

## LEGISLATIVE COUNCIL.

Wednesday, September 5, 1951.

The PRESIDENT (Hon. Sir Walter Duncan) took the Chair at 2 p.m. and read prayers.

### FINANCIAL ASSISTANCE TO COUNCILS.

The Hon. F. J. CONDON—It has been suggested by the Lord Mayor that the time might be approaching when, in view of its financial position, the Adelaide City Council would have to apply to the State Government for a disabilities grant. Can the Acting Premier say whether the Government can grant assistance under present legislation and, if so, is it prepared to grant assistance to other councils?

The Hon. A. L. McEWIN—I am unaware of any legislation which enables the Government to render assistance to district councils other than by main road grants. Local governing bodies have power to rate under their own legislation.

The Hon. K. E. J. BARDOLPH—Will the Acting Premier ascertain from the Crown Law Office whether there is any statute under which a grant could be made to the Adelaide City Council or any other council?

The Hon. A. L. McEWIN—This is the second time the honourable member has asked me to investigate some hypothetical case. So far there has only been a press report and no application has been made by the Adelaide City Council. The proper time to consider the matter will be when such a request is made.

### IMPRINT BILL.

Second reading.

The Hon. A. L. McEWIN (Northern—Chief Secretary)—This Bill repeals the Imprint Act, 1863-1935, and enacts an amended set of provisions on the same topic.

The Act deals with what are commonly called “printers’ imprints” or, more simply, “imprints”—namely, the names and addresses which printers are required to print on books and papers printed by them for public distribution. Most English-speaking communities have found it necessary to have laws requiring printers of books and papers to print their names and addresses on every copy printed. Such a law is of importance from the point of view of enforcing the laws as to the various kinds of libel, and indecent publications. For if anonymous publications were allowed it would be relatively easy to promulgate defamatory, seditious or indecent matter with impunity.

For some years representatives of the master printers in this State have been urging the Government to amend the law so as to remove certain ambiguities and anomalies in the present Act, which dates from 1863. The Government has investigated the complaints which have been made and is satisfied that there is need to state the law more clearly and remove some anomalies. The Bill has been drafted with this object in view.

The explanation of the clauses is as follows:—Clause 3 contains an interpretation of the word “print” and is the same as the present Act. Clause 4 sets out the printed matter which is exempt from the Act. In the main it follows existing law, but the following changes are made:—

(a) Printed forms for use in preparing legal documents are exempted. The present Act exempts letters of attorney, deeds and agreements. But many other types of legal forms are commonly printed and sold—*e.g.*, forms for the preparation of Real Property Act instruments, Bills of Sale and the like—and it has by no means been the practice to observe the Act in relation to these. There appears to be no special reason for applying the Act to such documents and it is therefore proposed that they shall be exempt.

(b) At present all papers printed by the authority of any “public board” or “public officer” in the execution of their duties are exempt. This goes too far. It is difficult to say exactly what the words “public board” or “public officer” mean; but there is no doubt that this exemption covers a good many publications which should not be exempt. It is quite possible that a citizen may be defamed in a publication of a public authority or public officer; and in such a case he should be able to inquire from the printer the exact source of the statement. It is therefore proposed to repeal the general exemption of papers printed by public authorities and public officers. If any such papers are to be exempt they can be specifically exempted by proclamation.

(c) The Governor is given a general power to exempt books and papers from the Act by proclamation.

Clause 5 sets out the duty of a printer to print his name and address on books and papers printed by him. The following amendments of the law are made by this clause:—

(a) It will be sufficient if the imprint is placed before or after the other printed matter in the book—not necessarily on the first or last page as required by the law at present.

(b) Where the printer is a company, the name of the company and the address of its registered office or place of business will be sufficient. At present it is not a compliance with the Act to print the name of a company as the printer of any publication.

(c) Where the printer is a partnership the firm name will be sufficient.

(d) The penalty is made more reasonable than under present law. At present it is up to £5 for each copy printed in contravention of the Act. Thus if a printer printed 10,000 leaflets without the proper imprint on them the maximum penalty would be £50,000. It is proposed that the maximum penalty under the Act shall be £100.

Clause 6 provides that a printer must keep a copy of every book or paper printed by him for publication for a period of at least six months after the last copy was printed. This is substantially the same as the present law. Clause 7 provides for the imprint of the Government Printer. Clause 8 makes it an offence to sell or distribute a book or paper which is printed in the State and does not bear the imprint required by law. These clauses also embody existing law.

Clause 9 sets out the penalty of £100 for breaches of the Bill and clause 10 provides that offences against the Bill may be prosecuted summarily. The section of the principal Act which provides that half of every penalty imposed is to go to the prosecutor and half to the State is repealed and not re-enacted. Provisions of this kind, which were originally intended for the encouragement of common informers, are not in accordance with public opinion of today or modern methods of policing laws. Some question has been raised by printers as to whether legislation of this kind places any responsibility on employees of printers. The Government's view of this Bill is that it places the responsibility of observing its provisions on the master printer, but not on an employee unless he is knowingly a party to a breach of the law by his employer. I move the second reading.

The Hon. F. J. CONDON secured the adjournment of the debate.

#### POLICE ACT AMENDMENT BILL.

Second reading.

The Hon. A. L. McEWIN (Northern—Chief Secretary)—There is at present no provision in the Police Act or elsewhere dealing with the salary of the Commissioner of Police. In practice, the salary has been fixed by Cabinet with the help of reports and information supplied by the Public Service Commissioner, and has been adjusted from time to time in accordance with the changes in the living wage. In May, 1951, the rate was £1,771. The question of the proper rate for the Commissioner was referred to the President of the Industrial Court, along with the other salary problems. The President's decision was that £2,050 was the proper rate having regard to other salaries,

and that the uniform allowance, formerly £25, should be raised to £30. The President also expressed the view that the salary of the Commissioner of Police should be fixed by Parliament and should be not varied by any other authority. The Government has accepted these recommendations and the present Bill carries them into effect. Like the other Bills increasing salaries, it will operate as from the commencement of the current financial year. I move the second reading.

The Hon. F. J. CONDON secured the adjournment of the debate.

#### PUBLIC PURPOSES LOAN BILL.

Received from the House of Assembly and read a first time.

#### LAND SETTLEMENT ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from September 4. Page 505.)

The Hon. R. R. WILSON (Northern)—I desire to pay a tribute to the Parliamentary Committee on Land Settlement, but at the outset I desire to specially refer to the late Mr. Oates, who had been a member of the committee from its inception. In many discussions with him I found he was a most enthusiastic member and, although he was not a primary producer, I feel sure that his contributions to the work of the committee were indeed worthwhile. From 1944 to 1950 the committee held 185 meetings in the city and 133 in the country, a total of 318. Spread over a term of six years it means that members devoted considerable time to their work. It was argued yesterday that the committee has not been called upon to do a great deal since 1949. Certainly the call upon the time of members has not been so great as in the first five years of the existence of the committee, but that is natural because, as land is settled and developed—and the best of it in the good rainfall areas has been selected—the work of the committee must become less, and that is the reason for this measure. The committee visited the South-East on 25 occasions during that period, and some of the trips were over a week's duration. One 17-day trip was made to Victoria and New South Wales to investigate the possibilities of establishing a cannery upon the irrigation settlements. I know enough of country life to appreciate that on those trips the members of the committee must have suffered quite a few hardships; the examination of virgin country meant much travelling over rough tracks, or indeed no tracks at

all, and often by means of a jeep. I had the opportunity this morning to read some of the reports prepared by the committee, and found them most enlightening. I suggest that other members do likewise because in those reports is revealed the value of this committee. The rainfall, of course, was the determining factor in the scheme, for no land could be considered for development unless it was within a certain rainfall, but the quality of the land was of the greatest importance, and I feel sure that the best of our undeveloped land has now been recommended, and a great deal of it largely developed as the result of the initial work of the committee. The two major reports which I read were in relation to Kangaroo Island and the Upper South-East. We know what valuable assets those districts are becoming. I have had the pleasure of inspecting them and that virgin country, hitherto practically valueless, is now entering into a stage where it will greatly increase our primary production which, with the ever-increasing population, will be in greater demand than ever before.

The Hon. F. J. Condon—Why was not that land opened up years ago?

The Hon. R. R. WILSON—Even Professor Perkins, one-time Director of Agriculture, considered that Kangaroo Island was of little value. The soil generally is of an ironstone gravelly nature and it was not until science discovered that it responded wonderfully to trace elements that it was possible of development. That, I think, is the reason why this country was overlooked in the early stages of the development of the State. The introduction of this Bill will offset some of the expense which must be levied on the land.

The Hon. K. E. J. Bardolph—Surely you would not suggest that the expense of this committee should be a burden on the land?

The Hon. R. R. WILSON—Not at all. I am speaking of the value of the committee. The amount of land available for settlement does not require it to be so actively engaged as in the past.

The Hon. F. J. Condon—Are you saying *au revoir* to the committee?

The Hon. R. R. WILSON—No, but strongly recommending that it should continue. Mr. Edmonds said yesterday that it was at times embarrassing for members of the committee to accept their salary. They are conscientious men and anxious to give service for the remuneration. He suggested that perhaps members should be paid so much a meeting and I am sure they would be prepared to accept that

arrangement. In the *Advertiser* this morning, reference is made to 50,000 acres being available for settlement on lower Yorke Peninsula, and this question will be referred to the committee for investigation. That is one of the few projects I know which it will have to deal with. The proposed reduction in members' salaries is not because of inferior services, but because of circumstances. I have much pleasure in supporting the Bill.

The Hon. Sir WALLACE SANDFORD (Central No. 2)—The attention already given to this Bill and the knowledge honourable members have displayed concerning the work of the committee shows that its importance and value are fully appreciated by this Council. The legislation was first introduced in 1944, and in submitting the second reading the Attorney-General set out the composition of the committee, whose constitution closely resembles that of the Public Works Standing Committee. It was said by some honourable members when debating the original measure that the committee was an auxiliary of the Public Works Standing Committee, and in introducing the Bill the Minister said:—

It is not proposed that the committee shall be a permanent one and there is no provision for the appointment of any further members after the end of 1949.

We know that when 1949 arrived the committee's term was extended for a further three years. The Bill now seeks to amend the Act, but does not attempt to disband the committee. In fact, the Minister in his second reading speech said:—

The proposed reductions of salaries were not in any way a reflection on the work of the committee, but simply a consequence of its not having as much work to do as in the past.

I am sure that we all agree that the settlement and proper utilization of the land of South Australia is a matter of paramount importance, and I feel certain that time will show the value to the State of the committee's activities. I was particularly pleased with the appreciation of the work of the committee expressed by Mr. Wilson, who is well acquainted with the type of problem confronting it. I suppose that never in the whole of our history has it been so necessary for us to put the land to its best use and develop its potentialities to their utmost. When our early pioneers landed in the State they obviously looked for the best areas for development of rural industries. Some were shrewd and good judges and have frequently been applauded for their foresight and ability

in choosing the best parts of the State to settle. The country has been developed, the population has increased and important steps have been taken in transport both inside the State and between Australia and her overseas customers. There is now an insistent demand for increased production. The population is increasing everywhere, and the idea of a hungry world does not bear consideration with equanimity. There is no question that the Land Settlement Committee has rendered great and valuable service and its establishment has been more than justified. I therefore hope that it will be given the opportunity to do even much more work. The term of office of the first committee concluded in December, 1949. By an amending Act passed in November, 1949, the life of the committee was extended for another three years from January 1, 1950. There is still a period of a little over a year and a quarter before the committee's existence will come to an end. Some of us may remember when the amending Bill was passing through this chamber that Mr. Cudmore, a former chairman of the committee, expressed a doubt as to whether the extension of three years would be sufficient. It will be seen, therefore, that this Chamber has felt in a general way that while the committee was not given a permanency of existence its advantages and benefits were so obvious and necessary that the matter of extension could not possibly be overlooked. For the moment, however, it would seem that there is no immediate call for the extension of its activities, and this we can feel was considered by Mr. President Morgan when making his recommendations. I am of opinion that the President's judgment, both as regards salaries of the Land Settlement Committee and travelling allowances, should be approved by us, and I support the second reading.

The Hon. A. A. HOARE (Central No. 1)—I am somewhat surprised that Mr. Edmonds, who is a member of the Land Settlement Committee, agrees to the reduction. Mr. Wilson suggested it would be better if members were paid according to the meetings held, but that would represent a reduction. The committee is available to consider references if required. The work the committee has performed is a credit to it and the State generally but it cannot work if work is not available. We recognize that the lesser amount of work over the last 12 months has not been the fault of the committee. When one contemplates buying land he inspects it and makes his own

valuation, then submits it to an official, who decides the selling price. The delay in work is not caused by the committee, but by land valuers. The committee has investigated so much land that the work necessarily must decrease.

The Hon. R. R. Wilson—A lot was Crown lands.

The Hon. A. A. HOARE—I suppose it was.

The Hon. R. J. Rudall—Kangaroo Island was all Crown lands.

The Hon. A. A. HOARE—Who decided the selling value of that land—the Government valuator? My own opinion is that that land should have been leased. Mr. Morgan recommended the reduction because of the lesser amount of work submitted to the committee. If he was consistent, he would have recommended that the salaries of members of the Public Works Standing Committee should have been increased because of the extra work performed during the last 12 months. If I were a member of the Land Settlement Committee I would not agree to a reduction. I would contend that I was appointed for a purpose and if work was not available it would not be my fault. If I were dissatisfied with the work and my conscience was uneasy I would resign. If work continues to lessen the salaries will be reduced again and ultimately members of the committee will be acting in an honorary capacity. The amount of money involved in the recommendations before the committee must be taken into account. The committee has rendered valuable assistance and we should not say it is worth less money because the work has lessened. If a man is privately engaged he knows what his salary will be, and if there is not sufficient work to keep him fully employed, it is the employer's fault. The committee's reports have proved that members knew their work and did it honourably and well. I cannot agree with the President's recommendations. Committee members should receive what they are entitled to.

The Hon. N. L. JUDE (Southern)—I support the remarks of various speakers who said that this committee has done a conscientious job. It was an essential committee when the Acquisition of Land Bill was before the House, and had it not been formed in order to give some protection to landholders, I am positive the Bill would not have received the support it did. This committee has had a sad history and in the course of a few years has lost three

valuable members. I refer to my late colleague, Mr. Norman Brookman, Mr. J. A. Lyons from another House, and now our old friend Mr. E. A. Oates.

The House must have been particularly gratified to have heard the remarks of Mr. Edmonds. He treated the subject as the Bill which was before the House, and he stated in plain English what everybody knew to be the truth—that because the amount of land available for closer settlement was gradually diminishing, the activities of the committee were naturally limited. It was with some reluctance that I supported the Bill for the continuance of the committee. In fact I commented on it in its original form because I felt it would not have sufficient work to do. However, there can be no question of its abolition. It is, as I see it, one of the governing factors in the Act; land must be referred to this committee before acquisition can take place, and therefore there can be no question but that the committee must continue to function. There are two alternatives: one, to retain it on the basis of payment for sittings, and the other to reduce the emolument of members. I could mention a third, and I take this opportunity to do so following my remarks in the Address in Reply debate. I still believe that the Public Works Standing Committee, which well earns its money, could have some of its work removed, if necessary by legislation, and transferred to the Land Settlement Committee, for I believe there is sufficient work for both committees to function on a virtually a full-time basis. In reply to my friends opposite, it must be obvious to anyone that we could not expect the Land Settlement Committee to be paid on the same basis as the Public Works Standing Committee which does many times more work. I have therefore much pleasure in supporting the Bill.

The Hon. F. J. CONDON (Central No. 1)—It was not my intention to speak on this Bill, but after listening to some members I am forced to do so. I always had the very highest regard for the Land Settlement Committee because I know of the sacrifices and time that its members put into their work. In the earlier days of the committee members had to lose much home life whilst travelling through many of the more remote parts of the State in order to make recommendations to this Parliament. That must not be overlooked. If there is any substance in what has been said this afternoon by some members the committee should be abolished. I am not in favour of

that. This must be a nerve-racking problem for the Government, because it involves a saving of a whole £450 a year.

The Hon. E. H. Edmonds—It is the principle involved.

The Hon. F. J. CONDON—The proper principle is never to write oneself down, but to take into consideration the services that the honourable member and his colleagues have rendered the State. I really rose to point out the inconsistency in the reasons advanced as to why the amount should be reduced. It is rather unfortunate that Mr. President Morgan's report, giving the reasons why his recommendations were made, is not before members. I take second place to no-one in my respect for and admiration of Mr. President Morgan, for I recognize the valuable work he has done in his honourable position, but I would like to know if any member of the Land Settlement Committee appeared before him asking for a reduction. I am inclined to think that the chairman of the committee put up a case and other members of the committee belittled it, which was not fair to the chairman.

The Hon. R. R. Wilson I believe they asked for more work.

The Hon. F. J. CONDON—That was not their prerogative, but that of the Government. The committee, through its recommendations, has saved the people of South Australia a very large sum and I therefore will not be one to belittle its efforts.

The Hon. N. L. Jude—I do not think anyone has done that.

The Hon. F. J. CONDON—Does not a reduction in salary belittle it?

The Hon. N. L. Jude—No.

The Hon. F. J. CONDON—Can anyone point to any other man associated with this Parliament who has had a reduction of salary? How many Bills have we had in the last fortnight increasing salaries and emoluments?

The Hon. E. H. Edmonds—Different circumstances entirely.

The Hon. F. J. CONDON—Not at all. How do we know that this committee may not soon be called upon to increase its activities?

The Hon. E. Anthony—Not very likely.

The Hon. F. J. CONDON—If there is no work for it let us not be hypocrites, but admit that that is the position. I am not of that opinion. The inconsistency in the whole thing is that although the work of another committee has been increased its members are not to receive any more for their work. Recently, when speaking on another Bill, I was not at liberty to refer to the 24th general report of

the Public Works Standing Committee, but I ask members to study it. I could take up considerable time in referring to the largest report that committee has ever submitted.

The Hon. E. Anthoney—Its work ought to be reduced.

The Hon. F. J. CONDON—On the argument that the work of the Land Settlement Committee has decreased and therefore its salary should be reduced, why should not the salaries of members of the Public Works Standing Committee be increased? Naturally, one has to support the Bill, but I am voicing my objection, probably because I have more confidence in the Land Settlement Committee than some of its own members, who are, I think, making a mistake in writing down their own value. The time will come again when they will be called upon to give additional services to the State and therefore I want to place on record my opinion and to show the inconsistencies in this case.

The Hon. L. H. DENSLEY (Southern)—In the first place I pay a tribute to the work performed by members of this committee. I appreciate that in the original setting up of the committee, when Mr. Cudmore was elected chairman, he had a difficult task in getting the committee into working order, and I compliment him on the manner in which that work was done, and the committee on the work it has carried out in the succeeding years. We have had on the committee men of very valuable experience indeed, and I am anxious to pay a tribute to the work those men have done on behalf of Parliament and the State. I am reminded, too, that the committee has only a little over one year to function under present legislation and it is not a very pleasant task, in view of the vast amount of work the committee has performed, to reduce its members' salaries for the remaining year they will be in office under the Act. I know that there has not been a very great amount of work for it over the last 12 months, and that was obvious to the President of the court in assessing their emoluments, but I remind members that we have provided that all land which is to be acquired by the Government for closer settlement purposes must be referred to this committee. I also remind them that we have passed an Act which brings within the scope of the committee the development and settlement of the western district of the South-East, and if we are to go on with that project their £250 a year will be very easily earned in a very short time. I am aware that

the arbitrator had to go into these matters and that it is our job to accept his recommendation up to a point. However, I would not be happy at the present stage, with the knowledge I have of the future requirements which will probably have to be met by the committee, to see their salaries reduced. I feel that the members were underpaid for the work they did in the early stages, although possibly in the later stages they were overpaid. However, I believe that the work required justifies their present allowance. There are still vast areas of the State requiring development, and I have no doubt that that country will come into production. It is therefore desirable that the allowances to the committee should not be reduced. I will not support the Bill.

The Hon. A. J. MELROSE (Midland)—I take this opportunity to emphasize what Mr. Densley has already said and to announce my opposition to the measure. In my opinion the committee was colossally overworked in its early days, and if its members can run along now on loose traces that is no reason why their allowance should be reduced. It savours of parsimony for the Government to come down like a ton of bricks on the committee in its last year of office. The total saving to the State will be only £450, of which the unfortunate chairman will have to suffer one-third. I doubt whether any chairman worthy of his salt would be found willing to undertake the chairmanship of the committee, with the responsibilities of organization involved, for a meagre £250 a year. Under present day values it would take very little land to represent the £450 to be saved, and that amount would be only a small percentage of any undertaking inquired into by it. Such propositions would involve an expenditure of at least £30,000. The fact that the committee has not had enough work to do has been the fault of the Government in not being able to submit propositions to it. Because members of the committee were so grossly overworked in the early stages we should certainly hesitate before reducing their salaries in the last year of their term of office. I intend to oppose the second reading.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—"Salaries."

The Hon. F. J. CONDON (Leader of the Opposition)—I expressed myself fully in my

speech on the second reading, and so far as I am concerned the matter finishes there. I want members to understand that I am opposed in principle to the suggested reduction.

The Hon. K. E. J. BARDOLPH—I hold the same view as Mr. Condon. I should like the Minister to say whether, in the event of the Government submitting additional propositions for the committee's consideration, another measure will be introduced providing for increased salaries of members. When the committee was established the salary of members was fixed at £250 and that of the chairman at £400. The Minister should state what additional projects are to be placed before the committee.

The Hon. A. L. McEWIN (Chief Secretary)—It was well-known when the committee was established that there would be a big programme of land development for soldier settlement, and that it would have a full-time job. A salary was fixed for members comparable with that of members of the Public Works Standing Committee because it was known that the Land Settlement Committee would have to devote as much time to its work as the Public Works Standing Committee. Mr. Bardolph desires me to announce what shall happen in the future. All we are concerned about is the appropriate salary for members of the committee at the moment. The amount suggested is considered appropriate. The honourable member knows that this legislation will continue for another 12 months, and at the end of that period will be the time to consider any change in the conditions applying to the work of the committee. When introducing the Bill I said that it was not a pleasing duty to submit a measure to reduce the allowance. Members of the committee have admitted that their duties have been considerably reduced and have not asked that they should be rewarded for doing work which was not available for them to do.

Clause passed.

Title passed and Bill read a third time and passed.

#### INDUSTRIAL CODE AMENDMENT BILL.

Adjourned debate on second reading.

Continued from September 4, Page 501.)

The Hon. F. J. CONDON (Central No. 1—Leader of the Opposition)—This is a very

pious Bill and I do not think any objection can be raised against it. Clause 3 provides for the inclusion of Walkerville in the definition of "metropolitan area." This council was inadvertently omitted when the previous legislation was being considered. One of the chief clauses deals with the fixation of quarterly adjustments under the "C" series and provides slightly better conditions for those under the jurisdiction of the State Industrial Court. Increases are to be fixed to the nearest threepence. If, for instance, the figure arrived at is 2s. 7d., the actual increase will be 2s. 9d.

Another clause provides that the South Australian Employers' Federation shall not nominate two representatives for the Board of Industry and that in future one of these members shall be nominated by the Chamber of Manufacturers. That is fair and reasonable. Members of the board have a very responsible position and are paid according to the number of sittings attended. Under the Bill their allowance is not to be increased, although it is proposed that the salaries of the President of the Court and the Deputy President shall be. The State has been fortunate that reasonable men from both sides have been appointed to the board. That is in the interests of all concerned. It would not have been reasonable to ask the President to make recommendations concerning the salaries payable to himself and the Deputy President. Their salaries are the only ones which Parliament has to decide. This Bill proposes to increase the salary of the President to £2,500 a year and that of the Deputy President to £2,100. In these troubled times they are performing extra work and are entitled to the same consideration as others. I compliment them on the results they have achieved in the interests of industrial peace. I support the second reading.

The Hon. E. ANTHONY secured the adjournment of the debate.

#### LIGHT SQUARE PRODUCE WORKS EXTENSION.

The PRESIDENT laid on the table the final report of the Public Works Standing Committee on the Light Square produce works extension.

#### ADJOURNMENT.

At 3.18 p.m. the Council adjourned until Tuesday, September 18, at 2 p.m.