HOUSE OF ASSEMBLY

Wednesday, October 14, 1970

The SPEAKER (Hon. R. E. Hurst) took the Chair at 2 p.m. and read prayers.

MINISTERIAL STATEMENT: AGENT-GENERAL

The Hon. D. A. DUNSTAN (Premier and Treasurer): I seek leave to make a statement.

Leave granted.

The Hon. D. A. DUNSTAN: It is with regret that I inform the House that the Agent-General in London will complete his term in March, 1971, and will not continue thereafter. The Agent-General was asked by the Government to continue in that office for another five years, because the Government believes that he has given outstanding service to the State in that post. However, for purely personal and family reasons, the Agent-General has indicated to the Government that, while he is grateful for the request made to him, he is unable to continue in the post, and he will be returning to South Australia next year. He has, however, offered his services to the Government in a part-time or honorary capacity to assist it in connection with industrial development, particularly industrial relations concerning the United Kingdom and the Continent. It is with much regret that I have to make this announcement but, after full discussion personally with the Agent-General, I appreciate the reasons that have led him to make this decision.

QUESTIONS

BREAD

Dr. EASTICK: Will the Minister of Labour and Industry assure the House that small businesses, both delicatessens and general storekeepers, will be assured of receiving supplies of bread in future? At the end of Question Time on July 16 the member for Torrens asked the Minister a far-reaching question about bread and on July 22 the Minister replied that, as expressed in the Australian Labor Party's policy speech before the last election, the Government intended to introduce five-day baking throughout the State. More recently, I asked the Minister a question about the position of small bakers in country areas and, during the recess, I had the opportunity to receive from the Minister a reply, which states:

It is not proposed that there be any alteration to the present law under which bread is included in the list of exempted goods under the Early Closing Act and, therefore, can be sold at any time of any day of the week. The need for there to be some exemptions in country districts to the five-day baking week has been recognized in the discussions I have had with the industry, and the position of small bakeries in the country is being considered in preparing the necessary legislation.

During the weekend constituents who own delicatessens in country towns told me that they had been informed that from October 13 their supplies of bread from one of the city-based bakeries would be stopped and they would receive supplies only from a local bakery, which would supply bread that had been baked by the city bakery and delivered to the country bakery. From my discussions with various people in the industry it became apparent that the same sort of situation applied in Balaklava and was being applied to the Victor Harbour area and to other country towns. Therefore, I emphasize the importance of the question I ask the Minister about the future of these small businesses.

The Hon. G. R. BROOMHILL: I think the situation is as the honourable member has explained it. The arrangements that I have been told have been entered into by members of the baking industry association have been designed to assist, where possible, the small country baker. As the honourable member points out, some shops in various country towns are being supplied with bread by metropolitan bakers, who have agreed that bread delivered into country towns will go through the local bakery. This will protect the local baker's interests and ensure that metropolitan bakers do not go into and canvass areas served by a local baker, so that there is no disadvantage to him.

I can only point out that this arrangement was made by the association itself. It seems to me that it has the effect of protecting the rights of some of the small country bakers, and it will mean not that there is any failure to supply bread to any of the districts concerned but that the current position will continue. Instead of metropolitan bakers' delivering direct to delicatessens in the areas concerned, the bread will pass through the business of the local baker, who will therefore be aware of where the bread is going and will receive some commission which he previously did not receive.

Dr. EASTICK: I thank the Minister for his reply. Can he say why the arrangement which was to be effective from October 13 was countermanded at 3.30 yesterday afternoon?

The Hon. G. R. BROOMHILL: I do not know about this, but I will take up the matter with the spokesman for the metropolitan baking

association and see whether I can obtain a report by tomorrow.

Mr. MATHWIN: In view of the absence of the Attorney-General, I wish to direct my question to the Premier. Has he a reply from the Minister of Health to the question I asked on August 25 about the return of unsold bread? I should like to know whether the Minister intends to give me a reply to this question, because the situation started to affect the public and small shopkeepers back in July. As it is causing much hardship to members of the public and the small shopkeepers concerned, it is imperative that a reply be given.

The Hon. D. A. DUNSTAN: Although I do not have a reply to the question at present, I believe that the Minister of Labour and Industry can answer the honourable member.

The Hon. G. R. BROOMHILL: The Attorney-General told me yesterday that two members of the Opposition had asked of the Minister a question similar to this question, and he asked whether I would look into the matter. Having done so this morning, I was informed that a reply would probably be available some time during the afternoon. If that reply is not available today, I assure those honourable members who are interested in the matter that it will be available tomorrow. However, if I receive the reply this afternoon, I shall be pleased to give it to the honourable member.

PORT PIRIE STATION

Mr. McKEE: Recently a fatal accident occurred at the Port Pirie railway station when an elderly man fell between the train and the platform as he stepped off the train. The Minister of Roads and Transport will probably be aware that the new Port Pirie railway station, which has just been completed, is about 12in. to 18in. lower than the carriage level, and this has created a slight hazard for passengers, particularly elderly passengers, as they get on and off trains. One suggestion made is that a white line could be drawn to mark the edge of the platform; the department may be prepared to consider adopting that suggestion or taking some other course of action. Will the Minister obtain a report on the accident and try to have something done about the difficulty that can be experienced by people as they get on and off trains at this platform?

The Hon. G. T. VIRGO: I shall be pleased to discuss this matter with the Railways Commissioner to see whether the suggestion to which the honourable member has referred is practicable or whether anything else can be done to avoid any repetition of the most disastrous accident that occurred at this station.

BETTING

Mr. SLATER: In the absence of the Attorney-General, will the Premier ask the Chief Secretary to ascertain whether the Totalizator Agency Board has considered paying out successful investments on the same day? I believe that this is the practice in other States, where it has proved successful. The annual report of the board shows a decline in investments in South Australia in the past year. Paying out winning investments on the same day would provide an additional service to the sporting public and might encourage T.A.B. investments.

The Hon. D. A. DUNSTAN: I will get a reply from my colleague.

APPRENTICES

Mr. HARRISON: Can the Minister of Labour and Industry say what are the Government's intentions with regard to reducing from five years to four years the term of apprenticeship? I have read with interest that the United Trades and Labor Council is seeking to discuss this matter with the Minister, having reached agreement amongst its members on the policy to reduce the term of apprenticeship to four years.

The Hon. G. R. BROOMHILL: I have been approached by the Trades and Labor Council on this matter, arrangements having been made for a meeting soon. As I think that this matter, which affects our future tradesmen, is of some importance to the community generally, I have obtained a report, which I will now give. In the past four years there have been significant changes that clearly justify a reduction of the five-year apprenticeship term that was first included in the Apprentices Act in 1966. In every Australian State, apart from South Australia and Tasmania, the maximum term of apprenticeship has been reduced to four years, either by legislation or by decision of the Apprenticeship Commission. In Tasmania, substantial use has been made of reducing the period of apprenticeship by giving credits for educational qualifications. These reductions in the term of apprenticeship are partly the result of children staying at school until a later age. In South Australia last year, 66 per cent of all school leavers were 16 years of age and over. More significantly, of the

apprentices enrolled this year at South Australian technical colleges and the Technical Correspondence School, 80 per cent had completed the Intermediate year at secondary school. In fact, 38.2 per cent had completed Leaving or Matriculation, compared with 19.7 per cent in 1966. These youths with higher educational qualifications do not require the same amount of basic technical education during their apprenticeship as was required, say, 10 years ago, when most apprentices had not reached Intermediate level. They can more readily acquire the necessary skills and knowledge. Monthly statistics issued by the Commonwealth Minister for Labour and National Service indicate the continued shortage of tradesmen, particularly in the key metal and electrical trades.

It is necessary to attract more young people to be trained through the apprenticeship system as skilled tradesmen, and the reduction in term should be an advantage in this as it will make apprenticeships more attractive to young people leaving school. The Chairman of the Apprenticeship Commission has reported that on numerous occasions secondary school students have complained that the term of indenture is too long. Parents have expressed dissatisfaction that no recognition is given for higher education, by a shorter period of training. Another important factor is that technical training techniques have improved greatly over recent years, and more basic training can now be given during the statutory period of three years' attendance at a technical college. Coupled with the generally longer period of secondary education, this indicates that the necessary skills can be assimilated in a shorter period than the existing five years. Any reduction that can be effective without reducing the quality of training would mean an acceleration in the rate at which skilled tradesmen can be added to our work force. During the current session I expect to introduce a Bill to amend the Apprentices Act, and one of the amendments will reduce to four years the maximum term of indentures of apprenticeship entered into from the beginning of 1971. With any reduction in term, it will be necessary for increasing attention to be given to ensuring that apprentices are given proper training on the job as well as at technical college.

SCHOLARSHIP EXAMINATIONS

Mrs. BYRNE: Has the Minister of Education a reply to the question I asked on August 6 regarding Commonwealth secondary scholarship examinations?

The Hon. HUGH HUDSON: When the honourable member asked me a question concerning the possibility of a supplementary examination for students unable to sit for the Commonwealth secondary scholarship examination because of illness, I said that I would take up the matter with the Commonwealth Minister for Education and Science. I have now received a reply from the Minister, in which he says that there is provision for students who miss all or part of the selection examination, because of illness or other extenuating circumstances, to receive special consideration for the award of scholarships on the basis of their school record. To qualify for special consideration in this way it is important that the parents of the students concerned contact the office of the Department of Education and Science in their State as soon as possible after the date of the examination and outline the circumstances involved. In doing so, they should submit any documentary evidence available, such as medical certificates, in support of their application. A number of applicants from each State have been considered on this basis each year and some have received awards. Selection of these candidates is normally conducted after scholarship offers have been sent to students who competed successfully at the July examination, and those to whom it is decided to award a scholarship following special consideration can normally expect to be informed in March.

CAR ADVERTISEMENTS

Mr. RYAN: Has the Minister of Roads and Transport a reply to my recent question regarding advertisements for selling high-speed cars?

The Hon. G. T. VIRGO: I wrote to the New South Wales Minister of Transport, who has now informed me that he has received an assurance from the people about whom he complained in the radio news session heard by the honourable member on September 2, 1970. Because of this, the New South Wales Minister does not propose to take any further action. Along with the honourable member and, I am sure, every member in this House, sensational-type advertising is deplored by me. It has a bad influence on young people, because it emphasizes bad driving practices, it emphasizes speed, high horse-power ratings and the like, and does not emphasize safety features and ways in which the road toll can be lowered. As mentioned to the honourable member on September 2, this Government will certainly continue to

review the matter. However, at present the Government has no intention of introducing any legislation in relation to it.

PADDLE STEAMER

Mr. CURREN: Can the Premier say which town is to receive the paddle steamer industry which the Government stated would be made available to a Murray River town for development as a tourist attraction?

The Hon. D. A. DUNSTAN: The two officers who reported on this matter, Dr. Inglis and Mr. Pollnitz (Director of the Tourist Bureau), received submissions from Loxton and Renmark. Both of these towns and their organizations made impressive submissions as to the possibility of their use of the paddle steamer industry for tourist development in their areas. The final recommendation by Dr. Inglis and Mr. Pollnitz favoured Renmark. The difference between the two towns was that, although both of them had made excellent submissions as to their use of the paddle steamer, there was a difficulty about flooding in the area proposed for mooring at Loxton. The same difficulty does not exist at Renmark, so preference was given to Renmark and the recommendation has been accepted.

MOUNT GAMBIER HOSPITAL

Mr. BURDON: In the absence of the Attorney-General, will the Minister of Education reply to my recent question about the Mount Gambier Hospital?

The Hon. HUGH HUDSON: The Chief Secretary states:

Development work at Mount Gambier Hospital is being programmed as three separate projects, namely:

Project A—Extension to nurses home and new nurse training school.

Project B—Extensions to the Institute of Medical and Veterinary Science laboratory block.

Project C—Alterations and extensions to the hospital building.

The current situation with regard to each of these projects is as follows:

Project A has been referred to the Public Works Standing Committee.

Project B—Planning is in the sketch plan stage in preparation for submission to the Public Works Standing Committee.

Project C—Sketch planning is proceeding with the object of commencing work late in 1971.

YATALA LABOUR PRISON

Mr. WELLS: Will the Minister of Labour and Industry say whether the Government intends to close the printing section now operating at the Yatala Labour Prison? During a recent visit to the prison, I inspected the printing shop there and was told that long-term prisoners working in this section of the prison could, at the end of their sentences, go into the world and, after joining the appropriate union, enter the printing industry. However, the instructor there seemed to be extremely perturbed because he had heard that it was intended to close the printing section at the prison.

The Hon. G. R. BROOMHILL: I shall be pleased to refer this matter to the Chief Secretary to find out what is intended, and I will give the honourable member a report.

STATE BANK REPORT

The SPEAKER laid on the table the annual report of the State Bank for the year ended June 30, 1970, together with profit and loss account and balance sheets.

Ordered that report be printed.

UNIONISM

Mr. HALL (Leader of the Opposition): I move:

That this House censure the Minister of Roads and Transport (Hon. G. T. Virgo) for his attempts to introduce compulsory unionism in South Australia.

During the period of about 4½ months that the Government has been in office it has accomplished little and on those measures on which it has acted it has so confused the people that they have lost confidence in the Government. However, one area in which there has been much activity by the present Government, especially on the part of the Minister of Roads and Transport, has been the area of compulsory unionism and preference to unionists. The Government cannot be accused of being tardy or lazy on this matter: in fact, it has been extremely active. Nevertheless, the Government has not been frank and, little by little, the story is emerging of a plan by the Government to force every person on whom it can bring to bear that force to become a member of a union or otherwise lose his job.

This is the basis of my censure motion against, as I have described him previously, the run-away Minister of Roads and Transport. This matter began in an action by the Government soon after it came to office. On July 23 last, the member for Flinders asked a question about compulsory unionism and quoted the directive that was issued in 1965 by the previous Labor Government on this matter, and I should like to quote that directive again now. It states:

Heads of departments are informed that Cabinet has decided that preference in obtaining employment shall be given to members of unions. Therefore, a non-unionist shall not be engaged for any work to the exclusion of a well-conducted unionist, if that unionist is adequately experienced in and competent to perform the work. Cabinet also desires that, where possible, present employees who are not unionists be encouraged to join appropriate unions. It is intended that the provision of the instruction shall apply to all persons (other than juniors, graduates, etc.) seeking employment in any department and to all Government employees.

The Premier, to whom that question was directed, said:

The Party's platform clearly states that its policy is preference to unionists and, to my mind, that phrase is synonymous with compulsory unionism.

I am sorry: Mr. Carnie, not the Premier, said that.

The Hon. G. R. Broomhill: That sounds more like it.

Mr. HALL: The question was asked of the Attorney-General. Mr. Carnie said:

I should like now to rephrase my question. In view of this stated policy and of the Premier's reply to my earlier question, is the Attorney-General in favour of giving job preference to unionists?

The Attorney-General replied, "Yes." However, the directive that was issued when the Labor Government came to power again this year had an addition to it. After the phrase "seeking employment in any department and to all Government employees" an interesting provision was added, stating:

It is not intended that this instruction should apply to the detriment of a person who produces evidence that he is a conscientious objector to union membership on religious grounds. Industral Instruction No. 271 is hereby cancelled.

The direct implication of that clause was that the instruction should apply to the detriment of members who objected, on other than religious grounds, to becoming a member of a union. That is the significant difference between the instruction issued in 1965 and that issued in 1970. I add to my explanation of the unfolding of this matter by reminding the House that compulsory unionism was raised again by the member for Flinders. When asking a question he said:

I noted with interest last week the comment of the Attorney-General, when moving the adoption of the Address in Reply, that he is a great believer in the equality of individuals as, I hope, we all are. I assume this comment can be extended to apply also to freedom of thought. If that is so, can the Attorney-General say whether he is in favour of compulsory unionism?

The Attorney-General replied:

Compulsory unionism would, if it ever became a live issue, be a matter for a Cabinet decision. To the best of my knowledge, there has been no suggestion that the Government would introduce a measure providing for compulsory unionism; nor is it the policy of the Australian Labor Party anywhere in the Commonwealth to legislate for compulsory unionism. Personally, I am not in favour of compulsory unionism.

That was stated by the newly-elected Attorney-General, speaking for the first time in this House. On July 23, the member for Eyre asked the following question:

Will the Minister of Roads and Transport say why it was necessary for subcontractors employed on highway construction work to be forced against their wishes to join trade unions, as threats are made that they will be put off the job if they do not comply?

The Minister's reply (the responsible Minister's reply!) was as follows:

I think the honourable member has been reading *Alice in Wonderland.*

So the Minister refused to say anything about his view or about any action that he might take in future on compulsory unionism among the organizations concerned. The subject rested there, the Minister flatly and absolutely refusing to answer a question asked of him in a responsible way. Alarmed at the Minister's cover-up attitude and at his obvious intention to govern secretly without informing this Parliament, to which he is responsible, I asked him the following question on July 28:

Will he assure the House that he will take action to see that subcontractors in the type of situation to which I have referred are not required, under threat of strike action, to become members of a union?

The Minister replied:

I cannot possibly take action unless the Leader is willing to give me the facts of the case and not state a hypothetical case. If he is willing to substantiate his claim, I, in turn, am willing to have the matter investigated. The Leader's statement that my reply was abuse is as ludicrous as is the Leader himself.

I then asked the Minister the following question:

If I give to the Minister the details of the case, will he assure me and the House that no action adverse to the future employment or subcontracting work of those involved will be taken?

The Minister replied:

I have told the Leader that, if he gives me the information, I will examine the matter, and that reply stands.

In no way would the Minister assure me that he would not victimize those people who had raised objections to his dictatorial role in the matter. Having concern for those who raised the matter, I dare not reveal their names to the House or to the Minister, who will only victimize them in this dictatorial manner that he has assumed. Unfortunately I could not pursue the matter in the House, and this is the situation that exists today: people are frightened of the Minister. People, in the Government's first 4½ months of office, have become personally fearful of the actions of a Minister of Government. The matter rested there, the Minister being quite unwilling to make a policy statement to the House. The Government simply rested on the directive of preference to unionists until information again came into my hands: I was informed that the Minister of Roads and Transport had gone beyond a directive of preference to unionists and was bringing his Trades Hall experience and Labor Party pressure tactics into Government departments, having made the following statement:

Following the appointment of the Government to office earlier this year, instructions were issued to all departmental heads by way of Industrial Instruction No. 300, indicating that preference is to be given to the employment of union members over persons who are non-unionists. The instruction also indicated the Government's wish that where possible existing employees who are not union members are to be encouraged to join the appropriate union. I have been advised that notices outlining the Government policy have been placed on notice boards in various workshops and depots. However, I have been informed that difficulties are still being experienced by union organizers in gaining the membership of non-unionists. To avoid the necessity of unions making direct contact with me in each instance, I would like you to arrange to appoint a departmental liaison officer whom the unions can contact should difficulties arise. It is my intention that such an officer would contact the employee concerned and offer him the necessary motivation to join the union by way of ultimatum.

Mr. Groth: They've got you frightened, anyway.

Mr. HALL: They have! It was the Secretary of the Labor Party branch in the honourable member's area who wrote to me to get satisfaction. That is the sort of representation the member for Salisbury is giving in the House.

Mr. Groth: Why don't you tell the truth?

The SPEAKER: Order!

Mr. HALL: This is the directive as a result of which the Government's preference to unionists policy completely collapsed and became sheer force.

Mr. Payne: Are you in favour of unions?

Mr. HALL: The member for Mitchell is being absolutely ridiculous and is retreating to a puerile position. We are discussing the Minister's ultimatum which could have no other meaning than that unless a person joined the union he should get out. It may well be that those employees so threatened by the Minister have given decades of service to the State, yet they are subjected to this iron fist of democracy—"Join and like it and, if you don't, get out!" We have seen the start of dictatorships around the world in this way, in countries which have lost freedoms one by one. Countries around the world have collapsed as a result of this kind of attitude, which members opposite support. The last paragraph of the Minister's wonderful request states:

I have undertaken to advise the A.W.U. of the name of the officer whom you desire to appoint to undertake this duty. Would you please therefore advise me of his name at an early date.

There was to be (and there may be for all I know) a Government servant to work for the unions.

Mr. McKee: Hear, hear!

Mr. HALL: The member for Pirie approves of this. This is how far democracy has gone in this State! All the Minister can do at this stage is laugh. Having revealed publicly the contents of the letter sent by the Minister, I commented on the document at a press conference at a time when it so happened that the Minister was out of the city.

The Hon. G. T. Virgo: And you well knew it, too, you coward!

Mr. HALL: It concerns me not at all where the Minister was. Had I known that he was out of the city, I would have raised the matter in just the same way. It makes no difference that I did not know his whereabouts. I assure the Minister that the public welfare is far more important to me than are his whereabouts on any particular day.

The Hon. G. T. Virgo: I happened to be meeting your members at Morgan, and you don't know! How dumb can you get!

Mr. HALL: The Minister then spoke from afar, having, I think, been up the river. However, before he spoke on the matter, his colleague (the junior Minister) appeared on a television programme and spoke for the Government or, if not for the Government, at

least for the Minister of Works. He said he had consulted with the Minister of Works, and he gave some most interesting replies to questions put to him. He repudiated the Minister in direct terms. When asked why the Government was apparently forcing public servants to become unionists he said, "I do not think it is." After I had given an explanation of my assessment of the directive issued by the Minister, the junior Minister said, "I would agree with what Mr. Hall has said, but I think where the whole issue should be made quite clear is that Mr. Virgo, who sent it out last week, did it as an individual Minister; it was not a Cabinet decision." Therefore, the runaway Minister did this himself. He went into a corner somewhere and thought about this. He was not going to go along with just preference. He said, "I am President of the Labor Party in South Australia: I will force them." His colleague said that this was not a Cabinet decision. The interviewer asked whether Cabinet agreed, and the junior Minister said, "No, Cabinet does not agree with this, and neither does Mr. Virgo." The junior Minister said:

He raised this with me last week after it was drawn to his attention that the actual letter that he had sent out on that occasion, following the earlier instruction that he sent out in June, to all his departmental heads, had some doubt about it. He referred it to me last Thursday—

I remind members that that was September 24—

and told me that he believed that the terms he had used were bad and that he intended to withdraw it.

What did he say when he was contacted out of the city, before he knew what his fellow Minister had said? Asked whether he had issued a document on September 2 calling for full and compulsory unionism, Mr. Virgo said that he issued many documents and could not remember them all. His lapse of memory occurred soon after the event: on September 24 he had been discussing the matter with his fellow Minister, and this lapse occurred on October 1, a space of seven days. During that week, his memory had suffered this amazing lapse to the degree that when this issue was referred to him, as being a major issue and a matter of contention in the mind of the public, he could not remember it. Of course, his fellow Minister had said that it was intended to withdraw it. The Minister of Labour and Industry said on another occasion that since that time the Minister of Roads and Transport had not properly clarified the Government's earlier intention on the matter and had since corrected it. That is what his fellow Minister has said. To confuse the issue further, the Minister of Roads and Transport said that he intended to send a further letter clarifying exactly what was the Government's intention. In answer to a similar sort of question, the Minister of Labour and Industry said:

Well, he may well have done it last week; I cannot answer for him. As I say, I was unable to reach him on this particular question.

The Minister of Roads and Transport should listen to his colleague's words, as follows:

If it was not done last week it is certain that Mr. Virgo has put the machinery into motion to have it done very soon.

Yet when it was referred to him, the Minister of Roads and Transport could not remember which of the many documents this was. What utter rubbish! There were evasive tactics, because the Minister had been found out. The searchlight of public opinion was on his actions and he was being called to account for forcing people to join unions, which they may not wish to join, under the pain of expulsion from his department. It was indeed a sorry day for South Australia when this stage had been reached. We know that during that time of public discussion, the Minister of Roads and Transport, having not been able to remember, was confronted with a newspaper article which is headed "Virgo's 'Join Union' Letter Repudiated" and which states:

Two Cabinet Ministers yesterday repudiated an instruction by the Minister of Roads and Transport which sought to compel non-union members of the Highways Department to join a union. Mr. Corcoran claimed that the Government's position had been misunderstood and Mr. Broomhill said that the instruction would be completely revoked. Mr. Corcoran said, "Mr. Hall's quotation from this instruction is correct but the conclusions he draws from it are wildly unbalanced."

That was the Minister's statement; there is no contention as to the context of the letter from which I have quoted. Therefore, at that time, the situation was that the Minister of Roads and Transport was about to return full of fire and fury to defend the position in which he found himself.

The Hon. G. T. Virgo: I've never had to defend myself.

Mr. HALL: Towards the end of the recess of the sittings of the House, the Opposition waited for the Minister to return and to accept responsibility for what he had tried to foist on employees of his department. However, after hearing the junior Minister say that this directive would be completely revoked and

after hearing the Minister of Roads and Transport say that he would revise it (I think that is the word he used, but he can say himself directly), I was amazed to find paragraph 6 included in the additional conditions, for the hire of a heavy construction grader, required by the Highways Department. Paragraph 6 boldly states that operators must be members of trade unions, as follows:

Unless the owner of the machine is the person who operates the machine, all operators must be members of appropriate trade unions.

Mr. Coumbe: They must be.

Mr. HALL: They must be. No reference is made to preference, to choice or to use only when all other things are equal: this is simply an instruction and a dictatorial use of power. This is very different from the opinion of the Attorney-General, who sits on the left-hand side of the Minister of Roads and Transport. This is compulsion. So the Government has moved out of its departments and away from compelling members of those departments to be trade unionists and is now entering the field of free enterprise, that tainted part of our society that is detested by many members of the Government. Free enterprise is to be attacked in this regimented fashion. I therefore call for the Minister's suspension. We all knew what effect that would have on him. I suppose he has been secretly writing other directives since the call for his suspension. He said, in effect, that his instruction meant that a contractor employing non-union labour would not be engaged to the exclusion of a contractor who employed well-conducted unionists who were experienced and competent to perform the work required. However, that is not what the instruction said, and the Minister knows it. He gave no choice: he said that the operators must be members of unions. He concluded by saying that he did not consider the clause in the tender form took it further than Industrial Instruction No. 300, nor was it intended that it should. That is untrue, and one knows from reading it that the instruction is definite and that it contains no outlets.

One therefore reaches the position that the Minister, without revealing a concise policy to the public or to this Parliament, has moved in two major directions: first, within his department, to establish complete unionism; and, secondly, into the realm of the Highways Department contractors, by insisting that they must have only union members operating their machines. The Minister's colleague said that the first directive would be completely revoked, but the Minister for Roads and Transport has been completely evasive regarding the present situation in his department. It has become known since then that the contracting field is receiving his attention and, as I understand it, additional condition No. 6 still applies. It is interesting for one to study the Bill that was introduced in 1967. If you remember, Sir, there was then a Labor Government in South Australia, and at that time a major revision of the Industrial Code was undertaken. It is also interesting to note that that legislation was introduced by the Labor Government.

The Hon. G. R. Broomhill: Hear, hear!

Mr. HALL: I am sure the junior Minister will be pleased to hear section 91 (1) of the Industrial Code, which provides:

No employer shall dismiss any employee from his employment or injure him in his employment, by reason merely of the fact that the employee—

(*a*) is or is not an officer or member of an association; or

(*b*) is entitled to the benefit of an award, order or industrial agreement.

A breach of that section attracts a maximum penalty of $100. A subsequent section is consequential on the provision to which I have already referred. It is significant that the Labor Party in 1967 included in the Industrial Code a safeguard regarding the employment of individuals, which the Minister, in essence, now contravenes.

The Hon. G. R. Broomhill: You should also tell us what you tried to put in the Code in 1967.

Mr. HALL: The junior Minister is always trying to divert from the existing debate to some other responsibility. Let him face the section to which I have referred, which was included in the Industrial Code by the Government of which he was a member.

The Hon. G. R. Broomhill: You should tell us what was attempted to be included.

Mr. HALL: One could ask the junior Minister whether he voted for section 91 or whether he protested about it.

The Hon. G. R. Broomhill: Another clause was put in but it was kicked out.

Mr. HALL: Does the Minister still think that his Government included this clause or that it was put in by someone else?

The Hon. G. R. Broomhill: It was put in by the Upper House. They defeated our provision.

Mr. Millhouse: It is the law of this State.

Mr. HALL: The Bill was introduced, the first reading of it was given on October 5,

1967, and the section to which I referred was included in the original Bill. Let the Minister deny that.

The Hon. G. R. Broomhill: I will tell you shortly.

Mr. HALL: The legislation therefore prohibits an attack on an individual's employment in the manner in which the Minister has acted, and a breach of the section attracts a penalty of $100. This is indeed an interesting development.

The Hon. G. T. Virgo: You had better get your ex-Attorney to prosecute then, hadn't you!

Mr. HALL: Surely the Minister of Roads and Transport is not going to adopt that legalistic attitude. Surely he has at heart the welfare of the people of this State, whom he is supposed to be here to assist.

Mr. Slater: What about the Legislative Council?

Mr. HALL: The honourable member knows how much embarrassment the Legislative Council saved his Party during its previous term of office. If he studied the legislation that was introduced at that time he would have to admit that. The Legislative Council's policy on the transport legislation, which policy was so bitterly resisted by the Labor Party, practically became the Premier's policy at the last election.

The Hon. G. T. Virgo: What has transport got to do with this?

Mr. HALL: Very little, so let us get back to the motion. We now have the ludicrous position of the Minister breaking the laws on our Statute Books in an attempt to obtain 100 per cent unionism in this State. The only answer that members of the Government can give is that I am opposed to unions, that I hate some unions, or some such stupid allegation. It is wrong that any person should be forced to become a member of an organization that is politically committed to one side of politics, and the Minister would know from the recent Labor Day march and from his associations that he is forcing people to join organizations that help his side politically. Therefore, he has a political self-interest in this matter (indeed more so, being President of the Labor Party) than has any other member.

Mr. Keneally: Do all unions support—

Mr. HALL: I say that the Minister should not use the power at his disposal to force people to support him, and the member for Stuart knows that very well. He knows that the Minister has been trying to use his power to force people to join him politically. This is not what the South Australian people voted for and, if the Government is so sure of itself on this matter, let it go to the people on it. I noticed during the Premier's absence on his first trip overseas that the Deputy Premier said he was going to lead 10,000 people in a demonstration if the Legislative Council fiddled around with the Government's legislation. Let him arrange his 10,000-strong demonstration and see where he gets. Let him try on the record of the Government, headed by this compulsory, dictatorial policy that the Minister of Roads and Transport has enunciated. The information I have quoted is more than sufficient without my comments to convict the Minister and warrant his censure by this House. If the House should censure him it would be a direction to the members of his Party to dismiss him from office.

The Hon. D. N. BROOKMAN: I second the motion *pro forma.*

The Hon. D. A. DUNSTAN: On a point of order, Mr. Speaker. How does one second a motion *pro forma* in this House? If a member seconds a motion does he not then speak?

The SPEAKER: By seconding it *pro forma,* the honourable member reserves his right to speak subsequently.

The Hon. D. A. DUNSTAN (Premier and Treasurer): I have listened to the Leader of the Opposition vent his spleen on the principles of unionism in this State. I will test the House on the matter by moving to amend the motion as follows:

To strike out all the words after "House" and insert "support the principle of preference to unionists and the actions of the Minister of Roads and Transport to secure industrial peace by giving effect to that principle".

If there is one thing that members of the Opposition in this State constantly do it is suggest that there is something wrong, evil, improper, sinister and dictatorial about the very existence of the Trades Hall. Member after member on the other side (the Leader of the Opposition, the Deputy Leader, the member for Alexandra and, before his own members got rid of him, the member for Light as he was in the last Parliament) constantly got to their feet and said that there was something improper about unionism and the Trades Hall. Unionists apparently should not exist in South Australia; people should not be asked to join trade unions in order to contribute to the normal processes of conciliation and arbitration in this State. Apparently people are to be encouraged in South Australia not to join trade unions so that they may take advantage of the work done by those people who are in trade unions

to btain the awards, the industrial agreements and determinations that fix industrial conditions in this State, and do it without participation or contribution.

That is the attitude of members opposite, when members on this side believe (and believe with those general liberals, proper liberals, from the beginnings of the State who supported the trade union movement from its outset) that it is proper that people in this State should be involved in the normal processes of industrial arbitration covering their avocations.

The Hon. G. R. Broomhill: Every other Liberal Government in Australia supports that principle.

The Hon. D. A. DUNSTAN: Yes, I know, but members opposite do not. They do not believe in having trade unions; they do not even believe in people in rural employment going to the court to get a fair award. They have taken action in this House and in another place to prevent rural workers from doing so. Their attitude constantly has been against the due and proper organization of people in employment in this State into those trade unions which have a record throughout Australia of the most responsible representation of workers anywhere in this Commonwealth. The unions have produced, as a result of this representation, the lowest proportion of time lost in industrial disputes anywhere in Australia. Members opposite, however, do not want people to be involved in that process. They do not want to suggest that those unionists who give their money to the process of industrial conciliation and arbitration should be able to require of their fellow workers that they too make a contribution in order to get benefits.

There was a long-standing provision in the administration of this State requiring preference to unionists of a kind which is granted in most of the large industrial concerns of Australia by the employers of this State. In the automotive factories of South Australia the employers go further than the industrial instruction that has been issued by this Government. Most of the large employers in South Australia, in order to obtain industrial peace, insist that their workers shall be involved directly in the organizations concerned with negotiating the conditions of employment, and that is the only effective course to industrial peace in this State. The industrial instruction to which the Leader has referred was the administrative instruction made by the Government before the Butler Government took office. It was revoked by the Butler Government in the depression years when there was no adequate employment in this State and the revocation continued under the Playford Government. The previous industrial instruction which had existed for many years in South Australia under successive Governments was restored in 1965 by a Labor Government and revoked by the Leader of the Opposition and his Government as soon as they took office in 1968.

The Hon. G. R. Broomhill: It was the first thing they did.

The Hon. D. A. DUNSTAN: Yes, to ensure that there was no preference given to those people who would be involved in the processes of industrial peace in this State. They were going to see to it that assistance was given to people to avoid the obligation of being involved personally and monetarily with their fellow workers in negotiating conditions of employment. When that instruction was restored by the present Government, there was an outcry from members opposite. They did not want people to be in unions, not under any circumstances, because most unions, although not all, support the Australian Labor Party. For instance the bank officers' union does not necessarily support the A.L.P., but I remind members opposite that the attitude taken by bank officers to union involvement is the same as that of other unions: it requires employees to be members of the union.

Mr. Burdon: Who got them a five-day week?

The Hon. D. A. DUNSTAN: We did. At that time we had the support of the member for Hanson in getting them a five-day week. Do members opposite sincerely suggest to the public of South Australia that it is proper for them to encourage people not to join unions? Do they suggest that people should say, "It is all right for the other workers in my employment to pay their money to the processes of industrial conciliation and arbitration to engage the advocates to appear before the courts to obtain the benefits for union members"? They sit back and say, "You can pay for that, and I will take the benefits." I believe that a man who chooses not to join a trade union should have the honesty of his convictions and refuse the benefits that trade unions have got and pay the extra money, the extra $20 a week that would be involved in most cases, to some appropriate charity.

Mr. Coumbe: That sounds like Mr. Hawke speaking.

The Hon. D. A. DUNSTAN: I agree entirely with Mr. Hawke on the matter. I can remember as a union secretary feeling very strongly about this subject because, at a time when I had to go to get benefits for members

in this State, there were people who refused to make their contributions but chose to take the benefits. At that time, as a result of that, the Public Service Arbitrator wrote into the provisions of employment regarding the Australian Broadcasting Commission exactly the same preference to unionists as the Government has provided in its industrial instruction. That was a decision by an arbitrator.

Mr. Hall: Did it have an ultimatum in it?

The Hon. D. A. DUNSTAN: What it did say was that preference shall be given to members of Actors and Announcers Equity, so preference was given.

Mr. Hall: Did it have an ultimatum?

The Hon. D. A. DUNSTAN: If the honourable member thinks that is an ultimatum, that is what it is.

Mr. Coumbe: We ought to get back to the subject.

The Hon. D. A. DUNSTAN: I am getting on to the subject all right!

Mr. Coumbe: We are waiting for you to get back to the subject of the motion.

The Hon. D. A. DUNSTAN: Apparently, honourable members opposite are forgetting that I have moved an amendment that expresses clearly what is the issue in the mind of the public instead of expressing the nonsense that the Leader of the Opposition has chosen to go on with in this matter. If there is one thing that the Leader is being successful in doing it is in arousing the ire of unionists in this State. Now let us turn to the case that the Leader of the Oposition sought to put concerning the Minister. In the course of his concern with his department, the Minister was faced with an extremely difficult position. In fact, some people in the department were threatening industrial strife as a result of non-unionism. Therefore, the Minister sought to appoint a liaison officer who would resolve this situation satisfactorily. The Minister sent a minute, to which the Leader has referred, to the Commissioner of Highways. The Leader, apparently, had his own sources of information and got hold of a copy of that minute.

Before the Leader had done so (as a matter of fact, a considerable time before he had done so), the Minister had had a discussion with public servants in his department, who pointed out that the words of the minute could be misconstrued by those with ill motivation, and the Minister revised the minute. In fact, he withdrew it, and another minute was then substituted. The Leader must know of the substituted minute, because it would have been available to him from exactly the same source as that from which he got the original minute, and it would have been available to him at exactly the time he made his statement, which was while the Minister was out of town.

Of course, the Leader is a great one for using the term "runaway". He likes to use it about anyone else. He carefully used the term concerning the Minister when the Minister was out of town going about his proper Ministerial duties without having received any notice from the Leader. The Leader says that he is a run-away Minister. Of course, the Minister had already taken action about the matter that the Leader raised publicly. The Leader must have known this, but he was prepared to produce one minute and not the other, and he did it when the Minister was out of town. The Deputy Premier and the Minister of Labour and Industry could not get in touch with the Minister of Roads and Transport and did not have the docket available to them.

Mr. Hall: And the Minister couldn't remember it!

The Hon. D. A. DUNSTAN: The Minister, when he got the docket, remembered all right, and he made his statement publicly.

Mr. Hall: I'll bet he remembered then, but he didn't before.

The Hon. G. R. Broomhill: I can't see any merit in that interjection.

The Hon. G. T. Virgo: They're scraping the bottom of the barrel now.

The Hon. D. A. DUNSTAN: What has happened in this case is merely that the Minister has tried to see to it that the industrial instruction from the Government, which has been standard for many years in this State's history, is put into effect to stop industrial strife in the Highways Department, which strife has been threatened because of the situation that has existed there. Do members opposite want that there should be a general stoppage in the Highways Department? Do they desire to encourage industrial strife? Do they want to see people out on the streets because others who are employed in the department refuse to make any contribution to the costs of obtaining the benefits for Highways Department employees that are obtained under our law by the responsible, registered and recognized trade unions?

We have had consistently throughout the history of the Party of honourable members

opposite, a bitter opposition to obtaining reasonable industrial conditions, the provision of unionism, and the rights of unions to go to courts to get fair awards in South Australia. Before the Labor Government came into office in 1965, South Australia had the worst industrial conditions in Australia. That Government then made a marked improvement in the conditions of unionists, and the unions realized very clearly where the benefits lay, but every one of the improvements in conditions of unionists made under that Government was attacked by honourable members opposite. Then, when the present Government was elected, it provided payments for unionists in South Australia on the basis of the over-award payments made by the Commonwealth Government to its railway workers and the service pay granted by agreement between the Victorian and New South Wales Liberal Governments and their workers. We based the arrangement arrived at with the unions in South Australia upon what had been done elsewhere, to give the workers comparability. What happened? Members opposite attacked that. The Leader of the Opposition said that this was an extravagent and outrageous gift to the unionists of South Australia.

If he had remained in office and refused to do what this Government did, there would have been a general strike in South Australia. He could not have stopped it. The unionists of this State would not have tolerated having depressed conditions compared with the conditions of those persons alongside whom many of them were working and who were employed under Commonwealth awards. The opposition of L.C.L. members, including the former Minister, to trade unions was made very clear when members opposite were in Government, and the unions of South Australia will not sit down under that sort of thing.

The Hon. D. N. Brookman: You don't agree that the directive, the memorandum—

The Hon. D. A. DUNSTAN: The Minister will read it for the honourable member in due course.

The Hon. D. N. Brookman: Why don't you read it?

The Hon. D. A. DUNSTAN: I am making my speech at the moment, and the honourable member will have an opportunity to make his when he gets up, instead of getting up *pro forma*. I suggest that the honourable member does not get *pro forma* the next time but that he gets up and has his say. I am having mine now, and I suggest that the honourable member listen.

The Hon. D. N. Brookman: Do you say that the terms of the directive—

The Hon. D. A. DUNSTAN: The honourable member will hear it, if he listens, in due course. I am sorry that he gets so impatient. Normally, when anyone interjects on him, he reflects on their brusqueness and rudeness.

The Hon. Hugh Hudson: And on their character!

The Hon. D. A. DUNSTAN: Yes. To members who interject on him, he points out that they are contravening Standing Orders and are not gentlemen, but he never ceases to make the most snide interjections, and he constantly impugns other members' characters in this House. The Minister has carried out the policy of the Government in order to have effective industrial peace within his department. The further thing to which the Leader of the Opposition apparently objects is that the Government requires that persons who contract with it and are not themselves subcontractors, in effect, should be employers of union labour. May I point out again that if we are to maintain industrial peace in South Australia it will be essential that contractors with the Government are employers of union labour; otherwise, we will have the kind of stoppages that have previously occurred over this very issue. I remind honourable members that it does no good to the people of this State to have work on essential public projects held up by industrial strife.

Do members opposite really want us to pay out the large sums with which we are faced when union members refuse to go on working with people who refuse to join the unions but who enjoy the conditions that those unions have obtained? That is what members opposite apparently want. Why is it that there is an objection by members opposite to people being members of organizations involved in the proper and legal processes of obtaining reasonable conditions of work and employment? Why is it that members opposite hate the very idea of people being members of trade unions? Doubtless, it is because the great reform movement of this country has arisen out of the trade unions. Members opposite talk grandly about compulsion. What sort of freedom is it that shareholders of large companies have in this State concerning the contributions made from company funds by the directors of those companies to the Liberal and Country League? What sort of freedom from compulsion to contribute exists there? Members opposite know perfectly well that there is none.

Mr. Coumbe: Or to the A.L.P.!

The Hon. D. A. DUNSTAN: The member for Torrens surely is not suggesting that the A.L.P. receives contributions from company funds in the measure that the L.C.L. receives them. I know how much the L.C.L. spent at the last election, and I know that it was very much in excess of what we spent. Having costed it, we know that it came close to $200,000.

Members interjecting:

The Hon. D. A. DUNSTAN: We carefully collated the amounts that had to be spent; either members opposite had free advertisements in the papers or on television, or they paid for them and the amount was the amount that I have stated.

Mr. Hall: It was effective, obviously.

The Hon. D. A. DUNSTAN: It was so effective that the Leader is sitting on the other side! Members opposite are completely hypocritical about compulsion to contribute to election campaigns. There is no more compulsion on members of trade unions to contribute to election campaigns conducted by this side of politics than there is on shareholders of those many companies that pay so much money to keep the L.C.L. going. There is no difference. Members of trade unions can go along to their union meetings and talk about the contributions, but members opposite know perfectly well that the contributions made to political Parties do not appear in the companies' balance sheets, and shareholders never have an opportunity to find out at shareholders' meetings just how much has been given. So this matter of compulsion to be involved in political campaigns is exposed.

I am amazed that members opposite should be so assiduous as to arouse in the hearts of every trade unionist in South Australia the clear and certain knowledge that members opposite hate trade unions and do not want people to be involved with them, but they are doing a good job at that. I suggest that members opposite might come sometimes and listen to a few trade unionists speak on the subject, because they would hear clearly what they had to say about the actions of members opposite. The only way ahead for this State is to ensure that preference is given (and it should rightly be given) to those people who, in employment, make a contribution to obtaining the work conditions of people in that employment; and those who choose not to contribute should not have the same preference in employment, because they are simply poling on the others. Everyone who is involved in employment has a duty to be involved in his union organization, and in making a contribution to it.

The Hon. Hugh Hudson: Some employers enforce that duty.

The Hon. D. A. DUNSTAN: Of course they do. Many of them go much further than the Government's instruction in this matter. I believe, therefore, that the House should clearly express itself on this matter.

The Hon. G. R. BROOMHILL: I second the amendment *pro forma.*

Mr. MILLHOUSE (Mitcham): I have been in this House for 15 years, and during the whole of that time the Premier has also been a member of the House and, although I have never sat on the same side, except on a few coincidental occasions, I have come to know the Premier's ways, and particularly his method of debating, very well. I can always tell when he thinks that he is on the right side of the argument and when he knows that he is on the wrong side of the argument. When the Premier has material at hand to use in a debate, he speaks very effectively and to the point, but when he has no arguments to use (and he had no arguments today) he makes a poor speech and never refers to the subject matter under debate. Today we have under debate, as in the motion moved by the Leader, the actions of the Minister of Roads and Transport, and we heard hardly a word about this from the Premier.

The Hon. G. R. Broomhill: Read the amendment.

Mr. MILLHOUSE: It is all very well for the Minister to say that. We know that the amendment will be carried because the only thing that counts in this House is the numbers; as the Government has the numbers to roll us on this motion, it will get its amendment through. However, the fact is that we moved this motion to censure the Minister of Roads and Transport, and the Premier has not seen fit to defend the Minister; all he has done is try to deflect this debate on to other matters. He has done what I have often heard him do in the past; that is, he has employed the tactic of attack, for he knows that when one has no arguments to defend one's own position the best tactic of defence is attack, and that is what he has done this afternoon. Even in relation to his own amendment, he canvassed the actions of the Minister of Roads and Transport and said precious little to try to defend what the Minister had said.

Mr. Hall: He has said he supports him.

Mr. MILLHOUSE: Yes. Before I get on to aspects of the conduct of the Minister, I wish to say one or two things about the points made by the Premier, irrelevant as they are to the original motion. I must say that my overall impression is that the Government is confused about its policy on this matter. For example, the Premier said that the Minister was faced with a difficult position in the department, that there was a threatening of industrial strife (that is something that I had not been aware of before, either in office or out of office), and that therefore a liaison officer was to be appointed. Then we got hold of the directive. We have not been told by the Premier whether the same situation of threatened industrial strife still obtains. In the last fortnight, since this matter arose, we have not been told (and this is the most significant thing of the lot) by the Premier, the Minister of Roads and Transport or the Minister of Labour and Industry what the revised directive may be. Obviously the Premier did not have it with him. He canvassed the effect of it, but did not see fit to read it out to the House. The Minister of Labour and Industry went on television with the Leader a fortnight ago and did not see fit to make it public. The Minister of Roads and Transport has not seen fit to make it public, either. Why has this not been made immediately available in this debate? That is one point I make. If the Premier were genuine in this, he would have had it with him; if his Minister were genuine, he would have made it public long before this.

The Hon. G. R. Broomhill: Here it is.

Mr. MILLHOUSE: The Premier then went on to attack members on this side of the House, apparently for opposing unionists. He knows, I know, and members on both sides know that that is an entirely unfounded attack and that members on this side do not hate trade unions. When the member for Torrens was Minister and when I was Minister we did everything we could to assist the trade union movement and we will do that again when we return to office. Certainly, in 1968 we retracted the industrial direction giving preference to unionists, just as the Butler Government did in the first weeks of its term of office in 1933. The Premier made great play of this, referring to the depressed conditions of industry in this State. However, from 1933 until 1965, during which time there was no such industrial direction, South Australia saw the greatest development of its industrial life in the history of the State. During that time, during the Premierships of the late Sir Richard Butler and Sir Thomas Playford, we had the best record of industrial relations and peace of any State in the Commonwealth, and that was a time when this industrial instruction did not operate.

The Premier did not get down to the crux of the matter (the actions of the Minister of Roads and Transport), because the Premier knew that he could not defend those actions, just as his colleagues, the Minister of Labour and Industry and the Minister of Works (who was the Acting Premier while the Premier was away) could not defend them during the Premier's absence. So the Premier chose to try to fight us on other grounds.

I now come to the gist of the matter. The Leader's motion, which is deliberately worded mildly, conforms to what has already been said publicly by the Minister of Works and the Minister of Labour and Industry: that this House censure the Minister of Roads and Transport for his attempt to introduce compulsory unionism in South Australia. Except that neither Minister used that word, they did in fact publicly censure the Minister for what he had done and said.

There are two aspects of this regrettable matter which require examination and some explanation which they have not yet had. First, I will deal with the attitude of the Minister of Roads and Transport in trying to enforce compulsory unionism in South Australia. Not only is that at odds with the law of the State and the policy of the Government but I believe it is also at odds with the views of most of the people of the State. Even more serious in my view is the prevarication, to put it at its mildest, of the Minister when he was charged with this matter. In view of what he said publicly, one wonders whether it is possible ever to have any confidence in what he says. Those are the two points at issue in this debate. First, we must deal with his attitude, and secondly, with the way he reacted when he was charged with having issued this directive. Before I develop those two points, I wish to make one overall point by way of background.

I refer to something which has not been said publicly but which is of the utmost significance in this situation, and that is that only about 50 per cent of the work force in South Australia is unionized. In fact, South Australia has one of the lowest percentages of trade union membership of any State in the Commonwealth. In case members opposite wish to contradict me on this, I will tell them that I rely on an article written by

Dr. I. G. Sharp (Commonwealth Industrial Registrar) in the March, 1968, issue of the *Journal of Industrial Relations* as my authority. In addition, the fact is that throughout Australia the percentage of the work force in trade unions is steadily dropping. Although it is increasing in numbers, it is not increasing nearly as fast as is the work force. I have no doubt whatever that trade unionists (and the Minister of Roads and Transport is an old trade unionist, steeped in the trade union movement) are very worried about this trend, particularly as the statistics I will quote do not give a true picture. In fact, the position is rather worse than it appears because in the white collar section there is an increase in unionization. However, in the traditional area of trade union support amongst blue collar workers the percentage of membership is dropping even more markedly. This must be a matter of considerable disquiet to members of the Government.

I should now like to quote from the official *Year Book* of the Commonwealth of Australia for 1969. What does it show? It shows that in 1954, when unionization in South Australia was at about its peak, 61 per cent of wage and salary earners were members of unions. In 1961 the figure had dropped to 57 per cent; in 1967 it had fallen to 54 per cent; the same figure obtained in 1967; and in 1968 it had dropped to 53 per cent.

Mr. Simmons: Does that include the white collar unionists?

Mr. MILLHOUSE: Yes.

The Hon. G. T. Virgo: What about the Law Society and the A.M.A.?

Mr. MILLHOUSE: If the Minister would like this, I have a photostat copy. He can do his best to explain away these figures. If one looks at the *Quarterly Summary of Australian Statistics* for 1970 (the one which came out a few days ago), one finds that the figures are slightly different from those quoted, although the trend is the same. In 1966 the figure was 53 per cent; in 1967, 52 per cent; in 1968, 51 per cent; and in 1969 it had fallen to 50 per cent.

Mr. Keneally: What point are you trying to make?

Mr. MILLHOUSE: I am trying to make the point that the trade union movement is undoubtedly perturbed and disturbed at the trend away from unionization in South Australia and that it will do its best by any means it can to reverse that trend and, as the Premier said this afternoon, to get 100 per cent unionism. The action taken by the Minister of Roads and Transport is an example of the lengths to which the Labor Government will go to try to get people to join unions. That is the background of the matter.

What in fact happened on this occasion? The Minister of Roads and Transport issued this directive, which was repudiated by certain of his colleagues. The Deputy Premier, who was acting head of the Government at the time, described it as most unfortunate and said it was a complete misunderstanding of Government policy. How on earth the Minister of Roads and Transport, who is a member of Cabinet and who has been present in this House when Opposition members have repeatedly asked questions on this very subject in the last few months, could misunderstand Government policy, I do not know. Whatever the weaknesses and faults of the Minister of Roads and Transport may be, I would not impute to him a lack of intelligence or understanding of these matters. It is impossible to believe that he misunderstood what Government policy was—not only implicit Government policy but also Government policy which had repeatedly been made explicit in this House during this session of Parliament. Yet his Leader had to say that the directive the Minister issued was most unfortunate and was based on a complete misunderstanding of Government policy. If that does not amount to a censure of his colleague, I do not know what does, and I defy any member on the Government side to get up and try to refute the point I have just made.

The Hon. G. T. Virgo: Would you like me to?

Mr. MILLHOUSE: Yes, I would.

The Hon. G. T. Virgo: Well, you sit down, and I'll do just that.

Mr. MILLHOUSE: What did the Minister of Labour and Industry say? He did not say that the instruction would be withdrawn and revised. He said it would be completely revoked. He went on to say, too, that it was a storm in a tea cup. Well, I suppose there was not much else he could say on television, other than try to minimize the effect of what his colleague had done. The fact is that, whatever the result of the motion in this House may be, the Minister has already been censured by his own colleagues for what he said. The most sinister (and I use that word deliberately) aspect of this matter is that it emphasizes what members on this side have said repeatedly: that, in spite of the denials

and the fine phrases of members opposite, a Socialist does not believe in personal freedom; he believes in compulsion and force. If one is given an ultimatum to join a union or lose his job, that is compulsion.

The Hon. G. T. Virgo: You've taken over from Freebairn. There must be a clown in every circus.

Mr. MILLHOUSE: The Minister of Roads and Transport believes in attacking his opponents at every possible opportunity, and he is trying to do just that to me. I know that he learned his debating tactics at the Trades Hall, and I do not blame him for using them. However, I am afraid that on occasions like this when he is in a corner he acts as the complete Trades Hall bully. That is how he is acting now and how he has acted throughout this incident.

I was trying to make the following point. I remember what Sir Robert Menzies said in 1949: that Socialism involves the control of industry, and one cannot control industry unless one is also going to control the lives of the men and women who work in industry. The people of Australia accepted that and voted Sir Robert Menzies in, and they have voted him or his successors in at every election since then. What he said then is true today, and this is a good example of the control of individual men and women that the Minister would exercise. It has been repudiated by the Minister of Labour and Industry, but I do not know whether he is going to continue that repudiation today. His attitude would rather suggest that he has changed his tune and that he does not repudiate the control that his colleague tried to enforce. If a private employer tried to do what the Minister had done (the point the Leader made), he would commit a breach of section 91 of the Industrial Code, which provides:

No employer shall dismiss any employee from his employment or injure him in his employment, by reason merely of the fact that the employee—

(*a*) is or is not an officer or member of an association:—

and, by definition, that includes a trade union—

(*b*) is entitled to the benefit of an award, order or industrial agreement.

That section goes even further, as subsection (2) places the onus on the employer to show that any injury or harm done to an employee was not done on that ground.

The Hon. G. T. Virgo: Who put that Statute through?

Mr. MILLHOUSE: The Minister asks who put that through, and I will answer that question but, before doing so, may I say that I am not suggesting that the Minister and the Commissioner of Highways are bound by this, because they are the Crown. However, morally I believe they are bound by it. That section, in those very words, appears in the Industrial Code, 1920-1922. One can see from the marginal note that it was old section 122, which was phrased in precisely the same terms as those that I have read out this afternoon. When the Walsh Labor Government introduced the amended Industrial Code which is now the law of this State, it reproduced that section word for word in the original Bill. It did not attempt to alter that section but changed the numbering of it, so instead of being section 122 it is now section 91. When the Leader of the Opposition was speaking a few minutes ago the Minister of Labour and Industry tried to suggest that the Upper House had inserted this section in that form. That was a lie; that was not so. I have checked on that and I have a copy of the Bill as it was introduced.

The Hon. HUGH HUDSON: On a point of order, Mr. Speaker, the honourable member said, "That was a lie." I ask that that word be withdrawn as it is unparliamentary.

The SPEAKER: The honourable member has asked that that word be withdrawn.

Mr. MILLHOUSE: Do you find it offensive, Sir?

The SPEAKER: I do.

Mr. MILLHOUSE: All right, I will withdraw it, but I think the facts speak for themselves and I hope *Hansard* caught the interjections of the Minister of Labour and Industry.

The Hon. HUGH HUDSON: I asked for an unqualified withdrawal of the implication that the Minister of Labour and Industry was involved in a deliberate lie, which was the claim of the member for Mitcham. There is no basis for that claim, and it is unparliamentary anyway.

The SPEAKER: The honourable Minister has asked for an unqualified withdrawal.

Mr. MILLHOUSE: Do you direct me?

The SPEAKER: I am asking you.

Mr. MILLHOUSE: If you direct me I will withdraw it.

The SPEAKER: I direct you.

Mr. MILLHOUSE: Very well, I will withdraw it, but let me state the facts again without putting any gloss on them. A few minutes

ago when the Leader of the Opposition was speaking—

The Hon. D. A. DUNSTAN: Mr. Speaker—

Mr. MILLHOUSE: Do it now and don't interrupt me again.

The Hon. D. A. DUNSTAN: Do you want me to leave it alone?

Mr. MILLHOUSE: No, I want you to do it.

The Hon. D. A. DUNSTAN: I suggest that you be a bit courteous. I'm only trying to help. If you carry on like that you'll get no help.

Mr. MILLHOUSE: You will just roll us without debate.

The Hon. D. A. DUNSTAN: No I won't. If you are going to be discourteous you will get nothing from us.

Mr. MILLHOUSE: A few minutes ago when the Leader of the Opposition was speaking the Minister of Labour and Industry by interjection implied that section 91 of the Industrial Code was enacted by the Upper House during the course of the progress of the legislation through Parliament and was not in the Government's original Bill. That is inaccurate. I have a copy of the Bill as laid on the table and read a first time on October 5, 1967, and it contains this section word for word. In fact, the previous Labor Government saw fit, when revising the Industrial Code, to re-enact this section of its own free will and that section was passed by both Houses. Let there be no more suggestion from the Minister of Education or from any other Minister that the position is other than I have stated it. I remind the Premier, because I am sure he has some regard for this document, as I hope have other members opposite, of the provisions of Article 20 (2) of the Universal Declaration of Human Rights.

At 4 o'clock, the bells having been rung:

The Hon. D. A. DUNSTAN moved:

That Standing Orders be so far suspended as to enable Orders of the Day (Other Business) to be postponed and taken into consideration after Notices of Motion (Other Business) have been disposed of.

Motion carried.

Mr. MILLHOUSE: Article 20 (2) of the Universal Declaration of Human Rights provides:

No-one may be compelled to belong to an association.

I subscribe to that but apparently the Premier and members opposite do not. It is one that I have quoted in this House before and it is one that I believe is worthy of the support of all members. I was pleased to see some support for the proposition that I support from members of the South Australian Council for Civil Liberties in a letter published in Monday's *Advertiser*. In that letter they said:

Since the matter of union membership as a pre-requisite to employment is being actively discussed it seems timely to re-emphasize that the right to work, provided appropriate employment is available, is a fundamental and important civil liberty and should not be limited in any way, legally or otherwise.

I do not know whether the Premier disagrees with that but I presume from what he has said that he does disagree with it. No-one would suggest that the persons who signed that letter (members of the Council for Civil Liberties) are all supporters of this side of politics. It is very significant that they have gone to the trouble of writing that letter as members of the council to emphasize a point with which I respectfully and deliberately agree. I think that is enough about the conduct of the Minister in trying to enforce compulsory unionism within his own departments, because only a fool would suggest any other meaning to the directive he put out. It was clumsily worded, but that is the obvious and only meaning one could put on it: that people were to be forced into unionism.

I now want to comment on the conduct of the Minister when he was charged with this, and one must say at the very least that he was less than frank. When the Leader of the Opposition first brought this matter forward, the Minister could not be contacted and he made no comment; his action was repudiated by his two colleagues, the Deputy Premier and the Minister of Labour and Industry. When he was able to comment on this matter on October 1, this is what he said:

What I want to know is whether Mr. Hall is prepared to table the document and prove its authenticity.

In the debate this afternoon there has been no suggestion that it was not an authentic document. That was the first tack of the Minister, but it has been abandoned, or certainly not used by the Premier. Asked whether he had issued a document on September 2 calling for full and compulsory unionism, Mr. Virgo said he issued many documents and could not remember them all. I cannot accept that on a matter of such importance and significance as this the Minister would not remember having issued this directive. That is apart from anything else. I just cannot accept that, less than a month later, he would not remember a document of such great importance as this. I think this is significant, in view of the amendment moved

this afternoon to avoid a debate on this topic. He said, "I would like the whole matter to be fully examined." If this is so, why did not his Premier, when he spoke this afternoon, fully examine it? That is what the Minister said; it was his first comment.

The Hon. G. T. Virgo: You're worse than Hall has been this afternoon.

Mr. MILLHOUSE: We find out from the Minister of Labour and Industry that on September 24, only a week earlier, he had discussed this matter with the Minister of Roads and Transport. The report states:

Mr. Broomhill said last Wednesday that he had discussed the subject with Mr. Virgo on September 24, when the latter had admitted that the wording of the directive was bad and indicated that he would clarify the Government's intentions.

However, a week later he tried to say that he could not remember, because he signed so many things. Not only had he signed it within a month: he had discussed it with his colleague within a week, because he was worried about it and realized that the wording was bad. How can the public of South Australia or members of this House reconcile the Minister's statement when he was taxed with this matter on October 1 with what we now know, namely, that he had, in fact, sent it out and had discussed it with the Minister of Labour and Industry? The answer is that one cannot reconcile those two things. I am afraid that, in this matter, the Minister has been less than frank, and that sort of conduct has gone on right throughout this incident. This is a very serious matter, coming from a Minister of the Crown, and it certainly deserves censure by members of this House. Therfore, on both grounds, I hope (although I think this hope is in vain)—

Mr. Langley: You're right there.

Mr. MILLHOUSE: Yes, members opposite are right: they have the numbers. However, we will win the debate, even though we lose the division.

Mr. Langley: You've lost the debate already.

The SPEAKER: Order!

Mr. MILLHOUSE: The Minister is deserving of censure on the two grounds. The first is that he tried to impose compulsory unionism on people in his department, contrary to the policy of his Government and to justice and the Industrial Code of this State, and the second is that, when he was charged with this, he tried to avoid the consequences of what he had done by being less than frank with the people of this State.

The Hon. G. T. VIRGO (Minister of Roads and Transport): I am hesitating because I thought I would wait for the Leader. Apparently, he is a little confused at the moment.

The Hon. G. R. Broomhill: Wouldn't you be, if you just had to listen to his Deputy making those wild statements?

The Hon. G. T. VIRGO: Yes, I am rather confused also. However, what rather amazed me were the opening remarks made by the Deputy Leader, the member for Mitcham, when he said that in the 15 years he had been in this House he had learned to read the Premier very well and that, when the Premier had a poor case, he never stuck to the subject matter. We were then subjected to an address by the Deputy Leader in which he dealt with Socialism, suggesting that, because I was in a corner, I was acting like a Trades Hall bully, that the motion was mildly worded deliberately, and that Socialists did not believe in freedom. In fact, he talked about everything but the motion, and he did not even mention the amendment.

The Hon. G. R. Broomhill: I don't think he had a case, and he couldn't do much else.

The Hon. G. T. VIRGO: I would not object to his talking about everything except what was involved in the motion, but to start off by accusing the Premier falsely of doing something and then doing exactly the same thing is, I think, the most hypocritical act that I have known. I go further and say that I believe that this motion, moved by the Leader and supported by the Deputy Leader and, presumably, by the member for Alexandra (because he was conned into seconding it), is the greatest hypocritical move that we have seen in this Parliament since I have been here, and I know that that is not very long.

Let us try to get a few facts, and stop talking about such fantasy and irrelevant material as that to which we have been subjected by the Leader and the Deputy Leader this afternoon. If the former bank official opposite, the former officer of the bank officials' organization, who is trying to interject, has turned from his belief in trade unionism, he can live with that. I have not turned from my support for and belief in the trade union movement, and I never will: I am proud of it. At no stage and in no place will I ever hide behind my principles.

What is the true position in relation to this matter? It started when the Leader of the Opposition saw fit to have photostat copies of a document prepared and presented to the members of the press, with his complaint that

this document was, in fact, an instruction to join a union or get out. He said that, or words to that effect. It is extremely strange that the Leader should have gone to the press with a story of that kind, although I do not know whether he, the Deputy Leader, or any other member opposite knows that no person may work as a journalist for the daily newspapers in South Australia without first becoming a member of the union. Do members opposite know that the printers must become members of a union before being employed? Are they not aware of these things?

The Leader complained about a minute that I issued, and I am not surprised that he complained. As a matter of fact, I had it on fairly good authority that he would be complaining, because he happened to have some information. Realizing that the minute could be construed in the way the Leader has construed it, I discussed the matter with the Minister of Labour and Industry (who has openly stated this) and, as a result, soon after this minute was released on September 2, a further minute was issued. That minute deleted the sentence that states:

It is my intention that such an officer would contact the employee concerned and offer him the necessary motivation to join the union by way of ultimatum.

In the second minute, in lieu of that sentence, another sentence was inserted, as follows:

It is my intention that such an officer would contact the employee concerned and advise him of the Government's policy.

I ask every member of this House quietly and carefully to consider this for himself: why did not the Leader produce the second minute as he did the first? What had he to hide? Did the Leader realize that we were aware that there were people, such as the Leader and some of his colleagues, who could do exactly what they have done? Is the Leader aware that, knowing this, we took the necessary steps to prevent this very thing occurring? Of course the Leader knew. He knew, but he went on regardless. He saw the opportunity to give vent to his viciousness towards the trade union movement and towards me. If the Leader is honest, he will admit that that is the situation.

Mr. McAnaney: Is it factual?

The Hon. G. T. VIRGO: The member for Heysen can try to disprove it if he can, but he knows that he cannot. The Deputy Leader has complained that the document has never been read out. What chance was ever given for it to be read out? The Leader waited, until I was visiting places along the Murray River in my Ministerial capacity, to launch his attack. He did not have the courage to say one word while I was in Adelaide and had access to the file. The Leader knows, and so do the smiling Joe from Mitcham, the member for Alexandra and also the member for Torrens, all of whom have been Ministers, the need to have access to Ministerial dockets when one is making comments of this nature.

Did the Leader expect me to make a statement from a town 150 miles away, without having access to the relevant docket? Did he, or did the Deputy Leader, who challenged me a little while ago, expect me to say, "Yes, on September 2 I signed a docket"? That is what I was asked: whether I signed a docket on September 2 (not September 1 or September 3) dealing with this matter. The member for Alexandra had his chance to speak previously, but he squibbed it; he can come back into the Chamber later on. Why are members opposite making all this fuss? They are suddenly all struck dumb. They know that they have tried to stir up a hornet's nest when, in fact, there is no basis for it whatever.

The Deputy Leader mentioned civil liberties, which I thought was just pathetic. The Deputy Leader, a member of the Liberal Party, talking about civil liberties, said that, irrespective of whether or not this motion was carried, the Minister was, in fact, censured. That is his belief in civil liberties! My God, I hope I never get pinched for riding a bike without a bell because, if he represents me, I will get capital punishment! The position is as I have stated it, and it is something that has been whipped up from nothing.

Mr. McAnaney: Are you on the Virgo policy or the Cabinet policy at the moment?

The Hon. G. T. VIRGO: The member for Heysen should have a careful look at what has been done by the Government. If he had not been sleeping when the Premier was speaking a few minutes ago, he would have heard in simple, clear terms, which he and every other member of this House could understand, that the actions I have taken have been in complete accord with this Government's policy. I think everyone is getting so agitated about this matter that it is making the whole thing quite ridiculous, but I think I have shown quite clearly that this is a storm in a teacup that the Leader has tried to create, arising from the minute that was signed by me on September 2 and from the action I took as a result of it. I do not honestly believe that members of the

Opposition would really expect me, from a town 150 miles away, when given a version of what the Leader had said about me, to comment seriously on the matter, because in most cases it is impossible to do that.

Let me now turn to the second point. I think the true attitude of independent people was adequately displayed when a certain individual, whom I shall not name, walked into my office with his hand on his nose, holding up this apparently horrible document and saying, "I'm sorry; it's more filth." That is what the public thinks of the action that has been taken in this regard. I reiterate that the action I took was completely in accord with this Government's policy, and nothing that has been said by members of the Opposition would suggest anything to the contrary. If we take away the irrelevant and abusive material directed at either the trade union movement or me, we find that little has been offered.

What is the attitude to the workers of this State of those on this side as compared with the attitude of those on the other side? At least the Opposition, by moving this motion, has paid us full respect for our attitude to the trade unionists and the workers generally of this State. I think it has adequately displayed that we have a real and proper concern for those people. But what happened during the last Government's term of office? The self-righteous Deputy Leader, who at one stage was handling the portfolio of Minister of Labour and Industry, stood one evening approximately where I am standing now and abused me because the then Opposition had allegedly not kept its word in regard to not debating the Workmen's Compensation Act Amendment Bill, and he threatened me that in view of this fact, and unless he could get special dispensation from his Premier, the Bill would go up in Annie's room and would never see the light of day. He knows that is the situation.

Mr. Millhouse: You know quite well that you had an arrangement with me.

The Hon. G. T. VIRGO: I had no arrangement with the honourable member except an arrangement on those matters that he was prepared to allow to go through (I think there were one or two).

Mr. Millhouse: I'll never try to make an arrangement with you again.

The Hon. G. T. VIRGO: I will not try to make one with the honourable member, because I learned that evening that he was capable of making up all sorts of fabrication in an effort to protect himself. Turning away from that aspect, I ask what was the attitude of the then Liberal Government towards the worker. That Government increased the compensation of a married worker from $32 a week to $40 a week. How magnanimous! Had that Government applied the formula to restore relativity, the increase would have been to $47. That Government said to workers that they were lucky to get $40.

Mr. Coumbe: When the Labor Government was previously in office, it did not increase this payment at all.

The Hon. G. T. VIRGO: If the honourable member looks at what that Labor Government did, he will find that it improved the overall provisions of the Workmen's Compensation Act to make them the best in Australia, whereas previously they had been the worst. That Government gave coverage to workers when travelling to and from work, something that the Liberal Government had refused to do for years. So the honourable member should not talk about what the Labor Government did.

Mr. Coumbe: I am talking about the scale. We increased that payment and you did not.

The Hon. G. T. VIRGO: The honourable member should open his eyes. At that stage the scale of weekly payments was more than comparable with those applicable throughout the rest of the Commonwealth. The previous Labor Government altered the Act to provide for coverage in the event of accident or injury to a worker as he travelled to and from work, as well as making other alterations to the Act about which the member for Torrens knows only too well. I shall return for a moment to the member for Mitcham and his magnanimous attitude towards trade unionists! Following the passage of the workmen's compensation legislation (I think the relevant Act was gazetted on September 18), about mid-November I contacted the honourable member in his capacity as Minister of Labour and Industry.

I was most disturbed that insurance companies were cheating workers by not paying the increased rate that had been approved: they were refusing to pay this increase. I appealed to the Minister to do something about it. After about a week, I got him to write a letter to the Fire and Accident Underwriters Association of South Australia. The letter asked whether that association would mind sending a circular to its members. Meanwhile, married men, their wives and four children were starving on $32 a week. That is what the member for Mitcham thinks of workers. Actions speak

far louder than words, and I am referring to the actions of the Liberal Government. What is the basis for this ingrained hostility of members opposite towards the trade union movement? I wonder whether those members ever take the trouble to talk to one of their Senate colleagues. They should ask the former Miss Nancy Holden (now Senator Buttfield) what she thinks about compulsory unionism, because she is part of it. A person cannot work at General Motors-Holden's unless he becomes a member of a union, so apparently Senator Nancy Buttfield does not think that compulsory unionism is a bad thing.

Mr. Venning: You know why, don't you?

The Hon. G. T. VIRGO: I know why. G.M.H. insists on compulsory unionism because it realizes that, if all employees are members of their appropriate trade union, the chance of having industrial peace is greatly enhanced.

Mr. Venning: That's right.

The Hon. G. T. VIRGO: Surely if the honourable member agrees with me on this he should agree that the action I took to obtain and preserve industrial peace in the Highways Department was right.

Mr. Venning: No.

The Hon. G. T. VIRGO: Perhaps the honourable member would disagree to what happens in the Commonwealth Railways? Does he know what happens there?

Mr. Venning: I know what happens anywhere.

The Hon. G. T. VIRGO: Does the honourable member know that, if an employee of the Commonwealth Railways is not a member of a union, he does not get incremental payments, service pay, annual leave, or sick leave? These things have all been won by the unions. Do members opposite want the Government to employ within the Highways Department two different groups of citizens one of which, because its members belong to the union, will receive the benefits obtained by the union, and the other of which, because its members do not belong to a union, will not receive those benefits? Is that the type of society that members opposite want?

Mr. Venning: You'd be happy for unionists to pay some fees into Liberal and Country League funds, would you?

The Hon. G. T. VIRGO: There are trade unionists who have contributed in the past, contribute now and will contribute in the future to the funds of the Liberal Party; there are misguided people in any section of the community.

Mr. Venning: They've seen the light.

The Hon. G. T. VIRGO: The member for Rocky River is throwing out the old catch-cry of political association, and that is as stupid as the remark of the Leader that I was using my position as a Cabinet Minister to further the aims of the Australian Labor Party, because I am the State President of that Party. Statements of that type are not even worth commenting on: they are too silly for words and are typical of the type of case (or lack of case) that has been presented by members opposite. Why have Opposition members had this sudden change of heart and why are they now saying that they support the trade union movement? When did they have this change of heart? Only two years ago they had such an ingrained hatred of the trade union movement that they revoked the preference to unionists provision introduced by the former Labor Government, yet suddenly they have had a change of heart.

The Leader has made some press statements to the effect that he supports the trade union movement but does not want compulsory unionism. Obviously he has not read the Labor Party's policy and has been misinformed. Normally the member for Mitcham religiously goes each year to Trades Hall, where he buys a copy of our rule book for 50c. The best the Leader could do was to say that, because he had paid $1 for a brick for the Trades Hall, that proved he supported the trade union movement. However, I could find him 100 people who have come to me and said, "For God's sake give him back that $1. We don't want his money." As far as I am concerned, I will give it to him right now. I remind members that all Liberal Governments have a different attitude and, if members opposite cared to examine the history of the Trades Hall, they would find that it exists today because of a realistic recognition by former Governments of the need for and the value of the trade union movement. Some Liberal Governments have that attitude even today. Indeed, the Liberal Government in New South Wales has acted as guarantor to provide extensions to the Sydney Trades Hall because it realizes the value and necessity of a virile, active trade union movement.

Mr. Ferguson: Who argues with that?

The Hon. G. T. VIRGO: I wonder whether that interjection means that the member for Goyder supports the trade union movement.

The Hon. G. R. Broomhill: He will probably support the amendment. Be fair to him.

The Hon. G. T. VIRGO: If he is going to support the amendment, his interjection is

completely in order. I will never hold it against him if he has seen the light enough to realize that he has been taken for a ride by his big-mouth Leader. The member for Rocky River sent a card to me this afternoon, but it should have gone to the two galahs—the two members in front. The more one analyses this question, the more crystal clear it becomes that this is a trumped-up charge against me. It is the weakest effort I have ever seen to try to give vent to the spleen of one or two members of the Opposition, but I know that their spleen is not supported by the majority of their colleagues. It is obviously being grasped as an opportunity to vent even further their feelings against the trade union movement because the member for Rocky River, who keeps interjecting, and many other members opposite detest it, believing that trade union support has enabled the Labor Party to be so successful. If that is what the honourable member for Rocky River believes I congratulate him, because it is one of the few times that he has been right.

The Deputy Leader spoke about letters in the paper. I only hope that a few members opposite will read some of these letters, because they would find them most enlightening. The Leader complained several times that I had not answered questions properly, and the Deputy Leader complained of the same thing. I leave it to members to judge by their vacant seats in the Chamber how interested those two gentlemen are in the answers I have given.

Mr. MATHWIN (Glenelg): I support the motion. We have heard the Minister, acting on his own behalf, bamboozle his way through his own defence. He suggested that we should read some letters in the paper. I should like to refer especially to one in yesterday's *News*, part of which states:

First, let me point out that the Railways Traffic and Permanent Way Award, and the Miscellaneous Grades Award, both provide for preference to members of the Australian Railways Union in all matters pertaining to employment and promotions to a higher grade. Non-members shall be the first to be regressed or retrenched. This is a court award and I heartily agree with its contents. What the court has already decided some years ago is merely being carried out by the Minister today.

That letter is signed by Mr. H. C. Garnaut. I thought it might have been Mr. Garnett of the local television show, but the man concerned is the State Secretary of the Australian Railways Union, a very learned gentleman. If he were to read the publication "Development of Australian Trade Union Law", which would also interest many members on the other side of the House who think they are the only people here who can speak for the workers, he would benefit from it. It certainly interests me, and I speak as a former member of a union. Indeed, I probably know much more about trade unions than do most members opposite. Before I left England about 20 years ago I asked for my clearance at the union office, as a result of which the union secretary called the meeting to order and said, "There will be two minutes silence; this man is going to Australia." I should like now to refer to page 154 of this publication, where the following appears:

In addition to the provision just mentioned, it is also made an offence in South Australia to dismiss an employee or injure him in his employment because he is not a member of a trade union. Also, the South Australian Industrial Court has no power to order preference to unionists on engagement. In that State the only concession that a unionist can obtain is a voluntary concession by an employer of preference in the engagement of labour.

Perhaps if the Secretary of the Australian Railways Union read that he would benefit from it. Indeed, both the Minister of Roads and Transport and the Minister of Labour and Industry might also learn something. If they are prepared to be ruled by their head and heart rather than by the Party line, they would do well to listen because they might ask themselves why the workers do not want to join the unions. I can give them the answer, and this might hurt them, so they should brace themselves. I sincerely believe that most people do not join unions because they do not want to be associated with the Australian Labor Party.

Mr. Burdon: They don't like to be associated with the Liberal Party, either!

Mr. MATHWIN: It is a pity that the Minister of Roads and Transport is leaving the Chamber because I might have something more to tell him shortly. It is obvious that those people who are associated with workers and members of unions, of whom I am one—

Mr. Payne: Which union do you belong to?

Mr. MATHWIN: Why don't you sit down, or stand up and lean against the pole? Many employees do not wish to join a union, because everyone who is a unionist is regarded as being a member of the Labor Party, and many people do not like this idea. Persons are brainwashed by the unions and by members of the Labor Party, being told that they must be unionists and, therefore, members of the Australian Labor Party.

The Hon. G. T. Virgo: That's not true, and you know it.

Mr. MATHWIN: Migrants, many of whom have difficulty with the language, are mostly unskilled workers, and when they are employed on the production line at such places as General Motors-Holden's or Chrysler Australia Limited, are told that now that they are members of the union they are members of the A.L.P. These people do not like that. That these people are not forced to pay a political levy has never been made clear to them. They are not even told that they could contract out. If the Labor Party wished to do something about this matter, it would use its influence with the unions to allow these people to contract in. In the first week I was a member of this House, I asked the Minister of Labour and Industry a question about the political levy and that Minister, who has had some experience with unions, said he did not know what a political levy was. If he was in the Chamber now, he would find out.

The Hon. G. T. Virgo: I don't think you know what a political levy is.

Mr. MATHWIN: If I may, I will quote from the Amalgamated Engineering Union rule book.

The Hon. G. T. Virgo: That's the English one.

Mr. MATHWIN: I regard this as the rule book used here. The Minister would not know anything about England, never having been out of this country. The rule book dated September 1, 1969, in rule 19, item 3, on page 50, states:

Every member of the union has a right to be exempt from contribution to the political fund. To become exempt he or she must inform the State Secretary in writing that he or she does not desire to pay the political levy. The State Secretary is then required to discontinue charging the member for the levy from the commencement of the next ensuing quarter.

We see that the State Secretary is forced to discontinue charging the levy. However, many people, particularly migrants, do not realize that they are paying in to the funds of the Labor Party. These payments bind them to the Labor Party, to a certain extent.

Mr. Groth: That's wrong. There's more than one political Party, and they can choose which one to pay it to.

Mr. MATHWIN: If the unions allowed contracting in, most workers would be more likely to join a union. I repeat that the Labor Party definitely associates itself with the unions and with this political levy, and this means that people find out, at their expense, that they are then committed to the Labor Party. Such a situation makes people refuse to join a union, and I know many people who have so refused.

Mr. Langley: What percentage?

Mr. MATHWIN: It is no use the honourable member talking to me about the percentage, because he does not understand. When unions were first established, they were completely non-political and, because of that, had the confidence of everyone. If the trade unions were really working in the interests of the workers, not working for political power, they would truly represent the workers. If the Labor Party stopped circulating the idea that all Liberal and Country League supporters were supporters of the wealthy profiteers who took an unholy delight in oppressing workers—

Mr. Crimes: You said it. It is a fact of history.

Mr. MATHWIN: That is what honourable members opposite have said. It has been said this afternoon here.

The SPEAKER: Order! The honourable member for Glenelg.

Mr. MATHWIN: I know full well that the boys are aroused and that it is hard for you to hold the leash tightly on them. The truth hurts them and when they hear it they bite well, as they have been doing this afternoon. If the Labor Party stopped telling unionists that a Socialist must be a unionist or that a unionist must be a Socialist, the workers would realize that joining a union was not so bad. If the Labor Party really believed in helping the workers of this State, it should not ally them with any political Party at all. However, by doing this, any benefit from being a unionist is cancelled out. Anything compulsory, whether it be unionism or anything else, is not good.

Mr. Groth: Do you agree with conscription?

Mr. MATHWIN: We have had so much compulsion since I have been a member that I fear what the next Bill to be introduced may provide. Many of the Bills that have been introduced by the present Government have provided for compulsion. If the Minister of Roads and Transport took stock of what I and other members on this side have said, he would encourage the workers. I know that the Minister of Labour and Industry does not want to know what a political levy is. I know that a point of order was taken when the member for Mitcham mentioned a horrible word, and I would not use that word

in speaking of the Minister. However, if he reads *Hansard*, he will find out what a political levy is.

If the Minister of Roads and Transport got the confidence of the workers and helped them to contract in rather than contract out, he would have the answer to compulsory unionism. He would find that he did not need compulsory unionism, because the workers would be pleased to join a union voluntarily, knowing that they would not be financing the Labor Party. It is obvious that all members of unions are not Labor supporters or Socialists. Many union members are Liberals and it is quite wrong that these people, because they are afraid or because they do not know anything different, are paying a levy to the Labor Party. Some good unionists have told me that they have difficulty getting a rule book. This applies to one union in particular.

The Hon. G. T. Virgo: You really hate—

Mr. MATHWIN: I do not hate the Minister, but I have had much more experience of unions than have some members opposite.

Mr. Slater: What union were you ever in?

Mr. MATHWIN: I ask the Minister to think of the things I have said, and I suggest that, if he really wants to solve the problem of compulsory unionism and introduces contracting in rather than contracting out, he will have members joining unions voluntarily.

Mr. JENNINGS (Ross Smith): I support the amendment and oppose the motion. Before I get on to more important things, I want to refer to the member for Glenelg, who treated us to a valuable contribution to this debate. He said that the reason why so many people were anxious not to join trade unions was that they disliked the Australian Labor Party. That comes very strangely at this time when only a few months ago the great majority of the people of this State preferred the Labor Party to the Liberal Government that had been in office then for only two years.

Mr. Venning: You wouldn't like to try your luck again, would you?

Mr. JENNINGS: We are going to do the job that the people put us here to do, and when our three years is up we will face the electors and be returned with an increased majority. The member for Glenelg is, of course, an old friend of mine. I know that he hates the Australian Labor Party. Shortly after the present member for Glenelg took advantage of that £10 (as it then was) immigration offer—

Mr. Mathwin: I got it free; I was deported!

Mr. JENNINGS: He got it virtually free, because the immigration programme, as we all know, was introduced by a prominent member of the Australian Labor Party when the Labor Party was in Government in Canberra. Shortly after the member for Glenelg came here, he lived in my district, and he stood for the Commonwealth Parliament, although he was scarcely naturalized! He stood against my esteemed friend, the Hon. Norman John Oswald Makin, and he was beaten by about 45,000 votes. At the declaration of the poll, the member for Glenelg told me that he was happy with the way he had fared. He promised the electors at the declaration of the poll that he would stand again in three years' time. He certainly did not stand again for Bonython; as we know, he subsequently stood for Glenelg, after the boundaries changed prior to the last election, and won narrowly.

However, after promising that he would stand again for Bonython he said that he was pleased with the way he had polled, even though he lost by 45,000 votes. He said, "If I picked up 4,000 votes in this district, another 5,000 over here, 10,000 there, another 15,000 somewhere else, and a few thousand from another area, that is all I'd need. I could have won." He did not get those votes and had no chance of getting them.

The Hon. G. R. Broomhill: Do you think he got what he deserved?

Mr. JENNINGS: He got the result he deserved, and the people on that occasion got the member they wanted, and the member they deserved. We know that picking up 5,000 votes here and 10,000 votes somewhere else, and so on, is not exactly an easy thing to do. As a result of that election, the honourable member certainly did not find the Labor Party any more endearing to him than it was before. We still do not know of which union he was a member when this two minutes' silence was held. I think it is true, as Mark Twain said, that the rumour of his death was greatly exaggerated, that is, in this case, when the two minutes' silence was held. We do not know to which union he belonged.

The Hon. G. R. Broomhill: He avoided giving any definite answer.

Mr. Gunn: What about dealing with the motion?

Mr. JENNINGS: I am answering the points made by the member for Glenelg. If I am not speaking to the motion, neither was the member for Glenelg. I refer now to the things said not by the Leader (he is never

worth answering) but by the *de facto* Leader of the Liberal Party, the member for Mitcham.

Mr. Clark: I don't think he went all that well.

Mr. JENNINGS: He did not go very well; he does not when he speaks in this sort of debate. The member for Mitcham spoke about defence being the best form of attack, when he himself was attacking the contribution made by the Premier. What the honourable member always does is just what he was accusing the Premier of doing, namely, attacking members on this side and attacking the amendment unjustifiably. What the member for Mitcham does more effectively, I think, than does any other member on his side is engage in the most reptilian sarcasm that we ever hear; he is the most sarcastic member who ever speaks in this House.

Mr. Clark: Sometimes he gets quite nasty.

Mr. JENNINGS: He cannot get really nasty, because we do not bother to take much notice of what he says. The member for Mitcham talked about the industrial record of South Australia under Sir Thomas Playford, the man whom only a couple of months ago he was accusing of being responsible for the Labor Government's being in office in South Australia today. The fact that South Australia has a good industrial record is a result of the good union leadership that we have in South Australia and of nothing else. The honourable member talked a lot of nonsense about Socialists having no freedom of opinion or expression. Fancy this coming from a Fascist like the Deputy Leader!

He averred that he did not hate trade unionists, and then he talked about trade union bullies. I have been associated with the trade union movement on the fringes ever since I became associated with politics in South Australia about 20 years ago, and I have never met a trade union bully in my life, or anything even remotely resembling that kind of animal. This is the first time that I can remember a censure motion being moved in this House against one member of a Cabinet. The Leader and the member for Mitcham know about Cabinet solidarity, and they know very well that, if they wanted to censure anyone, the censure motion should have been against the Government. On a matter of this nature, Cabinet is indivisible, and there is no reason to pick out one member of it. By picking out the Minister of Roads and Transport, members opposite have shown that they are frightened of him, not frightened in the way the Leader suggested but frightened of his capacity and of the way he is doing his job in contrast to the way the job was done by the Minister who preceded him.

All members opposite know, too (they read through our rule book often enough), that we do not believe in compulsory unionism, but that we believe in preference to unionists. They know that the Minister, who was Secretary of the State branch of the Party for many years and who is for this year President of the branch, is well aware of this and sticks to the policy rigidly. We believe that all workers are entitled to the protection of a trade union. We also believe that it is a matter of high principle that a worker who enjoys the privileges and conditions gained by a union of workers, at considerable expense and sacrifice to themselves, should join that union and contribute to the cost and effort involved in ensuring such conditions. Opposition members have spoken about compulsion, as though this is something that cannot be supported in any circumstances. However, is taxation not compulsory? Are people not fined if they refuse to pay tax and to contribute their share towards running the State? Of course we believe in that.

Mr. McAnaney: This is compulsory without people having any say in it. What you are putting is illogical.

Mr. JENNINGS: It is not illogical: the same principle applies. A person pays taxation to contribute towards the running of the country, and a person pays union dues to contribute towards the running of the union. I am struck by the arrogant hypocrisy of the members opposite as they criticize compulsion while they support sending 18-year-olds to their death. I think that is much more important than is compulsory unionism; that involves the most disgusting sort of conscription that we resort to in this country.

Mr. Payne: Even Nixon is tossing it out.

Mr. JENNINGS: Yes, we will be the only ones there, apart from perhaps a few Koreans. The Minister of Roads and Transport enjoys the confidence of members on this side, and he also enjoys the confidence of members opposite, when we consider the number of questions asked of him each sitting day. Each day he answers those questions. Although he is sometimes criticized in relation to those replies, he goes out of his way to obtain the information sought. He is always most courteous in obtaining that information, and he always goes to great trouble to make the information available to members. Certainly, if members opposite try to take a rise out of

him and use a political tactic against him, they get more than they have bargained for, but we must not forget that we are in the game of politics. We should know what we are looking for when we engage in that sort of practice.

Mr. Clark: If you stick your chin out you get it hit.

Mr. JENNINGS: Sometimes that happens and sometimes one ducks and is missed.

Mr. Coumbe: You'll get on.

Mr. JENNINGS: Well, I have not done terribly well, but I have not done terribly bad, either: I am all right. There is no doubt that what is proposed, under the general policy of the Government of preference to unionists, is something that most of the big employers in South Australia have applied in their own industries. Generally speaking, they have gone much further. Indeed, under former Liberal Governments, semi-government instrumentalities have agreed to co-operate with trade unions to every possible extent, and members opposite know that that is true. The Tramways Trust and many other semi-government instrumentalities have always agreed to having unionism to a greater extent than is the general policy of this Government.

I believe that there is only one reason why members opposite want to embarrass the Minister and the Government on this issue, and that is to foster the kind of industrial unrest which they pretend to dislike; they think that it will do political damage to the Government. They should not talk about industrial unrest. During the two years of the Hall Government, there was more industrial unrest in this State than there had been for many years. The industrial unrest that existed before the election has simmered down, and unions generally are now satisfied with the deal they are getting from the Government; they can see that the economy of the State is improving under this Government. As a consequence, the avenues for work are improving tremendously.

Mr. McAnaney: Due to a bountiful Commonwealth Government.

Mr. JENNINGS: A bountiful Commonwealth Government!

Mr. McAnaney: That's got you thinking.

Mr. JENNINGS: No, it has not. Nothing that the honourable member could say would stun me, because I am so used to the idiotic things he suggests.

Mr. McAnaney: When you are in a corner you become abusive.

Mr. JENNINGS: I am not abusive and I am not in a corner. The honourable member said that it was a bountiful Commonwealth Government, but it is not bountiful at all. Ask Sir Henry Bolte whether it is bountiful: it is a pitiful Commonwealth Government. The Grants Commission helped South Australia tremendously.

Mr. McAnaney: Gorton gave you the right to go to it, and you did not have that before.

Mr. JENNINGS: The Gorton Government did nothing to give this State the right to go to the Grants Commission. This Government went to the Grants Commission and, in my opinion, it should have gone there as a mendicant State throughout the period when Sir Thomas Playford wanted to show that he had this State on such a basis that it no longer needed to be a mendicant State. It was the Grants Commission that gave us the money that has given us some economic help at the moment.

Mr. McAnaney: Are you now getting your orders from the boss?

Mr. JENNINGS: We have no boss in these things: many members on this side wish to speak in order to support the Minister. I cannot see any reason why they should not have this chance, because I have had the opportunity. I have not spoken for long and could speak much longer. I could quote from the book written by Jack London in which he deals extensively with scabs. I could read many good quotations to Opposition members, but I know that other Government members wish to speak. I support the amendment, I oppose the motion, and I sincerely hope that the amendment will be carried, with a few defections from the other side.

Mr. WELLS (Florey): I support the amendment and completely reject the motion which, in my opinion, was not introduced in good faith but was a shallow subterfuge to permit the unleashing of a vitriolic attack of abuse and smear on a worthy Minister of the Crown who has done a fine job for this State during the short tenure of his office. I believe that this move is part of a well-considered plan of the Opposition to snipe at Cabinet Ministers as individuals and not as a Government. For many weeks a vicious attack was made on the Premier, until this was brought to a conclusion by an extreme expression of support by members of the Government. Now, the Minister of Roads and Transport is under fire, and I predict confidently that the next Minister to come under fire will be the Minister of Education.

I completely embrace the concept of compulsory unionism, and I believe that when one considers some of the advantages that are gained by members of a trade union who contribute in order to permit legal aid to be provided and permit able advocates to appear in courts on their behalf, it will be readily seen that this is money well spent. I draw attention to some of the benefits derived from membership of trade unions. We certainly have reasonable hours of work now, and there is a strong possibility that soon the number of hours to be worked will be reduced to give greater leisure to the work force of the State, mainly as a result of the increase in technological changes, so that there will be more leisure. We have a pension, we have a credit union, and we have a trade union hire-purchase company. These organizations allow a member of a union to purchase goods, which he considers are necessary for his welfare and comfort and that of his family, at a low rate of interest, which is far less than the rate charged by normal financial institutions. We have provision for paid annual leave, long-service leave, sick leave, compassionate leave, and compensation payments, which have never been sufficient but which we hope will be sufficient soon. We are paid for public holidays.

These conditions were undreamt of not so long ago, but they were obtained by the efforts of the trade union movement. We have men who have lived for the trade union movement and who have died in its service, fighting and struggling for these benefits to be provided to members of the organization and the work force generally. We now have adequate safety precautions that enable a workman to work in safety and not be exposed to death during his working hours. Because we can have able advocates appearing in courts, people have an equitable sum paid to them weekly.

We hear talk of compulsory unionism, but in other organizations, although membership may not be compulsory in the direct meaning of that term, it is compulsion by necessity. Members of this House belong to such organizations: the Australian Medical Association, and the Law Society, which, although not requiring compulsory membership, definitely afford great benefits. It does not pay a person to remain outside the ambit of those organizations. I think that, if a man working in any industry is prepared to enjoy the benefits of the organization to which he belongs, benefits that have been derived generally and made possible by the payment of annual dues and fees, but is not prepared to pay his share towards the cost of obtaining these benefits, he is nothing but an industrial renegade and a scab.

Mr. Clark: And there is nothing much lower.

Mr. WELLS: In my opinion, there is nothing lower than this. It may be claimed that some people who belong to organizations are not entirely responsible. In saying this I am referring to the Law Society. That society is an admirable and necessary body, but it does not hesitate, when the time arrives, to seek representation as a body in defence of what it considers to be the rights of its members. I refer to the society's briefing Mr. Sangster, Q.C., to appear before Mr. Justice Bright to oppose the appearance of Mr. Connor, Q.C., before the Moratorium Royal Commission. Is this not an act of unionism? Of course it is. The Law Society was acting as a body, and no doubt its members pay their dues. So, it is necessary for the union membership to be as strong as possible, preferably 100 per cent, because there is outside interference.

A newspaper article last week reported Mr. Snedden (Commonwealth Minister for Labour and National Service) as warning the Commonwealth Conciliation and Arbitration Commission that it was not possible to consider any great increase in the living wage of the workers. This, of course, is untenable and demands the fullest strength of the trade union movement to rebut it. The member for Mitcham quoted some statistics with which I do not quarrel. I cannot rebut them because they are not available to me, although I do not doubt their authenticity. He said that only 50 per cent of the workers in South Australia were members of unions. This is probably so, but it is unfortunate.

Mr. McAnaney: Those figures apply to the whole of Australia.

Mr. WELLS: That may be so, but I am applying them to South Australia. It is a reason why for many years South Australia has suffered the unsavoury reputation of being a low-wage State. If we had 100 per cent unionism, there is no doubt that we would be able to get better wages and living conditions. Some people, including the member for Glenelg, claim to be union members. However, the honourable member neglected to tell us to what union he belonged. I was intrigued to hear that his fellow union members stood in silence for two minutes when he left England to come here. I do not know why—it is extremely unusual. Perhaps it was a two-minute silence of thanks. At any rate he said he was a union member; if he was, so much

more should be his shame for having deserted the ranks of the trade union movement. Perhaps he did so for reasons of political expediency, but he is the only person who knows whether that was the reason. The honourable member made an entirely incorrect statement when he said that political levies as such were made: he quoted a particular organization and then belatedly said that a member could opt out of the payment of the levy. He then said that rule books were scarce, but every organization I know, when a person joins and pays his fees, provides a rule book in which everything is explained to him. If he cannot read it he can jolly soon find someone who will read it to him. The honourable member's incorrect statement is an example of the danger that arises when an uninformed person speaks on any subject. I am a very proud member of a body of men who are self-effacing, modest and good citizens —the members of the Waterside Workers Federation.

Mr. McAnaney: How do you fit into that?

Mr. WELLS: I am still a Vice-President of the federation and still a member of its Federal council. I believe I represent the men to their satisfaction. The Waterside Workers Federation could be cited as an organization that believes in the application of the law of the land. Members of the federation enjoy better working conditions than do members of most other trade unions, because the federation has the strength and the purpose of the full force of 100 per cent union membership. Everyone on the waterfront is a trade unionist. Each and every member is proud to wear the badge of the Waterside Workers Federation, as I am. Each and every member of the Government is a proud member of a trade union: he pays his dues annually and, for the benefit of the member for Glenelg, I would say that such dues are, in the main, charitable levies, not political levies.

Mr. HALL (Leader of the Opposition): It is easy to see that the member for Florey is a modest man: he does not try to hide his true opinions, as the Minister tried to do. He says he believes in compulsory unionism. It can easily be seen that each and every one of the members of his union is proud to wear the union badge, because a man would not be allowed on the waterfront if he did not join the union. Only those who agree with the honourable member's viewpoint are allowed into his union. Those who do not agree with his viewpoint are put aside: they must go elsewhere for employment. I do not disagree with what he said: what I disagree with is the method he uses to sort people out, on the basis of class distinction. This debate has been noticeable for the refusal of any Government member to seize the subject and talk about it. Every member, including the Minister, has really refused to discuss the matter.

The Hon. G. T. Virgo: How would you know? You were not even here when I spoke. That is how insincere you are.

Mr. HALL: The Minister refused to say when he had countermanded the earlier edition of his minute. He has not produced one document for tabling in this House. He is under censure for actions contravening the Declaration of Human Rights and for contravening the spirit of the Industrial Code, yet he has refused to produce one document.

The Hon. G. T. Virgo: That is not true. The documents were read.

Mr. Millhouse: Well, table them.

The Hon. G. T. Virgo: I have not been asked to table them.

Mr. HALL: The Minister did not produce one document in this House. All the way from the initial controversy, when it was raised publicly, he has run away.

The Hon. G. T. Virgo: You did not even have the interest to be here to hear what was said. That shows what complete hypocrites the pair of you are.

Mr. HALL: This attack has been launched and remains unanswered. I do not think any member opposite who has tried to prop up the Ministry has mentioned the direction concerning conditions of contracts issued to Highways Department contractors. The Minister has not faced this matter and he has not come to grips with it.

The Hon. G. T. Virgo: I did when you were out of the House.

Mr. HALL: He has not done so because it is one move further than the ultimatum he issued to his own department. This is, indeed, an illuminating debate. The Premier has tried to take the heat off the Minister of Roads and Transport. He probably told the Minister, "Let me have a go first. I will smooth out the position and redirect the motion of censure." The motion was redirected into a discussion about the union movement, and the Government has tried to have us forget the Minister's dictatorial actions and his iron-fisted move to compel, which the member for Florey mentioned. We have discussed the trade union movement, not the Minister. I again emphasize that the Minister has not supplied

any document that can be made available to the people.

The Hon. G. T. Virgo: That's not true. The documents have been produced and read while you were so disinterested as to be outside the Chamber.

Mr. HALL: It is interesting for the Premier and other members opposite to speak of the industrial record of South Australia and at the same time say that previous Governments had a policy of preference to unionists. The member for Mitcham clearly put this matter right by saying that, during the record run of industrial development in South Australia, this compulsion did not exist, and the figures that the Premier claimed to the credit of unionists related to a period when people had a choice. This is indeed illuminating, because it upsets what the Premier has claimed to be the fact in this case. The Minister of Roads and Transport has been repudiated by two of his colleagues and he has refused to make available to the public, by tabling in this Parliament, the Government's position at present.

The Hon. G. T. Virgo: You never asked for it.

Mr. HALL: The Minister has refused to say whether the instruction regarding contractors to the Highways Department stands.

The Hon. G. T. Virgo: Of course it stands, and I have said so in this House.

Mr. HALL: The Minister is claiming that there is preference, whereas there is compulsion. He knows that that condition is stronger than the first directive of motivation by ultimatum. Doubtless, he found that condition in some left-wing document. If the Minister admits to this House that the compulsion in relation to contractors to the Highways Department stands, he is not only insisting on his own devious methods of fostering a policy of compulsory unionism in his own department but is also applying his policy in the private sector. He is insisting on applying his policy to such persons as the man on Eyre Peninsula, who was told that, unless his men who were doing work for the Highways Department joined a union, industrial action would be taken.

The Premier's claim that the Minister's action is avoiding industrial action is incorrect. This is shown by the Minister's duplicity and his statements on television. The Premier knows that the Minister is causing industrial unrest in this State. It is interesting for the Premier, who goes around Australia as a great democrat, to be so much against the Declaration of Human Rights in his attitude today. One can imagine the member for Florey, who is steeped in unionism and is involved in the official control of a union that exists under the present system, to take this attitude, but one cannot understand the great democrat to be supporting the Minister and saying that the condition relating to contractors to the Highways Department stands at this stage of the debate. However, the Premier supports the Minister and the Declaration of Human Rights means nothing to them.

Mr. Burdon: Everyone is behind the Premier.

Mr. HALL: The member for Mount Gambier may say that. We will lose this debate, because the same iron-fisted attitude of the Minister will apply. Every member opposite knows that, if he does not support the Minister, he will incur the wrath of the President of the Labor Party in this State, who sits here in judgment on the members of that Party who sit around him. The pressure of the Labor Party leaders will be exerted in this debate and all members opposite will support the Minister in his dictatorial attitude. However, it is obvious that my motion is supported by facts that speak for themselves, in the face of the refusal of the Premier or any of his Ministers to debate the issue, preferring to simply divert the debate.

The House divided on the question "That the words proposed to be struck out stand part of the motion":

Ayes (17)—Messrs. Allen, Becker, Brookman, Carnie, Coumbe, Eastick, Evans, Ferguson, Goldsworthy, Gunn, Hall (teller), Mathwin, and Millhouse, Mrs. Steele, Messrs, Tonkin, Venning, and Wardle.

Noes (23)—Messrs. Broomhill, Brown, and Burdon, Mrs. Byrne, Messrs. Clark, Crimes, Curren, Dunstan (teller), Groth, Harrison, Hopgood, Hudson, Jennings, Keneally, Langley, McKee, McRae, Payne, Ryan, Simmons, Slater, Virgo, and Wells.

Pairs—Ayes—Messrs. McAnaney, Nankivell, and Rodda. Noes—Messrs. Corcoran, King, and Lawn.

Majority of 6 for the Noes.

Question thus passed in the negative.

The House divided on the question "That the words proposed to be inserted be so inserted":

Ayes (23)—Messrs. Broomhill, Brown, and Burdon, Mrs. Byrne, Messrs. Clark, Crimes, Curren, Dunstan (teller), Groth, Harrison, Hopgood, Hudson, Jennings, Keneally, Langley, McKee, McRae, Payne, Ryan, Simmons, Slater, Virgo, and Wells.

Noes (17)—Messrs. Allen, Becker, Brookman, Carnie, Coumbe, Eastick, Evans, Ferguson, Goldsworthy, Gunn, Hall (teller), Mathwin, and Millhouse, Mrs. Steele, Messrs. Tonkin, Venning, and Wardle.

Pairs—Ayes—Messrs. Corcoran, King, and Lawn. Noes—Messrs. McAnaney, Nankivell, and Rodda.

Majority of 6 for the Ayes.

Amendment thus carried; motion as amended carried.

DANGEROUS DRUGS ACT AMENDMENT BILL

Dr. TONKIN (Bragg) obtained leave and introduced a Bill for an Act to amend the Dangerous Drugs Act, 1934-1955. Read a first time.

Dr. TONKIN: I move:

That this Bill be now read a second time.

I think it was with some surprise that members of this House read in the press recently that the smoking of marihuana in this State was, in fact, legal, because of a loophole in the existing Act. The use of Indian hemp, as defined under the present Act, was discontinued medically some years ago. However, the use of marihuana continues to be legal, because the Act specifies that the fruiting top of the pistillate plant, known as *cannabis sativa L.*, and not the whole plant, shall be subject to the Act. This is a most serious matter; I have no doubt that much publicity has been given to it in university papers and in other publications; and I think we can expect to see an influx of people using, or wishing to use, marihuana from the Eastern States to South Australia if this continues to be the situation in this State.

Considering this to be a matter of extreme urgency, I do not think that the Bill can in any way detract from any legislation that may be introduced at any stage in the future to amend the principal Act. Clause 1 is formal, and clause 2 amends section 3 of the principal Act, relating to interpretation, by widening the definition of "Indian hemp" to include all parts of the plant known as *cannabis sativa L.* and all extracts, derivatives and residues thereof by whatever name these may be called. Clause 3 amends section 4 of the principal Act by deleting references to extracts or tinctures and leaving only Indian hemp, and thus covering all parts of the plant known as *cannabis sativa L.*, as one of the drugs to which the principal Act applies.

Mr. LANGLEY secured the adjournment of the debate.

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

INDUSTRIAL CODE AMENDMENT BILL

The Hon. G. R. BROOMHILL (Minister of Labour and Industry) obtained leave and introduced a Bill for an Act to amend the Industrial Code, 1967-70; to repeal the Early Closing Act, 1926-1960; and for other purposes. Read a first time.

The Hon. G. R. BROOMHILL: I move:

That this Bill be now read a second time.

It deals with three main matters. The fact that it is confined to these matters should not be taken as an indication that the Government is satisfied with the rest of the Industrial Code. On the contrary, many requests for amendment have been received from outside bodies, and suggestions for other amendments have been made by my department. The Government intends to have a comprehensive review of the Industrial Code next year but in the meantime introduces this Bill because of the urgency of the matters contained therein.

Early last year Parliament passed amendments to the Industrial Code, introduced by the previous Government, to provide for the appointment of a Deputy President of the Industrial Court and Commission. It was then apparently intended that there should be only one Deputy President. Honourable members are no doubt aware that Judge Olsson was appointed to be not only Deputy President but also Public Service Arbitrator and Chairman of the Teachers Salaries Board, and since his appointment as Deputy President in March last year most of his time has been taken up with the latter two positions. One series of amendments contained in this Bill removes the statutory limitation preventing the appointment of more than one Deputy President. In consequence, the Government will have flexibility in appointment, and it will not be necessary to introduce further successive amendments each time an additional appointment is needed. As I shall explain later, many of the clauses of the Bill are consequential on the provision for the appointment of more than one Deputy President.

The industrial magistrate, for whose appointment provision was made in this Act last year, has been included as a member of the court to exercise certain functions, particularly the hearing of applications for recovery of amounts due under awards and agreements pursuant to section 36 of the Code. The number of applications that the industrial magistrate has been required to hear under this section and in the courts of summary jurisdiction makes it essential for a full-time appointment and will result in a consequent separation of the functions of

industrial magistrate and industrial registrar which are at present exercised in conjunction.

Since 1948 the living wage under the Industrial Code has been increased at the same time and by the same amount as the various increases in the Commonwealth basic wage. Honourable members know that in 1967 the Commonwealth Conciliation and Arbitration Commission decided to express rates of pay in its awards as a total wage rather than dividing the wage between the basic wage and margins. In that year and again in 1968 the Commonwealth commission, after a national wage inquiry, awarded the same monetary increase to all employees under its awards, and action was taken to increase the State living wage by the same amount. Last year the Commonwealth Conciliation and Arbitration Commission in the national wage case decided to grant a general increase to all employees under its awards on a percentage basis rather than by granting a flat monetary increase.

The State Industrial Commission, therefore, faced a situation in which there was no Commonwealth basic wage or other amount that could be regarded as the equivalent of our living wage as it had no authority to declare a living wage without a full inquiry, and the expedient was adopted of adding an economic loading to all awards. The necessary provisions are included in the Bill to enable the Full Commission of our State Industrial Commission, having regard to any decision of the Commonwealth Conciliation and Arbitration Commission in national wage cases, to alter rates of pay of employees generally under State awards either by varying the living wage or by varying the total rates prescribed in awards. This will enable the Full Commission to decide whether increases awarded by the Commonwealth tribunal to employees generally under its awards shall be applied to employees generally under State awards and, if so, the manner in which it will be done. There are a few other amendments of a rather technical nature concerning industrial arbitration that I will explain when I am explaining the clauses of the Bill in detail.

Two months ago, when I introduced into this House a Bill to provide for a referendum concerning shop trading hours to be held in the metropolitan area, I announced that the Government proposed to introduce legislation during this session to make a complete revision of the present laws that restrict shop trading hours. At that time I explained the reasons for this decision and, although I do not intend to repeat all of them now, it is appropriate that I should refer briefly to them. The Government faced the situation that there had been no major review of the Early Closing Act since 1950 and the hours at which shops within shopping districts had to close were those determined during the early part of the Second World War. The metropolitan shopping district, which was defined in 1926, is hopelessly out of date and there are now areas immediately surrounding the metropolitan shopping district in which there are large shopping complexes as well as the normal type of shops that exist in any suburb. In these fringe areas there are no restrictions on trading hours. It is not only that shops in the fringe areas open on Friday nights while those in the present metropolitan shopping district are not permitted to do so: there are several areas in which shops open all day Saturdays and Sundays and every night in the week.

It is obvious that the Government had to take action in the public interest to stabilize the position. I indicated the Government's decision to introduce a Bill to provide that non-exempt shops in the greater metropolitan area would not be permitted to open on Saturday afternoons or Sundays and that the Bill would also considerably widen the list of exempted goods so that it would be possible for members of the public to buy a much wider range of goods, particularly foodstuffs, outside the normal shopping hours.

The Government has decided to repeal the Early Closing Act and insert the necessary provisions regarding shop-trading hours as an additional part of the Industrial Code. There is no other State in Australia in which there is a separate Act regulating trading hours: all of the necessary provisions are included in either the Factories and Shops Act or the Industrial Arbitration Act. When the Early Closing Act was passed in 1926, it repeated many of the provisions of earlier Acts. Many of the existing provisions of the Early Closing Act are now superfluous, as are all of the provisions of the Act that relate to the system of petitioning and counter-petitioning for the creation and abolition of shopping districts which the Government has decided should be replaced by a less cumbersome system. This Bill contains all the provisions regarding shop trading hours that are considered necessary. It requires all shops to be registered in those areas of the State in which factories and warehouses now have to be registered, as well as the shops in shopping districts that are outside those areas. It considerably extends the present metropolitan shopping district by providing that

the metropolitan area will be the metropolitan planning area plus Gawler. This is the area in which the recent referendum was conducted.

There has been so much speculation and comment since the referendum was held that I think it appropriate to remind honourable members that, in introducing the Bill for the referendum, I said that the Government considered it to be urgent that some action be taken to stabilize shopping hours in the greater metropolitan area so that shopkeepers would have equal trading opportunities. I made clear the Government's proposal that there should be uniform shopping hours within the enlarged metropolitan area and indicated that a further Bill would be introduced immediately after the referendum to give effect to the decision of the people as expressed in the referendum. After I had introduced the Bill, I made it clear in answering questions outside the House that the Government would abide by the will of the people in the enlarged metropolitan area, as expressed in the referendum. In discussing the referendum Bill in another place the Government's belief that uniform shopping hours should apply in the whole of the enlarged metropolitan area was made clear and an assurance given that the Bill, which I am now introducing, would require shops (other than exempted shops) in that metropolitan area to close at 5.30 p.m. on Mondays to Thursday inclusive, at either 5.30 p.m. or 9 p.m. on Fridays, depending upon the result of the referendum, and at 12.30 p.m. on Saturdays, with no trading on Sundays and public holidays.

This Bill honours the promises of the Government. As can be seen from the certificate of the Returning Officer for the State, published in the *Government Gazette* last Thursday, 190,460 electors voted that they were not in favour of shops in the metropolitan area being permitted to remain open for trading until 9 p.m. on Friday compared with 176,917 who voted in favour. As more electors voted against Friday night trading than voted in favour of it, the Bill does not include any provision for shops to open on Friday nights. The Government realizes that this will not be a popular result for people who live in Elizabeth, Salisbury, Tea Tree Gully, Christies Beach, and other areas where shops have, until now, opened on Friday nights. However, in a democracy it is necessary that the will of the majority, expressed at the ballot-box, be accepted, and this is what we have done.

I may say that it was unfortunate that attempts were made to turn what I thought was a social question, which was to be put to the people on a non-Party basis, into a political issue. The necessary provisions relating to the closing times for shops and the requirement for shops to close at those times are set out in the proposed new sections 221 and 222 contained in clause 45. As I promised in introducing the referendum Bill, the list of exempted goods has been considerably widened and the list of exempted shops has been brought up to date and two additions made: new clause 223 with the new third and fourth schedules are the appropriate provisions. Two other matters that I outlined in introducing the referendum Bill, namely, a new procedure for the creation and abolition of country shopping districts and uniform hours throughout the State for butcher shops, are contained in new sections 227 and 220 respectively.

The provisions of the Bill are as follows. Clause 1 is formal, and clause 2 repeals the Early Closing Act, 1926-1960. The essential provisions of this Act are incorporated in a modified form in new Part XV to be inserted in the principal Act. Clause 3 makes a formal amendment to the principal Act. Clause 4 amends the definition section of the principal Act. The salient amendments include a definition of "meat". This definition anticipates later amendments by which the shop closing provisions are extended to butcher shops throughout the whole of the State. A new definition of "the metropolitan area" is included. This definition extends the area constituting the metropolitan area as presently defined. The area that is now to constitute the metropolitan area for the purposes of the Bill is that area commonly designated the Metropolitan Planning Area and, in addition, the municipality of Gawler. The amended definition is necessary for demographic reasons. A more extended definition of "shop" is included. This definition corresponds broadly to that at present included in the Early Closing Act.

Clause 5 amends section 9 of the principal Act. This section at present provides that, where the President is absent from his office, the Deputy President shall take over his functions. In view of the fact that, in consequence of the amending Bill, there may be more than one Deputy President, the amendment provides for the most senior of the Deputy Presidents to assume the duties of the President in his absence.

Clause 6 repeals section 9a of the principal Act and replaces it with new sections 9a and

9b. New section 9a provides for the appointment of one or more Deputy Presidents to the Industrial Court. To be eligible for appointment as Deputy President, a person must be eligible for appointment as a judge of the Supreme Court. New section 9b provides for the appointment of an industrial magistrate. This section is in terms similar to section 126a of the principal Act, which is to be repealed. It is considered that the provision for appointment of an industrial magistrate could be more appropriately included in the portion of the Act dealing with the appointment of officers to the Industrial Court.

Clause 7 repeals and re-enacts section 10 of the principal Act. The new section 10 provides that the President and any Deputy Presidents are to be the judges of the Industrial Court. It also provides that the Industrial Court is to be constituted of two or more judges, a single judge, or the industrial magistrate, as the President may direct. Clause 8 makes an amendment to section 11 of the principal Act, which sets out the salaries to be paid to the President and Deputy President. The amendment is merely consequential on the possible appointment of more than one Deputy President.

Clause 9 repeals and re-enacts section 12 of the principal Act. This section establishes the retirement age for the President and Deputy Presidents and provides that they are not to be removed except in the same manner and upon the same grounds as apply to a judge of the Supreme Court. The re-enactment is merely consequential upon the possible appointment of more than one Deputy President. Clauses 10 to 13 also make amendments that are merely consequential upon the possible appointment of more than one Deputy President.

Clause 14 makes a further consequential amendment and provides that any existing award expressed to apply throughout the metropolitan area shall apply throughout the metropolitan area as re-defined by the Bill. This is thought desirable in order to obtain uniformity of application between existing and future awards. Clauses 15 and 16 make further amendments consequential on the possible appointment of more than one Deputy President. Clause 17 empowers the commission to make interim awards and orders. It is considered that this new power will lead to a more expeditious handling of industrial matters by the commission, and is similar to the power given to the Commonwealth Conciliation and Arbitration Commission.

Clause 18 amends section 36 of the principal Act. This section provides that an employee or registered association of which the employee is a member, may apply for an order that amounts due to that person under an award be paid to him. The jurisdiction to hear this application, at present vested in the commission, has never been exercised by a commissioner. It is considered, however, that the determination of an employee's rights under an award is a purely legal question and that the jurisdiction could be more appropriately vested in the Industrial Court. The amendment effects this transfer of jurisdiction to the court. It provides at the same time that the provisions of section 51 that permit the commission to hear and determine matters without legal technicality and formality shall apply *mutatis mutandis* to proceedings before the Industrial Court under the amended section.

Clause 19 amends section 37 of the principal Act which provides for the fixing of a living wage by the Full Commission. The purpose of this amendment is to enable the Full Commission to take into account, in fixing a living wage, determinations of the Commonwealth Conciliation and Arbitration Commission. This amendment can be conveniently considered in conjunction with clause 20, which enacts new section 37a of the principal Act. This new section enables the Full Commission of its own motion or upon application to make appropriate amendments to awards after a determination of general effect upon wage levels has been made by the Commonwealth Conciliation and Arbitration Commission. Last year the Full Commission was faced with a national wage decision intended to apply to Commonwealth awards throughout the Commonwealth. The decision was expressed in terms of a percentage increase of total wages.

So long as most of the States adhere to the basic wage plus margins approach to wage fixation, it would seem desirable, in order to facilitate comparisons between wages in this and other States, that the margins component should not be disproportionately deflated or inflated by any national wage variations. A national wage decision expressed in the terms in which last year's decision was handed down affords no guide to the manner in which any increase or decrease should be apportioned between the basic (or living) wage and the margins.

To overcome this difficulty, the Full Commission resorted to an expedient whereby, as it were, a third tier (which the commission called an "economic adjustment") was temporarily added to the two-tiered structure of living wage plus margins. The commission expressed the hope that this would eventually be absorbed by variations of the living wage and margins. Moreover, it was necessary under the present legislation for about 100 separate applications for award variations to be made, and to be made with inordinate haste. The amendments are designed to obviate the cumbersome multiplicity of applications and to make possible a reversion to the customary two-tiered structure of wage fixation. At the same time, it is recognized that it is possible that the Industrial Commission should be empowered to decide to change to a total wage structure. The amendments make possible this necessary flexibility of approach.

Clauses 21 to 36 make various consequential and formal amendments to the principal Act which are not of a substantive character. Clause 37 repeals section 126a of the principal Act. This section has been re-enacted as new section 9b, where it falls more appropriately. Clause 38 amends section 135 of the principal Act. This amendment is designed to overcome a decision of the Industrial Registrar, upheld on appeal by the President, refusing registration to a union because it had amongst its members persons employed by the Commonwealth Government who could not be subject to an award of the State Industrial Commission. It seems unreasonable that registration should be refused solely on this ground, and accordingly the amendment provides that registration shall be possible in respect of an association partially composed of Commonwealth employees but that such employees shall not be counted for the purpose of determining whether the association has the requisite number of members to justify registration. Many unions that were previously registered under the Industrial Code have as members persons employed by the Commonwealth Government.

Clauses 39 to 42 make consequential amendments to various provisions of the principal Act. Clause 43 amends section 161 of the principal Act, which defines the application of Part XII of the principal Act dealing with factories, shops, offices and warehouses. The amendment merely anticipates the new section 165a, which is to have a slightly different territorial application from the remainder of the Part. Clause 44 enacts new section 165a of the principal Act. This section is consequential upon the repeal of the Early Closing Act and, in effect, incorporates the appropriate shop registration provisions in the principal Act. The registration provisions will apply in all shopping districts and also to those portions of the State to which Part XII is applied under section 161. However, shops that were not previously required to register under the Early Closing Act are given three months within which registration is to be effected.

Clause 45 enacts new Part XV of the principal Act. This new part is to deal with shop trading hours and comprises new sections 220 to 227. New section 220 establishes the extent of the application of the new Part. It provides that the new Part is to apply throughout all shopping districts, and also in respect of all butcher shops whether situated within or outside shopping districts. New subsection (2) constitutes the shopping districts for the purposes of the new Part. They are to consist of the metropolitan area, any shopping districts previously existing under the Early Closing Act except the metropolitan and Stirling shopping districts (which are included within the metropolitan area) and any new shopping district that may be constituted pursuant to the provisions of the new Part. The new Part does not apply, however, in respect of a shop at an industrial, agricultural or horticultural exhibition or show, or any other exhibition or show approved by the Minister. The Governor is empowered to alter or suspend temporarily the closing times prescribed under the new Part. These are similar to provisions of the present Early Closing Act. I have already referred to the closing times for shops, set out in the new section 221, which are:

(*a*) for shops generally, 5.30 p.m. on a weekday and 12.30 p.m. on a Saturday; and

(*b*) for hairdressers' shops, 6 p.m. on a weekday and 12.30 p.m. on a Saturday,

where the weekday or Saturday is not a public holiday.

New section 222 requires a shopkeeper to close and fasten his shop at closing time and to keep it closed and fastened against the admission of the public for the remainder of the day. He is also required to keep his shop closed and fastened on a Sunday or public holiday. It is an offence to sell goods or have customers in the shop after closing time although where they entered the shop before closing time it is lawful under the new section for goods to be sold to them over a limited period, as is the case at present.

New section 223 provides, however, that it is lawful for an exempted shop to sell exempted goods at any time when the sale of goods is otherwise unlawful. It is an offence, however, for an exempted shop to sell goods that are not exempted goods at any of the prohibited times. Again, this is a similar provision to that contained in the present Early Closing Act. New section 224 repeats the exemption in the Early Closing Act in the case of a sale to a person who is ordinarily resident more than five miles from a shop. In this case the shop may be opened for the purpose of the sale and goods sold to the customer. This section is intended primarily for the convenience of country people who may not be able to attend the shop premises during the normal trading period. New section 225 also repeats another exemption presently applying in the case of a shop used for the sale of goods for some charitable, religious or benevolent purpose. If such a shop is not used over a continuous period of more than one week, the shop need not be registered and is not subject to the closing time provisions.

I have previously announced that the hours for the sale of petrol will remain unaltered. New section 227, providing for the issue of a licence to sell motor spirits, lubricants, spare parts and accessories during times that are otherwise prohibited, corresponds to a similar provision at present existing in the Early Closing Act. New section 227 provides for a new method of constituting shopping districts. The cumbersome method of petition followed by counter-petition is removed. The section provides that the application for constitution or abolition of a shopping district or part thereof may be made by a council. An application may not be made in respect of an area outside a municipality if it would result in a shopping district of less than 36 square miles in area. This continues a current requirement to prevent the constitution of microscopic shopping districts that may give rise to disparities between shopping conditions within a relatively small area. As Parliament will decide the extent of the metropolitan area, no application may be made under this section in respect of an area comprising any of the metropolitan area.

Before such an application is made, the council must attempt to ascertain the views of shopkeepers, shop assistants and other interested persons on the subject of the application. The Minister may, in addition, cause additional inquiries to be made and polls taken. The Minister, if he is satisfied that it is the wish of the people in the area concerned and is in the public interest that effect be given to the application, may recommend to the Governor that a proclamation be made creating a shopping district or abolishing a shopping district or part thereof. The Governor is empowered to make a proclamation accordingly. For the purpose of the transition to the new provisions, it is povided that a petition under the Early Closing Act that had not been finally disposed of under the Early Closing Act at the commencement of the new provisions is to be treated as an application under the new section.

Clause 46 enacts two new schedules in the principal Act comprising a schedule of exempted shops and a schedule of exempted goods. These schedules are to be read in conjunction with the shop-trading provisions which provide that the sale of exempted goods from an exempted shop is not subject to the closing provisions. The schedules are largely self-explanatory. As I have previously mentioned, honourable members will see that the schedule of exempted goods is very much extended in comparison with the schedules to the Early Closing Act and will enable the public generally to have the opportunity of purchasing a much wider range of goods, particularly food lines, outside normal shopping hours.

Mr. COUMBE secured the adjournment of the debate.

PASTORAL ACT AMENDMENT BILL

Received from the Legislative Council and read a first time.

STATE GOVERNMENT INSURANCE COMMISSION BILL

The Legislative Council intimated that it did not insist on its amendments.

CONSTITUTION ACT AMENDMENT BILL (ADULT FRANCHISE)

Adjourned debate on second reading.

(Continued from October 13. Page 1714.)

Mr. JENNINGS (Ross Smith): I regret that this Bill does not go nearly far enough to suit me, but nevertheless it is a step in the right direction. I congratulate the member for Heysen on his excellent contribution to the debate. I remember that in his maiden speech he promised us that, whatever happened, he would be invincibly himself. At long last I have heard him make a half-intelligent speech. In extolling the virtues of the bicameral system, the member for Mitcham drew attention to the fact that many more Parliaments have two Houses

than have a unicameral system. Of course, that is not unusual. Conservative Governments usually want a bicameral system of Parliament, and it is indeed difficult in most instances to abolish an Upper House once it has been established.

In talking about Parliaments around the world, the member for Mitcham referred to the United States of America where most States have a bicameral system. However, he did not refer to Queensland which has been getting on well for a long time without an Upper House. Even though that State has had a Conservative Government now for many years, no attempt whatever has been made to restore the Upper House. In New Zealand, the Upper House was abolished by a Conservative Government and that country is getting on well. Further, the member for Mitcham conveniently forgot to refer to Canada, where all provincial Parliaments now have only one House of Parliament. The last province with a bicameral system was Quebec, where the Upper House has now been abolished.

Mr. Hopgood: Of course, he could have referred to Sweden.

Mr. JENNINGS: Yes, that is a most democratic place. Not only does this State have an Upper House, which I believe is completely unnecessary, but what makes that Upper House so obnoxious to any genuine democrat is that its powers are so great. Its powers are as great as those enjoyed by the Lower House in this State and greater than the powers of the Upper House of any other Parliament. It is a wonder that the member for Glenelg has not spoken in this debate about the House of Lords. We know that the House of Lords is now merely a debating Chamber, and nothing else.

Mr. McKee: He'd look well there.

Mr. JENNINGS: I think the member for Glenelg would look well in the House of Lords, where I think the quorum is three. He would not have to be there very often. I do not think I need tell the House that I am not very enamoured of the Upper House of this State. As I say, it is completely unnecessary and is an obstruction to proper democratic processes. Very few people in the State know anything about the Legislative Council, its powers and its responsibilities, and I am afraid they care little. Indeed, not many people in the State know that the Legislative Council exists, and they certainly do not know its members.

The very fact that it is called the Legislative Council is misleading. I know, because I have tried in practically every quarter of the State to enrol people on the Legislative Council roll, and usually, when the Council is mentioned, people think I am talking about the Port Pirie council, the Port Augusta council, the Mount Gambier council, the Enfield council, the Elizabeth council, or whatever it may be. By the time I have explained the situation, the day is gone.

Then there is another person who knows all about it and says, "I will not enrol for the Legislative Council because then I shall be eligible for jury service." Of course, that applied once but it applies no longer. However, if we want to disabuse his mind of that, we have to spend another quarter of an hour with him, and usually he is not prepared to believe us. The Legislative Council should be called something much more appropriate: I suggest it be called the "Legislative Abattoirs". True, we have heard the Speaker indicate a few months ago that the Legislative Council has not been so intransigent today as it usually is, but I do not forgive it for that. As I say, very few people know much about it.

I was at a polling booth on the day of the recent Midland by-election somewhere in the District of Playford. The presiding officer at that booth explained to me that the caretaker of the school where the booth was established had mistaken the day; he had got it mixed up with the day of the shopping hours referendum. When the presiding officer went to get the key of the booth from him, the caretaker said, "No; it is next Saturday." The presiding officer had to say, "No; it is the by-election for the Midland District of the Legislative Council." The caretaker said, "Do I have to vote for that?" The presiding officer replied, "If you are on the roll for the Legislative Council, of course you have to vote." There is a man who is presiding at a by-election who gives misleading information to the caretaker of that school. I did not disabuse his mind of this. I thought that, if he had told the caretaker and it was wrong, the caretaker might come along and vote Labor. I do not know whether or not he did.

Again, just before the Midland by-election I was listening to an expert on the radio. A person can telephone the station and talk to this man, who is an expert on everything. He gave this information: "Oh, no, this is the Legislative Council, which is the Upper House of the South Australian Parliament. You do not have to vote for that any more than you have to vote for the Senate, which is the Upper House of the Commonwealth Parliament." He is supposed to be an expert,

who is giving that kind of advice! It is no wonder the average person in the community knows little about the Legislative Council.

We have heard much talk about the need for a House of Review, but this is ridiculous. We know that much legislation is initiated in the Upper House: where is the House of Review then? All we have in this State is a House of Review, with "Review" spelt "Revue". We know that much legislation is faulty, but these mistakes are not discovered by the so-called House of Review. We know that during practically every session of Parliament amendments are made to existing Acts. It is time and experience that reveal faults in legislation, not the scrutiny of the so-called House of Review. Its members are not there long enough to review anything. What about that 40-hour year they served some time ago? Its members served in the Upper House for 40 hours in that year, spending most of that time criticizing the 40-hour week.

Mr. Clark: That was a busy year!

Mr. JENNINGS: It was, and I think some members had a heart attack. What is the composition of that august Chamber? I have pointed out before that it is a haven for candidates defeated in attempts to enter this House.

Mr. Coumbe: Are you talking about Casey?

Mr. JENNINGS: That honourable member was elected to this House, but the Hon. Mr. DeGaris was not when he tried, yet he is the Leader of the honourable member's Party now. What about the Hon. Mr. Storey, who was the Minister of Agriculture in the Hall Government? He could not even beat an Independent when he stood for this House.

Mr. Goldsworthy: What did you do to Bevan?

Mr. JENNINGS: Mr. Bevan retired. The Hon. Mr. Gilfillan stood for election to this House but was not elected: he is now safely ensconced in the Legislative Council. What about the latest acquisition, if you can call him that, to the Legislative Council, Mr. Russack, the new member for Midland? He stood for election to this House in a district situated right around his own home town and, as I said recently, was ignominiously defeated and now he is in the Upper House, at least for a while. Some members of the Upper House, apart from my colleagues, are personal friends of mine. I have some friends amongst the Liberal and Country League members.

Mr. Clark: Will you give a list of them?

Mr. JENNINGS: I am speaking particularly of those members from my own social stratum, such as the Hon. Sir Arthur Rymill, the Hon. Sir Norman Jude, and people like that. They are my friends and I am not denigrating them, but does anyone really believe that these members ever pore over the problems of the ordinary person in the community? Can we imagine any of these members helping a poor person who wants a Housing Trust house to complete the application form and then taking the matter up with the trust? Of course not.

Mr. Becker: Of course they do.

Mr. JENNINGS: They would not know how to do it. In 1942, the franchise for the House of Assembly was altered to make voting compulsory. Rather astonishingly, the provisions were contained in a private member's Bill introduced by Mr. Shannon, who in his second reading explanation said:

We are the last of the Mohicans so far as compulsory voting is concerned. In this respect South Australia has tailed the field. One of the major political Parties has this question on its platform, and I believe the other big political Party is reconsidering it. The principle of compulsory voting has been accepted by this Chamber on, I think, two occasions. I believe that it will be accepted again and that the only bone of contention—as on the last occasions—is whether or not our method of compulsory voting shall be for both Houses or only for this Chamber. I think we would be wise to put our own House in order first.

Mr. Shannon believed in compulsory voting for election of members of this House. He did not think that compulsion was the odious thing that we have heard it described as in a debate this afternoon to which I am not allowed to refer. Another member, who was an extremely highly respected member of this Chamber at the time, also spoke in the debate on Mr. Shannon's Bill. I am referring to Mr. Whittle, an excellent member, whom I defeated. He said:

It contains clauses providing for compulsory voting for the House of Assembly, a simplification of the system of voting, and for widening the scope of the original Act in covering illegal practices at election time. I have an open mind on the third clause, and the fact that I support the second reading does not necessarily mean that I shall vote for that clause. I shall wait until I get more information on the point and have had an opportunity to reflect on it. Years ago I held an ideal on the question of compulsory voting which I thought should be shared by the majority of electors. Under our system of democracy, we have rights, privileges, and responsibilities, and if they are given proper recognition it should impel people to realize their responsibilities and go to the poll without compulsion. Unfortunately, it has been evident at State

elections that the public do not apparently appreciate the right and privilege of sending representatives to Parliament, and consequently they neglect to exercise their franchise. Yet these same people are generally among the most self-assertive critics of our Parliament. Voting for the Commonwealth Parliament and other State Parliaments is compulsory. I have previously stated that the feeling has grown up among a certain section of the public in South Australia that, because they are not compelled to vote at State elections, they can look upon the State Parliament as something of secondary importance.

This quotation from Mr. Whittle's speech is also rather interesting when we think of a debate that we had earlier today. Mr. Whittle continued:

It is compulsory for every honourable member to wait until the traffic lights show the "all clear" before crossing certain city intersections. Although exception may have been taken to obeying the lights when they were first introduced, the practice has gradually become part and parcel of our traffic system and has proved conducive to good order. Once compulsory voting is applied to the South Australian Parliament the people will soon become accustomed to it and we will have a more representative vote than under the present system. At the last State election only about 50 per cent of the people recorded their votes.

There we have talk about compulsion for this Chamber. I cannot see why it should not apply for the other Chamber. Mr. Rex Pearson said:

It has been suggested that compulsory voting is the corrective. Although I agree that it is desirable and even necessary, I cannot agree that, of itself, it is an absolute corrective.

I can give an example from my own family. I have three sons. One, who is under 21, does not get a vote at all. Another son who is a little more than 21 is in business and lives away from home, and he gets a vote for the Upper House. My eldest son lives at home. He is an honours graduate from the Adelaide University, yet he does not get a vote for the Upper House. This is the ridiculous system that applies in the franchise for the Upper House in this State.

This Bill should be passed. The Leader of the Opposition has foreshadowed what I think are quite objectionable amendments which we can deal with when we get into Committee. I can make some brief reference to the Leader's suggestion, which is that there should be a separate polling day for the Upper House—a Thursday or another day separate altogether. We have become absolutely sick to death lately of unnecessary elections in this country. Right from the time Sir Robert Menzies brought the House of Representatives out separate from the Senate, we have had an election for the House of Representatives and then a separate one for the Senate. Now, under the Leader's amendment we would have one election for the House of Assembly and another for the Legislative Council. In my opinion, that is absolutely ridiculous, and I hope that when we reach Committee the Leader's amendment will be rejected. I came across a passage the other day which I think could be used in regard to this Bill: "When Judas Iscariot bought an acre of land for the blood money he got for betraying Christ, he would have been entitled to vote for the Legislative Council, but Jesus Christ Himself, Who had nowhere to lay His head, would not have been entitled to a vote for the Legislative Council." I support the Bill.

Dr. EASTICK (Light): Earlier in the preceding speaker's contribution, I thought I might have been able to agree with him in part or even to congratulate him on being one of the few speakers who have adhered to the Bill. We were certainly receiving much information about the various aspects of the measure. However, many of the later remarks the member for Ross Smith made left me in no doubt whatsoever that we were just going around in circles, and I certainly could not now congratulate the honourable member on his contribution. The member for Ross Smith referred to his experience in the District of Playford where the presiding officer of a certain polling booth was unable successfully to inform a person who had inquired of that officer concerning his voting rights.

As I have said previously in this House, one of the honourable member's colleagues, who was given the task in the area that I represent of providing for people's names to be entered on the roll so that they might vote at the Midland by-election, went blithely around the district calling on houses and saying to people, "Yes, you'll be right to vote; your name is in the book." The people concerned, even though they had received directions from an executive member of the Party, did not know that a prerequisite to voting in this instance was the letters "LC" in front of the name.

Mr. Clark: She knows better now, though.

Dr. EASTICK: I bet she does. The member for Ross Smith rather mirthfully referred to the experts on radio and elsewhere who were way off beam, if I can use that term, regarding this matter. As the Leader indicated in a recent question that he asked, the Premier of this State, in a letter sent to many people in the Midland District, failed to indicate to them

in his "expert testimony" that it was not only necessary that it be an adult person who should sign the application form but also that it be an adult person who was a registered Legislative Council voter. Therefore, we find these so-called experts in all walks of life and on both sides of the House, including even the highest places in this Parliament.

I am reminded of the sentence, "The quick brown fox jumps over the lazy dog," which incorporates every letter of the alphabet. I thought of this because of the speeches made in this debate. From the member for Whyalla, we heard all about Rhodesia, tin cans and the United States of America, and we even got tangled up with the Whyalla Town Commission. When he spoke a couple of weeks ago, the member for Playford talked about gerrymanders, cement strikes, and consumer protection, and said that he was an abolitionist. The member for Mawson gave us a further chapter of his thesis for his doctorate. The member for Mitchell spoke about the Vietnam war, and referred to all sorts of comments that other people had made.

Mr. Hopgood: Keep listening; there are more chapters coming up.

Dr. EASTICK: I do not doubt that. My speech will be brief. I intend to support the second reading only in so far as it will permit me to support, in Committee, the amendments to be moved by the Leader.

Mr. BURDON (Mount Gambier): Having listened to several speakers, I was interested when the member for Light rose to speak, thinking that he would make a reasoned contribution to the debate. However, all he did was give a brief summary of what other speakers had said, and his contribution was actually nil. The principal part of this Bill is contained in new section 20 (1), as follows:

A person who is entitled to vote at an election for a member of the House of Assembly shall, subject to the Electoral Act, 1929, as amended, be qualified to have his name placed upon the appropriate council roll within the meaning of Part V of that Act.

At present, in this State all persons, on reaching the age of 21 years, can have their name placed automatically on the roll for the Commonwealth House of Representatives, and the Senate, and for the South Australian House of Assembly. However, every person has to make a separate application to be enrolled for the Legislative Council. For the life of me, I cannot see any justification for this situation.

Mr. Payne: It wastes money.

Mr. BURDON: Many other things are wasted, too. The ridiculous suggestion now being made is that elections for the two Houses in this State should be held on different days. The Constitution Act of 1857 provided for a bicameral system of Parliament in this State. The specific reason for establishing such a system was to preserve forever the rights of the landed gentry. If anyone does not believe this, he can read the records of those early days in this Parliament, and he will clearly see why the Legislative Council was established: it was designed to be the House that would maintain the *status quo*, which it has effectively done for 113 years, irrespective of the wishes of the majority of people of the State. It has been stated that the Legislative Council is a House of Review. It is a House of Review only in so far as the measures that are sent to it from this place please the gentlemen there. If any measure from this House in any way conflicted with their views, they could throw it out, as they have done on many occasions, irrespective of the wishes of the majority of the people of this State. All we are asking for (and it has been the policy of the Labor Party for many years) is that the people of this State be given the same right to vote for the Upper House as they have for the Lower House.

The Midland by-election has been referred to. On that occasion, fewer than 50 per cent of the people in the Midland District who were entitled to vote for the House of Assembly were enrolled to vote in that by-election and, of that less than 50 per cent, only 38 per cent voted at that by-election. I am not being unkind to the member who was elected, but only a few months previously he had been rejected by the district of Wallaroo. Despite that, he is now a member of that august body, the Legislative Council.

Mr. Gunn: What is wrong with that?

The Hon. G. R. Broomhill: Apparently, that Chamber gets all the rejections.

Mr. BURDON: Not only are its members elected for six years but, if we look at the history of the Legislative Council, we see that down through the years only those people whose property was registered in the Lands Titles Office were qualified to become electors for the Legislative Council.

Mr. Venning: Shame!

Mr. BURDON: I agree with the honourable member. It is a shame that the people of South Australia have been denied their rights. I believe that the wife of any man in this State should have the right to be enrolled for

the House of Assembly: why is she denied the right to be enrolled for the Legislative Council? Why is a single person denied the right to enrol for the Legislative Council? There is no need for elections to be held on separate days or for two rolls to be kept in this State.

Mr. Gunn: What about Commonwealth voting?

Mr. BURDON: One roll should be sufficient for both Houses of Parliament; it should be sufficient for Commonwealth and State elections, and I think the honourable member will agree that having separate rolls is only putting the State to added expense.

The Hon. G. R. Broomhill: Everyone is entitled to vote for the Senate.

Mr. BURDON: Let me repeat what I have already said: at 21 years of age one enrols for the House of Representatives, the Senate and the House of Assembly. Why is one not entitled to be enrolled for the Legislative Council? It is a House of Review, but the ordinary person is not wanted.

Mr. Gunn: It is open to anyone who likes to qualify, and you know that very well.

Mr. BURDON: Why should a person have to qualify? A person is a citizen of this State and should be able to participate in the Government of this State and not be denied a vote. I think a contribution from the member for Eyre to a debate on this would be rather interesting. The speech he made was interesting. I read what he had said and found it to be nil.

Mr. Gunn: You are not doing badly: you are biased.

Mr. BURDON: Yes, I am about the Legislative Council. I understand from what I have been told that its members are independent, but they are not nominated unless they are financial members of the Liberal and Country League, or should I say the Liberal Party, because the Country Party has now disowned the Liberal Party. Apparently, members of the Country Party do not want to be linked with the Liberal Party any longer. I ask the members who sit in drongo corner what their attitude is to the Country Party: do they belong to the Country Party or to the Liberal Party?

The ACTING DEPUTY SPEAKER (Mr. Ryan): Will the member for Mount Gambier please direct his questions through the Chair?

Mr. BURDON: Through you, Sir, I should like to ask the member for Eyre what his position is: is he a member of the Liberal Party or a member of the Country Party?

Mr. Gunn: This is not Question Time.

Mr. BURDON: I ask him quietly and in a friendly manner whether—

Mr. Gunn: Stick to the Bill.

Mr. BURDON: I realize that I will not get a reply from the member sitting in drongo corner, so I shall return to the Bill. It is time that the people of South Australia were given the chance to express their opinion of the Upper House through the ballot box on the same basis as they elect members to the House of Assembly. It has been suggested that the election for the Legislative Council should be held on a day separate from the election day for the House of Assembly, but this would be a retrograde step. I believe that it is the right of every person, without qualification, to cast a vote for either House. It is the right that people should have and it will be conferred on them by this Bill, which I support.

Mr. MATHWIN (Glenelg): I understand that it is against the policy of the Labor Party to produce two electoral rolls, so the Government considers that there should be one roll for the House of Assembly and the Legislative Council. Compulsory voting is also the policy of the Socialist Party. Therefore, it seems that, irrespective of the voter's personal wishes or beliefs, he must toe the Australian Labor Party line. If it is important to hold a referendum to decide shop trading hours, surely it is an insult to the intelligence and freedom of all South Australians not to hold a referendum on a matter so far-reaching as the one we are debating.

The Government says that this Bill does not force people to vote: it does not believe in that sort of thing. Let me refer to the position where two elections, one with compulsory voting and the other with voluntary voting, are held on the same day and all persons who go to the polling booth are handed two ballot papers. In those circumstances, it would not be ridiculous to suggest that that procedure would make both elections compulsory. That is obvious to all members. At the recent Midland District by-election, the Liberal and Country League candidate was extremely successful, and most persons who showed interest in that election were L.C.L. supporters. If so few people are sufficiently interested to vote, how wrong and unsatisfactory it would be to force a disinterested or unwilling person to vote!

It is notable that the Government did not get support in the recent referendum, when voting was compulsory in districts where the A.L.P. normally gets support. There was no

need to have compulsory voting at that referendum, but the Government decided to make voting compulsory because of its line of thinking. At that by-election, the percentage of non-Liberals who voted in the districts shown was as follows:

District	*Percentage*
Playford	20
Salisbury	25
Tea Tree Gully	27
Elizabeth	29

Doubtless, members representing those districts are shaking in their shoes because of such a lack of interest. However, in the Districts of Gouger and Goyder, which are held by the L.C.L., the percentage who voted was as follows:

District	*Percentage*
Gouger	62
Goyder	55
Light	48
Kavel	43

Now we know why the Government deems it necessary to introduce compulsory voting, with a threat to punish anyone who fails to vote. The secret ballot alone is the mainstay of fair and genuine elections, and the trade unions could well adopt this system.

Mr. Crimes: What union were you in? What makes you an expert on unions?

Mr. MATHWIN: It was not the Kindergarten Union, where the honourable member derived his knowledge.

Mr. Langley: I am interested to know, too.

Mr. MATHWIN: Members opposite are rude. They speak together, not one at a time. The member for Elizabeth last night referred to the former Prime Minister of the United Kingdom. He said what a marvellous man Mr. Harold Wilson was and how the people were very sorry that he had been evicted, as it were. I was in the U.K. early this year, so I can speak with perhaps more authority than many honourable members can do on this subject, and I can tell them that the people and the workers of that country were absolutely fed up with Mr. Wilson and his crew. The country had great problems, the biggest being inflation and housing difficulties.

The Hon. G. T. Virgo: It has a greater one now.

Mr. MATHWIN: Yes, an even greater problem is the fact that the country is a welfare State, which is the worst thing possible because it stifles incentive.

The Hon. G. T. Virgo: You would make people slave for many hours a day in the coal mines; that is your philosophy.

Mr. MATHWIN: I can see that the Minister has been reading my letters!

The Hon. G. T. Virgo: You can say that again.

Mr. MATHWIN: The people in the U.K. have one thing of which they are very proud, and that is voluntary voting. They are not forced to go to the polls, and they are not punished if they do not do so.

The Hon. G. T. Virgo: That is how Heath won the last election. Now be honest.

Mr. MATHWIN: The member for Stuart said last night that people must be made to take an interest in voting and be compelled to vote. Where do we stop with this line of thinking? Do we carry on and make people join school and church committees and mothers and babies committees? Some members opposite could perhaps qualify for the last mentioned type of committee. I do not think we would ever force people to join such things. Nevertheless, it is something that we have to think about and worry about.

Mr. Payne: What about compelling young men to go to Vietnam?

Mr. McRae: Tell us your attitude to compulsory murder while you are about it.

Mr. MATHWIN: If the honourable member keeps that up I will give him a demonstration.

Members interjecting:

The SPEAKER: Order! The member for Glenelg must confine his remarks to the Bill. Also, there are too many interjections.

Mr. MATHWIN: Thank you for your protection, Mr. Speaker. The honourable member also quoted from the little book (*Rules, Platforms and Standing Orders of the Australian Labor Party*—price 50c), namely from the section relating to the Legislative Council, but he did not finish the quotation, as follows:

Boundaries for the Legislative Council allocated on the basis of one vote one value.

Mr. Ryan: There's nothing wrong with that.

Mr. Keneally: Incidentally, your rules are not up to date.

The SPEAKER: Order!

Mr. MATHWIN: I suppose the book is changed regularly in order to get more money for Party funds. Voluntary voting will create greater interest and necessitate a more personal approach by every candidate. This gives the voter an opportunity to judge more carefully the qualifications and dedication of the candidate and will lead to his registering a carefully considered vote. Whether that vote is for or against the Government of the day, at least it is a true indication of democracy at its best. The Government's policy on compulsion is one to be feared by all clear-thinking men and women;

indeed, it could become the thin edge of the wedge (the wedge between democracy and totalitarianism). We have seen freedom taken from certain small countries, which have finished up with one Party and one candidate, and heaven help the person who refrains from voting!

Mr. Clark: What's this got to do with the Upper House?

Mr. MATHWIN: It has as much to do with the Upper House as did the honourable member's speech last evening; in fact, it has more to do with it, because I remember that at one stage the honourable member had us in a dining room with Sir Thomas Playford. I will at the appropriate stage support an amendment concerning adult franchise and voluntary voting.

Mr. WELLS (Florey): I support the Bill, because it is designed to remove from the legislation of this State the unfair and unjust method of election of the Upper House that has existed for many years, to the shame of the Liberal and Country League. At last, members opposite are trying to display an interest in the affairs of the people of this State and are indicating that they wish to rectify the matter, at least to some extent. They do this, of course, with their tongues in their cheek, because they are well aware that the publicity and activity that have surrounded this unfair method of election of members of the Upper House have created such a furore in the minds of members of the public that they must do something to correct the position, because the people are now aware of the unjust situation that has been foisted on them. Therefore, a frantic effort has been made by members opposite to show their desire to rectify the matter. They will do this by way of amendments, making sure of inbuilt safety precautions which will undoubtedly be supported by Liberal Party members in the Upper House.

The Hon. G. R. Broomhill: They aren't trying to rectify it; they're trying to wreck it.

Mr. WELLS: True, they are attempting to have a Bill passed in this House that will again create a situation that will result in an undemocratic vote for the Council.

Mr. Clark: What did you think about that totalitarian stuff?

Mr. WELLS: I thought it was rather horrible for a member of this House to threaten to murder a man, although this happened in the heat of the moment. I believe that the member for Glenelg receives some protection because he has made the statement in this House, but the honourable member he threatened is a legal eagle and probably knows a way around that. I believe he is looking at the Statutes now. The suggestion that elections for the Legislative Council should be held on a day when no other election is held is just too ludicrous, and shows no interest at all by members opposite in protecting the finances of the State. Also, it highlights the fear in their minds that, when the mass of people go to register a vote for the Legislative Council, that will entirely alter the composition of that Chamber and make it impossible for L.C.L. members to retain control there. Surely it is obvious that, if it is considered desirable to have compulsory voting for this House, then, logically, there should similarly be compulsory voting for the Upper House. It stands to reason that all eligible voters should record their vote. I maintain that it is the responsibility of every registered voter to record his or her opinion through the ballot box in this way.

Mr. McAnaney: But not compulsorily?

Mr. WELLS: It must be compulsory. How would we get the situation where every citizen voted if voting were not compulsory? Liberal and Country League members are well aware of the apathy generally displayed by citizens towards political elections, not only State elections but Commonwealth elections, too.

Dr. Tonkin: They won't be apathetic next time.

Mr. WELLS: I agree, for they will realize that this Labor Government has performed such sterling tasks on their behalf that they will demand to go to the ballot box to sweep the L.C.L. out of power in the Upper House to enable the wish and will of the people to prevail.

I want now to say a few words about the contribution of the member for Bragg. I appreciate the fact that he has assumed the role of my honorary medical adviser; nevertheless, although I believe he is a very skilful medical practitioner, he is not a clear thinker politically. He said that this Bill was a red herring designed to disguise the intention of the Government to abolish the Upper House. It is well-known that we, as a Government and as a Party, desire the abolition of the Upper House.

Mr. Mathwin: It's in the book.

Mr. WELLS: Yes, and we do not deny anything we publish. It is so open and we are so proud of our policies that even the member for Glenelg can obtain a copy to read. That is how clear-cut our policies are. The member for Bragg stated that we wanted the abolition of the Upper House. Now we have a situation where my Party has given assurances that it

will not proceed with this policy. An assurance from this Government means just what it says—no back-sliding or ambiguous activities from this Government, which is right on the ball.

Can it be wondered at that the policies of the Australian Labor Party move in the direction of the abolition of the Upper House when that House is loaded against the working class of this country and the A.L.P., as it is impossible for us to maintain, or even attain, equitable representation in that House because there is assured support of a system that denies 15 per cent of the people of this State a say in who should sit in the Upper House to represent them? Even then a compulsory vote would not be considered to make sure that all sections of the community expressed their opinion. When we talk of the trade union movement, let us look at the legislation that came in 1965-68 from the then Government in the form of amendments to the Workmen's Compensation Act, which were rejected by the Upper House. We were in a position then where we had to take what was offered, and it was only after a bitter struggle that we were able to force through the Upper House the acceptance of a system mentioned in this House today, which provided for compensation payments being made to all workmen injured on their way to or from their place of employment. We were the only State in Australia that did not enjoy this right.

The member for Bragg also said that the Upper House, as constituted, was a check on irresponsible Government. What is "irresponsible Government"? Who is to judge what it is? I suggest it is the L.C.L.-dominated Upper House. They would be the people who would determine what was irresponsible Government and what was not. Anything contrary to L.C.L. desires could easily be considered to be irresponsible. The member for Bragg also asked what there was to be feared about the Upper House as it was constituted now. I reply to the honourable member by saying that we fear now, as we have feared in the past and will fear in the future, the prostitution of the will of the people of this State as expressed by a democratically elected Government.

Mr. EVANS (Fisher): I rise to support some aspects of this Bill, but the attitude taken by Government members makes me wonder whether I should support that part in which I believe. I wonder why it is that Government members say that they want to abolish the Upper House and that one of the reasons they wish to alter the present franchise of that place, and make it a full adult franchise, is that it is one step towards the abolition.

Mr. Langley: You said that; we haven't.

Mr. EVANS: The member for Playford said:

I for one say very clearly that I believe in the abolition of the Upper House.

He also said:

However, I strongly believe that the people of South Australia do support that very concept, the abolition of that useless appendix down the hall from this place.

I believe that the Council has served this State very well.

Mr. Crimes: For whom?

Mr. EVANS: For the whole State. There may be a reason why the franchise should be altered to make it a full adult franchise, but if one speaks of democracy one cannot speak of compulsion as being a democratic system. The member for Elizabeth said that it was a right, a duty, and privilege, and that these had been fought for over the years and dearly won. How can it be a right, a duty, and a privilege? If it is a right it cannot be a duty and, if it is a duty, I do not believe it can be a privilege. It can be only one thing (and the honourable member knows it), and those three nouns cannot be used to describe it. If the honourable member wants it to be a privilege and a right, voluntary voting should be introduced throughout the State with no compulsion attached to it.

Mr. Keneally: Who introduced compulsory voting in this State?

Mr. EVANS: If the honourable member studies history he will find that great pressure was brought by an Independent who initiated the move for compulsory voting for the House of Assembly. I honestly believe that this could not be attributed to any one Party.

Mr. Keneally: Who was in Government?

Mr. EVANS: It does not matter: it is a matter of who voted for it and who fought for it. Legislation has been passed through this Parliament that has not been fully supported by the Government but has been supported by the people on various sides of politics. The member for Elizabeth said that the people of England would regret the decision they made in changing the Government, and that he had some friends to whom he writes. I am glad to know that he has some friends, who apparently gave him advice which he believes, that they will regret the change in England. He also said that just after the Wilson Government was elected a Conservative friend told him

that it was time for a change. He did not say whether he had spoken to that person since the Wilson Government was defeated or whether he thought the Wilson Government was good or bad. I think he would get a different answer from what he had implied the position was at that time. I think the people of England realize that England is not a welfare state but a farewell state. That is why many of them have left their country, and that is why the Wilson Government was voted out. The Heath Government will have a problem, as any Government has a problem when it tries, by negotiation, to overcome some of the difficulties, and the Heath Government's problem will be that the trade union movement will make it so hot for the Prime Minister that he will not know which way to turn. The member for Playford made a comment that I consider to be an extremely bad comment for any member of this House to make. He said:

I could only reply that the Upper House existed because it was a relic of the days when the Governor ruled in the colonies of Australia with a Bible in one hand and a gun in the other.

My only comment on that is that, if the member for Playford had his way, he would throw the Bible away. He said that all members of the community should be entitled to vote, but I wonder whether he meant that. Does he mean that, or does he mean that only those over a certain age should be entitled to vote? I wonder whether he means that all people over the age of majority, whatever that might be, should be compelled to go to the polls, except those who consider that they are too old to vote and wish to opt out, as they can do and as I agree that it is better for them to do. Does he believe that compulsion is democracy? Members opposite should not bring up the argument that people are sick of voting, because if voting is voluntary and the people are interested in voting, there will be a good vote.

The member for Elizabeth said that in one country the Labor Government was defeated and a Conservative Government was elected because the people did not take an interest and because there was voluntary voting. Was he saying that the people who did not take an interest were those who normally supported the Labor Party? Was he saying that the only people who were interested in voting were those who voted against the Labor Party? Is that what the member for Elizabeth and the member for Unley are saying? They want compulsory voting for political reasons and no other reason. They know that compulsory voting makes the operation easier for all concerned, including the candidates and the political Party, because the compaign can be conducted more cheaply. With compulsory voting, the members do not have to go and work among the people. In safe areas like the District of Semaphore and around Port Adelaide, the members do not have to work to get votes, because the people are compelled to vote.

However, the position would be different with voluntary voting. I would have to work harder if I wanted to stay in politics, under a system of voluntary voting. I believe in voluntary voting throughout, whether for the Senate, the House of Representatives, or for district councils. We must be sure that we do not adopt double standards. However, the Government does not accept that. The member for Florey has said that, when the A.L.P. makes a statement, it sticks by it, but in its policy speech this year it said that it would make shopping hours uniform yet it has not had the courage to do this. It went to the people to get an opinion, because it thought the result would be different.

The Hon. G. T. Virgo: We didn't hear you say one word about shopping hours.

Mr. EVANS: If the Minister of Local Government had travelled around to some of my meetings he would have known what my views were. If he had some of his Party supporters in my area who were prepared to go along and listen to my comments, he would have got the message from them. Perhaps he does not have any supporters in my area. In fact, I believe that he has lost his own personal support because of his attitude on certain issues in recent times. I emphasize that this Government does not always stick by its word: sometimes it tries to find an easy way out. It has had some difficulty over one issue which is yet only part way towards being solved.

It has been suggested that the Upper House should be abolished and that this Bill is one step towards it. What adverse effect has the Legislative Council had on this State? I believe that at one time a Bill was going to be introduced to co-ordinate road transport so that people would be compelled to cart goods to a railway station, whether they wanted to or not, and to bring them to the city by rail. A Bill such as that was defeated in the other place. What happened in the next policy speech delivered by the A.L.P.? Was such a proposal revived, or was it left out of that

Party's policy speech altogether? The A.L.P. knows that that was not wanted by the people of this State because it was bad legislation, and that the Legislative Council did the right thing by the people of this State on that occasion.

The Hon. G. T. Virgo: The carriers are now saying, "Give us controls."

Mr. EVANS: What happened to the State Government Insurance Commission Bill? The Upper House tried to amend that Bill but this House rejected its amendments, yet it has now been accepted by the Upper House after the A.L.P. had fought for it for a long time. That Bill will not result in any real insurance benefit or monetary benefit generally. However, that measure has now been accepted, and we are to have a State Government Insurance Commission.

Mr. Keneally: Shouldn't the people of the State decide whether or not the Upper House should be abolished?

Mr. EVANS: If a Government was weak enough it would say that all issues should go before the people for decision. In answer to the honourable member, I believe that the question whether or not the Upper House should be abolished should be decided by referendum of the people. I challenge the honourable member to try to convince his own Party to hold a referendum of the people to decide whether there should be voluntary voting for this House, for it is my opinion that most of the people in this State believe in voluntary voting. If the honourable member has the courage that he seems to think he has, I ask him to take that question to the people and see what result he gets. If he wishes to include also the question of whether or not there should be full adult franchise, I will accept that, too, because I believe most people would vote in favour of that also.

Discussions have taken place in this Chamber about whether we should have one or two electoral rolls. My personal opinion is that under the present system we should have two rolls. The Minister of Education can screw up his face, which is a usual exercise for him. Let us look at what happened the last time elections for the two Houses in this State were held simultaneously. We found that the poll clerks were handing out voting slips to the House of Assembly voters concerned and saying, "You have a vote for the Legislative Council; here you are," handing them also the voting slip for the Upper House. Even though it was a voluntary action to cast the vote, for most people who took the slip it virtually became a compulsory vote. Therefore, even though in theory it is a voluntary vote, in practice it seems to be a compulsory vote. The member for Playford said that, of 16,000 people in his district who had a House of Assembly vote, only 7,000 were on the roll for the Upper House, and the rest were cheated. Does he honestly believe that the other 9,000 people were cheated of the right to vote?

Mr. Payne: Of course they are.

Mr. EVANS: The member for Mitchell is of about the same mentality as that of the member for Playford. Are we to believe that fewer than 50 per cent of the people concerned are occupiers of a house or their spouse, landholders or their spouse, or returned servicemen and servicewomen or their spouse? Surely, the member for Playford realizes that many more people would be entitled to a vote if they applied for one, but they are just not interested. If members of the Government Party believe that more people should be interested in voting, I say, "Get out and work in the area," for that is all they have to do. The member for Glenelg referred to the recent referendum and to compulsory voting at that referendum. He said that it could have been a voluntary vote, and surely it could have been. Was there a necessity for it to be a compulsory vote? I wonder whether the real hidden reason for a compulsory vote was to force the people who voted at the referendum also to vote at the by-election that was to have been held on the same day.

The Hon. G. R. Broomhill: Do you honestly believe that ridiculous statement?

Mr. EVANS: I believe it was the reason. If the A.L.P. can win the numbers in this House with full adult franchise—

Mr. Payne: We did!

Mr. Jennings: On numerous occasions!

Mr. EVANS: If Government members believe in democracy—

Mr. McKee: You've got no idea of democracy; in fact, you're a straightout hypocrite, and that goes for the bloke behind you, too, and all those around you.

The SPEAKER: Order! The member for Fisher is speaking.

Mr. EVANS: I will tell members opposite how I think that democracy should operate for both Houses in a way that would be acceptable to people as being democracy, free from political gimmicks. I believe we should have full adult franchise for both Houses and that everyone over the age decided (whether 20 years or 21 years) should be able to vote. There should be voluntary voting and voluntary

enrolment. If those conditions applied, I might accept the idea of having elections for both Houses on the same day. What I have outlined would, I think, be democracy. However, at present there is compulsory voting for the House of Assembly. If we try to tie to that system a voluntary system for the Upper House and have elections on the same day involving the same group of people, the voting for both Houses will be virtually compulsory.

The Hon. G. R. Broomhill: From your point of view, wouldn't it be better to have the Governor appoint a Liberal Government every three years in both Houses? That would be a bit easier.

Mr. EVANS: The Minister is trying to be facetious. In the short term I have been a member, in fighting for the appointment of an ombudsman and for certain other things (and there will be another matter soon), I believe that I have possibly shown that I am more interested in democracy and in the rights of the individual than is any member opposite. I believe that if a group can win a majority vote in a majority of districts it is entitled to the benefit of that majority, if the vote is voluntary. However, no-one can tell me that compulsion has any place in a democracy.

Mr. Langley: What about one vote one value?

Mr. EVANS: I have said before that I believe in districts having equal numbers of people when all else is equal. What do the words "one vote one value" really mean? Is the honourable member talking about the time before a vote is cast, after it is cast or while it is being cast? I believe that, on their own, the words "one vote one value" are valueless. After a person has cast his vote, if the candidate for whom he has voted loses, his vote is of no use. Once a person has voted, even if his candidate wins, his vote is of no more use. Once votes are cast no value can be put on them. Perhaps the only time they are of value is when they are being cast. In the very close Millicent election a couple of years ago, the last vote counted was probably the most important vote, but had there not been the first vote then the last vote would not have been important. When one talks of one vote one value one must bear in mind at what time votes are of equal value.

Mr. Langley: Do you believe in having equal numbers in districts?

Mr. EVANS: I believe in having an equal number of people in districts where all else is equal. I support the second reading.

Mr. LANGLEY (Unley): I support the Bill, which is long overdue. I have listened to many speeches by the member for Fisher, and whatever he says he twists around to suit himself. For years the Liberal and Country League was able to govern in this State only with the support of an Independent. During that period most electors supported the Labor Party, yet the member for Fisher says that his Government deserved to be in office. His Party was able to govern only by virtue of the gerrymander. On the first occasion where people had an opportunity to have their wishes put into effect this Government was elected, as I am sure it will be for many years to come.

Mr. Mathwin: That is a matter of opinion.

Mr. LANGLEY: The member for Glenelg is always having a shot at me, but it is like water off a duck's back. I have been insulted by experts, and he is not even an expert. The honourable member may be in a precarious position at the next election. He did not win by very much last time. He should take heed of the member for Fisher, who was talking about people not working in their electoral districts, saying that Labor people in several Labor districts did not work. Let me assure him that all members on this side work as hard as they possibly can. The results show that. We have gained seats over the years and have not gone backwards. The only Party to have gone backwards is the Liberal Party, whose numbers are gradually decreasing.

Mr. Mathwin: You even nominated a Liberal against me.

Mr. LANGLEY: Did we? I did not know that. Anyway, the honourable member went very close to defeat, and the next time his seat will be in jeopardy. The member for Fisher went on to talk about the referendum and things that have happened in this State. Let me remind honourable members about one referendum that took place not long ago. This State had been held up for a number of years in its social programme regarding lotteries, Totalizator Agency Board legislation and licensing laws, about which members opposite, when in power, were not game enough to bring forward legislation at any stage. Their boss said, "Do not speak," and nobody spoke.

Mr. McAnaney: That is why the Liberals put the lotteries legislation through.

Mr. LANGLEY: I thought legislation to provide for the referendum on lotteries was introduced by the Labor Party. The referendum was a great success—79 per cent against 21 per cent.

Mr. Hall: Are you talking about the shopping referendum?

Mr. LANGLEY: Members opposite were obviously surprised today when we abided by the wishes of the people as expressed in the shopping hours referendum. I have never seen so many people change colour so suddenly. The faces of members opposite seemed to go a whitish colour—I do not know why.

Mr. Mathwin: We saw reports in the morning paper and in the evening paper, so we were not surprised.

Mr. LANGLEY: If the honourable member wants to believe what he reads in the papers in this State, he should divide it by four to get at what actually happens. I know because I have had experience of it in the realm of sport, where the papers do not know what they are talking about: they guess, as members opposite were guessing today, and their guess was wrong. The member for Fisher twisted the truth to suit himself. When the last Liberal Government came into power, there was no mention of taxes in the whole of the then Premier's policy speech. Now he says in this Parliament that we have not gone ahead with what we said we were going to do. I assure him that we have. This is a part of our policy with which we are going ahead.

What about compulsory voting for other Parliaments that have Liberal Governments? What about the House of Representatives and the Senate? Has the Liberal Commonwealth Government done anything about that? What has happened in the other States of Australia? There we find that in three States out of five there is adult suffrage for both Houses—in Victoria, Tasmania, and Western Australia; also there is no Upper House in Queensland, and the Upper House in New South Wales is elected by its members of Parliament. Why have members opposite got something to hide about adult suffrage for the Upper House? In Western Australia, it was expected that there would be a terrific swing to Labor, but that has not transpired. They had nothing to hide and went to the people. I have spoken to Western Australian Parliamentarians, and they have said that they did not think it would happen the way it did. The Labor Party does not have a majority in that Parliament, although most people thought that that might happen. This Government is quietly confident that it will gain more seats, but that does not mean to say that this will occur. However, we have nothing to hide and I am sure that people will vote according to their wishes. In some Commonwealth elections people have voted for the candidate of one Party for the House of Representatives and for the candidates of another Party in the Senate. We are confident that we will win more seats in the coming Senate election.

At L.C.L. conferences the Leader and the Deputy Leader have spoken in favour of an adult franchise for the Upper House, but most likely they have had to abide by the ruling of the conference. If the result depended on a simple majority perhaps the L.C.L. policy on this matter might have been changed, but under its rules there has to be a two-thirds majority before any change can be made. At the Labor Party conference a simple majority is enough to have rules changed, and that clearly shows the wishes of the rank and file members of my Party. One platform of my Party is for adult franchise for the Upper House, and I believe this will never be changed. I cannot understand why this has not been introduced before, and I hope that it will soon become a reality for people in this State. After all, they should be given the opportunity to vote for both Houses and have more say in the election of members of the Upper House.

The Legislative Council here has more power than has any other Upper House in the world. If a Bill that passes through the House of Commons is not passed by the House of Lords, it lays on the table for 12 months and then becomes law. That is the procedure in this important Parliament. I am sure that the people of South Australia are looking forward to the day when they can exercise a vote for the Legislative Council. I know that people have been apathetic about voting, particularly in council elections, and that it is generally the people who do not vote who are the most vocal if anything goes wrong. If people would record a vote we would know more fully their wishes. I support the Bill.

Mrs. BYRNE (Tea Tree Gully): I have been a member of this House for five years and this is not the first time that this matter has been debated. In that time the restriction on the franchise has been lifted somewhat, but we still have a restricted franchise for the Legislative Council. Listening to this debate, I realize that it does not seem to be much different from what I have heard in the past

from Liberal Party members. The only reason that I can advance for the fact that they oppose the provisions of this Bill is that they see that the retention of the Legislative Council is their last means of retaining power in this State. Otherwise, of course, they would not fear the provisions of this Bill. They have advanced reasons why the bicameral system should be retained and why it is a good system. When I first became a member, I did not believe in the bicameral system and since then I have been convinced that my original ideas were correct.

Some people think that a bicameral system means that there is a closer examination of Bills and a better scrutiny of legislation. However, figures that I took out of the number of Bills dealt with, the number of sitting days, and the average time spent in dealing with each Bill showed that the degree of scrutiny was much less than people thought. In fact, my figures proved that the scrutiny in the Legislative Council was more hasty than was the original consideration of the Bill in the House of Assembly. Electors who think otherwise have a false sense of security.

I also took out figures showing the number of hours that the Legislative Council sat in any one year. I will not repeat those figures this evening (I am sure honourable members opposite do not want me to do that) but these figures showed that the Legislative Council, instead of being a House of Review, was a House of Rest. We are often still sitting in this House after the Legislative Council has adjourned following an extremely short sitting. When we have wanted certain Bills that have been passed in this House dealt with by the Legislative Council, the debates have been adjourned until the next week, without any good reason being given for doing that.

Mr. McKee: They would have adjourned for lunch.

Mrs. BYRNE: I have other ideas apart from that. The members of the Legislative Council are also elected on political lines, so how can that place be a House of Review? I also point out that any opposition to this Bill will be on political lines. Today the Legislative Council decided not to insist on its amendments to the State Government Insurance Commission Bill, and thus allowed the Bill to pass. I venture to say that the Council did that because members knew that the Bill that we are now discussing would be debated this evening and still had to be considered by the Council.

Another matter concerning the Legislative Council is that there is a duplication of work. The procedure for passing legislation in this House is duplicated in the Legislative Council, and vice versa. This is a waste of public money. The Opposition intends to move an amendment to this Bill to provide that elections for the House of Assembly and the Legislative Council be held on different days. Such a provision would mean a further waste of public money, and I am confident that that amendment will not be carried. Why should the amendments that have been proposed by the L.C.L. be carried? Voting for the House of Representatives and for the Senate is on lines similar to voting for the House of Assembly, and I cannot see any reason why voting for the Legislative Council should be any different. Of course, as I said earlier, the Liberal Party sees the Legislative Council as its last means of retaining power in this State and does not want to give it up.

Let us look at the question of compulsory voting. We have heard much in recent weeks about the word "compulsory". Members opposite believe in some things being compulsory and other things not being compulsory: it all depends what they are talking about. In this instance we are supposed to be talking about compulsory voting. We all know now that some people do not vote at elections. When they do not do so, they receive a "please explain" note from the Electoral Office, but for various reasons they are not fined, as has been stated in this debate. Some people, for instance, refrain from voting on religious grounds, and this is accepted, as it should be.

We have also heard much about the question of the abolition of the Legislative Council, although, of course, there is nothing in this Bill about that. We all know that the Legislative Council can be abolished only if a referendum is held and that is the decision of the people. I make no apology for believing in the abolition of the Legislative Council, and if a referendum is ever held I will certainly be voting for its abolition. As I have said, I cannot see any good reason for retaining it. While it is retained, I consider that voting at elections for that House should be the same as for elections for the House of Assembly, because the laws that are passed in this State apply to everyone and, as the Legislative Council has power equal to that of the Lower House, the method of voting should be the same.

Mr. CRIMES secured the adjournment of the debate.

ADJOURNMENT

At 9.53 p.m. the House adjourned until Thursday, October 15, at 2 p.m.