharing schemes.

The Hon. C. D. Hutchens: The award is only the minimum.

Mr. McANANEY: I believe members opposite say that workers are pegged on a minimum wage and do not receive more. Then they say price control is necessary because of that. However, a different principle applies to primary producers. For instance, dairy farmers, in price-fixing, work under an entirely different principle from that applied by the Arbitration Court. The court states that where there is increased production the workers are entitled to a higher nominal wage. Actually, nothing is achieved because prices increase accordingly. However, over the last five or 10 years dairy farmers have increased productivity and the cost of producing milk has not increased. Apart from the small increase in prices as a result of decimal currency, dairy farmers have not received any more as a result of their increased efficiency. The same thing applies regarding the production of wheat and others things. I understand that workers receive treble time for work on Sundays. If that provision applied to dairy farmers and if overtime and a 40-hour week applied, there would be a tremendous increase in the price of milk. Tomorrow I intend to ask the Minister of Agriculture whether he will publicize the cost formula of milk. As facts put before the Arbitration Court are made public, I believe these figures, too, should be made public.

Only since the advent of the Labor Government and the crisis in the building industry have we heard complaints from subcontractors about the pay they receive. During the period of virtually full employment in South Australia, when there was plenty of work about for subcontractors, they were getting a reasonable reward for their labours. Some of them, who were willing to work hard, received high wages. One or two whom I know received $120 a week from their efforts, and when subcontractors receive a return such as that they can start in business, through the money they accumulate, and ultimately become full contractors. Of course it is difficult to say what will be the position under the new Builders Licensing Bill. Provided there is full employment, subcontractors receive adequate pay and earn much money if they are willing to work. However, with the advent of the Labor Government and with unemployment, subcontractors received low payments.

I do not believe that the provision relating to strikes and lock-outs should have been eliminated from this legislation. I will always fight hard for individuals, but when people combine together (whether employees or employers) to hold the community to ransom, I strongly oppose them on principle. I believe some provision must be made for penalties in the event of strikes and lock-outs. I am consistent in this matter. Although I do not believe in price control, I strongly oppose restrictive trade practices of any type. When people combine together to exploit the rest of the community they should be penalized.

I also strongly oppose the introduction of preference for unionists because this is one step towards compulsory unionism. At the Strathhalbyn Show yesterday, I met a gentleman who looked old enough to receive the old age pension, but who works at an abattoirs. Apparently, although the union organizer did not speak to him, when he went to collect his pay on Friday he found that the union representative had gone to the boss, saying that this man had joined the union. He found that $10 had been taken from his pay and he had some difficulty in getting it back. I believe that people who do not wish to belong to unions should not be compelled in any way to do so: it is the right of the individual to do what he likes in that respect. There should not be even an indirect compulsion. I have belonged to a clerks union and I have been a member of a primary producers' union, but at no time did I expect every clerk or every primary producer to belong to his respective union. If I was an active leader in an organisation and could not attract the rest of the clerks or primary producers into it, that would be through my own inefficiency. They should not be compelled to join.

The Hon. C. D. Hutchens: Don't you think it is the honourable thing to do?

Mr. McANANEY: Some of the unionists' money goes to political purposes. If the Minister can say that it is right and just that a person should be compelled to subscribe to a political organisation through his trade union, I am surprised.

The Hon. C. D. Hutchens: I challenge you to prove that. No union is compelled to pay into political funds.

Mr. McANANEY: Unions do pay into political funds.

The Hon. C. D. Hutchens: No trade union is compelled to.

Mr. McANANEY: Trade unions make contributions to political parties, whether it be the Labor Party, the Communist Party or any other Party.

Mr. Hurst: They do not have to.

Mr. McANANEY: I may be only 57 years old but I am not naive enough to believe that.

Mr. Lawn: Your statement is stupid.

Mr. McANANEY: As the honourable member says that, I believe more and more I must be right. The member for Torrens has adequately covered the Bill, which is a Committee Bill. I think I have made myself clear on the various clauses that I support. Equal pay for women must come, but it should come gradually so that it does not affect industry too much. I have just worked it out that, if every female employee was tomorrow given the male rate, with the numbers of females and males in employment the wages bill for South Australia would be increased by 7 per cent. We must realize that not all of them would qualify for it. It will come over a period and I think industry can adjust itself to this extra payment. Therefore, I shall support that.

I can see nothing wrong with the employees of primary producers being brought under an award. They are entitled to it just as much as any other section of the community. I strongly oppose any compulsion regarding union fees. I think the member for Port Pirie has said he must go by what the public wants and he is doing something the public wants; but in the last Gallup poll on compulsory unionism 70 per cent of the population of Australia favoured voluntary, not compulsory, unionism. I am confident that the younger generation will throw off the shackles that the Labor Party tries, except in social matters, to put on them in the restriction of their liberties. The average vote of the Australian people for voluntary unionism was 70 per cent. Of the younger generation, 78 per cent wanted voluntary unionism. I shall oppose the unionism provision. I consider that penalties should be imposed on people who seek to embarrass the rest of the community by engaging in strikes and lock-outs. I support the second reading, but consider that the Bill needs to be improved in the Committee stage.

Mrs. BYRNE (Barossa): I support this Bill, which is one of the most important measures to be presented to the South Australian Parliament. It has been said already that it is a pity that the Bill was not introduced earlier. However, we all know that the Bill contains many provisions and that the drafting required much time and care so that a great deal of time would not have to be spent on amending it in the Committee stage. From what members opposite have said, it seems that they disagree with the Government only on certain clauses, and the Bill should now have a fairly speedy passage. It is pleasing to have this Bill before the House, because the Industrial Code came into operation more than 20 years ago, and its replacement by a more modern measure has been needed.

The Hon. G. G. Pearson: It came in 50 years ago.

Mrs. BYRNE: It has been amended over the past 20 years. An improvement provision in the measure is the removal of the exemption of agricultural workers, because these workers should be covered by the Code and should have their rates of pay and working conditions prescribed by an award.

The Hon. C. D. Hutchens: The first award made was for agricultural workers.

Mrs. BYRNE: Yes, but not for this State. Some agricultural workers have been dismissed for no good reason and have not been paid pro rata annual leave. In addition, some of them have not received sick pay and have worked long hours without being paid overtime. It has been said that many agricultural workers are paid perhaps more than members of Parliament are paid. That may apply to some, but others are underpaid. Some receive a few extra perks, such as fuel and free milk.

Mr. Jennings: And they go to the football in the family car on Saturdays.

Mrs. BYRNE: In the past, these people have had no redress, because they did not have an award. I was pleased to hear the member for Stirling (Mr. McAnaney) say that he agreed with this provision. I wish to deal principally with clause 80, which requires the Industrial Commission and conciliation committees to award to adult females, over a period of five years, the same rates of pay as are prescribed for male employees doing the same work. This clause is based on the equal pay provisions of the Industrial Arbitration Act of New South Wales, which was introduced in 1959. The International Labor Office, which has its headquarters in Geneva, in 1951 declared in Convention No. 100, Recommendation No. 90, that there should be equal remuneration for men and women workers for work of equal value. I know that most people think that Australia is a very forward country but I could read to the House a list of nearly 60 countries that have applied the principle of equal pay. If I did so, some

members would be very much surprised to hear the names of some of these countries, because we are inclined to regard them as backward, yet in this regard they are ahead of us.

Some of the countries not included in this list give equal pay for equal work in varying degrees, but it is not possible to state precisely the present position, which can change from day to day. In Australia some Commonwealth awards prescribe that females shall receive the same total wage as is received by males engaged in the same classifications. As three Opposition members have supported this clause as far as it goes, I think it is clear that other Opposition members will follow suit.

Generally, in Australia the following classes of worker receive equal pay: journalists, registered pharmacists (other than in Government hospitals), musicians, hospital technicians (in metropolitan and some other hospitals, for example, radiologists and laboratory technicians), resident medical officers in most hospitals, some categories of actors, university teaching staffs and certain other categories of professional worker in universities, shop assistants engaged in selling groceries, cooked provisions and certain other categories of goods, women in the confectionery industry "employed on any work customarily performed by males", certain categories of employees in footwear manufacturing, cooks in the hotel industry in the Northern Territory, and some categories of workers in rubber manufacturing, saddlery, leather and canvas-making industries, and in woollen manufacturing.

In addition, there are women doctors and dentists who charge the same fees as their male counterparts charge. All self-employed business and professional women may receive equal pay. Also, women recipients of income from rents, interest or profit may be regarded as receiving equal pay. The New South Wales Act, on which this Act has been based, has been frequently mentioned in this debate. The following categories of women receive equal pay under the New South Wales Act: all women teachers, about 600 other public servants in various categories, hospital cooks, petrol sellers, many sections of municipal employees, and some 15 additional categories of shop assistants. The Act is known as the Female Rates Act, 1958 and, like our legislation, it provided that women did not receive equal pay until January 1, 1963. Opposition members have referred to the limited provisions of this Bill, but clauses 80 (2) and 80 (4) (*b*) mean that the court is not restricted, as other female workers who consider they have a case, have the right to appear before the court.

At present, some women receive equal pay in South Australia and I am fortunate in being one of them. Members of Parliament, whether male or female, receive equal pay and we are justly entitled to it. In this State we have a woman judge, police women, university teaching staff and certain senior librarians, journalists, shop assistants employed exclusively in the men's wear, manchester and dress material departments, a bell cabin attendant, bread carters, a female attendant in the stationmaster's office, barmaids, and school teachers (who, over a period of five years commencing July 1, 1966), all receiving equal pay.

Mr. Quirke: What about mums?

Mrs. BYRNE: Unfortunately, they do not receive any pay at all. The Housewives Association exists, but I do not think that it will approach the court for an award. I do not claim that the South Australian list of occupations is comprehensive, because conditions change from time to time. The number of women in the Australian work force is gradually increasing. At June this year out of 3,777,400 civilian employees (not including employees in the rural industry, private domestic service, and the defence forces) there were 1,139,500 women compared with 2,637,900 men which means that about 30 per cent of the work force comprised women. In South Australia, at the same date, out of a total of 343,100 employees about 28 per cent comprised women, with a total of 99,700 compared with 243,400 men. This shows that a very large percentage of the work force in South Australia and in Australia is comprised of women.

Let us examine today's pattern of life for the average Australian woman. It is taken for granted that when she leaves school she will work and remain working until she marries. We find that frequently women now return to work after marriage. I admit that it is hard work being a housewife.

Mr. Quirke: The Bill is designed by men to enslave women. The men will now stay home while the women go to work.

Mrs. BYRNE: I do not think it will ever come to that. I do not think men appreciate the psychological reasons why women want to go back to work after they are married. This question is worth examining. There are countless women today who are the breadwinners in their families. Also, there are widows, deserted wives, and single women caring for elderly parents or perhaps invalid

brothers or sisters. Other married women in the work force include those who are working simply to supplement the family income, because often a husband does not earn sufficient to keep the family and buy the necessities of life. Of course, most of these men are in the lower income brackets.

There are other women who remain single all their lives and so have financial responsibilities all their lives. All women in whatever category they may be have to pay the same amount as men for rent, food, power, water rates and other things. They are not able to get these things for less just because their pay is less, consequently it is essential that the principle of equal pay be introduced.

Equal pay also protects fair employers from the unfair competition of those who undercut wage standards by employing women at lower rates than men. It is known that there are employers who will do just this. With the introduction of the principle of equal pay, a man is protected from being replaced by a woman on a lower wage rate. I am very pleased that the three members of the Opposition who have already spoken have supported this provision.

However, before I resume my seat I want to refer to another provision in the Bill that extends the period in which wages may be recovered from 12 months to six years. There have been cases where some employees have missed out on receiving back pay because of the limitation of this provision. Some people I have known did not know how to go about obtaining their wages or were not even sure that they had a claim. These people were being fobbed off by their employers (in many cases previous employers) because those employers were simply stalling for time until the period in which a claim could be made had expired. The present provision will catch up with some of those people.

The member for Stirling (Mr. McAnaney) said that he opposed compulsory unionism. I am a strong supporter of unions and am very much in favour of a form of compulsory unionism. I cannot see why I or anyone else should be a financial member of a union while some other people receive all the benefits without paying anything.

Mr. Lawn: This Bill provides only for preference to unionists. There is no compulsion.

Mrs. BYRNE: That is correct. Under the Bill, people who have contributed to a union will, of course, receive preference in employment, and I can see nothing wrong with that. Employers have their unions in the form of the Employers Federation and the Chamber of Manufactures, but I suppose that is different! The member for Stirling said that he opposed the provision because it provided for contributions to be made to political Parties, but all unions are not affiliated with a political Party or Parties.

Mr. McAnaney: Some are.

Mrs. BYRNE: Yes, but the union of which I am a member is not affiliated with a political Party. Indeed, more is the pity, because I should like part of my membership fee to be paid to the Australian Labor Party. If the honourable member examined the situation he would discover that not one union was affiliated with a political Party in regard to its full effective membership. In fact, the affiliations are usually well below the number of financial members of a union. Unions are not affiliated in respect of their full effective membership because it is recognized that all people do not wish to be connected with a political Party. I support the Bill.

Mr. QUIRKE secured the adjournment of the debate.

TRAVELLING STOCK RESERVE: LACEPEDE

The Legislative Council intimated that it had agreed to the House of Assembly's resolution.

ADJOURNMENT

At 11.9 p.m. the House adjourned until Wednesday, October 11, at 2 p.m.