HOUSE OF ASSEMBLY

Wednesday, October 11, 1967

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

QUESTIONS

CHOWILLA DAM

The Hon. G. G. PEARSON: In this morning's press there appears an article under the heading "Murray Water Check" which purports to originate in Canberra and which quotes a statement made by the Commonwealth Minister for National Development (Mr. Fairbairn) following a meeting of the River Murray Commission held at Albury yesterday. I do not intend to quote the article fully because I have no doubt that the Minister of Works and the Premier have seen it. I draw the Premier's attention to the following comment in the first paragraph: "The water supply situation in the River Muray should become clear within six months, the Minister for National Development said." Later in the article, the Minister is reported to have said, "The studies had become necessary because of the recent finding by the commission that a smaller storage at Chowilla in South Australia might confer almost the same benefits as the 5,000,000 acre feet scheme now proposed." Further on the Minister is reported to have said that "the commission recognized the importance of exploring all likely measures to improve the water supply position and that the Snowy Mountains Authority would be asked to assist." He also said that liaison with consultants would be maintained. The article concludes by reporting him as saying:

The commission's decision to defer work on Chowilla was not an indication of any change of attitude on the urgency of improving the South Australian supply situation. Rather it indicated that the commission was determined to plan a programme of works that would be in the best interests of all Murray water users.

Those quotations highlight the points that concern me. Can the Premier say whether he has received a report on the meetings of the commission, particularly on the meeting held at Albury yesterday? In view of the statements to which I have referred, and in view of the statements made at the time when the work was stopped at Chowilla to the effect that the commission would be able to report within a few weeks, can the Premier say whether the commission has now informed the Government of the reasons for extending the period of inquiry for up to six months? Further, has the Premier information about the significance of the Commonwealth Minister's reported statement that the Snowy Mountains Hydro-Electric Authority would be asked to assist, and has he any knowledge of what is implied by the shift of emphasis in the last two paragraphs of the Minister's statement from "the urgency of improving the South Australian supply situation" to "would be in the best interests of all Murray water users"?

The Hon. D. A. DUNSTAN: No report has been made to the South Australian Government yet on the Albury meeting of the River Murray Commission. As far as the statement by Mr. Fairbairn is concerned, as we have already been told that it is expected that the reports of the studies relating to Murray River waters will be available in December and as I have asked specifically that a meeting take place at least immediately after that time (since the Prime Minister was not prepared to accede to the request of this Government or of this House that an immediate meeting take place), it is extraordinary that a statement seeming to indicate that the studies will not be available in December has emanated from the Commonwealth Minister for National Development. Certainly, the South Australian Government will demand that we have a meeting in December, at the very latest.

Regarding the other statements by the Commonwealth Minister, all of the three specific matters mooted were discussed at the commission's meeting that decided not to accept current tenders for the Chowilla project. The first matter related to the Snowy Mountains Authority. As a result of studies by the River Murray Commission, it had been suggested to the commission at that time that releases of Murray River water from the Snowy Mountains scheme could provide certain freshenings and flow down the river that would cope with many of the problems about which the commission was concerned, and studies were to be made on this aspect of the problem. It is also true that at the meeting of the River Murray Commission there was a discussion about the possibility of a 1,500,000 acre feet project at Chowilla instead of the 5,250,000 acre feet project. The Minister for National Development stated in this morning's report to which the honourable member has referred that the River Murray Commission had decided about this. However, there has been no such decision. The matter of whether Chowilla could be modified and reduced in size to 1,500,000 acre feet was certainly discussed by

the commission, and that is one matter that the consultants have been considering. However, South Australia constantly has maintained that the marginal difference between the costs of a 5,250,000 acre feet project and of a 1,500,000 acre feet project is extremely small (it is about $7,000,000), and we have maintained that it would be absurd to deprive South Australia of the benefits of a 5,250,000 acre feet project for the sake of only $7,000,000.

Further, under the River Murray Waters Agreement, which has been ratified by all parties, we are entitled to a project in excess of 4,000,000 acre feet. Therefore, South Australia certainly will never agree to a 1,500,000 acre feet project in those circumstances. The third point raised by the statement of the Minister for National Development is the possible aspect of various other matters concerned with the supply of Murray River waters in the area that will benefit the people concerned in this project. However, our engineering advice on the benefits of Chowilla dam to all Murray River users is specific: real benefits are obtainable by all three States. What has been said about the fears of increasing salinity has been dealt with in the engineering reports to South Australia and to the commission. There should be no fears about increased salinity either in South Australia or in Victoria, resulting from the Chowilla project. Indeed, real benefits will flow to Victoria from this project. We are confident that if a meeting can be arranged on this subject we can deal with all the fears and questions that have been raised about this project. It seems strange to me that a statement should have been made in the terms that Mr. Fairbairn has seen fit to use, if he has been reported correctly. I shall immediately consult the Prime Minister on the need for a meeting to be held no later than the middle of December. Even if certain matters to be investigated by the commission are not completed at that stage, I believe that a meeting then is most important. All questions that have been raised concerning Chowilla can be dealt with on the basis of information already available.

The Hon. G. G. Pearson: Would you seek details of the meeting held yesterday?

The Hon. D. A. DUNSTAN: Certainly. As I have not had a report from Mr. Beaney, I will seek it urgently and give the honourable member more details tomorrow.

Mr. MILLHOUSE: About a month ago, in reply to my question, the Premier said he thought it would be a few months before a decision was reached on the Chowilla dam project. As I understand the gist of his reply today, he intends to insist on a meeting of the commission being held no later than December of this year, because he is confident that once a meeting is held it will become obvious to all members of the commission that the project is desirable. Assuming that my understanding of the Premier's reply is correct, can he say what powers the State has to have a meeting of the commission called and, whatever those powers may be, does he intend to exercise them to make sure that the meeting is in fact called (as he says he intends to insist that it be called) by December?

The Hon. D. A. DUNSTAN: I did not say I insisted on a meeting of the commission in December: I said I insisted on a meeting of the Governments concerned in December. The point is that I immediately asked for a meeting of the Ministers of the various Governments concerned both as a result of the letters that were sent to the Commonwealth Government from this Government and as a result of the unanimous resolution of this House. We were then eventually told by the Prime Minister, after there had been a statement in the Commonwealth Parliament by the Minister for National Development, that such a meeting would be ludicrous and that it should be postponed until the reports were available on the studies initiated by the River Murray Commission. It was estimated that the results of these studies would be available in December. I have written back saying that I therefore ask for this meeting in December, and I shall seek that that meeting take place. What is more, as various pressures can be brought to bear on this subject, I intend to exercise them.

WALLAROO HOSPITAL

Mr. HUGHES: First, on behalf of the people of my district, I thank the Minister of Works and the Minister of Health for the excellent additional provision that has been made at the Wallaroo Hospital to care for aged people living in the district. Recently, when I asked the Minister of Works whether additional work could be undertaken on the geriatric ward I received a favourable reply, and I have since learnt that the work has been allocated to a certain contractor. Will the Minister of Works ascertain who is the contractor, and when this additional work is likely to be undertaken in the interests of aged people in my district?

The Hon. C. D. HUTCHENS: The honourable member seems to be one jump ahead of me concerning the work being made available

to a contractor. I have no recollection of approving a contract for the work, although I know the matter is being treated as urgent by the department and by the Minister of Health. However, I shall seek further information and inform the honourable member when I have it.

DROUGHT ASSISTANCE

The Hon. T. C. STOTT: A Loxton sharefarmer who approached me a couple of days ago said that, having applied for social service benefits over a fortnight ago, he was asked to visit Renmark (well over 80 miles from where he lived) to put his application in order. However, having complied with this request, he says he has received no reply whatever from the department and is now desperate. If I give the name to the Minister of Lands, will he ascertain whether urgent relief can be given to this farmer?

The Hon. J. D. CORCORAN: I shall be happy to do that.

BAROSSA WATER RESTRICTIONS

The Hon. B. H. TEUSNER: Has the Minister of Works a reply to the questions I recently asked about market gardeners in the Barossa Valley being permitted to appeal against the imposition of water quotas in the district as well as accumulating for future use water quotas not used?

The Hon. C. D. HUTCHENS: As I said yesterday, an officer of the Engineering and Water Supply Department attended a meeting of the Barossa Valley Branch of the Market Gardeners Association at Nuriootpa. The officer reports that the meeting was on quite a friendly basis; questions were answered, and it is considered that the market gardeners accepted the fact that restrictions had to be applied. It was explained that meters would be read on October 10 and quotas allotted. The gardeners may appeal against the quotas allotted, and accumulations will be allowed.

MURRAY RIVER SALINITY

Mr. CURREN: In yesterday's press there appears an article headed "Water plans seen as a boost for South Australia" and illustrating a proposal advanced by a Mr. Simon Pels of Deniliquin, New South Wales. As this proposal purports to incorporate a method of solving our water and salinity problems on the Murray River, can the Minister of Works say whether it has been examined by the River Murray Commission and, if it has, what action the commission intends to take?

The Hon. C. D. HUTCHENS: I understand that this matter was referred to the River Murray Commission and is to be discussed at the current meeting. As conflicting views exist on the practicability of such proposals, they must be examined in detail. As the Premier has said today, we have not yet received a report from the current meeting of the commission. I understand, however, that we shall seek early reports, and these may be available before Mr. Beaney's return.

The Hon. Sir THOMAS PLAYFORD: I have received a report that the Minister for National Development (Mr. Fairbairn) has obtained a promise from the Victorian Premier (Sir Henry Bolte) concerning the release of a substantial quantity of water (I have heard the figure of 250 cusecs mentioned) from the Eildon weir to enable South Australia to carry on this season. Can the Minister of Works say whether such an arrangement has been made and, if it has been, what is the period of the release? I am aware that Eildon, which holds an enormous quanity of water, is full, and it would be a tremendous advantage to South Australia if this generous concession were given us. Can the Minister say what are the facts regarding this matter?

The Hon. C. D. HUTCHENS: I have not heard of any statement along that line. Indeed, I discussed this matter at the weekend with the Director and Engineer-in-Chief (Mr. Beaney) and I should be pleasantly surprised if such an agreement had been entered into. I know Mr. Beaney has been appealing to Victoria for relief from the danger of salinity. However, I shall follow up the report referred to by the honourable member and take immediate action to see whether it has any substance (as I hope it has). If it has no substance, I shall inquire whether something along these lines can be done, if the Eildon weir has sufficient water, to enable Victoria to supply us.

RAILWAY CROSSINGS

The Hon. D. N. BROOKMAN: I have previously asked the Minister representing the Minister of Transport about the level crossings situated in the Reynella and Morphett Vale area which, once surrounded by paddocks, are now close to housing subdivisions, so that different treatment is necessary in regard to their use. The Minister was good enough to obtain from the Railways Department a report advocating the use of heavy steel posts and rails at the crossings, and I appreciate the department's attitude. As I know the Minister

of Social Welfare has his own views on the danger of these steel posts and rails at crossings, because damage to motor vehicles is increased greatly by them, will the Minister ask the Minister of Roads whether the Road Safety Council or the Police Commissioner has any views on this matter?

The Hon. FRANK WALSH: Although I should like to state my own views regarding this matter, I will take up the matter with the Minister of Transport with a view to getting the Road Safety Council to examine the matter further. I am inclined to think that these open crossings need re-examination.

PORT PIRIE HOSPITAL

Mr. McKEE: As the accommodation problem at the Port Pirie Hospital is becoming acute, can the Minister of Works say when work is likely to start on the children's ward at the hospital? If he cannot, will he obtain a report?

The Hon. C. D. HUTCHENS: Although I have some recollection of moves being made, rather than say anything that is incorrect I will obtain a detailed report for the honourable member.

LOG BOOKS

Mr. McANANEY: Has the Minister representing the Minister of Transport a reply to my recent question regarding legislation on log books?

The Hon. FRANK WALSH: The proposed legislation is to control the hours of driving of commercial motor vehicles. Its intention is solely a safety measure to prevent excessive hours of driving and the Minister of Transport is sure all members would agree with this. Because it would also apply to interstate drivers, it is essential that legislation be uniform between the States. Legislation of this type is operating in New South Wales and Victoria. However, the Minister of Transport's inquiries indicate the interstate legislation is not as tidy as it could be and would have some difficulties of practical application in South Australia. It is not intended to introduce a Bill at this stage, but negotiations will be conducted with the other States to see if agreement can be reached on more acceptable uniform conditions. The South Australian Road Transport Association is fully informed on this matter.

UPPER HOUSE

Mr. JENNINGS: The leading article in this morning's *Advertiser*, discussing the possibility of a Labor majority in the Commonwealth Senate after November 25, states:

All the Government's planning would be under continual threat of capricious interference or obstruction. Before long, the Government would have the choice of submitting to this humiliation or accepting the necessity for another costly election. The danger of such a crisis arising may have been increased by the apparent decline in public support, especially in other States, for the Democratic Labor Party. An Australia-wide reaction against the D.L.P. could make the Government's Senate election task harder. There is all the more need for electors to ensure that the Government is not frustrated in its vital tasks.

In view of the sentiments expressed, will the Premier approach the Editor of the *Advertiser* and ask him to use his best endeavours to dissuade the Legislative Council, which is more undemocratically elected than the Senate, from continuing its course of capricious interference with, and obstruction of, the State Government in its vital task?

The Hon. D. A. DUNSTAN: If I thought I could make any impression whatever on the editorial writers of the *Advertiser*, I should do so, but I fear that any representations I could make in this direction would be useless—

Mr. Millhouse: What nonsense! The *Advertiser* is entirely unbiased.

The Hon. D. A. DUNSTAN: —in view of the fact that the *Advertiser* has made it perfectly clear in the editorial policy set forth (evidently the member for Mitcham cannot read) that it supports the utterly undemocratic Constitution of the State as it stands at present. It has continually supported, editorially and in its news columns, the obstruction of the mandate which this Government has for carrying into effect much of the legislation for which it was elected. Although I would certainly undertake this move if I thought it was of any use, I regret that I must say to the member for Enfield that I do not think it will be of any use, because the morning paper in South Australia does not believe in a democratic Constitution for this State.

The Hon. D. N. Brookman: Doesn't it believe in democracy?

The Hon. D. A. DUNSTAN: The honourable member evidently equates democracy with the views expressed by certain members elsewhere who have said that, for the State not to have an Upper House elected by a small propertied minority with a complete right of veto over whatever the majority should vote for, would be undemocratic. Evidently, the honourable member agrees with that view as the view of democracy. I hope that the people of this State will be able sufficiently to read the *Advertiser* to realize that when things are

different they are not quite the same and that when it is the Liberal Party that is being frustrated by an Upper House that is unfortunate, improper, undemocratic and contrary to sound Government; however, when the Labor Party is in Government, elected by an overwhelming majority of the people of the State, and when its programme is frustrated by a tiny undemocratic minority, then, of course, that is entirely proper and in the best interests of democracy and the future of this State! That is the view of the *Advertiser,* but I believe that the people of the State are well aware of the bias which it obviously exhibits.

FLAMMABLE CLOTHING

Mrs. STEELE: Has the Minister of Works, representing the Minister of Labour and Industry, a reply to my question about flammable clothing?

The Hon. C. D. HUTCHENS: The Minister of Labour and Industry states:

At the conference of the six State Ministers of Labour held on September 29, information, including technical advice, obtained from overseas and from the various States relating to the use of flammable material in wearing apparel and, in particular, children's clothing was considered. Legislation to regulate the sale of flammable clothing cannot be effective unless it is uniform throughout Australia. A prerequisite to the enactment of any such legislation is the establishment of a proved and reliable standard for Australian conditions for the testing of the flammability of fabrics and, having regard to the wide variation in climatic conditions throughout Australia, there is no simple solution to the problem. However, the Standards Association of Australia is currently preparing standard test procedures for determining flame resistance of fabrics used for the manufacture of children's night attire.

In view of this, the Ministers, at their conference, decided to advise the Standards Association of their interest and the need for a practical standard to be evolved as quickly as possible. As soon as advice is received from the association on what is considered to be an adequate Australian standard test of flammability, the Ministers will give the matter further attention. In the meantime, Australian clothing manufacturers and importers are being approached with a view to seeking their cooperation in adequately publicizing the danger of material that is flammable, by the use of legible labels, containing words such as "Warning, keep away from fire", etc., permanently printed or woven thereon.

RADIATA TOURS

Mr. RODDA: Has the Minister of Immigration and Tourism a reply to the question I asked last week about radiata tours?

The Hon. J. D. CORCORAN: I think I explained to the honourable member that the radiata roundabout tour was organized by a private operator who lives and works in Millicent. The tour provides for coach travel from Adelaide to Millicent, an overnight stay at Millicent, car travel to Mount Burr, Tantanoola, Mount Gambier and Port MacDonnell, two nights in Mount Gambier, and return to Adelaide by road coach. Train travel is not included in the tour. Optional extra days are available in Mount Gambier, Millicent or Robe.

Accordingly, it would be difficult for the operator to vary his itinerary to include the tourist attractions of Naracoorte. The honourable member's suggestion has been discussed with the operator, who has said that it is not economically practicable for him to vary his itinerary in this way at the present stage. However, he is well aware of the tourist attractions of the Naracoorte area and, if the extension to Naracoorte becomes practical later, he will be happy to comply.

LIBRARY SERVICES

Mr. HALL: Has the Minister of Education a reply to a recent question about the establishment of a free library at Para Hills?

The Hon. R. R. LOVEDAY: Provision for an additional subsidy of $12,000 to the Corporation of the City of Salisbury towards establishing a free library at Para Hills is made in the 1967-68 Estimates of the Libraries Department.

GOVERNMENT BUILDINGS

Mr. MILLHOUSE: My question refers to the costs of maintenance of certain public buildings in this State, both the actual costs for 1966-67 and the estimated costs for the current financial year. Yesterday the Minister of Works was kind enough to give me information on this matter in answer to a question on notice. Since then I have compared the figures he gave me with those in the Estimates of Expenditure that were considered by Parliament some time ago, and I have found that the figures are not the same at all. In fact, there are great variations. I do not want to go through all the figures, but I shall explain two examples so that the Minister will understand what I mean. On page 63 of the Estimates of Expenditure, which deals with education buildings, actual payments for 1966-67 are set down at $1,190,547, and the figure that the Minister gave me yesterday for that year was $1,749,803, a difference of about $600,000. The proposed expenditure provided in the Estimates was $1,160,000, or a drop of about $30,500. The figure given by

the Minister yesterday was $1,771,200, or an increase of $21,397.

For hospital buildings, the figures are even more startlingly different. For example, the actual payments for 1966-67 given in the Estimates were $726,731, and the Minister yesterday put it at $1,294,170, a difference of about $600,000. In view of the tremendous difference between the figures given in the Estimates (which were debated within the last month here, although they had been made up to June 30) and the figures given by the Minister yesterday, which showed, in the case of education buildings, an increase whereas the Estimates showed a decrease, I desire to ask the Minister what may be the reasons for the changes that have occurred in the computations of actual payments since the Estimates were prepared and in the Estimates of Expenditure under those heads for the current year.

The Hon. C. D. HUTCHENS: The figures given in the Estimates were in regard to buildings alone. As I recall, the figures I gave yesterday were in excess of the Budget figures. The figures given in the Budget are for care of buildings and furnishings.

Mr. Millhouse: It is the other way around.

The Hon. C. D. HUTCHENS: That is how it was interpreted. However, I shall have the matter inquired into and give the honourable member a reply later.

MOUNT BURR MILL

The Hon. Sir THOMAS PLAYFORD: I have been informed that the Woods and Forests Department, particularly at Mount Burr, is continuing to reduce the number of people employed in the mill by not filling positions that become vacant. Also, the area used to stack timber has become so congested that the excess quantity of timber has become a grave problem to the department and, indeed, it was suggested to me that the department would have to obtain more land in order to stack timber if this trend continued. Can the Minister of Forests say what he intends to do to relieve this acute position, and whether the Government will promote a more active sales promotion campaign so that employment will be increased in this important department of the Government service?

The Hon. G. A. BYWATERS: The honourable member has grossly exaggerated the position. About a fortnight ago I referred to him a report from the Conservator of Forests that stated that although the milling was exceeding the present demand it was considered that by Christmas time the position would be reversed. The position is contrary to what has been suggested by the honourable member, and it will not be necessary to buy more land in order to store the timber. I passed through Mount Burr a fortnight ago, when visiting the district of the Minister of Lands, and saw the accumulation of timber. Certainly there is quite a supply there, but nothing to show that the storage was overcrowded. Unless something unforeseen has happened in the last fortnight I am sure that the position has been exaggerated by the honourable member. To my knowledge no retrenchment of labour has taken place at Mount Burr: in fact, with the addition of the hogger, chipper, and bandsaw, and the increased demand for pulp, we expect work to be increased considerably. The honourable member need not be alarmed about the situation. The sales staff of the department has been increased and a representative has been added to the sales staff used outside the State. Because of the improved methods of production in South-East mills that have been adopted in the last year or two and with the improved technical ability, production has increased considerably. I believe that, during May, record sales of timber were made, and there has been an increase in production resulting from the use of modern techniques.

STATE LIBRARIAN

Mr. MILLHOUSE: Last week the Minister of Education was asked several questions about the State Library and staffing thereof, and in the course of one of his replies to me he said:

> I see the honourable member for Gumeracha grinning, but the salaries of the library staff were so much below those in other States that many of the best men migrated to the other States, with the exception of the State Librarian, who stayed on in South Australia at considerable financial sacrifice to himself, and I appreciate his action in that regard.

Later, in answer to another question and again referring to the State Librarian, he said:

> We increased that officer's salary recently to help him in his position, because his salary, as I mentioned previously, was considerably below what he could obtain in other States.

I have since confirmed that, in fact, salaries of officers of the State Library are fixed by the Public Service Arbitrator and not directly by the Government. More important, the salary of the State Librarian, because he is the head of a department, is fixed directly by the Government and it was increased at the same time as the salaries of other heads of departments were increased. His salary is still, I discovered, only $9,900, whereas the salaries of

the librarians of the two other libraries in this State, comparable with, but smaller than, the State Library (that is, at the Adelaide and Flinders Universities) are $12,000 (the professorial rate) and may be increased when the academic salaries are increased. The State Librarian is still $2,100 behind the salaries of librarians at the Adelaide and Flinders Universities. Therefore, the question I ask the Minister, in view of the appreciation he expressed (and with which I may say, without being accused of comment, I agree), is whether the Government intends to increase the State Librarian's salary to make it at least comparable with that of the librarians at the universities in South Australia.

The Hon. R. R. LOVEDAY: When I consider that I have the means to do so I shall be pleased to recommend this course of action, in order to make up for the things that have not been done in the past.

HOUSING TRUST CONTRACTS

The Hon. G. G. PEARSON: Has the Premier a reply to the question I asked recently about items in Housing Trust contracts that come under the rise-and-fall provisions?

The Hon. D. A. DUNSTAN: In the rise-and-fall clause in the Housing Trust's building contracts, the trust does not follow the practice outlined by the honourable member. The relevant portion of the trust's rise-and-fall clause states:

> Any increase or decrease in the cost of materials brought about by legislation or regulation of the Commonwealth or the State, or any increase or decrease in the cost of wages brought about by the operation of industrial award or determination made under any legislation of the Commonwealth or the State, shall be added to or deducted from the contract sum.

This means that any variation in wage awards issued by the Commonwealth or State and any variation in the cost of the various materials upon which the Prices Commissioner issues a ruling, affect the contract sum accordingly. Such variations in wage and material costs apply only to the work still to be carried out in any contract subsequent to the date of issue of the ruling.

Although the price of timber is not controlled by the Prices Commissioner, the Timber Merchants Association issues price variations from time to time and, when calling for tenders for the larger housing contracts—which will extend beyond 12 months' duration—the trust stipulates in its "Notice to Tenderers" (which forms part of the contract documents), that, for the purpose of price variations, the builder must state with his tender whether he wishes such variations to be based upon indent prices or T.M.A. ex-yard prices.

The trust does not enter into any negotiations between the builder and the subcontractors—that is, prior to the direction given by me to the trust—and is, therefore, unable to state what is included in any rise-and-fall clause that may be contained in their agreement.

SAMCON BUILDINGS

Mr. HALL: Has the Minister of Works a reply to the question I previously asked about the construction and ventilation of Samcon school buildings?

The Hon. C. D. HUTCHENS: I have obtained the following report from the Director of the Public Buildings Department:

The Samcon system of construction was designed originally to provide an air-conditioned interior, and this permitted economies in ceiling height and the use of special wall panels containing fixed windows. In order that an assessment could be made, under working conditions, of the efficiency and economy of various types of heating and ventilation systems in these schools, three main air-treatment methods have been installed:

(1) ducted air, warmed in winter and cooled by refrigerated plant in summer;
(2) ducted air, warmed in winter and cooled by an evaporative plant in summer; and
(3) ducted air, warmed in winter, with provision made for air circulation, without cooling.

These three systems are listed in order of initial and running costs. Three Samcon schools in cooler parts of the State, namely Kalangadoo, Upper Sturt and Millicent North, have been erected without cooling plants. Ventilation is provided mechanically at an adequate rate. The Millicent North school is also to be fitted with ceiling fans to provide an additional comfort factor. Samcon schools have progressed to a Mark II stage and future schools erected will be of this later design, which includes evaporative cooling.

HOMES ACT

The Hon. Sir THOMAS PLAYFORD: Has the Premier, as Minister of Housing, a reply to the question I recently asked concerning whether lending institutions are now making money freely available under the Homes Act or whether they are lending mainly outside the provisions of that Act?

The Hon. D. A. DUNSTAN: The Homes Act provides for guarantees of loans beyond 70 per cent and up to 95 per cent of valuation if the loan does not exceed $6,000, and up to 85 per cent of valuation for loans up to

$7,000. The commission is ¼ per cent a quarter calculated upon that part of the loan guaranteed. The State Bank has always lent on terms as favourable as provided for by the Homes Act, but has carried its own risks rather than seeking a guarantee. It has not latterly made its terms any less favourable than formerly. The Savings Bank of South Australia was earlier the major participant in the guarantee arrangements, but it has latterly decided to carry any risks itself. Its experience has shown that costs of carrying its own risks are lower even than the small rate of commission payable to the Treasury for guarantees. The Savings Bank, however, has continued to lend as extensively and upon no less favourable terms than formerly. This applies both to valuation and income tests. The South Australian Superannuation Fund continues to participate in the Homes Act guarantees as formerly on no less favourable terms than formerly. The Co-operative Building Society has latterly been increasingly taking advantage of the Housing Loans Insurance Corporation scheme under which it can insure loans beyond the $6,000 and $7,000 limits in the Homes Act. It, too, offers no less favourable terms than formerly.

The Hon. Sir THOMAS PLAYFORD: It was represented to me by a house salesman that one of the problems confronting the building industry today is not so much to get houses built as to be able to finance their sale. He said that many people who desired to buy a house were not able to raise the second mortgage finance to undertake the purchase and that, since it had given up using the Homes Act, the Savings Bank required a higher minimum income than it had previously required when the Government provided a guarantee against loss. As I have no way of checking a statement that the minimum net income needed to obtain a loan is $3 higher than it was six months ago, can the Premier say whether that information is correct because, if it is, it would be advantageous to the purchaser of a house to adopt the previous procedure. Since the maximum guarantee (95 per cent) was fixed some years ago, building costs have risen substantially. Will the Government therefore consider raising the sum of $6,000 that can be lent under the Homes Act by $1,000, which would bring it more into line with the current cost of a moderate home unit?

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

WEED SPRAYING

Mr. HUGHES: I have received the following letter from the District Clerk of the District Council of Bute:

At the last meeting of this council, concern was expressed by the members at the minor amount of weed-spraying equipment available to South Australian Railways gangs to enable them to control weeds on railway property. It is understood that in this area the only equipment available (and that for the whole of the northern district) is a portable misting machine, carried on a man's back. This you will realize is totally inadequate for any effective control, and in a number of cases is the wrong type of equipment. The members ask that you voice your protest on the amount of equipment available for this district, and request the South Australian Railways Commissioner to make further plant available for weed control work.

All landholders adjoining South Australian Railways property in this district are weed conscious, and are doing their best to control weeds. It would assist them greatly, if the South Australian Railways has the necessary equipment to control their weeds also. Your early attention to this matter would be appreciated.

I know the farmers whose properties adjoin the railway line in my district and I know that they are indeed weed conscious. Will the Minister representing the Minister of Transport ascertain exactly what equipment is available for weed spraying in this district? If only the equipment referred to in the letter is available, will the Minister ascertain whether further machinery for weed control might be made available to the Railways Department for use in this district?

The Hon. FRANK WALSH: I shall be pleased to take up this matter with my colleague and bring down a report as soon as possible.

FODDER CONSERVATION

Mr. RODDA: I notice in today's press a report that the Minister of Agriculture has drawn attention to the need to conserve fodder for the ensuing year and that he has listed the all too few areas in which fodder will be available, drawing attention to the need to use, as hay, crops that cannot be used otherwise. I refer here particularly to the lucerne areas of Keppoch and Padthaway in the South-East in which farmers could be encouraged to establish with additional watering areas of land specifically for this purpose. Will the Minister of Agriculture give special emphasis in the programme of fodder conservation to this part of the State which could, even at this late

stage and with its own special climatic conditions, including the availability of water, make a real contribution to a badly needed commodity?

The Hon. G. A. BYWATERS: I appreciate the honourable member's comments and the opportunity to develop this matter a little further: we are all conscious of the fact that dairymen particularly will require a large conservation of hay this year. In fact, I have been told that supplies will be short to the extent of about 100,000 tons. We are aware, too, that the areas in which hay can be cut are generally limited, although there are at present considerable areas in this State in which reasonable stands of cereal hay can be cut. Naturally, I expect that some of the people in these areas will undertake this work. However, some people have told me that they will find difficulty in cutting hay because they are equipped mainly for stripping crops rather than for baling hay.

I have suggested to some of these people that they might care to offer their hay in the paddock, allowing contractors to cut it for them. Hay prices are noticeably high this year and range, according to quality, from $40 to $50 a ton. As has been previously pointed out, I believe there is a good sale for hay this year, and I will certainly have the honourable member's suggestion examined.

SUPERPHOSPHATE

The Hon. G. G. PEARSON: Has the Minister of Agriculture the information I previously sought concerning the protection of bulk superphosphate in the field against damage caused by rain and other elements?

The Hon. G. A. BYWATERS: The fertilizer companies have tested many materials, including bitumen and silicones, for their effectiveness in providing protection to heaps of superphosphate stored in the open. However, none has proved really satisfactory. They do not form a complete seal of the surface, and any small depression, such as would occur if the heap were not perfectly coned or were subsequently damaged even slightly, would act as a point of concentration and entry of water. Some protection is obtained by spraying the surface with water to form a crust, which will shed light rains but is vulnerable to high intensity storms. To obtain satisfactory protection, it is necessary to use waterproof material, such as polythene tarpaulins, which cost about $1 a ton for a heap of reasonable size. It is not known how many years these would last. Alternatively, sheds with sliding roofs are now available especially for this purpose. The annual cost of these sheds, if depreciated over a reasonable period, appears to be less than $1 a ton, without making any allowance for the value of alternative use at other periods of the year.

SCHOOL SUBSIDIES

Mr. CURREN: Although there is general satisfaction with the present system of allocating a quota of school subsidies to each school, some people still appear to misunderstand the position. Will the Minister of Education therefore indicate the total amount of subsidy money paid to the 10 primary schools and two secondary schools in my district for 1964-65, 1965-66 and 1966-67?

The Hon. R. R. LOVEDAY: As the honourable member had kindly told me he would ask this question, I obtained the required figures for him. The total subsidies paid for the 10 primary and two secondary schools to which he referred for 1964-65 were $3,450, and for 1965-66, $8,070, the allocation for 1966-67 being $9,960 compared with the actual payment of $10,406. It will be noted that in some instances payments in excess of the allocation were made in the last financial year. This was made possible by a redistribution of available subsidy moneys following a review of the situation at the end of February, 1967.

DANGEROUS DRUG

Mr. MILLHOUSE: My question concerns a matter raised on a number of occasions in this House this session, and particularly in the last few weeks: the drug lysergic acid diethylamide (L.S.D.), its dangers, and whether legislative action should be taken to control its manufacture, distribution and use. On September 26, in winding up a debate on the subject, the Premier said:

> We shall have some action about this after mature consideration has been given to it by the officers of the relevant departments. If it is then found that we should take some action, it will be taken.

This was in answer to the opinion expressed by many members, especially on this side, that some action should be taken this session. That is now three weeks ago, and there has been no sign from the Government of any action, yet the session is now obviously drawing to a close. In the meantime, there have been further reports that show the dangerous propensities of this drug and, therefore, the desirability of doing something to make sure

that its use does not catch on in South Australia. Can the honourable gentleman therefore say whether or not the Government has come to a conclusion on this matter and, if it has, whether it intends to take legislative action this session?

The Hon. D. A. DUNSTAN: I have already said that some action will be taken.

TOURISM

Mr. McANANEY: As I understand that tourism is now treated as an industry, will the Minister of Immigration and Tourism say how many applications for assistance have been received from the tourism industry and what sum is involved?

The Hon. J. D. CORCORAN: I understood the honourable member to say that tourism was now being treated as an industry: I thought it had always been an industry.

Mr. McAnaney: The Minister made it plain a couple of months ago that applications would now be considered by the Industries Development Committee.

The Hon. J. D. CORCORAN: I thought the honourable member was saying that the tourist industry was not an industry: of course, that is not the case and I am sure he would not imply that it was, because tourism is an important industry. True, the Government announced a policy whereby it would make available a Government guarantee in respect of the provision of accommodation in country areas. I am not aware how many applications have been received up to the present, so I shall inquire for the honourable member. However, I know that some inquiries have been made. As it has not been long since this policy was announced, there may be no specific applications at this stage, although some may be in course of preparation. I hope this scheme will lead to an improved standard of accommodation in country areas, particularly in the more isolated areas. I have received inquiries from people about such areas as Port Hughes, where a good class of accommodation would not have been established had this policy not been announced. It remains to be seen whether the Industries Development Committee approves of the submissions, but I hope that the committee will be a little lenient in this regard and that we will see much work in country areas as a result of this policy. I shall be happy to obtain what information I can for the honourable member.

MILK COSTS

Mr. McANANEY: In view of the pending award for agricultural workers, will the Minister of Agriculture obtain information regarding the basis of costing of the milk sold in Adelaide and the allowances made for the labour and overtime of the farmer and other factors in arriving at milk prices?

The Hon. G. A. BYWATERS: Yes.

WATER RATES

Mr. McANANEY: In the drought-stricken areas is land that cannot be used owing to the provisions of the Soil Conservation Act. However, water rates are still payable on this land. In those circumstances, can the Minister of Works say whether some concession could be made to landowners?

The Hon. C. D. HUTCHENS: As I understand that the rating is a statutory provision, I see no chance of a variation.

TROTTING

Mr. McANANEY: Has the Premier a reply to my recent question about the possibility of Saturday trotting meetings at Victor Harbour?

The Hon. D. A. DUNSTAN: It has always been accepted that trotting clubs in the near metropolitan area would not conduct meetings on Saturdays when a race meeting was held in the metropolitan area. Cabinet does not consider any alteration of the present practice is warranted.

PARKIN TRUST INCORPORATED ACT AMENDMENT BILL

The Hon. D. A. DUNSTAN (Premier and Treasurer) obtained leave and introduced a Bill for an Act to amend the Parkin Trust Incorporated Act, 1926-1961. Read a first time.

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

That this Bill be now read a second time.

It is introduced by the Government on behalf of the Parkin Trust Incorporated because of the common interest involved in providing the enabling powers proposed by the Bill. The Parkin Trust Incorporated is a body corporate, incorporated under the Associations Incorporation Act; that body is known as the "Parkin Trust" and its business is the administering of the trust fund for the purposes and objectives laid down in the trust deed. The main objective of the Parkin Trust is the provision of facilities for theological training in the Ministry of the Congregational Church and its associated organizations, and to this end the trust has established and maintains Parkin

College at Kent Town. The funds available to the trust are insufficient for this purpose, and are augmented by donations and gifts.

The terms of the trust have been amended from time to time by Statute, the last time being by way of the Parkin Trust Incorporated Act Amendment Act, 1961. Under the present trust deed, the trust has power to sell any or all of its property and to invest in trust funds, in Government guaranteed securities, in mortgage debentures, and up to 40 per cent of its funds in any other manner provided that such other investment shall be listed on a Stock Exchange and shall have paid a dividend of at least 5 per cent on its ordinary shares for the five consecutive years immediately prior to the investment.

The present trust deed thus provides wide investment powers, but does not categorically provide for the use of funds in a manner which, because of the availability of Commonwealth and State grants, would be to the advantage of the trust and its objectives, namely, participation in the establishment of a university hall of residence. The present Bill accordingly adds an additional clause to the trust deed to enable the Governors of the trust to make an arrangement with a university in this State by which the objective of the trust in the training of students will be guaranteed for all time.

The Governors of the trust are convinced, and in this they have the support of the constituent council of the Congregational denomination, that it is not only a matter of financial benefit to the trust to be able to attract subsidy under the Australian Universities Commission Act but also a matter of considerable education advantage to its students to be involved in theological training in the atmosphere of other academic disciplines.

If the Bill is passed, the trust would propose, with the approval of the Council of Flinders University, to participate in establishing a residential college at that university to accommodate 200 students. The college would be administered by a governing body nominated jointly by the trust and the university. The interests of the trust would be protected by the provision of a maximum of 20 places to its nominated students and by other guarantees in respect of the warden and staff. The college would be open to students generally without religious tests and would not only provide for both men and women students but also have some limited accommodation for married couples.

The Flinders University, the Australian Universities Commission, the Government and the Commonwealth Department of Education and Science are all satisfied as to the desirability of establishing student residential facilities at Flinders University as soon as practicable. The Australian Universities Commission recommended allocation of Commonwealth and State funds for this purpose during the period 1967 to 1969, but the programme was deferred because the funds available for university purposes were allocated to projects deemed to be more urgently required. There is no doubt that this project will be recommended for the next three-year period commencing in 1970 when it will carry high priority. In the light of the necessity to boost local constructional activity and the readiness of the Parkin Trust to participate in the project, the State has asked the Commonwealth that this project should be approved for commencement forthwith rather than at the beginning of 1970. The Commonwealth last week indicated its reluctance to provide its share of the necessary funds prior to 1970, but the Government is still endeavouring to prevail upon the Commonwealth to facilitate an earlier start. From all points of view, whether or not the moves to commence the residential college project earlier than 1970 are successful, it is desirable that the wider investment powers proposed for the trust in this Bill be given early approval. As the Bill is of a hybrid nature, it will require reference to a Select Committee under Joint Standing Orders.

The Hon. G. G. PEARSON (Flinders): I see no reason to delay the passage of the Bill. The Premier has set out what appears to be, on first reading, a complete explanation of the objects of the Bill and the purpose for which the Parkin Trust desires its speedy passage. I commend the management of the trust for its objective outlook in this matter and for the steps it hopes to take (subject to the approval of Parliament) in order to provide accommodation for residential students at Flinders University. Of course, this ties in closely with the purposes for which the trust was first established and with the work it has done and the facilities it has provided over many years. I hope that the legislation will enable the trust to participate in the Commonwealth funds available for this purpose. I support the second reading, in the knowledge that the matter will be referred to a Select Committee for investigation and report.

Mr. FREEBAIRN (Light): I also support the second reading. I, as a member of the

Congregational community, point out that the erection of a tertiary residential college has been one of the dreams of that community for many years, and I am pleased that it is to become a reality.

Bill read a second time and referred to a Select Committee consisting of the Hon. D. A. Dunstan, Messrs. Freebairn, Hudson and Langley, and Mrs. Steele; the committee to have power to send for persons, papers and records, and to adjourn from place to place; the committee to report on October 19.

ST. MARTINS LUTHERAN CHURCH OF MOUNT GAMBIER INCORPORATED BILL

The Hon. J. D. CORCORAN (Minister of Lands) obtained leave and introduced a Bill for an Act to vest certain land situate in Mount Gambier held upon certain trusts in St. Martin's Lutheran Church of Mount Gambier Incorporated, and for purposes incidental thereto. Read a first time.

The Hon. J. D. CORCORAN: I move:

That this Bill be now read a second time.

Its object is to vest in St. Martin's Lutheran Church of Mount Gambier a certain piece of land situated in Boandike Terrace, Mount Gambier. In 1863 this property was purchased by a Lutheran Church which had been founded in Mount Gambier, and a deed of trust was executed vesting the property in trustees to hold it on behalf of the church which appears to have been a branch of the Evangelical Lutheran Church of South Australia. At a later date St. Martin's Lutheran Church was founded in Mount Gambier; this church was a branch of the United Lutheran Church of Australia.

By the year 1900, the original Lutheran Church founded in 1863 had become defunct, its members having died or joined St. Martin's. The surviving trustees of the property in Boandike Terrace transferred the land to the trustees of St. Martin's Church and the trustees of that church have administered it ever since. In 1933 a dispute arose between the Evangelical Lutheran Church of South Australia and the United Lutheran Church of Australia, as to which body was entitled to the land. The South Australian body claimed that the deed of 1863 gave the land to the trustee to hold on behalf of that body, while the Australian body claimed that the Lutheran Church as a whole was meant by the deed.

The question of which body is entitled to the land has now become academic, as both branches of the Lutheran Church have recently united to form the Lutheran Church of Australia which could clearly be the only party now entitled to the land, and it has been agreed that it should be vested in St. Martin's Church, a duly incorporated body free of all trusts and to be dealt with by that church in accordance with the rules of its incorporation. However, the trustees cannot transfer the land. The Registrar-General placed a caveat on the title forbidding sale, on the ground that the original deed vested the power of sale in the congregation of the Evangelical Lutheran Church of Mount Gambier, which congregation no longer existed or exists.

In ordinary circumstances the Supreme Court could be asked to determine who was entitled to the land and to make an order accordingly. But this course does not appear to be possible as the original deed has been lost and there is in existence only a copy, the accuracy of which has never been doubted by any of the parties involved. The only way to solve the difficulty is by way of a special Act of Parliament vesting the land in the church free of encumbrance and this is the object of the present Bill. As the Bill is of a hybrid nature, it will require reference to a Select Committee in accordance wih Joint Standing Orders.

The Hon. B. H. TEUSNER (Angas): I see no reason for delaying the passage of this Bill, and I give it my support. As has been explained by the Minister, in 1863 a certain piece of land at Mount Gambier was purchased by the Lutheran congregation there, which was understood to have been a branch of the Evangelical Lutheran Church of Australia or of South Australia. At that time there were two branches of the church, the United Evangelical Lutheran Church of Australia and the Evangelical Lutheran Church of Australia. There had been only one church from 1838 until 1846, when a rift took place. As the Minister said, in 1863 the land was transferred into the names of trustees to be held in trust on behalf of the church at Mount Gambier.

The object of the Bill is to vest this piece of land in the St. Martin's Lutheran Church of Mount Gambier Incorporated, and the need for this has been made apparent by the Minister. By about 1900 the church that had been functioning in Mount Gambier since 1863 became defunct, as many of its members had either died or left the district. The remaining members had joined another church, known as St. Martin's Lutheran Church, which was formed there. That church was a branch of the United Evangelical Lutheran Church of Australia. The surviving trustees transferred the

piece of land to the trustees of St. Martin's Lutheran Church, and since then the land had been administered by the trustees of that church.

However, in 1933 a dispute arose between the two branches of the Lutheran Church in Australia about the ownership of the land, the United Evangelical Lutheran Church of Australia and the Evangelical Lutheran Church each contending that it was entitled to ownership. As the Minister has said, that matter is now academic, because last year the two churches amalgamated and formed the Lutheran Church of Australia. St. Martin's Lutheran Church of Mount Gambier is a branch of the amalgamated body, and it has been agreed that the land should be transferred to that church. A problem existed in that the Registrar-General of Deeds placed a caveat on the certificate of title that forbade dealing with this land, because the original deed vested the power of sale in the congregation of the Evangelical Lutheran Church of Mount Gambier, which congregation no longer existed or exists.

The matter could not be effectively or properly dealt with by the Supreme Court (which normally would deal with these matters), because the original trust deed had been lost. However, a copy exists and this is accepted as accurate by all parties. The most effective way to deal with this matter, and to carry out the expressed wishes of the church, is by introducing a special Bill, and I am pleased at the Government's action in doing so. If passed, the Bill will give effect to the intention of the members of the Lutheran church, and the property will be vested in St. Martin's Lutheran Church of Mount Gambier.

Mr. BURDON (Mount Gambier): Having discussed this matter with members of St. Martin's Lutheran Church for some time, I agree with what has been said by the Minister of Lands and by the member for Angas. For many years the Lutheran Church at Mount Gambier has been taking care of the land referred to, which is an old burial ground and which is sacred to the memory of early Lutheran settlers, most of whose descendants have left Mount Gambier for the western districts of Victoria. I hope that the Bill will speedily pass, and that eventually St. Martin's Lutheran Church at Mount Gambier will become the owner of this land.

Bill read a second time and referred to a Select Committee consisting of the Hons. J. D. Corcoran and B. H. Teusner, and Messrs. Burdon, Hughes, and Rodda; the committee to have power to send for persons, papers and records, and to adjourn from place to place; the committee to report on October 19.

MENTAL HEALTH ACT AMENDMENT BILL

Second reading.

The Hon. FRANK WALSH (Minister of Social Welfare): I move:

That this Bill be now read a second time.

For some time now the Government has been concerned with the problem of the rehabilitation of persons who have been obliged to seek treatment for some form of mental illness. In former times treatment of mental illness often involved long and sometimes permanent confinement in mental institutions. Today the average period spent by a patient in an institution is appreciably shorter and is often followed by a period or periods of trial leave during which the patient has an opportunity to once again come to terms with the stresses of day-to-day life.

Concomitant with the increasing use of trial leave as a successful method of assisting patients has been the growth of commercial and other establishments catering for their needs. Since it is recognized that these patients possess some degree of social dependence, that is, they are, in many instances, not fully capable of looking after their own interests, it is of particular importance to ensure that establishments whose functions are to assist in their rehabilitation are properly constructed. Once a patient is discharged from a mental institution, he or she no longer falls within the scope of the Mental Health Act, but the Government hopes that former patients who still possess a degree of social dependence will continue to reside in establishments intended to be established under this Act.

Ideally, patients on trial leave should in certain instances enter an ordinary home environment, that is, they should live with their relatives or friends. However, in many cases, for a variety of reasons, it is impossible or undesirable for this situation to come about so, as an alternative, it is necessary that these people should reside in an establishment designed to assist in their rehabilitation. In the Bill these establishments are referred to as "psychiatric rehabilitation hostels". The purpose of this Bill, therefore, is to ensure that these establishments conform to an acceptable standard, and properly provide for the care of their inmates.

Clauses 1, 2, 3 and 4 are formal. Clause 5 amends the definition section in the principal

Act by striking out from the definition of "patient" a reference to an archaic and disused procedure of "boarding out", and by inserting a definition of "psychiatric rehabilitation hostel". Clause 6 inserts a new Division in lieu of the Division relating to "boarding out" of patients; this Division is archaic and no longer used. The proposed new Division deals with the licensing and operation of psychiatric rehabilitation hostels. New section 86 provides that patients on trial leave may be permitted to reside in a psychiatric rehabilitation hostel, which is now defined in section 4 of the principal Act as premises for the time being the subject of a licence under proposed new section 87.

New section 87 deals with the licensing of persons to operate a psychiatric hostel, and sets out the conditions that may be inserted in the licence. These conditions are generally self explanatory, and adherence to them should result in a proper standard of accommodation being provided. The attention of members is drawn to the wide powers vested in the Minister to impose conditions. The justification of these powers is evidenced by the need for flexibility in the administration of this provision. It is envisaged that a private home, in which is accommodated, for a fee, a patient on trial leave, would require a licence, as would an establishment catering for a substantial number of patients, but it is appreciated that the conditions imposed on the holder of a licence in respect of a private home would be considerably less demanding than those imposed on the holder of a licence in respect of a comparatively large establishment. Proposed subsection (3) of this section provides for the revocation of the licence when, after due inquiry, the Minister is satisfied that any condition of the licence has not been complied with.

New section 88 makes it an offence for a person not being the holder of a licence under this Division for or in the expectation of a fee or reward to offer to or undertake the accommodation of patients permitted as a condition of their trial leave to reside in a psychiatric rehabilitation hostel and provides a penalty of $500 for the commission of that offence. Provision is made in subsection (2) for the giving of a certificate by the Director of Mental Health that at the material time the person named in the certificate was not the holder of a licence. This certificate is then *prima facie* evidence of that fact. This evidence is, of course, subject to rebuttal by the person charged. Provision is also made in subsection (3) for a defence when the person charged could not reasonably be expected to know that the person in relation to whom the offence was committed was a patient on trial leave.

Clause 7 amends section 153a of the principal Act, which makes it an offence in certain circumstances to treat or offer to treat mental defectives, by striking out subsection (2) and re-enacting the provisions of that subsection in a revised form. As a consequence of the repeal of the provisions relating to boarding-out of patients references to boarding-out have been omitted and at the same time the references to trial leave have been clarified. Clause 8 repeals the Twenty-third Schedule to the principal Act and is again consequential on the repeal of the provisions relating to "boarding-out". I would again remind honourable members that the policy of this Government is to encourage those persons who are no longer subject to the provisions of the Mental Health Act and who still possess a degree of social dependence, to continue to accept the accommodation provided by those psychiatric rehabilitation hostels that are licensed, subject to supervision and their being properly conducted.

Mrs. STEELE secured the adjournment of the debate.

INDUSTRIAL CODE BILL

Adjourned debate on second reading.

(Continued from October 10. Page 2571.)

Mr. QUIRKE (Burra): Normally, speaking to this Bill would present no difficulty to me, inasmuch as I have always believed in the necessity for the Industrial Code, although I know that it needs some amendment and bringing up to date. But why does the Government always destroy good work? The whole basis of this Bill is one of compulsory unionism.

Mr. Broomhill: What a lot of nonsense!

Mr. QUIRKE: Clause 25 (1) (*b*) (i) provides:

. . . in any award or order—

Mr. Broomhill: Read the first part!

Mr. QUIRKE: I am referring to clause 25; the honourable member is apparently referring to clause 69. Clause 25 (1) (*b*) (i) provides:

The commission shall have jurisdiction . . . and may in any award or order, provide that, as between members of registered associations of employees and other persons, preference shall in relation to such matters, in such manner and subject to such conditions as are specified in the award or order, be given to members of such registered associations as are specified in the award or order. . . .

Mr. Broomhill: I thought you would have been here long enough to understand what that meant.

Mr. QUIRKE: I understand it. The same thing applies to clause 69 (1) (*c*). The honourable member knows to whom preference is being given.

Mr. McKee: Preference isn't compulsory.

Mr. QUIRKE: Of course, that is the gentle way in which the honourable member sidetracks the issue. No-one who is not a unionist will receive preference; he probably will not even receive a job, so if he desires a job he becomes a unionist.

Mr. McKee: What's wrong with that?

Mr. QUIRKE: Although I believe in the existence of unions, I do not believe in compulsory unionism, which is the whole basis of this Bill. Preference will be given to a unionist, whether a non-unionist is deserving or not. Indeed, many people in the Labor Party do not believe in compulsory unionism, and I see no reason why this provision is included in the Bill. Although provision is made for equal pay for females, the Government will be placing a dragnet over all the women in industry, making it necessary for them to join a union. This is such a blatant provision that every reason exists to knock it down. Take this provision out, and I vote for the Bill, but leave it in and I oppose it! I agree to awarding equal pay for equal work. Indeed, women are so much more efficient than men in certain industries, particularly the electrical industry, that if equal pay applies preference will most likely be given to women. It may not be long before the father is home washing out the nappies while the mother is working in a factory. That would probably appeal to some men, and that may be a reason why we should have this legislation. We should not forget this idea of getting women into industry, because it can be carried a long way. Some relations of mine who were away for six months spent much time in Russia, visiting such cities as Moscow. They said that the Russian women did all the lowly work such as sweeping the streets. I am old-fashioned enough to think we have not lifted women to the highest pinnacle in society by giving them a job with equal pay for equal work.

Mr. Broomhill: We hope they would not have to work.

Mr. QUIRKE: I agree. A man should get sufficient money to enable him to keep his wife home to look after the family. Why, then, is there a provision that in order to get a job a woman must become a trade unionist? There is not the slightest doubt in the world that most of the muddled thinkers are in the Labor Party.

The Hon. C. D. Hutchens: They used to be.

Mr. QUIRKE: They still are. Members opposite may agree with certain remarks I make, yet they include provisions such as this in the Bill. Any thinking individual can see the ulterior motive behind this clause. It destroys the whole thing for anyone who thinks clearly.

Mr. Broomhill: I think we shall be able to clear your mind directly.

Mr. QUIRKE: I do not think so. Does this not mean that a unionist would get preference for a job over a non-unionist?

Mr. Broomhill: You have misread it. I will explain it later.

Mr. QUIRKE: I haven't misread it. If I were a unionist and the member for West Torrens was not (a reversal of the real state of affairs) and we were both equally equipped for a job for which we applied, he would not get the job. The non-unionist goes hungry.

Mr. McKee: He deserves to go hungry.

Mr. QUIRKE: It doesn't matter how much members opposite talk about it: that is what it means. I do not object to this as far as rural industries are concerned, because it will not affect them greatly today. The rural industry has long gone past this situation. The people it employs probably get much more than they would under any award, anyway. The proficiency of big machines and of farmers has long since taken away the necessity for a large number of rural labourers: they simply do not exist today.

Opportunities of education are such today that men act not as daily-paid workers but as share-farmers, or they work under contract, or even as managers. This is not like the men who years ago could use a machine, cart and stack hay, cut chaff, shear sheep, prune vines, and do all sorts of jobs. I knew of men who could do these things: they moved from one job to another and were never out of work. However, they cannot be found today because there are better opportunities for such persons in other forms of industry.

It is easy for a man who can do the whole gamut of work to which I have referred to obtain employment as a farm manager or as a share-farmer. Indeed, these are highly valued members of the production team. There is not much scope for rural industry to be included in the Industrial Code. There might have been years ago, but how will it work today? A

union representative will have to go around and get all the rural workers to join the union. Any one of them can join the Australian Workers Union now. Indeed, I was a member of that union for three years until I became my own boss again and was no longer eligible for membership. In the old days, I acted as a representative for the A.W.U. in a wheat yard, and I advise anyone working under those conditions and in those forms of industry to join the union, because it looks after them in case of injury and, if it is capably run (as most unions are run today) it removes many causes for worry. A man is foolish if he does not belong to a union. However, many people object to belonging to a union, and they cannot be forced to. Nor can they be victimized for this. The inclusion of rural industries in the Industrial Code probably does not mean as much as it did years ago when there were dozens of workers, most of whom were members of the A.W.U., which looked after their interests.

The Bill contains a clause relating to subcontractors, which I will not touch on except to say that I object to it. The reference to strikes and lock-outs has been omitted. No-one can tell me that unjustified strikes do not take place. Not all strikes are justified, and all lock-outs cannot be justified, although the latter are few and far between these days. By taking out this provision, it is assumed that all strikes and lock-outs are authorized. Therefore, I do not agree with its removal.

Members opposite have, in all good faith, ruined the Bill by including a clause the provisions of which are tantamount to bringing about compulsory unionism. Whilst that clause is in the Bill I will not vote for it. I have said before and I will continue to say that I will have no part of coercion intruding into a person's right to earn his living. If a person does not choose to be a unionist, his job should not depend on that choice. Many thousands of people in the Labor movement share my views on this matter. In fact, I thought that they had put forward this argument to such a degree that a provision such as this would never come forward again. However, because this clause is included, I state clearly that I will not support this measure.

Mr. BROOMHILL (West Torrens): I support the Bill, recognizing that it is vital to the welfare of the community. It is important for the welfare of industry, employers and employees of the State relying heavily on the requirements set out in it. The present Code was enacted in 1920 but, unfortunately, insufficient amendments were made to it to bring it up to date. Generally, the Code is the basis of wage fixation through the court for employees throughout the State and places obligations on employees and employers and, in particular, on employers regarding factory provisions. I have already said that insufficient major amendments were made to the Code, but nevertheless many amendments took place. As a result, it has been found necessary to consolidate the Code so that the various alterations that have been made can be followed more easily.

It has been decided to delete the provisions in the Code that have become redundant; many of the 1920 provisions now no longer apply. In addition, much streamlining has taken place affecting the various machinery provisions included in the Code. The Bill incorporates more than 60 alterations that are merely deletions or amendments to bring various clauses up to date. Additional changes fall into two categories: some minor amendments are designed to streamline provisions that have been found to be unsuitable, and others have important aspects associated with them. Having listened to the member for Torrens (who I understand was the spokesman for the Opposition on the Bill), I gathered that most of the consequential and machinery amendments met with Opposition approval. Of the more important amendments, the Opposition agrees to some and takes offence at others. I regret that the Opposition intends to oppose some provisions that are important and are soundly based; apparently, the Opposition believes, without fully considering the merit of the proposals, that, as they are Labor Party policy, there can be no merit in them.

The Hon. D. N. Brookman: Is that fair?

Mr. BROOMHILL: Yes, because I point out that the provisions we seek to include in the Bill apply in the other States. It might be argued that we seek to implement some substantially altered provisions that have no basis. However, I repeat that not one of these provisions does not appear in at least one other Act in Australia. That means that obviously there can be little wrong with the provisions we are seeking to include. Perhaps the most important alteration relates to preference to unionists. I was somewhat surprised to hear the member for Burra either accidentally or deliberately misrepresent that provision, because he talked not about preference to unionists but about compulsory unionism. The Government

is not trying to implement compulsory unionism. On both occasions where reference is made in the Bill to preference to unionists, the Bill makes it clear that the court has the right under the Bill to determine whether preference to unionists should be included in the award. By no stretch of the imagination does this Bill apply preference to unionists as compulsory unionism, as suggested by the member for Burra: it provides that the court shall have the opportunity to consider an application for a preference clause to be written into an award and, if the court is satisfied that preference to unionists is desirable, then it has the power so to award.

Mr. Jennings: The court is not directed.

Mr. BROOMHILL: No.

Mr. Clark: It states "may" clearly.

Mr. BROOMHILL: Yes. The definition of "industrial matters" states:

> "Industrial matters"—
> (1) means matters or things affecting or relating to work done or to be done, or the privileges, rights, or duties of employers or employees, or of persons who intend or propose to be employers or employees in any industry not involving questions which are or may be the subject of proceedings for an indictable offence;

This definition, which sets out the responsibilities of the Industrial Commission to determine these matters, makes it clear that the legislation since 1920 has charged the commission with the responsibility of determining them. It seems unreasonable that the court, under the existing Code, should be prohibited from applying preference to unionists if, after consideration, it believed that this was a proper provision to include. It has been unduly restrictive on the court to deny it the opportunity to take such a step if it felt so inclined. Industrial legislation in Queensland, Western Australia and New South Wales includes a similar provision to enable industrial tribunals to provide for preference to unionists if, after investigation, it is considered to be warranted.

The Hon. G. G. Pearson: Don't you think we should also include a provision to give preference to non-unionists?

Mr. BROOMHILL: That seems inconsistent. The courts in Queensland and New South Wales have the power I have mentioned, and the Commonwealth Conciliation and Arbitration Court also has it and has exercised it many times in relation to employees working in South Australia under Commonwealth awards. Therefore, to say that it is wrong to give the commission this power is inconsistent.

Mr. Quirke: That doesn't make it right.

Mr. BROOMHILL: I think it strengthens my argument. Most of the employers in South Australia voluntarily apply the principle of preference to unionists at their establishments, and have good reason for doing so. They realize that to do so is in the interests of the arbitration machinery that has been set up.

Mr. Quirke: That is different from acting by legislative enactment.

Mr. BROOMHILL: This is not a legislative enactment: it simply gives to the commission the power to consider all aspects of submissions made to it. The member for Burra will never correctly understand the interpretation. It is important to consider the decision made by the Full Bench of the Western Australian court on an application for preference to unionists. The court stated:

> The union claimed a preference clause. Now, it is clear that the policy of the Act is to encourage organizations of workers and employers for the purpose of entering into industrial agreements and facilitating the exercise by the court of its conciliatory and arbitral powers. Furthermore, since the amendments made to the Act in 1952, the Registrar and the court have been given extensive powers to control the functioning and administration of industrial unions, to prevent abuses in administration and injustice to and oppression of their members. Moreover, the trust is an agency of the Crown, and a preference clause is the rule rather than the exception in Government awards, and I therefore consider that preference should be granted.

It is clear that the Western Australian court, when given the opportunity to consider whether preference should be awarded, had no hesitation in taking advantage of that opportunity, as had been done previously by the Queensland and Commonwealth courts. The member for Burra thinks that he has more knowledge of the industrial needs of the working community than has the Full Bench of the Western Australian tribunal, but I do not think any other member thinks that. Most large industries in South Australia voluntarily recognize the desirability of applying preference to unionists. Recently the Housing Trust entered into a registered agreement covering employees in this State, and a clause giving preference to unionists was inserted by consent of the parties. It has been found in other States that a preference to unionists clause has the effect of reducing the number of disputes in

industry. Further, if an organization does not properly perform the obligations imposed by the court, the preference clause can be deleted from the award. I assume that members who have opposed this clause have not discussed the matter with employer organizations or individual employers.

It seems that Opposition members are not strenuously opposed to the extension of coverage to agricultural workers. South Australia is the only State that has a prohibition against the right of agricultural workers to approach the industrial authority for an award covering their occupation. The position is confused at present, because some of our agricultural workers are covered by a Commonwealth award relating to the pastoral industry that has application to this State, while other such workers are not so covered. I was interested in the statements made by the member for Burra and other members that there was no need for this provision because agricultural workers in this State were being paid so highly. That argument indicates that those members should have no objection to giving to workers in this industry the opportunity to argue their case regarding rates of pay before a court.

Mr. Quirke: I would have no objection to it.

Mr. BROOMHILL: No valid points have been raised against the provision so far, and I hope that agricultural workers will be given the same right to have the commission decide rates of pay as is enjoyed by other employees.

Mr. Quirke: How many different types of award do you think would be needed?

Mr. BROOMHILL: I think one award would suffice, because no difficulties have arisen in other States. I was pleased that no Opposition member opposed the equal pay provisions. The Opposition has supported this principle.

Mr. Shannon: Why wasn't that left to the commission to decide?

Mr. BROOMHILL: A substantial aspect has been left to the commission, as I shall explain. It may be argued that the Government has not gone far enough and that it should have extended the equal pay provision further. However, the Premier has made clear that, as an initial step, we are removing the present obvious injustice, and that the Government intends to implement the principle further when there will be no harmful effects on the economy. New section 80 (2) provides:

Where the commission or a committee is satisfied that male and female employees are performing work of the same or a like nature and of equal value the same rates of wages shall, in the manner prescribed by subsection (3) of this section, be fixed irrespective of the sex of the employees.

Members opposite have said that this provision is limited and that it prevents many female employees from applying to the court for equal pay, but that is not so, for clause 80 (4) (*b*) states:

Subsection (2) of this section shall not be construed as requiring the same rates for male and female employees to be fixed only where such male and female employees are performing work of the same or a like nature and of equal value within the meaning of that subsection.

The Hon. G. G. Pearson: What does that mean?

Mr. BROOMHILL: It means that, where work is not clearly of like or similar nature, employees who consider that their work is of that nature can approach the Industrial Commission for the issue to be determined. The court considers all factors involved, but it is not an obligation on the court.

Mr. Millhouse: Do you know if there have been any applications in New South Wales?

Mr. BROOMHILL: I am not clear about the situation in that State, but I think applications have been made: the opportunity is there. I am fully aware that the Industrial Commission and its officers, including the President, the Commissioners, and the Industrial Registrar and his Deputy, are held in high regard in industrial circles, and this attitude is one reason why South Australian industrial relations are so good. Definitions of the Lotteries Commission and the Totalizator Agency Board are included to provide the opportunity for an organization to establish before the Industrial Court the rates of pay and conditions for the new substantial number of employees in those organizations. Clause 26 (2) provides for the court to consider matters where an employee has been dismissed, and this provision will be useful. In the past, if an employer dismissed an employee, and the remainder of the work force considered that the employer had acted unjustly, their only recourse was to cease work until the employer re-employed the dismissed employee. This often caused a lengthy dispute, and sometimes had unsatisfactory results.

The Hon. G. G. Pearson: If the employee is a member of a trade union in an executive position and is away attending a meeting who pays for his time?

Mr. BROOMHILL: Another clause may answer that question. Clause 62 enables the President to change the chairman of a committee. It has been found that the chairman of a committee may be absent on annual leave, and should a meeting have to be called this provision enables the President to change the chairman of that committee. Clause 66 permits the removal of a member from a committee if he is seriously ill. Clause 67 (4) allows 21 days instead of 14 days to fill a vacancy on a committee. It has been considered that, following the calling of nominations and the matter being considered, 14 days is too short.

Clause 72 (2) prevents employers from deducting wages from any employee who is attending committee meetings as a member of a committee. It is unfortunate that this provision is required. With the establishment of conciliation committees to properly administer the arbitration system, one would have thought that, if a committee meeting was called, the employer would recognize that it was in the interests of everyone and would not deduct salary from the employee because he was absent.

Mr. Millhouse: Do you think the system is working well?

Mr. BROOMHILL: Yes, it is. All those I have spoken to from industrial and employee organizations are pleased with the system.

Mr. Millhouse: Don't you think it was better when they met after working hours, not during working hours?

Mr. BROOMHILL: I do not. No-one would want to return to that situation.

Mr. Millhouse: That's not what I have heard, by any means.

Mr. BROOMHILL: Perhaps the honourable member moves in different circles from those in which I move.

Mr. Millhouse: I think you are rather out of touch.

The Hon. G. G. Pearson: This should be paid for out of public funds, and not out of the funds of the employer who employs the person.

Mr. BROOMHILL: I do not agree. The present system is working in the interests of employer and employee. Clause 76 (2) (*c*) alters section 186, which fixed the earliest date for an award to operate to the date of the first meeting of a conciliation committee. If a committee meeting was set down for Friday, and that was the earliest date, once the meeting was held the operation of the changed award could apply. However, if a quorum was not present the new award finally made by the committee could not operate until the first meeting at which a quorum was present. Difficulties could arise. Following a Commonwealth decision, where an automatic wage increase was provided in the award, it would have been possible for some members representing one side of the committee to absent themselves in order to prevent the award dating from the operating date. Similarly, a difficulty could arise in the case of an application before the commission for a reduction in the conditions of employees, when certain people might absent themselves, thereby postponing the operation of the award. I think this provision overcomes such difficulties: the chairman now has the power to date the operation of a new award from the time that he first calls a meeting.

Clause 83 (3), which also removes a difficulty that has existed in the past, is a mixed functions clause. In the building industry in particular, many employees may work for part of a week within the metropolitan area and in the country for the rest of that week. Problems have arisen concerning whether such employees should be paid under a metropolitan award while working in the metropolitan area or under a country award while working outside the metropolitan area. It is now provided that, if an employee works for less than a week in the country, the metropolitan award shall apply, and this applies in the reverse if he works for less than a week in the metropolitan area. This provision will obviate the complicated calculation of wage rates that has had to be made in the past. Clause 97 is an important provision, making it an offence to require any payment as a reward for employing an apprentice. Indeed, it is time that the present provision relating to this matter was amended.

Whereas it was recognized procedure in the past for persons to require from an apprentice some form of payment or other consideration for employing that apprentice in an industry, this should no longer apply. As the Minister pointed out when explaining the Bill, this Bill is substantially one to be considered in Committee. In concluding, I reiterate my pleasure at having the opportunity to support a Bill for a completely new Industrial Code and the general consolidation of industrial legislation.

Mr. Millhouse: It's the last chance you'll get.

Mr. BROOMHILL: As I said previously, this Bill is of prime importance to the economic situation in South Australia, as well as of

prime importance to both employer and employee. I commend the measure to the House.

Mr. RODDA (Victoria): This Bill being such an important measure, I think it is a pity that we have not had more time to consider its implications, which are of vital concern to the people of this State. Everyone concerned should be able to enjoy the working conditions that it is reasonable to expect in our modern society. When explaining the Bill, the Minister of Works said:

The Government considers that, after a period of almost 50 years, the time is opportune to repeal the 1920 Act with its many amendments and replace it with more modern provisions . . .

He then went on to explain the ramifications of this Bill, which completely rewrites the Industrial Code. As the member for West Torrens pointed out, this is a Committee Bill, and no doubt members will have an opportunity to scrutinize the measure closely at the appropriate time. However, being a son of the soil and privileged to represent an area that makes a considerable contribution to the economy of the State through its agricultural output, I disagree to the provisions in the Bill relating to agricultural workers. Although members opposite have applauded this move and have said that farm workers are receiving a raw deal, I must point out that we are not living in the dark ages. As the member for Burra has said, we are not sleeping in strippers. In fact, I was reared in a wheatgrowing district at a time when one could not afford to live in conditions much better than this sort of thing. Some of us remember farm employees working very hard from early in the morning until late at night for as little as $1 a week. Those people put up with some fairly hard conditions. However, in these enlightened days we have made considerable progress, and in recent times I have not seen instances of farm employees suffering any great hardship.

I think it is fair to say that there is complete co-operation between the man on the land and his employee. In many instances a single man lives in the farm homestead as part of the family. Many people go on the land to learn the ramifications of farming, and we often see these people acquiring places of their own. In the short time I have been in the South-East I have seen young men take up their vocation on the land as employees and then launch into share-farming or leasing agreements. I can point to several instances where such people now own their own properties.

It is also fair to say that people working on the land receive a higher remuneration than an award would give them. The efficiency demanded in the successful prosecution of modern agriculture is such that only the best will do. Therefore, only the best is good enough. The grazier or farmer who is seeking cheap labour, handing out conditions that are not in keeping with those in the best circles, or not honouring wage or bonus agreements, is very soon sorted out; consequently he finds it impossible to get satisfactory labour for his farm. I could point to one or two examples of this.

All employees in the shearing sheds have the benefit of the Commonwealth award. I want to be fair to the organizers in my district, whom I have found to be most co-operative and reasonable. Whenever they have had a complaint to make they have made it in the proper manner, and we have always been able to reach agreement with them. Therefore, any deficiencies are soon rectified.

Another feature of the Bill that has been referred to is the provision for preference to unionists, or compulsory unionism. The primary industry has got on very well with agricultural employees on terms of mutual trust. However, I imagine that if this Bill became law I would find myself in difficulty if I were to employ somebody who refused to be a unionist. In saying that, I am not knocking the unions, because I believe that they are necessary and that they perform a useful function.

Mr. Hughes: You believe unions are necessary?

Mr. RODDA: I see nothing wrong with unions.

Mr. Hughes: I am pleased to hear you admit that they are necessary. I hope the *Hansard* reporters caught what you said.

Mr. RODDA: That is what they are here for and they are fairly adept at catching things. I can see that the member for Wallaroo is jubilant that I said I thought unions played a useful part in the community. I am sure that they do and that they will continue to do so. I realize that the man who is working with his hands has nothing to sell but his labour. However, I see no need for me, as a practising farmer, to be told that I must employ a unionist. I imagine that if I did not employ unionists my wool would be declared black, and if that is Socialism I do not like Socialism. I hope *Hansard* records that.

I now want to say something about the question of equal pay for women. The member for Wallaroo will be pleased to know that I am not opposed to women receiving the same pay as men when performing equal work. However, I find it difficult to comprehend what the formula will be for arriving at this. Clause 186 (2) provides:

No occupier of a factory, shop, office or warehouse shall require or knowingly permit any female person under the age of eighteen years to lift or carry by hand a greater weight than twenty-five pounds and no female person of any age shall be required or knowingly permitted by such occupier to lift or carry by hand a greater weight than thirty-five pounds.

I suppose it will be necessary to have some weight-lifter of the stronger sex to carry these loads. Who will be the arbitrator regarding what this clause writes into the Code?

Mr. Clark: There is nothing new in this.

Mr. Burdon: It has been in Commonwealth awards for many years.

Mr. RODDA: But this is a new Bill, and I thought the Labor Party was casting away the old stuff. If women are going to toe the line with men, why write any difference into the Code? This underlines the difficulty with which a court will be faced.

Mr. Burdon: Commonwealth awards have had this sort of provision for many years.

Mr. RODDA: We are talking not about Commonwealth awards but about a Bill before this House that we are hurriedly having to consider in the dying stages of this session.

Mr. Burdon: Have a look at the present Industrial Code.

Mr. RODDA: We are repealing that Code. I can see that Government members do not like my references to this Bill.

Mr. Burdon: You are not discouraging us.

Mr. RODDA: That must give the member for Mount Gambier and his supporters great heart. Although there is much more I could say about this Bill, I shall reserve my further remarks for the Committee stage. With the reservations I have indicated, I can in a general way support much of what is contained in the Bill.

Mr. FREEBAIRN (Light): Having heard the member for West Torrens speak, I feel stimulated enough to make a contribution myself.

Mr. Burdon: If I were you I should not spoil his contribution by speaking.

Mr. FREEBAIRN: I hope that *Hansard* records that insulting remark. The member for Wallaroo has been stressing the importance of having certain remarks recorded in *Hansard*, but he is one member whose remarks will damn him at the next election. His statements in this House have destroyed his political future. I now wish to deal with the remarks of the member for West Torrens. When I was a lad my father used to tease me about the way in which to catch a rooster. I was told that the best way to do this was to chase the rooster and pour salt on his tail; when he turned around to peck the salt, I was told to throw pepper in his eyes to blind him. Sitting right on the tail of the member for West Torrens in his district is a bomber pilot who will blast him right out of the air at the next election. The only measures on which the member for West Torrens speaks in this House are those concerned with trade unions, the Industrial Code and so on. He is a specialist in those matters. He is concentrating on this speciality so that when he is defeated next March he can move straight into a trade union again, where he can enjoy his old status and exercise those skills that he undoubtedly has. He has used the three years he has been in Parliament to further his trade union interests and connections.

It is fairly obvious that members opposite are doing their best to increase the number of trade unionists in South Australia. They will stoop to any level in order to do this. To me, the Bill is the fine edge of the wedge which will bring compulsory trade unionism to South Australia. If the Australian Labor Party and the Trades Hall have their way I submit that every salary and wage earner in the State will eventually find himself paying a trade union levy, whether he likes it or not. Part of that levy will be transmitted to the Labor Party's fighting fund for election campaigns. It is fairly evident that, as many trade unionists in South Australia and many workers are disenchanted with the Labor Party, they will be angry to have to pay part of their salary or wage into the Labor Party's fighting fund.

The Hon. R. R. Loveday: Of course, you would know!

Mr. FREEBAIRN: Yes, and I am pleased the Minister has interjected. I have had a little to do with trade unions since I entered Parliament and that has left a nasty taste in my mouth. About two years ago I made a representation on behalf of a constituent who had been a carpenter-joiner working in the house-building trade and who had moved to my district. After he had lived in my district for about two years, he received a summons for back-payment of trade union levies. He

had left the trade union field and left his trade, yet he was forced to pay a levy to the union to which he did not belong and to which he did not want to belong.

The Hon. D. N. Brookman: They want the money.

Mr. FREEBAIRN: Yes. My constituent gave me his union card on which he was described as "Brother". I thought that this was a happy way in which to describe a person—it gave the impression of a benefit lodge in the true trade union historical pattern. I telephoned the secretary of the union concerned, and the official to whom I spoke was the opposite of an officer of a brotherly lodge: he was tough, rude and arrogant and seemed a typical trade union official.

Members interjecting:

Mr. FREEBAIRN: I am giving the House the benefit of my experience: I was telling members about negotiations I had with a trade union official and I related the experience I had. Let us look at the Labor Party and the way it treats its employees.

The DEPUTY SPEAKER: Order! I have listened to the honourable member for some time and I think it is about time that he linked up his remarks with the Bill.

Mr. FREEBAIRN: Thank you, Mr. Deputy Speaker. My remarks were purely a preamble to the speech that is coming. I now wish to talk about what the Labor Party does in the treatment of its own employees, and I believe they would be covered by the Industrial Code. Let us take the case of the young man acting as editor of the publication *New Horizons*. You, Mr. Deputy Speaker, know that publication. It depicts the statue of Colonel Light taken away from its location on Montefiore Hill and standing in Victoria Square pointing to the Trades Hall in Grote Street. I understand the Labor Party sacked the editor of the publication without notice. Far from making an attempt to find the unfortunate man further employment in his field, he was left to walk the streets of Adelaide for two months before he found employment.

The Hon. C. D. Hutchens: You know that is untrue.

Mr. FREEBAIRN: The Minister can reply later. I am pointing out to the House how the Labor Party treats its own employees; that is how the unionists are treated by trade unions in South Australia. I am speaking not only as an employer but as a representative of a rural district and of an area which employs substantial labour in rural pursuits. I deplore the fact that the Bill now before us has no reference to "agriculture" in the definition clause. To remind honourable members of this important provision that has been omitted, I shall read the following definition from the existing Code:

"Agriculture" (without limiting its ordinary meaning) includes horticulture, viticulture, and the use of land for any purpose of husbandry, including the keeping or breeding of livestock, poultry, or bees, and the growth of trees, plants, fruit, vegetables, and the like.

That definition of "agriculture" has been excised from the Bill. What does this mean? I am sorry the member for West Torrens is not here because obviously he does not appreciate the problems of the rural industry in this State. I understand that when he was in the trade union movement he was involved in the Miscellaneous Workers Union; that union most certainly would not cover agricultural workers, even if they were included in the Bill. The honourable member forgot to say that, under the Commonwealth award for pastoral workers, there is a limit regarding the size of a property to which the award applies. I understand that if a grazier keeps fewer than 4,000 sheep he does not come under the award. I can see you shaking your head, Mr. Deputy Speaker: if I am wrong I hope that a subsequent speaker will make the necessary correction. If this Bill is to be accepted by rural employers, the area in which employers are exempt from the Commonwealth award will have to be written into the State award. I do not think members opposite want to see that minimum included: they want every small farmer, however infrequently he employs labour, encompassed by the Bill.

I am thinking of the great Adelaide Hills fruit industry, where the farmers are extremely dependent on seasonal labour. That dependence also applies to fruit farmers in the irrigation areas. These farmers ask their employees for services that could never be covered by an award. It is a matter of give and take and the employees know that, by giving a fair share to the employer, they will receive a fair share in return. A worker in the agricultural industry becomes part of the farmer's family and enjoys the same benefits and privileges as the members of the family enjoy. If he wants a day off, he takes it and makes up the time later.

Mr. Rodda: It is done by mutual consent.

Mr. FREEBAIRN: Yes, for the benefit of both the employer and the employee.

Mr. Langley: How many hours he works doesn't matter, though!

Mr. FREEBAIRN: Of course it matters. He is paid according to the work he does. That is the arrangement that I have with my employee. He is well paid and he likes to work that way because he can take days off when he wants them and, if he works overtime—

Mr. Langley: He gets time and a half?

Mr. FREEBAIRN: He gets more than time and a half. I am sure that that applies to all other employees in the rural sector in South Australia. Socialists opposite do not understand that an employer can be generous. They spend all their time fighting employers and clawing their way up the trade union ladder. It does not get through to them that an employer can be generous.

I take strong exception to some other aspects of the Bill. Clause 25 (*b*) (iv) gives the commission jurisdiction over all matters which by any other provision of this measure are placed within the jurisdiction of the commission and provides that the commission may:

authorize by award or order a duly accredited official of a registered association of employees, which has members employed by an employer, to inspect time books and wages records of such members on giving such employer the notice prescribed by the award or order.

If the Industrial Code applied to rural employees, any farmer could be embarrassed at any time by some trade union official coming to the farm. Regardless of how busy the farmer might be, whether it was seeding time, harvest time, or fruit picking time, the trade union official could come, in his usual arrogant way, and demand to see the records.

Mr. Langley: For how long have they been arrogant?

Mr. FREEBAIRN: That has been my experience of them. I can give the House and the member for Unley only the impression that I have gained, and I have done that. Nothing that I have seen subsequently has caused me to change that opinion.

The Hon. C. D. Hutchens: Of course, you understand that some people don't understand anything else and that you have to treat them roughly to bring them to their senses.

Mr. FREEBAIRN: Yes, I do not doubt that, and I think the trade union officials are able to rough it with the best of them.

Mr. Quirke: I do not know that that is always so.

Mr. FREEBAIRN: Yes.

The DEPUTY SPEAKER: Honourable members are out of order in interjecting when they are not in their place, and the member for Light is out of order in replying to the interjection.

Mr. FREEBAIRN: Under this provision, a trade union official will be able to go on a fruit block, a dairy farm, a cherry orchard, and so on, at any time to inspect the time books, and this could be resented.

Mr Langley: You won't have any trouble, because you over-pay.

The Hon. R. R. Loveday: Why should it be resented? Why should he be able to go into other places if it is wrong for him to go on a farm?

Mr. FREEBAIRN: I think it is all wrong.

The Hon. R. R. Loveday: You don't think there should be any check?

Mr. FREEBAIRN: A trade union official should not be able to go on a farm at a busy time and waste the time of the farmer. I have not been able to find the provision, but I am told that the employer has to initial the time book each day. Surely that cannot be right! No responsible Government would insert a provision like that in legislation that applied to the rural sector. I do not see my employee for days on end and I think that applies to most other farmers. The employee knows the work he has to do each day and he can do it without reference to the employer. All that the employee needs is some general oversight, and signing the time book each day is utter stupidity. We all know that workers in the rural sector are being paid much more than would be granted by any award.

I do not know to what union members opposite think agricultural workers should belong. I had hoped that a member opposite might interject and give me some lead. Perhaps they should belong to the Australian Workers' Union. I do not know the annual subscription fee for that union, but I assume it is about $16 or $20 a year. This seems an outrageous amount to pay without getting back any benefit. I think I have said enough to indicate that I am not in favour of certain provisions in the Bill.

Mr. MILLHOUSE (Mitcham): Obviously, the House cannot possibly do justice to such a Bill as this in the time that is being allowed for its consideration and debate. I consider that a Bill of this nature, which deals with a most important aspect and which contains 213 clauses, should be introduced and then allowed to lie for a number of weeks so that all those concerned with it and affected by it would have a chance to study it. That has not been done in this case, although it was

done in respect of the Licensing Act, which was almost as lengthy and which went through three reprints. The Industrial Code, which is a completely new measure to replace the old Code, was introduced last week and we are expected to debate it today. Doubtless the Legislative Council will soon be asked to debate it.

This is entirely undesirable and should not have happened, especially when only last year extensive alterations were made to the system that had been in operation in South Australia for many years. Contrary to the views expressed by the member for West Torrens, whom I challenged by way of interjection, I consider that the new system of having an Arbitration Court with the judge and the commission, and two lay commissioners assisting the President, still has to prove itself. It would have been far better to wait in order to see how the new system was working and to see whether it ought to be confirmed or varied, by either reverting to the old system or providing something else. I say these things especially, as for many years industrial relations in South Australia have been fairly good. I have not the statistics with me but no doubt the Minister has them at his fingertips. They show that South Australia has fewer strikes and industrial stoppages generally than most other parts of Australia, so there was no real need to tinker with our industrial legislation now. But, of course, we know that an election is coming and the Government is doing its best to provoke another place into opposing all its measures because it hopes to make the Legislative Council and its constitutional rights in South Australia one of the key issues in the next election.

Mr. Broomhill: Don't you think the Bill will improve our industrial relations?

Mr. MILLHOUSE: I will come to that later and during the Committee stage. As I say, this Bill has been introduced deliberately late in the session to provoke the Legislative Council so that the Government may use this provocation and the actions that may flow from it as election material.

Mr. Broomhill: In effect, you are frightened of it?

Mr. MILLHOUSE: No, I am not frightened of it.

Mr. Broomhill: Then why are you worried about that angle?

Mr. MILLHOUSE: I am not worried about anything. I am merely stating that the Government has introduced this measure in a deliberate attempt to provoke the Legislative Council into rejecting it.

Mr. Broomhill: How will that be done?

Mr. MILLHOUSE: I have already spoken lucidly about this; I have spoken of the length of the Bill and compared it with the Licensing Bill, a Bill of almost the same length that took some months to go through both Houses of Parliament. I have pointed to the fact that this Bill is being introduced only two or three weeks before the end of the session, in an obvious and deliberate attempt to provoke another place into rejecting it; there is no doubt about that. Even were it not that the contents of the Bill—

The Hon. C. D. Hutchens: You do not suggest that another place will throw it out?

Mr. MILLHOUSE: I do not know what it will do but I suggest that the Minister on the front bench and his Leader hope that the Legislative Council will throw it out so that they can use that as election material. There is no doubt about that. This is such an attempt—otherwise, why was this Bill introduced towards the end of the third session of this Parliament?

Mr. Broomhill: You think its rejection would be good election material?

Mr. MILLHOUSE: Yes. There is no doubt why it has been introduced now. Another reason is that the Labor Party wants an opportunity to put its policy into effect while it is still in office. All we have to do is look at the industrial policy of the Labor Party and we find that two or three of the early planks in that policy are contained in this measure. Under the heading "Industrial" we see:

1. Maintenance of conciliation and arbitration.

2. Amendment of the Industrial Code to cover all workers, including rural workers.

Then comes one of the contentious measures in the present Bill:

3. Removal of penal clauses from the Industrial code:

That is being effected by this measure. Then:

4. Preference to unionists.

That, too, is in this Bill. Then:

5. Equal pay for equal work irrespective of sex.

Again that is contained in the Bill. So four out of the first five planks of the industrial platform of the Australian Labor Party are included in this Bill introduced towards the end of this Parliament. I know that what I have said is accurate, that the Government hopes that this Bill will be rejected by another place. It will also provide the Government

with an opportunity of saying to the people of South Australia, "We tried to get our policy in but we were unable to."

Mr. Langley: You complain if we do not live by our policy. Now that we are you are going crook.

Mr. MILLHOUSE: If the honourable member likes to put it as picturesquely as that, that I am "going crook", he can put it that way. A measure of this length, complexity and importance should have been introduced much earlier in the life of this Parliament if the Government had genuinely wanted to get it through instead of using it as political material.

I want to expound one other reason why I believe the introduction of this measure is untimely: it is certain to raise the level of costs in industry in South Australia. May I make it perfectly clear, as I have done on at least three pevious occasions, that I do not begrudge anyone any improvement in his conditions or any additional benefit provided the community can afford to give that benefit or improvement. This Bill is certain to increase the costs of South Australian industries.

Mr. Broomhill: Do you mind pointing to the extra costs?

Mr. MILLHOUSE: I was going on to point to the costs involved. The introduction of equal pay for women must inevitably raise costs.

Mr. Broomhill: Are you opposing that?

Mr. MILLHOUSE: I am not opposing it, as such. In this day and age there is no possible theoretical argument against it. We have abandoned the concept of payment on the basis of what it costs a man to keep a wife and family, and so on. We do not use that criterion which was used by Mr. Justice Higgins in the Harvester Award. We have gone to something else and, having gone to something else, there is no theoretical argument to be advanced against it. There are some practical reasons against it. One of them I am mentioning now. Whether it is sufficient to damn the introduction of equal pay at this time I do not argue for the moment, but undoubtedly if we are to raise the level of wages being paid to some workers this will increase the costs to industry unless there is to be a corresponding rise in productivity. I cannot believe that that female part of the work force that will get an increase in remuneration because of this measure will be able to increase its productivity commensurately. That cannot happen, so it must mean an increase in costs. Whether it will be great or small remains to be seen.

Other honourable members on this side of the House have pointed to the fact that this is not as great a benefit as the Government would like the people of this State to believe it is, but it must lead to some increase in costs for the reasons I have given. Several other new provisions too, will do the same thing. Undoubtedly, the aim of bringing agricultural and rural workers under awards is to improve their remuneration and conditions, and this must be—

Mr. Broomhill: Other members on your side say they are already well paid.

Mr. MILLHOUSE: I am talking of the aim of the Government in bringing in the Bill. It must be to improve their pay and conditions; otherwise, it would not want to introduce it. If that is so, it must lead to increased costs. There are some other things, too. Undoubtedly, the reason for trying to bring labour-only subcontractors under the Code is to include the remuneration to them, which must lead to increased costs.

Mr. Broomhill: Do you think they are getting less than the award at present?

Mr. MILLHOUSE: I hope I have mentioned a sufficient number of these things to show that this will lead to an increase in costs. I have done so as the member for West Torrens asked me to do it. The greatest problem facing South Australia at present is our level of production costs. It is notorious, but it is important enough to be said again in this House, that South Australian industry can survive only if we have a cost advantage over industry in the Eastern States in particular. Our markets are in the Eastern States and we must get our goods there at competitive prices. We have to pay to get them there. Unless our costs are sufficiently below those in other States for us to pay the cost of transport and then have a margin, we cannot compete successfully.

Mr. Casey: You want a low-wage structure?

Mr. MILLHOUSE: The member for Frome can twist it if he likes, but he knows that what I have said is correct.

Mr. Broomhill: But that is what you are saying.

Mr. MILLHOUSE: I am saying we should keep our costs below those of our competitors.

Mr. Casey: No-one doubts you on that.

Mr. MILLHOUSE: The honourable member should act on that if he believes it. If the honourable member agrees with me why does he not put it in that way? The Government

may pay lip service to keeping our costs low, and I have read in the newspaper what the Premier said about it. However, nearly all actions of the Government in the industrial field have caused an increase in cost to industry. This has been happening since the present Government came into office in March, 1965, and the present Bill is merely another example. Costs will increase: I do not estimate how much they will rise, but rise they will if this Bill is passed in its present form. We should maintain our industrial strength for the good of every section of the community; not only for employers but also for employees. It is no good trying to improve working conditions if people are out of work and if business conditions are slack, but that is what is happening. I have a paper prepared by the Commonwealth Treasurer about the South Australian economy. I think it provides details up to last September, and states:

In the past two years South Australia's growth has lagged behind that of the rest of Australia. Indicators such as retail sales, new motor vehicle registrations, dwelling approvals and commencements, and commencements of non-residential buildings, have shown continued weakness as compared with the Australia-wide trend. The growth of employment has been slow and unemployment has tended to rise. At the end of July, 1967, the number of persons registered for employment was equivalent to 1.9 per cent of the work-force in South Australia, compared with 1.7 per cent in July, 1966, and 0.9 per cent in July, 1965. The Australian average at the end of July, 1967, was 1.4 per cent.

That is a sorry picture of this State. Mr. McMahon continues:

Overall, however, there appears to be a good deal more slack in the South Australian economy than elsewhere in Australia.

Mr. Langley: What is that man's name?

Mr. MILLHOUSE: Billy McMahon, the Commonwealth Treasurer, or I should say the Right Honourable William McMahon.

Mr. Langley: To what Party does he belong?

Mr. MILLHOUSE: The Liberal Party of Australia.

Mr. Langley: He would not be biased!

Mr. MILLHOUSE: He is the Commonwealth Treasurer in a Government that was elected with a record majority less than 12 months ago.

Mr. Langley: It will go out again.

Mr. MILLHOUSE: The member for Unley hopes it will, but there is no indication yet.

Mr. Langley: What about the Gallup poll?

Mr. MILLHOUSE: The honourable member should look at it before interjecting like that. I shall not give further details of the statistics, but merely refer to the housing situation and the general situation at Elizabeth, both of which are bad enough. The Commonwealth Treasurer provides statistics under many headings, but I shall refer, as this Bill deals with it, to employment. Mr. McMahon states:

While South Australia's population growth only weakened in 1966 the rate of growth of civilian employment, relative to the rest of Australia, declined sharply in 1965 and 1966. Before 1965 South Australia's civilian work force was growing faster than the civilian work force for the rest of Australia, but the difference in the growth rates was sharply reduced in 1965 and the relationship was reversed in 1966.

In two years the rate of growth of the civilian work force in South Australia fell from the highest for any State in Australia to the lowest. In the six months ended June, 1967, South Australia's position showed no change relative to the rest of Australia.

I have quoted enough to show what is happening in South Australia, and I believe that it has happened because this Government, in its anxiety to increase benefits in the community, has steadily whittled away the ability of South Australian industry to compete with industry in the Eastern States, where it must compete if it wishes to sell its products and where we must sell our products if our industry is to survive. If it does not survive, this State is headed for a period of permanent stagnation, and that is the danger every time costs of production are increased. The member for Unley, by implication, chided me for quoting Mr. McMahon's figures, because he is a member of the Party to which I belong. Perhaps the member for Unley, although not accepting Mr. McMahon's figures, will accept the figures set out in the report of the Commonwealth Grants Commission. Perhaps the member for Unley, the Minister in charge of the Bill, and the Minister of Education (if he is in a good enough mood) will not challenge these figures. In the reports for 1965, 1966, and 1967, the figure for per capita value of factory production in this State compared with other States is a fairly significant statistic. I hope the member for Unley will follow these figures.

Mr. Langley: I can assure you that I doubt Mr. McMahon's figures.

Mr. MILLHOUSE: I am pleased that the honourable member accepts the figures of the Grants Commission.

Mr. Langley: They would not be as biased as the other figures.

Mr. MILLHOUSE: They are just as revealing, whether biased or not. Under the heading "Secondary Industry', the table on page 20 of the 1965 report sets out the various per capita values of factory production. The figure for South Australia for 1964-65 was $419 but, in the following year, 1965-66, the value had risen to $477.63, or by $58 a head. That is a substantial rise.

The Hon. C. D. Hutchens: What has that to do with the Bill?

Mr. MILLHOUSE: It has a lot to do with the Bill because I am referring to the per capita value of factory production. I think the Minister must have seen the latest figures, because he obviously does not want me to give them. For 1967 the South Australian figure has actually declined from $477.63 to $469.3, a decline of about $8 a head. Every State other than South Australia has shown a marked improvement. In contrast to South Australia's decline of $8, Western Australia increased by $26, Queensland by $30, New South Wales by $29, Victoria by $20, and Tasmania by $7 a head. What is the reason for South Australia's decline, if it is not the reason I have given: that we are pricing ourselves out of our markets? We are no longer able to compete as successfully as we could do. Our manufacturers are finding it hard now to retain their markets in other States, yet this Bill will undoubtedly further increase costs in South Australia.

The Hon. C. D. Hutchens: Does the honourable member advocate that we should abandon all awards and conditions? That follows from what you have said.

Mr. MILLHOUSE: I cannot accept that, and it does not follow at all from what I have said. I have said that the matter of prime importance in South Australia is to preserve our capacity to compete by having a lower cost structure than those of the other States. Before we do anything to raise our level of costs we should think, not once or twice, but many times, because it is far better to have people who are employed and a prosperous economy than to have a number of benefits of an industrial or any other nature combined with a slack economy, as we have at present. This is not the right choice.

All these benefits will be of no use to us if the economy is not prosperous and people are unemployed, yet this is likely to be the effect of this Bill, as it has been the effect of so many actions of the present Government since it took office. This is why I believe this Bill is untimely. At this stage, whilst industry is struggling, we should not be making it harder for South Australia to compete.

This Bill has been introduced in order deliberately to provoke the Legislative Council; the Government's aim is to beat the Legislative Council with this Bill. Also, I think it has been introduced in a vain attempt to give effect to four of the planks in the Labor Party's industrial policy; if the Government genuinely desired to do this, it should have done it much earlier. For the economic reasons I have given it is unwise to introduce legislation of this nature at present. I shall not debate the clauses of the Bill at present and I shall not oppose the second reading; I want to deal with various matters clause by clause in the Committee stage. However, I do express regret that it has been introduced at this stage.

The Hon. G. G. PEARSON (Flinders): In introducing this legislation, the Government has adopted a policy that has become rather common in the life of this Parliament.

Mr. Broomhill: It was uncommon in the life of previous Parliaments to amend the Industrial Code.

The Hon. G. G. PEARSON: I am referring to the policy of introducing in large lumps legislation that alters the law in many respects so that the Opposition is prevented from opposing the legislation outright, because it does include many things that we can approve. If the amendments were introduced as amendments to the Acts we could express definite opposition to them. I know that members of the Government will say immediately that it was necessary in this legislation to consolidate several Acts in order to bring them within the ambit of the one Bill. The opinion has been expressed on both sides of the House that in this case there are advantages in doing so, and I shall not contest that view.

However, I do protest that this Government, having defined the Bill's terms, held it in cold storage for some time before the Opposition was permitted to see it. The legislation was introduced last Thursday; it is the only matter of substance on the Notice Paper, and the Opposition is expected to continue the debate to conclude at least the second reading. I understand the Minister has agreed to an adjournment of the Committee stage. This is only reasonable, because the Opposition desires that certain amendments be considered, and obviously some time must be given to fix these things up.

I have no objection to working on legislation over the weekend; indeed, it has become common practice for all members. However, I do object that the Government, having drafted this legislation and discussed the matters to be brought within its ambit with its own members, expects the Opposition in the short time at its disposal to deal with it in a way that is helpful to the framing of progressive and positive legislation.

Mr. Hall: Bills have circulated all over the State before they have been introduced here.

The Hon. G. G. PEARSON: This is not the first Bill that has been circulated among the business houses of Adelaide in strict confidence, without the Opposition being allowed to see it. I question whether this is the proper practice.

The Hon. Sir Thomas Playford: The Minister in charge of the Bill knows it is a wrong practice.

The Hon. G. G. PEARSON: Well, I could suggest certain places to which this legislation has been sent. In my view, the place to unravel legislation and to present it to the people of this State is this House. It should not be passed all around amongst industry and the people interested in aspects of industry for them to have foreknowledge of it, and then brought in here for us to be asked to deal with it in two days of sitting.

I now want to deal with two matters. This does not mean that I agree with the rest of the Bill; far from it. First, I will deal with clause 28, which empowers the commission to bring within its ambit the operations of subcontractors and to make awards regarding the terms of subcontracts, particularly in the building industry. Why is it that tradesmen (and they must be tradesmen for the most part) desire of their own volition to cease working under an award and go in for subcontracting? It is simply because they know that with the skills they have attained in their work they can do a good, tidy and proper job of work very much more quickly than can the average workman employed on daily work. Therefore, they offer their services to the building industry, based on their capacity to earn something far and away above the normal wage.

This is the origin of subcontracting, and obviously it is the reason why people continue to work at it. These people believe they can perform the work properly, adequately and expertly, and at a rate that will return them very much more than the award rate for such work done on an hourly basis. This obviously results in benefit to the people who are the buyers of their labour, and it is the kind of thing that we on this side of the House have been trying for many years to encourage industry to take up. I believe that had it not been for the rigid opposition of trade union officials we would have had the application of the principle of piece-work and of rewards for extra work applied very much more widely throughout our community than we have succeeded in achieving.

This system would benefit all the consumers. It is for the benefit of the employee, because he earns higher than the award wages, and it is for the benefit of the employer who, if he has to provide capital plant for his industry, gets a greater output from it. Therefore, this undoubtedly redounds to the benefit of the economy of the State. Conversely, it necessarily applies that every impediment put in the way of an employee doing the most work that he can adequately and fairly do must achieve the opposite result, namely, an increase in the cost of goods, and this must inevitably be to the detriment of the State's economy and reduce the capacity of the State to compete in a competitive world.

These are the things that we on this side of the House have been saying for the last two-and-a-half years. We have been drawing attention to this continued tendency and this continued policy of the Labor Party of this State in bringing into this House and implementing measures that have the effect of being detrimental to the economy of this State. We hear the Leader of the Government sometimes saying, as he did regarding the housing industry, "This increase in cost will be purely marginal." That is a term he has often used. Well, although something may be "marginal", when it is multiplied by four or five Acts of Parliament and by different administrative acts of this Parliament, it is no longer minimal but something of very great substance. This is what has happened in this State. However, we can talk until we are black in the face: the Government takes no notice of us whatsoever. Either it does not understand anything about economics or else for purposes best known to itself (perhaps because of pressure from the Trades Hall) it will not listen. This is the reason, apparently, why we are having so much of this sort of legislation.

I agree that the direct effect of some of these things may be minimal or marginal, as the case may be. However, these things cannot continue without damage being caused to the State, and that is the main reason for my

objection to the entry of the court into this field of making awards for subcontractors. If people are game enough to take the risk involved in tendering as contractors to do certain work, knowing full well that their work must be up to standard in every way, why should they not be able to do so? These people go out on their own, develop their initiative, and have a go to improve their lot in life. The basic policy of the Liberal and Country Party in this House is that they should be able to do just that.

I now come to preference to unionists. The member for West Torrens (Mr. Broomhill) made a very plausible speech on this question. However, the crux of the matter is that once preference to unionists becomes part of an award every person in that industry knows full well that he is lost in competition for a job unless he is a unionist. Therefore, what is merely a preference becomes a compulsion. That person knows he cannot get a job in his particular trade or calling unless he joins the appropriate union. What happens is that not one but two people immediately lose their freedom. The employee becomes a unionist and loses his freedom because he is then bound to accept the dictates of his union: if the union says he shall strike, he will strike; if it says he shall pay a levy or a certain fee (and they are not small amounts), he will pay it.

The union says that if a member ceases to pay his subscription and does not officially resign from the union he can be sued in court for back subscriptions. This matter was referred to today by the member for Light (Mr. Freebairn), and I know from experience that it is true. Therefore, I say that when an employee joins a union he loses his personal freedom: he is tied to doing exactly what the union says. Also, the employer loses his freedom to negotiate with the people who work for him. He loses his freedom to do for those people certain things that probably are to their advantage and in their interests, yet because he is bound to the terms of the award he loses his freedom to negotiate with his employees.

This Government has been prating and preaching to the people what a wonderful thing it has done in giving them their freedom. It has given them freedom in some respects, but in the things that matter (the things that effect the ordinary person around the place) it has taken that freedom away. For instance, it has taken away a person's right to fix up his water pipe or his electricity switch or to do half a dozen things which he could do for himself but which he has been prohibited by this Parliament from doing.

This leads me to the question of bringing employees in the agricultural industry within the purview of this Code. It is well known by members who know anything about agriculture that conditions in the industry are best met by the circumstances and conditions now applying. True, there has been a tendency in recent years for the number of workers in the industry to decline, and any farmer needing assistance on his farm must compete and offer very attractive conditions to capable and qualified people if he is to get them interested in employment on his farm, not because conditions are unattractive but because the industry has become less and less an employer of outside labour: it has become more mechanized and specialized in the way it carries out its work.

This morning I inquired of the industrial section of the Agriculture Department in Victoria, and I know how the award operates there. Also I have an idea of the monetary remuneration that is fixed for workers under the award. Because of that knowledge, I know that what is being paid by employers in the industry today is far greater than would be prescribed under any award. Indeed, in many cases it is 50 per cent above the Victorian figure that I was given this morning. In addition, there is probably a free house, free electricity, free meat and many other things, all of which add a great deal in value to the payment. These things are true.

Why should the man who employs people on his farm not have some freedom to determine on an amicable basis how the work should be carried out? If he wants to reap until 10 o'clock on a hot summer's night and the employee gets a high wage for his services, why should he not agree to do it? Why should the employer have to enter up a time book and account for every hour of the employee's day? I do not object to an award, as such, in the agriculture industry if it is necessary. However, not only will the carrying out of the award be extremely difficult and irksome to a farmer, who does not maintain an office and employ a secretary or typiste, but he must fix up his books when he has finished work at night. He has no organization geared to do these things for him. If he is prepared to pay a wage up to 50 per cent above an award wage, why cannot he have some freedom to negotiate with an employee in the way the work is to be carried out? Can any member

opposite answer that? That is my principal objection to the inclusion of the agricultural industry in this Bill.

Mr. Quirke: They're out of date.

The Hon. G. G. PEARSON: Members opposite obviously grew up in an atmosphere different from the one in which the member for Burra and I grew up. We grew up in the same atmosphere as the employees and did the same work under the same conditions. Members opposite cannot understand that there could be any mutual respect or admiration between the employer and the employee; they do not understand these things, but they are real in a country community. That is another reason why I do not want someone sitting in an industrial court in Adelaide coming between me and my employee to determine how I am to employ him and the conditions under which he is to work.

I do not object to the second reading of the Bill, which contains many useful provisions and which continues many that have been in many other Acts for a long time. However, in Committee (when I hope I shall have the support of some of my colleagues) I shall move amendments in the directions I have indicated.

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

Mr. HURST (Semaphore): The Bill repeals the Industrial Code, which has operated for about 50 years and which has had minor amendments made to it from time to time. The consolidation of the Code and its amendments in the Bill, to bring it into line with current industrial practices, deserves the support of members on both sides. Members opposite have confused the issue regarding the provision in the Bill giving power to the Industrial Commission to grant preference to trade unionists. This provision contains nothing new. If a tribunal is set up to deal with industrial matters, it should be given ample scope to carry out its function of trying to maintain harmony in industry. From time to time disputes regarding non-unionists occur in an industry. The provision in the Bill will enable the commission to intervene and possibly overcome unpleasantness that occurs. This is not a question of compulsion: preference and compulsion are different things.

Clause 26 empowers the commission in relation to dismissals. In certain cases, whichever way the commission recommends on information before it, either party can violate its recommendation. However, the power given to the commission in this clause will mean that it will have greater standing and prestige and that its recommendations will be more respected. Another provision relates to contract labour in industry. I see no reason why people working in industry who are under a contract should not have an award rate applied to them the same as awards apply to other employees. Members opposite who have criticized this provision are completely out of step with industrial conditions. For as long as I can remember, provision has always been included in Commonwealth awards (and I have had some years' experience with them) that where piece-work is performed there must be a guarantee of payment of at least 10 per cent above the ordinary wage. I see no reason why the State awards should not have similar provisions. Reference has been made to such provisions forcing costs to rise. However, as responsible representatives of the people, surely we will not allow a situation to develop where an employee, possibly through some minor error in his calculations, is deprived of earning a just wage for the work he has put into a job.

The Hon. D. N. Brookman: Is there a difference between piece-work and subcontracting?

Mr. HURST: Piece-work applies to a part of a job for which a person gives a price. The member for Flinders said that a person who did extra work should be permitted to earn a little more. However, this provision is designed to ensure that an employee will receive at least the minimum award rates for the hours of work he puts into a job.

The Hon. D. N. Brookman: That is whether he worked hard or not.

Mr. HURST: Members opposite have maintained that these people should be encouraged to show initiative. Surely they should also be protected so that at least the minimum wage on which their families can afford to live reasonably is provided. No-one with any humane feelings would begrudge a person a reasonable return for an honest day's work.

The Hon. G. G. Pearson: Who suggested that?

Mr. HURST: The honourable member objected to the provision that would permit the tribunal, which is made up of men knowledgeable in the industry, to assess the position on the evidence tendered.

The Hon. G. G. Pearson: If he couldn't make more out of subcontracting than out of day labour he would not work as a subcontractor.

Mr. HURST: Why is the honourable member objecting to the award being made, if the person concerned will earn more than the sum prescribed in the award? I find it hard to follow the logic of his argument. In any case, the award is only the bare minimum wage. All the commission would do would be to set down a minimum rate to ensure that these people were not working for less than had been determined as a reasonable return for a job. I fail to see how members opposite can object to this provision. Clause 52 states:

(1) Notwithstanding anything in this Act or in any other law or any practice to the contrary—

(a) the Industrial Court and the commission in the exercise of any jurisdiction, duty, power, or function conferred or imposed by or under this Act, shall be governed in their procedure and in their judgments, awards, orders, and decisions by equity, good conscience, and the substantial merits of the case, without regard to technicalities or legal forms or the practice of other courts;

The member for Torrens criticized this clause. Anyone with experience of industrial relations realizes that it is not technicalities that make for harmony in industry: common sense and understanding bring about a good employer-employee relationship. When a tribunal is set up to that end, surely that is the way it should deal with these matters, if possible.

The Hon. D. N. Brookman: What are the technicalities?

Mr. HURST: They are points of law that can be raised to determine whether the tribunal has the right to deal with a matter.

The Hon. D. N. Brookman: Isn't that rather important?

Mr. HURST: That depends what we think is important. Sometimes we argue that production is the important factor. That is important but surely, if production is the main factor in industry, is it not the function of a court or commission to ensure that production is at its maximum, with the greatest possible harmony contributing to the best results? My experience of the trade union movement has led me to believe that that is the attitude that most trade unionists adopt. It is a practical approach.

Mr. McAnaney: Are you really serious?

Mr. HURST: I am quite serious. Anyone with common sense appreciates that this is a practical proposition to deal with the problems confronting the court from time to time. I need not elaborate my Party's policy on equal pay. I find it hard to follow the attitudes of members opposite, some of whom maintain that it will have no effect, whereas others say that it will cost industry a great deal. However, we have to deal with this matter on principle. No-one can deny from a production point of view that, irrespective of sex, people producing the same quantity of goods should in fairness receive equal remuneration. The member for Mitcham said the time was not opportune. It was in 1951 that the International Labour Organization adopted Convention No. 100, which called for equal pay for men and women for work of equal value. Members opposite have spoken of the obligations of Governments and the honouring of agreements entered into between the Commonwealth Government and our State Government. We are a State of Australia, and this country is a member of the United Nations, of which the I.L.O. is an offshoot. Its function is to determine minimum standards for labour. In 1951, Convention No. 100 was approved. It was recommended that it be left to the various Governments to amend their respective laws to allow of its implementation. The provisions of this Bill enable women who have occasion to go to a tribunal, to state a case and then progressively over a period of five years they can be awarded equal pay for equal work. It is also the policy of the Liberal and Country League federally; it adopted it as a policy some years ago but has been most reluctant to introduce a measure of this kind, a social reform vital to our present society. I have much pleasure in supporting a Bill containing these provisions.

The Hon. D. N. Brookman: Would you suggest equal pay only where men and women are engaged on work of equal value?

Mr. HURST: I believe in that broad principle. I shall not get involved in the technicalities but I have heard members opposite trying to set themselves up as authorities on this when, in fact, they are the most ill-informed people on industrial matters that I have ever heard. I substantiate that by saying that some statements made by members this afternoon were the most untruthful and misleading I have ever heard in this House. It showed their complete lack of knowledge of the industrial problem.

The Hon. D. N. Brookman: I asked you a question; will you answer it?

Mr. HURST: I said I believed in the principle of equal pay for equal work, and no differentiation between the sexes.

The Hon. D. N. Brookman: Do you mean it to apply only where men and women are doing work of a like nature?

Mr. HURST: This is a question the tribunal can sort out.

The Hon. D. N. Brookman: You are passing the buck.

Mr. HURST: There are many jobs in South Australia where women are employed and where they far outstrip men in production. The honourable member is trying to confuse the issue. What is he advocating? Members opposite are contradictory in their statements because they are completely confused about industrial conditions. No-one can oppose the principle of equal pay for work of equal value. We are at least giving the tribunal in this State the authority to deal with that matter. No doubt, many people have tried to skirt around it. Since 1951, when the I.L.O. recommended its member countries to amend their relevant Acts of Parliament so as to implement the convention, the position has been dormant in this State—until this Government took office. Immediately, the Education Department set about applying the recommendation to teachers, and the Government sought to apply it to the Public Service. At least we are showing the people of South Australia that we are sincere and that at the first available opportunity we shall give effect to the policy that we enunciated and which was overwhelmingly endorsed by the people.

Mr. Burdon: We practise what we preach.

Mr. HURST: Of course. Opposition members have asked when we are going to give effect to our promises but when we do, Opposition members drag red herrings across the trail and prevaricate in order to deprive people of the conditions we have promised them. Next year, the people of South Australia will realize (as they do now) what a good job this Government has done, and will return the Labor Party with an overwhelming majority to allow it to continue introducing social legislation, although this has been obstructed by Opposition members in another place. The Bill provides that the erection of new factories has to be notified to the Secretary for Labour and Industry. This is a sensible provision, although some opposition has been suggested. Conditions are laid down in the Industrial Code and by regulation that must be observed by employers. It is better and more efficient for an employer to notify the department so that before the job is commenced the necessary provisions are complied with. This action saves the extra cost of replacing unnecessary work.

The member for Light spoke about a member of a trade union who was made to pay his contributions, and he alleged that this person resigned when he did not pay them. The honourable member should realize that the Commonwealth Liberal Government introduced the Conciliation and Arbitration Act, the provisions of which are binding on trade unionists and union officials. Whether they like it or not they are obliged to insert these provisions in the rules of the organization and, being responsible and not irresponsible people, they are required to administer their organization properly, and this they do. One of the rules of a trade union organization provides that when a person joins it his membership is continuous, but facilities are available for each member to relinquish his membership provided he complies with the provisions of the Commonwealth Conciliation and Arbitration Act, by which he must apply in writing to resign and must pay three month's contributions in advance. Every person when joining a trade union is informed of these provisions.

Mrs. Steele: I have had a few instances lately of people in the same situation, where this has been honoured in the breach rather than in the observance by the union, although they have complied with all the other rules.

Mr. HURST: This situation could arise, but we have to be sensible. Under the Commonwealth Act people have rights in respect of ballots, and every official of an organization is obliged by law to be elected by members of that organization. A situation could develop if administrative officers took people off the books because they owed money. These people would accuse the officials of depriving them of membership so that they could not vote. These arguments are advanced by those who do not inquire about the trade union movement. I was a trade union official for many years, and I am proud of the fact that I conducted, within my organization and within many others at the Trades Hall, the business affairs more efficiently than possibly Opposition members would have done.

Trade union officials cannot afford to make irresponsible statements similar to those made by Opposition members, who have conducted a dirty smear campaign to try to discredit the Australian Labor Party, of which I am a member as are honourable members on this side. It was said that there should be a union to cover that organization, because of what it did to one of its employees. That statement was a deliberate untruth, and the honourable member who said it should have the

decency to apologize. He often makes this kind of remark under the privilege of the House, but does not make similar statements outside the House, because he cannot substantiate them. I am familiar with the facts of that particular case. I do not deny that the person was employed by the Australian Labor Party for a few months. It was realized that his services would no longer be required, and he was informed that he would be given a month's notice or a month's pay. He elected to take the pay and finish work immediately rather than work for the month. He said that he had been offered another job and took the month's pay and left the job.

Mr. Hughes: That is not what we heard this afternoon.

Mr. HURST: No, because Opposition members are prepared to go to any length to discredit the Labor Party. The statement was a deliberate untruth. Since 1904 the Commonwealth Act has covered agricultural workers but certain rural or farm workers on properties below a certain size were not covered by this legislation. For many years Liberal members have been hiding behind the protection of this Act, and it is time that Opposition members considered the present situation. The Bill will allow trade union officials to inspect time books. This is necessary, because if Opposition members have anything to do with it their word cannot be relied on, as they will go to any length to misinform the public and to discredit the Labor Party. I say without hesitation that they are not doing a service to the people who elected them. I have had much experience with people on the land, and I say that the provision giving trade union officials the right to inspect the employers' books is justifiable. Other honourable members have said it is unnecessary to have an award because of the amount of pay that rural employers are paying their employees. However, I emphasize that an award provides the minimum amount, so what do they fear, if what they say is true?

Mr. Lawn: They are fearful of something.

Mr. HURST: Yes. I want to probe this further. The member for Mitcham has complained that the Bill should have lain on the table for some weeks. This is the cry we hear in regard to every Bill. From time to time the Labor Party's rule book and policy are quoted in this House and the question is asked: "When are you going to give effect to Party policy?" However, when we include in the Bill provisions that the public is aware of—and it is made aware of them through the utterances of the member for Mitcham in this House—then he complains that we are rushing things through. I support the second reading.

Mr. LAWN (Adelaide): I should like to reply to a few idiotic remarks made this afternoon by the member for Light. We cannot always hear the honourable member, as he has not a good carrying voice. He reminds me a little of the bird on our State badge, the piping shrike, but more of the galah. He said when he rose that he was stimulated into speaking. Yes, he was stimulated into speaking by his ingrained hatred of labour, particularly of organized labour.

Mr. Ferguson: What has that to do with the Bill?

Mr. LAWN: There is another honourable member who has not a good carrying voice. He is known as "Silence", and he has just mumbled something I could not hear. The member for Light addressed this House in a rambling manner. He is at present an organizer for the Liberal Party. I do not know whether he is at a garden party at present, but that is where much Liberal Party organizing is carried out, particularly in the metropolitan area. For the whole of both this session and last session the member for Light has carried on his organizing activities in this House by making political speeches. He does not attempt to discuss the matters before the House on their merits but merely says, "I am stimulated into speaking," and then makes a political speech. He is an organizer for the Liberal Party.

Mr. Jennings: That makes us safe.

Mr. LAWN: Yes. We have already been made safe by the performances of the Walsh Government and the Dunstan Government.

Mr. McAnaney: You are grasping at straws now.

Mr. LAWN: Members opposite are having a silly little giggle, but I should like to tell the House what a man who once supported the Liberal Party told me. In the past he did not merely vote for the Liberal Party but shortly before State and Commonwealth elections he could always be relied upon to make a substantial donation to Party funds. He told me one day last week that the organizer (I won't say the gentleman's name)—

Mr. Jennings: His job is at stake.

Mr. LAWN: —had approached him and asked whether he would contribute, and he said, "I do not know; I am not so sure I will contribute on this occasion, because I believe the Walsh and Dunstan Governments have done

a good job. They have passed more legislation during their terms of office than our people did during any of their terms of office. I believe the present Dunstan Government will be returned next year." The organizer said, "I agree with you."

Mr. Coumbe: Come off it.

Mr. LAWN: That is a fact.

Mr. Quirke: It was all right until the last bit.

Mr. LAWN: Did I catch the admission correctly—that the member for Light was out organizing at the moment? The honourable member said that everything was all right up to the last bit. If my information is correct, the member for Light is in the West Torrens District at present trying to undermine the present member for that district. After having said he was stimulated into speaking, he then attacked the member for Wallaroo, who had not spoken in this debate; he did not even interject.

Mr. Clark: For no reason.

Mr. LAWN: That is so. This Bill deals with the Industrial Code, one of the most important items in our Statutes. The member for Light made a personal attack on my esteemed colleague, the member for Wallaroo.

Mr. McKee: He is one of the most respected members of this House.

Mr. LAWN: Even members on the other side admire his sincerity; he is one of the most respected members of this House, but the member for Light went out of his way to use these words:

The remarks of the member for Wallaroo—

he had not made any—

would damn him at the next election.

The emphasis was on "damn", but what that has to do with the Industrial Code, I do not know. He then said, again referring to the member for Wallaroo, "His remarks in this House have destroyed his political future." Well, the member for Wallaroo, "Big Chief Little Wolf", has a greater political future than has the member for Light. He has evidenced in this House that he has that future, and he has nothing to be ashamed of in anything he has said. Nothing the honourable member for Wallaroo has said in this House in the last three years will damn him at the next election or destroy his political future.

The member for Light then told us a story about how he was taught to catch a rooster. I have handled a few roosters and chopped off their heads, and if I had to chase those I used to have around the yard, with a handful of salt in one hand to put on their tails so that I could catch them, and with a handful of pepper in the other hand so that I could blind them before cutting off their heads, I would be a laughing stock, and I would not be game to offer myself as a fitting representative of the people of the Adelaide District.

Mr. Hughes: The member for Light was the laughing stock of this House this afternoon.

Mr. LAWN: Yes, of both sides. Honourable members opposite know that. The honourable member tried to link up this story of the rooster with a bomber pilot. What the remarks of the member for Wallaroo on some other occasion (not this one) had to do with a rooster and then a bomber pilot, I do not know. He then accused the honourable member for West Torrens (Mr. Broomhill) of not speaking very often, although he admitted that the honourable member did speak on things in which he specialized. The honourable member went on to say:

When he is defeated next March he can move straight into the trade union movement again where he can enjoy his old status and exercise the skills he undoubtedly has.

He condemns the member for West Torrens for not participating in the debates in this House except on subjects in which he specializes, and then refers to the skills the honourable member undoubtedly possesses. Mr. Speaker, I support the latter remark. I remind this House that it was 10½ years before my colleagues had sufficient faith in my skill and ability to place me in the position of Secretary-Whip of the Party, yet the member for West Torrens, in his first term in Parliament, is enjoying the position of Government Whip, which is a high honour indeed. We would not have placed him in that position had we not recognized the fact that he has undoubted skills and that he has an assured political future.

Mr. Rodda: He has had greatness thrust upon him.

Mr. LAWN: He is entitled to it. Then the member for Light accused members on this side of the House of trying to increase trade unionism in this State. He said, "They (meaning us) will stoop to my level to do this." I do not know how low the honourable member can get, so I cannot say whether he is right or wrong when he accuses us of stooping to his level to increase trade unionism.

Mr. Speaker, I plead guilty to trying to increase trade unionism in this State. If this Government of ours can get an industry to come here or existing industries to expand and thereby increase trade unionism, so much the

better for this State. Indeed, I thought Opposition members wanted that: I thought they sincerely wished to see this State grow, as the former leader of that Party (Sir Thomas Playford) undoubtedly did. However, I am now certain that for political purposes Opposition members do not want to see industry or employment figures increase in this State, certainly not until after the next few elections, hoping that at some time they will eventually get back to office again. Of course, when that happens they will want to increase trade unionism in this State.

The member for Light then spoke about a carpenter who went into his district. Although I think the member for Semaphore (Mr. Hurst) answered this, I wish to say that the honourable member, as a member of this Parliament, is a person who helps make the laws of this State. The laws of the Commonwealth court, which governs the employment of carpenters, provide that any carpenter can resign his union membership, if he wishes to do so, on giving three months' notice. If the carpenter referred to sincerely wished to resign, he could have done so simply by giving three months' notice. I was the secretary of a union, and I saw thousands of people join and leave our industry. Many of those people complained when they received a notice requesting payment of subscriptions. Under the Commonwealth Conciliation and Arbitration Act, we had the right to ask them to pay up to the three months' notice required, but we did not exercise that right. A carpenter has the right to resign if he leaves the industry.

The honourable member then referred to trade union leaders he had met, and said, "They are tough, rude and arrogant." Well, the honourable member does not know any trade union leaders other than those in this House, namely, the members for West Torrens, Port Adelaide, Semaphore, Port Pirie and me, and the words he used this afternoon are quite contrary to those he has used here on other occasions. I am a bit embarrassed because I am one of the members to whom he has referred. On other occasions the member for Light has told us how honest and sincere we are, and what champion chaps we are. He has said more than once, "I would like to have the knowledge you chaps have; I'll bet you have a lot of experience behind you, meeting all the people in the trade union movement." I do not know what stimulated the honourable member this afternoon.

Mr. Coumbe: What stimulated you?

Mr. LAWN: I do not need stimulating. Let us not forget that the honourable member had been telling several members on this side that they would not win the next election, and then telling us about the rooster and trying to link that up with the bomber pilot. To my amazement, the honourable member then said, "I am giving the House the benefit of my experience."

Mr. Jennings: I think he did, you know.

Mr. LAWN: He actually told us he was giving the House the benefit of his experience!

Mr. Jennings: He has been talking to Andrew Jones.

Mr. LAWN: It was no benefit, and it was no experience.

Mr. McKee: You might even get a mention in Andrew Jones's book.

Mr. LAWN: The honourable member then said, "This is a preamble to the speech that is coming." A second reading debate gives a member an opportunity to link his remarks with the Bill. The honourable member was given plenty of latitude, and I think he is entitled to that. Having said he was coming to his speech, he then quoted the definition of "agriculture". Then to my consternation he said (referring to the definition of "agriculture") that rural industries in South Australia would be removed from the operations of the Code. Does the honourable member recall saying that?

Mr. Langley: He doesn't remember anything.

Mr. LAWN: The Bill, which the honourable member is opposing, brings rural workers within the operations of the Code for the first time. The Playford Government, the Butler Government and other Liberal Governments excluded rural workers from having the right to go to the arbitration court, but this Bill gives them the right to go to the State Industrial Commission to apply for an award. That is what the honourable member said (and I can imagine what the member for Torrens is thinking, and he is leading the debate for the Opposition). Then he tried to give us the benefit of his experience of Commonwealth awards. He said that a grazier with less than 4,000 sheep was excluded from the operations of the Commonwealth award for pastoral workers. He then said that if he were wrong he could be corrected later in the debate. As the member for Semaphore has pointed out, the member for Light was not concerned with making a true and accurate statement when he spoke. However, what he said will appear in *Hansard*. The honourable member also said, "They want the smaller farmer

included in the Bill." Mr. Commissioner Donovan, a Commonwealth Conciliation Commissioner, has removed the 4,000 sheep proviso. The honourable member believes that the small farmer is not covered, but the Government is trying to cover him.

The Bill gives these people access to the State Industrial Commission, but the Opposition wants them excluded so that they will have to go to the Commonwealth court. They can be covered, but they are not covered at present. The union has to get the names of graziers with less than 4,000 sheep, file an application with the Commonwealth court for a roping-in award to have them made parties to the Commonwealth award, whereas, if an application is made to the State court, the court can declare a common rule without the necessity of naming everybody.

Mr. Broomhill: And it would be more knowledgeable of local conditions.

Mr. LAWN: Yes, but the honourable member wants to exclude farmers with less than 4,000 sheep. I do not know what 3,500 sheep would bring in for a year. They will not be excluded even if this provision is defeated. I thought I heard one or two other members on the Opposition side say that they had no objection to agricultural workers being covered by the Code.

Mr. Curren: Yet they say they represent all the people of all the State.

Mr. LAWN: At election time Liberal members say that they represent all sections in the State, but when they come here it is a different story. They do not want to represent the rural workers; they want them excluded. This afternoon the honourable member did not air his knowledge or give us the benefit of his experience: he gave us his lack of knowledge and lack of experience. These rural workers can be covered by the Commonwealth award. The honourable member made a reference to compulsory unionism, but he obviously does not know that the Bill refers to preference to unionists. He does not know the difference between preference to unionists and compulsory unionism. Compulsory unionism means that if a group of workmen have a workman working with them who refuses to join the union, they will stop work and force him to join the union. In most cases, however, they do not go that far but will accept a donation equal to the union contribution from the person concerned, because the unionists have to pay a considerable amount of money every year to get their awards from the court and they consider that if this man wants to take the benefits of the awards he should make some contribution toward the cost of obtaining them. The man either joins the union or makes a contribution equal to a member's contribution.

This Bill does not provide that: it provides for preference to unionists, which means that, if an employer wants labour and the union can provide a unionist, the employer gives preference to the unionist, but if the union cannot supply labour the employer is free to engage non-union labour. The honourable member then referred to time sheets and said that under the Bill an employee would be expected to initial them. If the honourable member had had any experience, he would know why that provision is in the Bill. I have worked in industry for many years and have had not only to initial time sheets at the finish of the day's work but throughout the day to keep a time sheet. Every job I did had a job number and the time I spent on it, and I had to initial the time sheet at the conclusion of the day's work. Only recently I had occasion, as a member of Parliament, to take up with the Department of Labour and Industry a complaint of a constituent of mine in regard to his young daughter who had been employed in the city of Adelaide during the Christmas holidays. There was a dispute between the employer and the girl as to the hours she had worked. She claimed she had worked a certain number of hours, but this was disputed by the employer. It could not be proved who was right. A time sheet initialled or signed by the employee is a record of the hours worked. I have tried to answer the remarks made by the member for Light. We realize his inexperience and hope that eventually some member opposite will teach him the facts.

Mr. Hall: Did you say a rural worker should work to a time sheet?

Mr. LAWN: I did not say that at all. The member for Light ridiculed the idea of time sheets, and I was merely pointing out one possible advantage. I also said that I used them for years.

Mr. Hall: Then you are not opposed to the idea?

Mr. LAWN: I am easy about it. However, I point out that if an employee has something to do with the making up of a time sheet, there is some acknowledgment of the actual time worked. With those remarks, I support the Bill.

The Hon. Sir THOMAS PLAYFORD (Gumeracha): The ramifications of the Bill are so wide that it would take any honourable

member much time to understand the full implications. Even the area in relation to which the Country Factories Act applied has been widened substantially. However, as far as I can see much of the Bill incorporates legislation previously operating. I do not think the inclusion of the new provisions will benefit the community. It is all very well to set out conditions under which a person may be employed; however, first we must establish conditions under which a person can employ. If the conditions under which employers operate and under which employees obtain jobs are destroyed, then the community certainly will not benefit. Often when we were in Government, I had figures taken out of the industrial disputes occurring in South Australia compared with those occurring in other Australian States, and undoubtedly South Australia had the best record of industrial harmony in the Commonwealth. Industries were attracted to this State because of that.

I know that members opposite do not believe this is a good thing: they believe in advanced union control. They believe that the proper way to run an industry is to have plenty of union organizers busying themselves with regard to rights and so on in industry. However, employers and employees have a mutual interest: an employer will certainly not obtain good service unless he provides good conditions. Much has been said about the provision to bring agricultural workers under the legislation. At present, agricultural workers can join the largest and probably the best-led union in Australia, the Australian Workers Union, which is registered under the Commonwealth Conciliation and Arbitration Commission. In some areas, these workers have decided to join the A.W.U. and to work under Commonwealth awards.

Mr. McKee: That is not correct. Employers can't be cited under the award unless they have a certain number of sheep.

The Hon. Sir THOMAS PLAYFORD: I happen to know some of the facts about this matter and I know that an industrial award can apply to industrial workers who join the A.W.U. The member for Chaffey knows about that.

Mr. McKee: That's the fruit industry, but that does not cover the agricultural and pastoral industries.

The Hon. Sir THOMAS PLAYFORD: Many agricultural workers prefer not to be members of a union: they prefer not to come under award conditions laid down by the court. Many of them do not like the dictatorial attitude that, in many instances, is associated with unionism. In some areas, unions have attempted to attract members but they have met with resistance from agricultural workers, who do not wish to join a union (from which they would receive no benefit but which would take from them a substantial contribution each year), believing they can receive a better wage and enjoy more freedom by not doing so.

The Hon. B. H. Teusner: They are in clover now.

The Hon. Sir THOMAS PLAYFORD: They have better conditions. They receive more than the award wages and do not want to join a union. Members opposite say that unless they join a union they cannot get employment. What sort of a country is it that tells us by Act of Parliament that unless we join a union our employment will be prejudiced? It is all very well for members opposite to say it is not compulsory unionism, but it is. Surely every person is entitled to a free choice of employment that should not be determined by whether he is a member of the Liberal Party, the Labor Party or any industrial organization. Members opposite are trying to compel people to adopt their political policy. They cannot do it openly so they are trying to legislate that people should become trade unionists.

Mr. McKee: Would you deny your workmates—

The SPEAKER: Order!

The Hon. Sir THOMAS PLAYFORD: The honourable member is out of order. He can make a speech if he wants to. I ask you, Mr. Speaker, to shut him up.

The SPEAKER: Order! The honourable member for Gumeracha!

The Hon. Sir THOMAS PLAYFORD: The Government cannot get people to join unions—

Mr. McKee: They are not all like you, then.

The Hon. Sir THOMAS PLAYFORD: Will the honourable member comply with the request of the Chair to cease interjecting? Members opposite cannot get people to join unions by showing what unions have to offer, so they say, "You have to join a union." That is contrary to what I believe is the right of every individual in a free country. He should be free to obtain employment without in any way being forced by Act of Parliament to join a union. That is taking away from people a fundamental right and members opposite know it.

Mr. Curren: That's untrue.

The SPEAKER: Interjections are out of order. The honourable member for Gumeracha!

The Hon. Sir THOMAS PLAYFORD: If people want to join unions they should be free to join them and be protected. The right of association would be upheld by every true-thinking individual but, when we say to a person, "You shall not get your daily bread unless you join a union," we are doing something which is fundamentally wrong and which cannot be justified. I will never support a Bill containing a provision compelling a person to join a union or giving preference to anyone joining any type of association.

Mr. McKee: Have you ever joined a union yourself?

The Hon. Sir THOMAS PLAYFORD: I will oppose any Bill giving legal preference to a person becoming a member of any type of association. What would members opposite say if we declared that there would be preference in employment to people who joined the Liberal Party? The Liberal Party has done more for the industrial worker than the Labor Party has ever done in this State.

Mr. Langley: But you had 30 years of office.

The Hon. Sir THOMAS PLAYFORD: We gave the industrial worker employment under better conditions than they have ever had under any Labor Government.

Mr. Langley: But they never voted for you.

The Hon. Sir THOMAS PLAYFORD: What were the figures given by the member for Mitcham this afternoon? They cannot be disputed. These figures from the Commonwealth Grants Commission reports show that immediately we start introducing this type of legislation we lose the confidence of the employers and of new industries wishing to come to the State. Last year South Australia was the only State that retrogressed. In the last year of the Liberal Government South Australia was the best State in that respect. It would be just as relevant for us to introduce legislation to this effect, "You shall not get preference in employment unless you are a member of the Liberal Party because the Liberal Party, without charging you fees, has done more for you than has the Labor Party."

For many years it was said (and it was a criticism that rebounded upon the Labor Party) that I was the best Labor Premier the State had ever had. Members opposite said that until they realized it was true, and then they stopped saying it. However, I am not concerned about that at the moment. I merely say this (and not from a political point of view because, although members opposite have been making claims about their political future, I know what mine is!) that fundamentally it is improper to insert in any Bill a provision that unless a person joins an association he will be deprived of his daily bread. That is a purpose of this Bill. I shall oppose such a measure and hope it will not be carried.

Mr. HUGHES (Wallaroo): I did not intend to take part in this debate tonight—

Mr. Coumbe: Have you been stimulated?

Mr. HUGHES: No, but I want to say one or two things in reply to the member for Gumeracha. We notice that the honourable member holds off in this type of debate until almost the end when he knows that the Minister in charge of the Bill being debated is ready to reply. Then the honourable member jumps up and makes statements that are not correct. He said earlier that all that the agricultural workers had to do was to apply to the court for an award and it could be granted; but that is not correct and he knows it is not correct. That may apply in certain areas of agriculture but not throughout the State. Secondly, the honourable member maintains that the Liberal Party has done more for the industrial workers of the State than the Labor Party has ever done. Again, that is a gross exaggeration and is not correct.

Mr. Langley: What about workmen's compensation?

Mr. HUGHES: The Liberal Party had long enough to do more for the people of South Australia than the Labor Party has had, because it was in Government for 32 years but it was not prepared to help the workers. The member for Gumeracha, although he knows his political future, should not think that South Australian workers voted for him and said that he was the best Labor Premier that they had had. I worked in industry before coming into this House, and I know what the Labor Party did for the workers of this State.

Mr. Nankivell: What has it done?

Mr. HUGHES: I do not need to answer that foolish interjection. When we were in Opposition, every time we attempted to amend the Industrial Code to benefit the workers what happened? Can the member for Albert answer that? Because I have had much experience in industry, particularly in my district, I know the industrial relationship that exists between the men and the industrialists. Similar things to those that have to be done in the metropolitan area were done in my district to encourage these good relationships. Once, two

men came to work at an industry that employed over 100 men, but they did not wish to join the union. They were asked several times but, having refused, the Secretary and President of the branch of the union approached the General Manager. He was informed that the two men had been asked to join the union but had refused. The General Manager said, "Just give me a couple of hours and I will speak to them." He came back to the Secretary and President of the union and said, "I have talked with the two men and both are going to join the union, because I have had such a happy relationship with the union for such a long time that I want it to continue in the future."

These men were told that unless they joined the union they would have to seek employment elsewhere. That illustrates the happy relationship that existed between industrialists and the unions. This State has nothing to fear concerning industry establishing here if preference is given to unionists. These conditions operate in other States now, and there is no reason why they should not operate to the advantage of this State. With much experience in this field, I am certain that these conditions would not retard industry already here, and would not affect the establishment of new industries. Although the member for Gumeracha said that it would affect costs, I do not understand how costs come into the argument.

Mr. Rodda: Will it lower them?

Mr. HUGHES: I cannot say whether preference to unionists will lower costs, but industrialists today are wiser than the Opposition and they want good public relations between the employees and their leaders.

The Hon. R. R. Loveday: A good trade unionist is invariably a much better worker than a non-unionist.

Mr. HUGHES: Of course.

Mr. Freebairn: Come off it!

Mr. Millhouse: On what do you base that opinion?

The Hon. R. R. Loveday: Sixteen years' experience as a trade union secretary.

Mr. HUGHES: These interjections are from members who have had no experience in industry and who do not understand the relationship existing between industry and the unions. As Chairman of the Industries Development Committee I know that people wanting to set up an industry in South Australia and those wishing to enlarge an existing industry are not worried because they will be asked to give preference to unionists.

Mr. Broomhill: If they come from other States they would have been doing it there.

Mr. HUGHES: Of course. Having had this experience, they are familiar with the situation. If the present happy relationship existing between the industrial leaders and the unions continues, the future of South Australia is assured.

The Hon. D. N. BROOKMAN (Alexandra): In many respects I disapprove of this Bill. Although most of my objections have been stated by other members, they will again be referred to in Committee. Once again the Government is not doing the right thing by the Opposition. This Bill, introduced a few days ago, contains over 100 pages.

Mr. Shannon: I make it 122 pages.

The Hon. D. N. BROOKMAN: It repeals several Acts and has considerable influence on another Act, but Parliament is not being correctly treated. There has been far too much public discussion and too little Parliamentary discussion about this important measure, and the present conduct contrasts sharply with the way the Government dealt with important Bills earlier in the session, about which I have no complaint. About two years ago a maintenance Bill was introduced into this House and the second reading explanation was given, but it was three months before the House had to deal with it. I know this, because I was given the job of considering it by my Party; other members came along afterwards and they too studied it. During the period I have referred to there was a good opportunity to meet people interested in the Bill.

An opportunity was given for the licensing legislation to be considered during a Parliamentary recess, and plenty of time was given for consideration of the planning and development legislation. Contrast this with the contemptuous way in which the Opposition has been treated in respect of this legislation!

This Bill repeals several Acts. The Opposition would agree with many of its provisions, but there are many others, basic to industrial matters, with which we are expected to deal in a few days. The reason is that the Government takes orders in some respects from people outside Parliament, and in this instance the Government could not care less whether or not the Opposition looked at the Bill. All the Government wants is that this Bill should pass through this House and that parts of it should be removed in another place, so that the Government can make propaganda out of it later. If the Government had not

wanted to do this it would have introduced the legislation earlier in order to give more time for it to be considered by all members of Parliament and by people outside Parliament. I shall be opposing many of the clauses of this Bill in Committee.

Mr. SHANNON (Onkaparinga): I, too, protest at being forced to deal with such an important Bill without having had ample time to discuss it throughly. As the member for Alexandra has correctly pointed out, much important and bulky legislation has been introduced into this Parliament in the last year or two, but we have always had ample time to consider it. It is strange that this Bill should have been left to this stage. Why has the Government relegated this important legislation, which it correctly claims is in accordance with its policy, to the dying hours of the last session of this Parliament? It is strange, in view of the benefits that the Government claims will be derived by industrial workers, that it did not make this one of its first moves to help its people. This makes me suspicious that there must be some reason why we are being given such little opportunity to consider the effect of this legislation.

The member for Wallaroo, the Chairman of the Industries Development Committee, has a proud record, and I have no doubt that he could mention a string of new industries that have been attracted to South Australia since the Labor Government took office. However, these industries could be tied together with a very thin piece of string.

The recession of industrial activity in South Australia started when the Labor Government took office. This State did not experience a recession during the Playford Government's term of office: it then had the best employment percentage in Australia. These facts cannot be denied, because they are recorded.

Mr. Hudson: You would not have read them.

Mr. SHANNON: That is a cheap jibe from my professional friend, the man who does not know. I have been in Parliament longer than he has and I say that some statements by Government members on this matter disclose that some of them have doubts. It has been suggested that South Australia cannot afford to rush in and give equal pay at once: that it must be done in stages. I suppose this will lessen the blow, but I do not agree that it will result in our not paying the full Bill finally. To say that this legislation will not increase costs is quite wrong.

South Australia has good reason to be proud of some facets of its industrial activity. We have encouraged industries to set up here because of our excellent record in the industrial field. It has been alleged that the Playford Government did nothing about the Industrial Code. However, during the Playford Administration big industries were encouraged to come to South Australia, they were established on a sound basis, and they expanded. I have no doubt that the Chairman of the Industries Development Committee will claim that the expansion of one of the industries secured by the Playford Government is a result of his Party's efforts, whereas it is only a natural growth of something planted by the Playford Government. This is well known.

Mr. Langley: Industries still have confidence, though, haven't they?

Mr. SHANNON: I do not think for a moment there is any need to cry "stinking fish", and I do not do so.

Mr. Hudson: You say that everything that goes right should be credited to the Playford Government or the Commonwealth Government, and that everything that goes wrong is the fault of the State Labor Government.

Mr. SHANNON: I do not know where the member for Glenelg gets that reasoning; he must have a very elastic conscience, if he can satisfy himself that the term in which the Labor Party has been in power here has been a business-winning term for South Australia.

Mr. Hudson: Do you think Commonwealth taxation has no effect on what happens in South Australia?

Mr. SHANNON: True, company taxes are Commonwealth matters, but they bear equally on industries in other States.

Mr. Hudson: Do you remember what the Commonwealth Government did in 1965?

Mr. SHANNON: Yes, and I remember what it did in 1961, too. However, South Australia survived those little storms. We did not have to close anything down. When the Labor Party took office the State was thriving.

Mr. Hudson: There were already the beginnings of a credit squeeze by the Commonwealth.

Mr. SHANNON: No, that was in 1961, and we had survived that. Also, we had survived the drought of 1959, which was not a very nice thing to have to get through.

Mr. Clark: But the times were not very good then, were they?

Mr. SHANNON: If the honourable member looks up the records I think he will discover that from 1959 to 1962 our employment position compared favourably with that of any other State in the Commonwealth. I protest at having legislation of such magnitude and importance as this put on our plates so late in the session. The Government considers this matter to be of such paramount importance to the people it represents that I should have thought it would be one of the first things it introduced. Instead, it has concentrated on such things as lotteries, off-course totalizator betting and alterations to licensing laws. That type of legislation does not create wealth or indeed create anything for the benefit of our citizens.

If this Bill is considered to be of such a benefit to our citizens, why is it being introduced only at this late stage of the Government's term? I am sure that when the Minister replies he will tell me why he could not introduce this Bill much earlier; if he cannot do so, I shall be disappointed. I have had a great deal to do with the Minister, and I think that he is a pretty straightforward chap. I do not want anyone to think that I am casting bricks at him personally. However, the introduction of this measure is a very late thought. I had imagined that a matter that the Government considered of such paramount importance would have been attended to much more promptly.

The Hon. C. D. HUTCHENS (Minister of Works): I do not want to say much in reply to the matters members have put forward in debating this Bill. It is necessary for me only to say something concerning the remarks of the member for Torrens (Mr. Coumbe), because other speakers on his side did nothing more than go over the ground that he had already covered.

However, it is comforting to know that at least one major reform included in the Bill has the support of the Opposition. I refer to the clause dealing with equal pay for females, which the member for Torrens said was a correct principle to be introduced. The only criticism he made concerning this matter was that it did not go as far as the Government had led people to believe it would go. Although much has been written in the newspapers about this recently, if any member reads the newspaper reports carefully he will see that the headlines and newspaper comments were conjectures concerning an announcement made by the Premier that the Government intended to introduce the principle of equal pay. The Government is blamed for many things, but it cannot be responsible for inaccurate press reports or conjectures of reporters about what might be included in a Bill.

Opposition to the clauses authorizing the Industrial Commission and the conciliation committees to award preference to unionists seemed to be based on the fact that it was wrong to provide for compulsory unionism in State awards. No clause provides for compulsory unionism. What is included is a provision that will give the Industrial Commission and the conciliation committees the authority to grant preference in employment to members of registered trade unions. This is only an enabling power in the same way as the commission and committees are empowered to determine hours of work, rates of pay, and the various other conditions of employment. Before any award is made granting preference to unionists, subject to any conditions that the commission or a committee may consider appropriate, an application will have to be made and the views of representatives of both the applicant and respondent will have to be heard.

In reply to an interjection, the member for Torrens said that just because this applied in other States it did not necessarily mean that we in South Australia should have to provide accordingly. Even if this were so (and I do not accept it), the Commonwealth Conciliation and Arbitration Act has for many years authorized the Commonwealth Arbitration Commission to include provisions granting preference to unionists in its awards, and such provision is found in many awards of the commission. In fact, the wording of paragraph (i) in the definition of "industrial matters" in this Bill is identical with that in the definition of "industrial matters" in the Commonwealth Act. Many important industries in South Australia, including the metal trades, vehicle industry, and clothing trades, are completely covered by Commonwealth awards, so it seems strange that employers, many of whom have sought Commonwealth awards in preference to State awards, should object to the State Industrial Commission having the same jurisdiction which the Commonwealth Arbitration Commission has had for many years and which has not caused the troubles which the Jeremiahs opposite are now prophesying. I notice that one honourable member is putting on the face of Jeremiah.

Mr. Jennings: He has always had it on.

The Hon. C. D. HUTCHENS: Yes, I think that is right. One cannot help one's face. I can only say that if the honourable member was two-faced he would never wear the one he has got. One of the main objections to the provisions in the Bill to enable the Industrial Commission to prescribe rates to be paid to subcontractors in the building industry is that this law breaks new ground. We have heard many times from members opposite that legislation should be remedial. If this legislation is not remedial, I do not know what it is, because it has been introduced to enable labour-only subcontractors, who in the past have received lower than award rates having regard to the hours they work, to have the benefit of the Industrial Commission's being able to fix a minimum rate. As one who has been employed in piece-work—

Mr. Nankivell: You are a peacemaker, too.

The Hon. C. D. HUTCHENS: I hope I am a peacemaker. I have been obliged on many occasions to work under what is commonly known as subcontracting and to plaster for so much a yard. I assure the honourable member that I did this only because I could not find a job at award rates at the time. I had to work more than 40 hours a week to get what the award provided for 40 hours. If the cost of building is increased because the Industrial Commission fixes a minimum wage, as the member for Torrens suggests it will be, then surely it proves that labour-only subcontractors are not at present receiving the proper reward for their labour and that the legislation is justified. The reason for including this provision is that in many cases contracts for labour-only have been entered into as a means of avoiding the provisions of an award. In many cases the labour-only contracts are made verbally and the prices are those that the contractor is prepared to pay and not the price tendered or offered by the subcontractor. I know this to be a fact, because I have been a victim of it myself. In times of shortage of work, men have had no option but to accept the rates that the contractor has so fixed. I know of many such instances in South Australia.

Because an award can apply only to an employee (that is, where there is the relationship of employer and employee or master and servant), it is not possible at present for a subcontractor to be covered by an award of the Industrial Commission. The whole purpose of this clause is to enable the commission to make an award and so prevent the deliberate avoidance of the obligations prescribed by awards. The definition of "contractor" clearly indicates that a subcontractor is one who supplies his labour only: the Bill does not apply in any way to any subcontractor who employs one or more persons. I thank the member for Torrens for indicating the matters in respect of which he intended to move amendments. In connection with the provision in the definition of "industrial matters", authorizing the commission to determine allowances payable to persons in respect of time lost between times of employment, this is intended only to apply, and can only apply, when the relationship of employer and employee or master and servant exists. It is intended to put beyond doubt the authority of the commission to award an allowance for time lost by an employee while in the service of an employer.

This has been done for many years in the building industry, but recently the jurisdiction of the commission to include such an allowance in its awards was queried. It is a common provision in awards in the building industry throughout Australia and has been in awards of the State Industrial Court and Commission in this State for many years. I would be pleased to consider any amendment that the honourable member may wish to move to give effect to this intention. As has been mentioned during the second reading debate, this is mainly a Committee Bill. I have commented on the main matters that have been raised, and I will deal with others if amendments are moved during the Committee stage. I thank honourable members for the attention they have given to the Bill, even though, because of printing problems, they have not had much time to consider its details.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Progress reported; Committee to sit again.

LOCAL GOVERNMENT ACT AMENDMENT BILL (RATING)

Adjourned debate on second reading.

(Continued from August 23. Page 1546.)

Mr. MILLHOUSE (Mitcham): I support the Bill.

Bill read a second time.

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

That it be an instruction to the Committee of the whole House on the Bill that it have power to consider new clauses designed to amend sections 342, 343, 344a, 345 and 348 of the principal Act.

Motion carried.

In Committee.

Clauses 1 to 6 passed.

New clause 7—"Construction and repair of private streets in City of Adelaide."

The Hon. D. A. DUNSTAN (Premier and Treasurer): I move to insert the following new clause:

Section 342 of the principal Act is amended by inserting after subsection (12) thereof the following subsection:

(12a) For the purposes of this section, where the land that abuts on a private street or road is common property comprised within a deposited strata plan within the meaning of Part XIXB of the Real Property Act, 1886-1967—

(*a*) the units defined on that plan shall be deemed to be property abutting on the private street or road;

(*b*) the owners and occupiers of those units shall be deemed to be owners and occupiers of the property abutting on the private street or road; and

(*c*) any apportionment of the estimated cost that would, but for this subsection, be attributable to the common property or the part thereof that abuts on the private street or road shall be payable by, and recoverable by the council from, the owners of those units in proportion to the respective unit entitlements for the time being of their units as set out in the schedule to the deposited strata plan.

This and the other new clauses are consequential on the Real Property Act Amendment (Strata Titles) Bill recently passed by the House of Assembly. The amendments have become necessary because of the special characteristics of common property comprised within a deposited strata plan. For instance, it can be held in trust for the unit owners only by the corporation formed on the deposit of the plan and, except as provided by that Bill, it cannot be sold or disposed of by the corporation. It therefore becomes necessary, in the application of sections 342, 343, 344a, 345 and 348 of the principal Act to common property that abuts on streets and roads, to regard the owners of the units defined on the strata plan as the owners of the abutting land and to make them liable to contribute towards the expenses incurred by the council under those sections in proportion to their unit entitlements.

Mr. MILLHOUSE: Although I do not oppose this new clause, I think it is a great pity that the Premier could not have wrapped up the whole matter in the Bill in one parcel, as it were, rather than moving these new clauses. This is something we have become all too used to during the life of the present Government. As I deplore the practice, I protest against it.

The Hon. D. A. DUNSTAN: The honourable member is the most protesting member this State has seen about any matter to do with drafting. Whenever he has any drafting to do, the boot tends to be on the other foot. I suggest to the honourable member that he show a little Christian charity to those who are being over-worked in the drafting office at the moment.

Mr. MILLHOUSE: I only complain about the drafting of matters or about anything that the Government does when the complaint is justified, and I believe that the complaint was abundantly justified in this case.

New clause inserted.

New clause 8—"Power of other councils to make private streets and roads."

The Hon. D. A. DUNSTAN moved to insert the following new clause:

Section 343 of the principal Act is amended by inserting after subsection (7) thereof the following subsection:

(7a) For the purposes of this section, where land that abuts on a private street or road, court, alley, lane or thoroughfare or any part thereof, is common property comprised within a deposited strata plan within the meaning of Part XIXB of the Real Property Act, 1886-1967—

(*a*) the units defined on that plan shall be deemed to be ratable property abutting on that private street or road, court, alley, lane or thoroughfare or part thereof;

(*b*) the owners of those units shall be deemed to be the owners of such ratable property;

and

(*c*) any proportion of the expenses incurred by the council that would, but for this subsection, be attributable to the common property or the part thereof that abuts on the private street or road, court, alley, lane or thoroughfare or part thereof shall be payable by, and recoverable by the council from, the owners of those units in proportion to the respective unit entitlements for the time being of their units as set out in the schedule to the deposited strata plan.

New clause inserted.

New clause 9—"Construction and repair of private streets and roads."

The Hon. D. A. DUNSTAN moved to insert the following new clause:

Section 344a of the principal Act is amended by inserting after subsection (5) thereof the following subsection:

(5a) For the purposes of this section, where land that abuts on a private street or road, or any part thereof, is common property comprised within a deposited strata plan within the meaning of Part XIXB of the Real Property Act, 1886-1967—

(*a*) the units defined on that plan shall be deemed to be ratable property abutting on that private street or road, or part thereof;

(*b*) the owners of those units shall be deemed to be the owners of such ratable property;

and

(*c*) any proportion of the expenses incurred by the council that would, but for this subsection, be attributable to the common property or any part thereof that abuts on the private street or road or part thereof shall be payable by, and recoverable by the council from, the owners of those units at the time of the completion of the work in proportion to the respective unit entitlements at that time of their units as set out in the schedule to the deposited strata plan.

New clause inserted.

New clause 10—"Power of council to order land adjoining street to be fenced."

The Hon. D. A. DUNSTAN moved to insert the following new clause:

Section 345 of the principal Act is amended by inserting after subsection (3) thereof the following subsection:

(4) For the purposes of this section, where the land that adjoins or abuts upon the street or road is common property comprised within a deposited strata plan within the meaning of Part XIXB of the Real Property Act, 1886-1967—

(*a*) the units defined on that plan shall be deemed to be the land adjoining or abutting upon that street or road;

(*b*) the owners of those units shall be deemed to be the owners of such land;

and

(*c*) the amount of the expenses referred to in subsection (3) of this section shall be payable by, and recoverable by the council from, the owners of those units in proportion to the respective unit entitlements for the time being of their units as set out in the schedule to the deposited strata plan and the amount of the expenses so attributable to each unit shall, until fully paid by, or recovered by the council from, the owner of that unit, be a charge upon that unit.

New clause inserted.

New clause 11—"Duty to construct retaining walls in certain cases."

The Hon. D. A. DUNSTAN moved to insert the following new clause:

Section 348 of the principal Act is amended by inserting after subsection (3) thereof the following subsection:

(3a) For the purposes of this section, where the land that abuts on the public street or road is common property comprised within a deposited strata plan within the meaning of Part XIXB of the Real Property Act, 1886-1967—

(*a*) the units defined on that plan shall be deemed to be the land abutting on that public street or road;

(*b*) the owners of those units shall be deemed to be the owners of that land;

and

(*c*) the amount of the cost of the construction referred to in subsection (3) of this section shall be payable by, and recoverable by the council from, the owners of those units in proportion to the respective unit entitlements for the time being of their units as set out in the schedule to the deposited strata plan and the amount of such cost of construction so attributable to each unit shall, until fully paid by, or recovered by the council from, the owner of that unit, be a charge upon that unit.

New clause inserted.

Title passed.

Bill read a third time and passed.

PACKAGES BILL

Adjourned debate on second reading.

(Continued from October 5. Page 2475.)

Mr. FREEBAIRN (Light): I support the second reading in general terms. I must protest at the haste with which the legislation has been introduced in the House, and I protest most vehemently about the fact that the printed Bill has only just been laid before members. Although the Bill was introduced last Thursday, only a few minutes ago was the printed Bill placed on members' files.

The Hon. J. D. Corcoran: You've had a copy.

Mr. FREEBAIRN: I have had the Leader's copy but private industry and all those affected by the Bill have not yet seen it. I protest at this high-handed way in which the Minister is conducting the passage of this legislation: I am disappointed with the Minister for conducting the affairs of his department in this way. I was informed that two senior representatives of industry had been privy to negotiations with the Minister's department in the formative stages of the legislation. I have telephoned those members, but neither has seen the actual

Bill. As far as I can make out, the copies which the Minister and I have are the only two copies that have been released. It is difficult to speak to a Bill that has not been studied and commented on by industry, which will have to work under the terms of the legislation.

Mr. Jennings: You wouldn't understand it if you did study it.

Mr. FREEBAIRN: The member for Enfield is notoriously ignorant when it comes to legislation; I think he would do better to study the Bill rather than to interject. I repeat that I am disappointed in the Minister for trying to push the Bill through in this way. It is remiss of the Minister to allow debate to continue without representatives of industry having had a proper opportunity to examine what is contained in the Bill. Much was said last week about the Builders Licensing Bill. It was evident that, although representatives of the building industry had approved generally the nature of that Bill, they received a nasty shock when they saw its contents. It may be that the position will be similar when representatives of industry study this legislation.

One of the important revolutions in modern merchandising has been pre-packing, especially in domestic food lines. The days of old corner stores, where the grocer weighed a couple of pounds of sugar or a pound of tea, have gone and now we go to large self-service stores to buy food and other domestic lines that have been pre-packed. I understand that the essence of the Bill is to provide some sort of regulation on pre-packers. We must accept that much benefit has resulted to consumers from the system of pre-packing. Consumers have become used to consistent quality in consumer products and to familiar brand names. As the Minister said in his second reading explanation, disadvantages have come with the advantages of the modern system of pre-packing. I was interested in the rather entertaining language used by the Minister when he said:

Not the least of the disadvantages is that the modern housewife is no longer able to examine the product she is buying: she cannot pinch the fruit, finger the flour, or otherwise test the products for quality and freshness.

I agree with that. We presume that is a reason why the Government at this late hour and at such short notice has introduced this Bill. To find any newspaper reference to packaging I had to go back to May 27 of this year, when there was a reference to two conferences between the various State Ministers and the relevant Commonwealth Minister before the formulation of this Bill. I quote from the *Advertiser* of May 27, 1967:

Unity Over Packaging.—Canberra.May 28—The Federal and State Governments have agreed on a uniform code on packaging. Federal and State Ministers today approved draft legislation to regulate the marking and weights of packaged goods.

Announcing this, the Minister for Education and Science (Senator Gorton) said the draft legislation would be used as the basis for revised packaging legislation in all States.

"It is hoped it will come into force on January 1 next," he said. "Packaged goods, with certain exceptions, will be required to conform with it fully after January 1, 1969."

The main requirements of the Australia-wide code will be:

Packaged contents will have to conform to a set range of weights or volumes. Odd sizes will be barred.

The amount of contents will have to be clearly marked on the package in letters and figures of a prescribed minimum size.

Senator Gorton said each State at present had its own requirements on how the weight or measure of packaged goods should be marked, and regulating the quantities in which some commodities could be sold.

The Hon. J. D. Corcoran: And this is a hasty piece of legislation!

Mr. FREEBAIRN: It is hasty—not in its preparation but in the way it is introduced in this State Parliament. It was introduced last Thursday and now late in the evening the following Wednesday members have only just seen copies of the Bill; yet we are expected to debate it sensibly. That is most unfair and I am disappointed that the Minister of Lands has acted in this way. The origin of legislation for uniform packaging was in 1962 when a Victorian magistrate (Mr. W. J. Cuthill) conducted an inquiry on behalf of all States. I quote the only authority that the Parliamentary Librarian could find for me, *The Journal of Industry*, dated July, 1964:

Mr. Cuthill began hearing evidence on July 10, 1962, and completed his hearings on December 14, 1963. Transcripts then went to all States for comment before compilation of the report.

It is evident that the Minister of Lands could have given the Opposition this information months, or even years, ago. Why is it that the Bill was introduced last Thursday and a week later we are still without copies of it? The Minister would have us believe that it is designed to effect uniformity throughout the States and the Commonwealth, but South Australia is the only State so far in which such a Bill has been introduced, so it is not effecting uniformity. If there is a list of complementary legislation to be introduced, it behoves

this Parliament to ensure that this Bill is passed properly and in a form acceptable to industry generally. The way it is going it will be through this Parliament before industry even looks at it.

One reason why this legislation is so important to South Australia is that we have built up a substantial packaging industry (I think it is called a shadow packing industry). The South Australian packers are now packing products for the retail trade in all States, and I am informed that this is so particularly in the soap industry. So it is fitting, in one respect at least, that we should be the first State to introduce this type of legislation. I hope the shadow packers and all those people involved in this legislation will have adequate time to study the Bill.

The Hon. J. D. Corcoran: The Minister of Lands looked after the industry in this State at all the interstate conferences.

Mr. FREEBAIRN: I accept that, but I deplore the haste with which he is trying to push this Bill through this House. Some features of this Bill are unique. Clause 4 defines a packer as follows:

(*a*) a person who packs an article in the reasonable expectation that the article will be sold; or

(*b*) a person who authorizes, directs, causes, suffers or permits the packing of an article in the reasonable expectation that the article will be sold.

That is to make it clear that the manufacturer and the packer may be the same person; in fact, in many cases they are. The manufacturer will be responsible for the acts of the packer. I have not had an opporunity to study clause 6, which deals with inspectors. I am not clear whether local government inspectors will be appointed under the Bill or whether inspectors will be appointed by the Minister himself. Perhaps the Minister will deal with that when he comes to reply. Also, it appears that the police are given a sweeping power to enforce acceptance of inspectors in industry.

Mr. Shannon: The Minister will probably appoint inspectors for this purpose.

Mr. FREEBAIRN: Yes. Clause 20 (3) provides:

For the purposes of this section an article will be deemed to be of the weight or measure stated on the pack containing the article if—

(*a*) any deficiency of weight or measure does not exceed five parts per centum of the stated weight or measure or where the article is contained in a bottle, the stated contents of which do not exceed eight fluid ounces or eight ounces, seven and one-half parts per centum of the stated contents; and

(*b*) there is no average deficiency in the contents of twelve packs containing the article selected by an inspector from amongst the packs containing that article on the premises of the packer or where there are less than twelve such packs all the packs on those premises being not fewer than six.

I understand that the reason for this rather odd wording is to provide for the variations in packing efficiency of modern packing plants. I am told that, while in an average modern packing plant the equipment is efficient, there can be wide variations. That clause does not encourage packers to improve their efficiency. I have been told that one or two firms are satisfactory in this respect, but others are lax. Under subclauses (1) and (2) of clause 21 the expression "net weight when packed" is to apply some restriction on packers of goods who have previously escaped the weights and measures legislation. I am told that under regulations now being planned the number of goods that can be labelled "net weight when packed" will be limited to about seven, of an efflorescent nature, particularly bar soap that averages about 32 per cent moisture when packed and loses the moisture rapidly when standing in stock. Some crystals are in this category and kitchen herbs can contain about 50 per cent moisture when packed.

Wool is an interesting exception to the general rule, and under the regulations it will be required to be sold at a certain weight and under certain atmospheric conditions, because it can be most hygroscopic under certain conditions. Whole grains can vary in moisture content, but we can safely assume that not housewives will wish to buy any large quantity of them. Clause 24 refers to prohibited or restricted expressions on labels. Prohibited expressions include "big gallon" or "long 24 inches". Restricted expressions that will not be prohibited by the Bill but will be allowed by permission include "super size", "king", "jumbo", "queen", "man size", "family", "huge", "gigantic", "economy" and "extra".

The Hon. G. G. Pearson: What about "big deal"?

Mr. FREEBAIRN: The whole Bill is a "big deal" and a very quick one, too. I hope that representatives of industry may obtain copies of the Bill tomorrow. I promised two industrial representatives that they would have copies of the Bill tonight, but at 5 p.m. I had

to turn one of them away because I had the only copy available. Clause 25 provides:

A packer shall not pack an article in a pack marked with any words stating or implying that the article is for sale at a price less than that of its ordinary or customary sale price.

Mr. Hudson: What is your comment on that?

Mr. FREEBAIRN: I am pleased that Government members are listening, but I am sorry that the Minister has not allowed the Opposition more time. I shall return to this clause. I hope the member for Glenelg will speak to the Bill. He has recently returned from the United States of America with conservative and almost capitalistic views: he has changed from a happy Socialist to a happy Capitalist. The Minister of Lands said that this was a uniform Bill, but clauses 25 and 26 are not included in the uniform draft. How can the Bill be uniform when two important clauses are not in the uniform draft? To explain these clauses to anxious members who have not seen the Bill, a 35 per cent tolerance is needed for the modern filling process for packing flour and soap powder, and part of clause 26 is an attempt to restrict the package size where excess package size merely accommodates excess advertising on the package.

The Hon. J. D. Corcoran: What did you say about uniformity?

Mr. FREEBAIRN: These clauses are not in the uniform draft.

The Hon. J. D. Corcoran: Yes they are. You do not know what you are talking about.

Mr. FREEBAIRN: It seems that I shall have to wait for the Committee stage to complete my speech, so that industrial leaders have had an opportunity to consider the Bill and comment on it. Despite what I have said I support the general principle of the Bill and, therefore, support the second reading.

Mr. JENNINGS (Enfield): To enable more light to be thrown on this matter, I ask leave to continue my remarks.

Leave granted; debate adjourned.

SEWERAGE ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

OIL REFINERY (HUNDRED OF NOARLUNGA) INDENTURE ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

ADJOURNMENT

At 10 p.m. the House adjourned until Thursday, October 12, at 2 p.m.