

LEGISLATIVE COUNCIL.

Wednesday, November 28, 1951.

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

THREATENED CLOSE DOWN OF INDUSTRY.

The Hon. K. E. J. BARDOLPH—Has the Attorney-General a reply to my previous questions regarding the threatened close down of the Finsbury munition plant?

The Hon. R. J. RUDALL—The plant in question belongs to the Commonwealth Government. No decision has been made to close it down, but overall shortages of metals have made necessary the closing down of some plants, and no doubt this one has been considered. The strongest representations have been made to the Prime Minister to keep these mills in operation.

WHEAT AND FLOUR PRICES.

The Hon. F. J. CONDON—I ask leave to make a brief statement with a view to asking a question.

Leave granted.

The Hon. F. J. CONDON—Last week I referred to the policy of the Australian Wheat Board in fixing the price of wheat without reference to any State authority. In debate last night I stated that I believed the price of wheat for home consumption would be increased as at December 1 to 10s. a bushel. I notice now that it is to be increased to 10s. 1d., or a rise of 2s. 3d. a bushel for the 1951-52 crop, and that the Federal Government has recommended that the State Prices Commissioners fix the price. Will the Prices Commissioner fix the price of flour, bran, pollard and bread, for I calculate that bread will be increased by 1½d. a 2 lb. loaf? If I am correct in my assumption, what has happened to give State Prices Commissioners power which they did not have before?

The Hon. R. J. RUDALL—The only personal knowledge I have is a paragraph I read in the press this morning, which I assume the honourable member has also read and which is really the foundation of his question. He will understand, however, that it will be quite impossible for me with only that knowledge to reply to his question. I realize too that the session is nearing its end, and consequently I promise to bring the matter under the notice of the Minister of Agriculture, and to let the honourable member have a private reply.

PUBLIC SERVICE ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from November 27. Page 1467.)

The Hon. K. E. J. BARDOLPH (Central No. 1)—I support the Bill. Most of its provisions, as enumerated by the Chief Secretary, are minor adjustments of the general principles already expressed in the Act and so they do not call for much comment; they are merely machinery amendments in order that the Act may be fully implemented in the light of changing circumstances. I do not oppose the fixing of the Public Service Commissioner's salary at £2,300, for it brings him into line with other high-ranking Government officials whose salary has been fixed by Parliament. However, I do feel that the Government should consider some method of meeting the changing circumstances, either upwards or downwards, as occasion may demand from time to time. It is true that the salary of the Public Service Commissioner is fixed by the Governor-in-Council on the advice of his Ministers, but the Government should provide some other method of meeting fluctuations than the necessity to bring down a Bill each time.

Another point with which I agree is the power of the Public Service Board to deal with overtime, lodging, fuel, and light. These powers are exercised in a reasonable manner, but the board has not the power to grant time off for overtime worked in lieu of a monetary consideration, although as regards certain professional sections of the service this practice obtained before the Act was introduced. I believe that in the Hospitals Department certain professional officers, when requested to work during Christmas week or on Saturdays and Sundays, received time off at the convenience of the authorities. Actually, the practice operates today.

Another important amendment deals with the Clerks of Parliament. The Chief Secretary mentioned last night that there is no retiring age for these employees. The Bill provides that they shall retire when they reach the age of 65. This brings them into line with provisions governing other employees in the Public Service, including high range Government officials and members of the judiciary. The employment of persons over 65 for three years is to be allowed by another amendment, in other words, until the end of 1953. I appreciate the Government's action in this matter especially in view of the shortage of manpower. Many of the officers who retire at 65

are skilled men and retain their full mental capacities. With these few comments I support the measure.

The Hon. J. L. S. BICE (Southern)—I listened with interest to the Chief Secretary's remarks on the Bill last night. He carefully analysed its provisions and gave members all the information necessary on the various clauses. I also listened with interest to Mr. Bardolph's remarks, with which I am in complete accord. I have followed the Bill since its introduction in the House of Assembly on October 10 and members have had some time to look at its provisions. Not many members spoke during the second reading. I agree with that because the various clauses can be better dealt with when the Bill is in Committee. One of its chief features is the raising of the Public Service Commissioner's salary to £2,300, following on a recommendation by Mr. President Morgan. I think members can readily accept his recommendation, which is based on sound principles. Prior to this the Public Service Commissioner's salary was fixed by the Governor in Executive Council, provision being made for its being reviewed from time to time.

I agree with Mr. Bardolph that the Public Service Commissioner holds a most important position in the civil service. In this respect I draw members' attention to the Public Service list, which contains the names of all officers in the Public Service. It clearly indicates the position that every officer holds, the index giving a name, number, and the page on which it is to be found. I have had some experience of the Public Service and have been amazed at the high qualifications possessed by some of our officers. I think they would surprise most members. I pay a tribute to these men, many of whom I have had personal contact with, both as a member of the civil service and of the Public Works Committee. On occasions I have met very highly placed people in industry, and their compliments to our engineers are most pleasing and must inspire confidence in the public.

The Hon. K. E. J. Bardolph—The State Public Service has always been a recruiting ground for the Commonwealth Public Service, which has "stolen" many of our officers.

The Hon. J. L. S. BICE—Our Public Service has also been a recruiting ground for outside private companies. I think that, under existing conditions, the provision to enable the Government to appoint outsiders who have reached the age of 65 is wise, particularly

during these times of labour shortages. The Bill will also give the Public Service Commissioner and heads of departments the right of stating their case before the Appeal Board, of which I have had personal experience. As some members probably know, I was a member of the Public Service, holding an executive position.

The Hon. F. J. Condon—Why go back 30 years?

The Hon. J. L. S. BICE—Because experience is valuable when dealing with measures like this. Heads of departments are almost invariably consulted by the Public Service Commissioner before any appointment is made to the service. I have had occasion, when positions have become vacant, to study the qualifications of applicants, some of whom were outside the service. Careful consideration had to be given to these qualifications. On one occasion, in the department with which I was associated, applications were called for an inspector. Unfortunately, there was not a suitable applicant among the original applications. I knew of one person who intended to apply, but failed to lodge his application on the due date. Fortunately, with the concurrence of the Public Service Commissioner, we were able to withhold any appointment and later called fresh applications. The present Superintendent of Soldier Settlements was the officer selected, and I am confident that, with his vast experience of agricultural matters, the delay in the appointment was wise and has been of great advantage to the State. I am sure the Minister of Education will agree that that officer has done an excellent job. The question of the retiring age for Clerks of Parliament should receive more careful consideration. Some consideration might be given to the existing clause so that a Clerk might be permitted to continue in employment up to 12 months after the retiring age, and this could be subject to a resolution of the House in which the Clerk is. At present the Bill provides that the retirement shall take place on December 31. The House might be in session until after that date and it may be in the interests of Parliament to see that the Clerk is employed until the work of the House is finalized. I support the Bill.

The Hon. E. ANTHONY (Central No. 2)—I add my tribute to the Public Service which I regard as the permanent government of the State. Parliaments come and go but the Public Service goes on for ever. Ministers appreciate the valuable help of departmental heads.

A new Minister has to lean upon his departmental heads until such time as he becomes familiar with the work and frequently a Minister uses the words of his departmental heads. The public servant today is a trained officer and he undergoes rigid training if he intends to make his career in the service. He must learn how to deal with the public.

The Hon. F. J. Condon—If there were more Ministers there would not be so much responsibility for departmental heads.

The Hon. E. ANTHONY—If there were a dozen Ministers they would still have to lean upon the heads. There may come a time when this State, in line with other States, will have to increase the number of Ministers.

The Hon. K. E. J. Bardolph—Would you support such a proposal?

The Hon. E. ANTHONY—Yes, it is high time we had more Ministers. I do not complain about the fixation of the Public Service Commissioner's salary by Parliament but it would have been better had he, together with other high-ranking officers, been mentioned in a schedule to the Act. If that were done it would not be necessary to amend the Act each year to take into account cost of living increases, but the schedule could be amended. It would be unfair if the Commissioner had to wait six months for an increase. Either his name should appear in a schedule or his salary should be made adjustable with cost of living increases. I am not happy about the clause relating to appeals. A person might be appointed to an office and it might promote discontent among other officers who have the right of appeal to the Commissioner. There have been occasions when a Commissioner, after a tribunal has decided an appeal, has defended his recommendation. That is wrong. He should not be permitted to defend his recommendation after an appellant has retired.

The Hon. K. E. J. Bardolph—The Bill provides that the Commissioner shall not be present when the board is hearing an appeal.

The Hon. E. ANTHONY—If an appeal is carried out in the spirit of the Bill it will be all right. When the Bill is in Committee I shall move an amendment to clause 5, subparagraph (c1) to delete the words "public holidays or week-ends" and insert "a public holiday or a week-end."

The Hon. R. J. Rudall—Why?

The Hon. E. ANTHONY—If any person works overtime or on "public holidays" he may work on "a public holiday" or "a week-

end" and consequently he could not be compensated. I have pleasure in supporting the Bill.

The Hon. C. R. CUDMORE (Central No. 2) —I support the Bill. It was introduced by the Government to do certain things, and I understand that the Public Service Commissioner's salary was recommended by President Morgan. I do not think there can be any objection to that, but we are, like a number of other people, in the unfortunate position that things happen so quickly that we cannot always get the information we need. In this instance I do not know what was said on the second reading, although I was present and heard it. I wish to refer only to clause 9 which, I understand, was inserted in another place. It refers to the retirement of the Clerks of both Houses of Parliament. As I understand the position the Clerks of Parliament are probably the only two remaining people in the Public Service whose retiring age is not fixed. There have been many discussions in the past between Parliament and the Government as to who was actually the authority with regard to these Clerks, their employment, engagement, and direction, but gradually, during my time in Parliament, it has come about that these people have been brought more and more under the Public Service Commissioner, and they are dealt with and considered to be members of the Public Service. Now, for the first time, we are faced with consideration of the question of whether there should be a retiring age for Clerks of Parliament and if so, what it should be. I make it clear that up to now there has been no retiring age for them, whereas there is for every other senior officer in the Public Service, and what we have to consider is whether, having in view the work the Clerks perform, 65 years is the appropriate age at which to retire them. I ask members to view this from a long range point of view, and not associate themselves in any way with personalities. We are asked quite suddenly—we only got the Bill last night and this provision was not in it originally—to decide that the clerks shall retire on the 31st day of December next after they respectively attain the age of 65 years. I think that is the wrong age. We have fixed it for active people in the Public Service, but the Clerks of Parliament are in a different position. We fixed the retiring age for judges of the Supreme Court at 70, and my view is that for any sedentary occupation without much pressure from the outside public, as is the case of the

Clerks in comparison with the heads of, say, the Engineering and Water Supply Department or the Lands Department, who are continually under public pressure, 65 is not the right time for them to retire; their experience is of the greatest value and they may be at their best between 65 and 70. Therefore, in Committee I propose to move that we delete "65" and put the Clerks of Parliament in the same position as judges by making their retiring age 70. Many people who were in the Public Service are still capable of doing something and they are engaged in other outside jobs, whereas possibly they would be better employed in the work which they have spent a lifetime in learning and that is particularly the case with the Clerks of Parliament. Theirs is undoubtedly specialized work. It is a matter of experience and knowledge and it is of invaluable service to members to be able to go to them and ask what has happened in the past. When the Bill is in Committee I intend to ask the Committee to consider what is the proper retiring age for the Clerks of Parliament, and in my view it should be 70.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—"Salary of Commissioner."

The Hon. E. ANTHONY—Although I do not object to the fixation by Parliament of the salary of the Public Service Commissioner, I suggest that the Commissioner and any other officer would not suffer any disability if they were included in a schedule of the Bill, so that their salaries might be adjusted from time to time without further reference to Parliament by means of a Bill.

Clause passed.

Clause 4 passed.

Clause 5—"Allowances and overtime."

The Hon. E. ANTHONY—On the second reading I drew attention to what I thought was a grammatical error in respect of holidays and week-ends. I find that under the Acts Interpretation Act all plurals include the singular, and the masculine gender includes the feminine. I support the clause.

The Hon. F. J. CONDON—If Parliament lays down this procedure it opens the way for outside employers to do so. If a man obliges an employer by working overtime, why should he not be paid the prescribed rates? A man, with other engagements, might be called upon to work a double shift, or four hours over-

time, and all he is entitled to is payment at ordinary rates. We must recognize that he is rendering a service to the Government by working. Not long ago 10,000 Commonwealth employees were dismissed and now the remaining employees have been asked to work overtime to catch up with the arrears of work. Any provision which requires men to take time off is wrong.

The Hon. K. E. J. BARDOLPH—I support Mr. Condon. If a man works on Christmas Day and the award rate is double time, the time he takes off should not be eight hours but 16. I know of one department where public servants work on Sunday mornings, receiving a whole day off during the week for doing so. That is equivalent to the award rate for ordinary time worked. Can the Minister say if the overtime worked is based on ordinary or penalty rates?

The Hon. A. L. McEWIN (Chief Secretary)—The provision states that some officers can be given time off in lieu of overtime payment. There is no reason to assume that if they are not paid in cash they do not get time off on an overtime basis. There is nothing to prevent that and there is no trick in the clause. The power is a discretionary one vested in the board.

The Hon. K. E. J. Bardolph—I am not suggesting that there is any trick.

The Hon. A. L. McEWIN—The request has been made by some public servants who prefer to have time off instead of payment.

Clause passed.

Clauses 6 to 8 passed.

Clause 9—"Retirement of officers."

The Hon. A. L. McEWIN—I move:—

After the word "amended" insert "by inserting after the word 'thereunder' in the second line of subsection (2) the words 'subsection (1) of' and'."

The amendment is a consequential drafting amendment of the principal Act and is rendered necessary by amendments made in the House of Assembly yesterday respecting the retirement of the Clerks of the respective Houses. It does not in any way alter the policy of the clause as intended by the House, but is desirable for the purpose of expressing that intention accurately.

The Hon. C. R. CUDMORE—I agree with the amendment, which clarifies the position.

Amendment carried.

The Hon. A. J. MELROSE—I move—

To delete "December" in line three of new subsection (3) and insert "March."

The clause proposes that the Clerks of the Legislative Council and the House of Assembly shall retire on December 31 next after they attain the age of 65. A session of Parliament may continue into December, and the prorogation be followed by a number of holidays. It would be better not to have a retirement and a change of officers at such a time, but rather when Parliament is not in session. The substitution of March for December will meet the position I have in mind.

The Hon. C. R. CUDMORE—Mr. Melrose's point is an excellent one. If a Clerk reached 65 in November he would retire at the end of December, and if his birthday were in January he would retire at the end of March. Parliament is generally working at its top during November and December whereas in March or April it is in recess and a new Clerk would have an opportunity of getting his bearings on procedure before the House sat.

The Hon. F. J. CONDON—Three years ago Parliament was called together in March for a special session. It is possible that it might be called together next March. However, there is a lot of merit in Mr. Melrose's amendment, which I support.

Amendment carried.

The Hon. C. R. CUDMORE—I move—

To delete "sixty-five" in line four of new subsection (3) and insert "seventy." I said in my second reading speech that I would ask the Committee to consider whether, in view of the fact that Parliament has carried on in South Australia for so long without a retiring age for the Clerks, we were right in making it 65 instead of 70. I suggest that it should be 70.

The Hon. F. J. CONDON—It has been my pleasure to sit under five Clerks of Parliament in both Houses, and most of them have attained the age of 70. They have been capable men who have rendered valuable service to Parliament. There is nothing to prevent Parliament at any time amending the Act to extend the period of employment. That was done in the case of Brig-General Leane when he was Commissioner of Police. Three years before his retirement a Bill was introduced to extend his term by five years.

The Hon. K. E. J. Bardolph—It was also done for the Agent-General.

The Hon. F. J. CONDON—That was done each year. If there are special circumstances the term of employment of a Clerk can be extended. For that reason I oppose the amendment.

The Hon. A. L. McEWIN—This clause was inserted in another place. A division was held and an overwhelming majority supported the present proposal. If, in the light of experience, it is desired to extend the limit imposed by the Act it can be done.

The Hon. E. ANTHONY—To do that, special legislation would have to be introduced. Both Clerks perform particularized work and do not come under the Public Service Commissioner in any way. They are under the jurisdiction of you, Mr. President, and the Speaker. Why should we shorten their terms of employment when the Government is employing public servants after they have reached 65? I do not think there has been a Clerk in either House who has retired at 65, or even 70; they have continued beyond that age and remained efficient officers. It is a matter of domestic policy, and I support the amendment.

The Hon. K. E. J. BARDOLPH—The purpose of this Bill is to place Clerks of Parliament on the same basis as officers of the Public Service. It is true that we are the authority to determine this issue, and if an occasion arises when it is desired to extend the retiring age of a Clerk of Parliament it can be done. I agree that we should leave personalities out of this debate and endeavour to determine a principle. When Sir Charles McCann was Agent-General his term was extended every year because he was an efficient officer and most capable of carrying out his duties. Judges do not come within the same category as Clerks of Parliament; they are in a different social atmosphere and there can be no analogy.

The Hon. E. Anthony—What do you mean by "social atmosphere"?

The Hon. K. E. J. BARDOLPH—Unlike Clerks of Parliament, they cannot take part in the activities of football clubs and similar organizations. They give up a lot of freedom in accepting their responsible positions. I oppose the amendment.

The Hon. N. L. JUDE—We should adopt a realistic approach to this matter. I remind members that it is comparatively easier to extend the term of employment of a good man than to shorten the term of the possibly inefficient man. Apart from that I oppose the amendment because an earlier retiring age may be helpful to a person in ill-health in obtaining a pension. If the retiring age is extended and a man is sick he may be prevented from retiring although he should do so. I am satisfied that the precedent is on a

higher scale than that applying to the Commissioner of Police and Agent-General and Parliament will always act in the interests of a deserving case.

The Committee divided on the Hon. C. R. Cudmore's amendment:—

Ayes (6).—The Hons. E. Anthony, C. R. Cudmore (teller), L. H. Densley, A. J. Melrose, F. T. Perry, and Sir Wallace Sandford.

Noes (13).—The Hons. K. E. J. Bardolph, S. C. Bevan, J. L. S. Bice, F. J. Condon, J. L. Cowan, E. H. Edmonds, A. A. Hoare, N. L. Jude, A. L. McEwin (teller), W. W. Robinson, C. D. Rowe, R. J. Rudall, and R. R. Wilson.

Majority of 7 for the Noes.
Amendment thus negatived.

The Hon. A. J. MELROSE—I move—

To delete "December, 1952" in the last line of subsection (3) of section 57 and insert "March, 1953."

The Hon. F. J. CONDON—I oppose the amendment to extend the time as suggested.

The Hon. C. R. CUDMORE—I did not reply to the Chief Secretary's remarks about a majority in the House of Assembly because I felt it voted rather on personalities than on principles. I want the Committee to discuss the whole matter on the question of principle—as to what is the right age for the Clerks to retire. As we have decided that March is the proper time for these officers to retire, to make it apply to March next would be unfair. I do not see that we are doing any harm by extending the period in the Bill by three months.

Amendment carried; clause as amended passed.

Remaining clause and title passed, Bill reported with amendments, and Committee's report adopted. Read a third time and passed.

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

SURPLUS REVENUE ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from November 27. Page 1464.)

The Hon. F. J. CONDON (Central No. 1—Leader of the Opposition)—Under clause 3 the Government is empowered to take up additional shares in Cellulose Aus. Ltd. The question arises whether this is to be a Government concern or private enterprise. When the original Bill was introduced in 1938 there was strong opposition in some quarters and I

expressed doubt whether the measure would ever see the light of day. However, it was passed by a narrow margin. Only five of the present members of the Council voted on that occasion and those who supported the second reading included the Chief Secretary, you, Mr. President, and myself. An advance of £100,000 was made available for the establishment of the industry. The only two members now present who opposed it were Mr. Cudmore and Sir Wallace Sandford, so I suppose that on this occasion they will oppose the Bill.

As was stated by the Chief Secretary, had the Government not underwritten the shares, the industry would probably have been established in another State. During the 1938 debate a move was made for the appointment of a Select Committee and the only member in the Council now who favoured it was Sir Wallace Sandford. No-one would say the project has been a failure, as shares of a nominal value of £1 are now worth 26s. At the time private enterprise was not prepared to undertake the expenditure and an application was made to the Government for assistance and this was granted. I have always complimented private enterprise on its operations, because I think it has done a fine job; the public have much for which to thank it. Under the original Bill the Government was empowered to appoint two directors, but under this Bill that right is removed. During the 1938 debate I made the following statement:—

The Government was so successful that it intends to establish a sawmill at Penola. Many members in this Chamber have been successfully engaged in industry for years, and I quite understand their point of view on this matter. In 1924 the Gunn Government founded the Government Insurance Office. The department was allowed to continue for three years, and at the end of that period showed a reasonable profit. Then private enterprise got to work, and the succeeding Liberal Government said in effect, "You can deal with insurance so far as it affects employees in the Government service, but you must not go any further."

It would be wrong if the Bill as drafted were not passed. This industry would not have been established but for the assistance received from the Government.

The Hon. C. R. Cudmore—That is 1938 you are talking about.

The Hon. F. J. CONDON—Exactly, and it is nice to be able to refer to the attitude I adopted 13 years ago. Despite the then opposition to it, this company has made a success of the industry, with the assistance of the Government, and consequently why

should the Government be asked to get out of it? I ask members to support the Bill for the simple reason that the Government is so much involved in it.

The Hon. C. R. CUDMORE (Central No. 2)—I, too, support the second reading because one portion of the Bill is necessary, as I understand there has been a request by the company. Mr. Condon went to the trouble of refreshing his memory on what happened in 1938. I have not had time to do that, but when one thinks in a straight line one generally has the same ideas the next time a matter comes up. The whole question was put in a nutshell in the first two sentences of the honourable member's speech—this is a question of private enterprise or socialism. I agree entirely that the cellulose industry has proved a success and that it has been a good thing for the State. No-one is more pleased than I am that it is so far on its feet that it has come to the Government and said—“We want more capital. Our industry is a success and we want to go on the Stock Exchange and become a registered public company. To do that we must be relieved of the Government's right to appoint two directors.” I agree with all that. If the company is in that position it has done a good job, with the assistance of the Government and some of its most able officers.

Unfortunately, I have not been able to check the actual words used by the Minister last night, but as I remember them he said, “These new shares will be a good investment and the Government proposes to take them up.” That is exactly where I join issue, as I think it entirely wrong in principle. Whether this money floats back through Canberra, or whether it is surplus revenue, or however we get it, it is the taxpayers' money and they should not be asked to provide money for the Government to invest in industry. The honourable member said that it might get into difficulty again and have to come back to the Government, which does not demonstrate much confidence in it. This is a matter of principle. I think I am right in saying that this was the beginning of all assistance to industry, and the first thing investigated on behalf of the Government. I believe Mr. Justice Abbott was the first chairman of the committee. If industry can be fostered, particularly in places outside the metropolitan area, it should be done, and it is a good thing that a certain amount of money should be available to get industries on their feet. However, once they are on their feet they should stand

alone, and I dissociate myself entirely from the view that because this is a good investment we should put £20,000 of the taxpayers' money into it. Consequently in Committee I propose to vote against new section 3a.

New section 3b is necessary and the company has asked for it. We should, as a Government, not put another £20,000 into the concern, but should sell our £25,000 worth of shares; if we can get 26s. for them let us sell out and have some more surplus revenue to start some other industry which needs assistance when this one obviously does not.

The Hon. K. E. J. BARDOLPH (Central No. 2)—I support the second reading and wish to make one or two observations in reply to Mr. Cudmore. The Leader of the Opposition said that in 1938 the Government had taken £27,000 worth of shares in this company. I do not want to bask in the reflected glory of the work of the Industries Development Committee, but Mr. Cudmore's statement that this is simply a question of socialism or private enterprise calls for some comment, as that is not the way to approach this problem. In 1941 this House elected two representatives on the Industries Development Committee to act with representatives of another place, and the first committee was under the chairmanship of Mr. (now Justice) Abbott and this was one of the first matters referred to the committee. At that time we were engaged in a war and the company had entered into an agreement with the Government to take all the thinnings of the forest at, I think, 9d. a tree. Chip board was in great demand and the company was making it, not from the wood from the State forests, but from ordinary waste paper.

Australian Paper Manufacturers was the largest company making chip board in Australia and was the adviser to the Federal Government regarding the price which should be fixed, and I pay a tribute to Mr. Chapman, the Railways Commissioner, who was put on the board of Cellulose Ltd. as an adviser and who was successful in causing the Federal Government to raise the price from £30 a ton, which A.P.M. had recommended, to £40 a ton, thereby putting the industry in the South-East on a payable basis. That is the history of this company's commencement in making profits. Then we found out that it had sundry debtors to the extent of £10,000 and a bank overdraft of £80,000 and that, although the creditors were not pressing their claims, the bank wanted some measure of security.

Mr. Tom Barr Smith Senior had put many thousands of pounds into the company by an arrangement in which he personally agreed to subscribe £1 for every other pound subscribed by the public. With his sudden demise this pledge could not continue to be fulfilled because there were so many beneficiaries in the estate. Then the application came to the committee, and the company sought a Government guarantee to the bank for £100,000. The committee ultimately raised it to £150,000, and I believe that the company has paid back practically two-thirds of that sum. Although the shares may now be worth 26s., the fact remains that this measure is absolutely necessary because the company's shares cannot be traded on the Stock Exchange while the Government has two appointees on the board and a first debenture on all assets.

The Hon. E. H. Edmonds—Has the company discharged its liability altogether?

The Hon. K. E. J. BARDOLPH—I do not think so, but I presume that it is well on the way. If free trading on the Stock Exchange is permitted I assume that the investing public will find the necessary capital to discharge the remainder of the liability. It is not a question of socialism *v.* private enterprise, but of maintaining an industry in S.A., for that is what the committee did. I see nothing wrong with this measure.

The Hon. L. H. Densley—You do not suggest that the Government is speculating in shares?

The Hon. K. E. J. BARDOLPH—No. If the Government goes out of the company it will not commend itself so much to the investing public, for everyone knows that wherever there is a Government guarantee the investment is looked upon as a guilt-edged security. The same principle applies in respect of the S.A. Electricity Trust. When the trust was formed all the shares became virtually gilt-edged securities and everybody rushed to buy them. All those connected with the cellulose industry had a distinctly South Australian outlook and desired to see it retained here. Some of them lost financially. We can do nothing better than to pass a measure to assist it, and I support the second reading.

The Hon. F. T. PERRY (Central No. 2)—Mr. Bardolph has outlined the history of Cellulose Australia Ltd., but I do not know that it was necessary in considering this Bill, which is really a surplus revenue measure providing for the allocation of loan moneys. It

will enable the Government to purchase shares up to £25,000 and at the same time forego the right to nominate directors. I have some knowledge of this company in as much as I was the first Government nominee director on it. The number of shares originally underwritten was 100,000. The Chief Secretary's explanation of the Bill showed that the 100,000 shares were not taken up by the public, and 27,000 were left with the underwriters. The company was formed with a laudable object in view, but in the end it was necessary for the Government to assist it. It was a new concern making a product which was in fairly universal demand. The main reason behind the Government's interest in it was that it was using a product from our South-Eastern forests which, at the time, was difficult to place. The company was able to evolve a method for utilizing forest thinnings, and with public support and Government assistance acquired certain rights for the use of water in perhaps the most favourable area in Australia to manufacture soft wood pulp. The company is in the most favourable position under its charter to continue the manufacture of its products.

The Bill introduces a principle, not of private enterprise against socialism, but of assisting industries and, if necessary, companies but particularly industries, in starting basic developmental work in South Australia. That is not so necessary now as in the 30's, when this company came into the picture, and the question of assistance to industries was favourably received both by the general public and Governments generally. The Government invested money in the company's shares per force. The general policy since—and I think prior to that—was that loans should be made to the company, repayable as profits were made, or as the public became interested and invested in the shares. That was the definite idea behind the original proposal. Investors' loans were not sufficient and the company could not be floated unless the Government purchased shares. There evidently has not been any attempt to sell the shares or place them on the market, but the time has now arrived when the company requires additional money and is seeking to obtain it in the ordinary way. The Government is placed in the position of an ordinary shareholder and has the right to purchase shares in accordance with the number of shares held in the original company.

A further decision on that point has to be made by Parliament, and it brings up with a

round turn the policy which the Government and Parliament will have to adopt in future about assistance to industries. We had a discussion this week on another Bill when certain members were not satisfied to adopt the procedure suggested for granting loans. I think that £1,500,000 has been granted by the Government by this method without Parliament's actual sanction. The question of repayment of the loans places the Government in the position of a first mortgagee, giving it a prior claim to all the company's assets. The Government is merely in it to assist the industry and not make a profit, running no risks.

The Bill deals with the type of shares that the Government now seeks to purchase. Parliament is asked to sanction their purchase and say whether public funds are to be put into the company with the idea of purchasing new shares. That is not the function of a Government. I say nothing against the company, its activities or future. There should be a clear idea of methods to be adopted by the Government in future in assisting industries and the granting of such large loans. Advances should be restricted to a loan and not be used to purchase shares. In this case Parliament is faced with the position of saying whether the Government should purchase 20,000 shares in the Cellulose Company. It is not fair to ask members to express such an opinion. If they are required to do so they should first examine the industry, its balance-sheets and future possibilities. I think there are better methods of doing this than through Parliament. The Government, having accomplished its original aims and intentions, should not use money for the purpose mentioned in the Bill. I cannot help emphasizing that this money comes from loan, whereas the original advances came from revenue. Members are also asked to contravene a principle which the Commonwealth Bank, and all financial institutions controlled by it and the Treasury have adopted, and do something denied to the public, namely, borrow money to be used for the purchase of share securities. The Government is adopting a course which the Commonwealth Government has condemned and prevented from happening in other spheres.

Nothing has been said today against the company. Mr. Cudmore said that the action of Parliament in supporting the Bill would indicate its opinion in regard to the company. If that is so, every member should have considerably more information on the matter

before coming to a decision. We are asked to do something which is right outside the range of our field as members of Parliament. Although I wish the company every success the proper method to be adopted is to obtain money from the ordinary financial sources. A refusal by the Government should not place any disability on the company. I support the second reading and likewise Mr. Cudmore's amendment.

The Hon. J. L. S. BICE (Southern)—I have a knowledge of this company which I gained as a member of the Secondary Industries Committee. I compliment Mr. Perry on the presentation of his case, but I do not altogether agree with his opinions. Mr. Smythe, the manager, has done a good job in building up the output of the Cellulose Company in difficult times. I also compliment the directors on the way in which they have managed the company. At one stage the company experienced considerable difficulty but it has reached a stage when it can pay dividends. During the recess members would be well advised to read an article which appeared in the *South-Eastern Times* in mid-October, describing the accomplishments of the company and its value to Millicent. Mr. Perry believes that the Government should not invest further moneys in this company but investment by the Government will give it the power of an ordinary shareholder. The company will be of immense value in using the thinnings and waste material from our forests. In time the Mount Burr and Nangwarry mills will not be able to profitably saw thin logs and the company will be able to use the material and produce valuable chemical pulp. At one stage it was compelled to purchase imported pulp from Canada, but only recently has it been able to utilize pine pulp to any extent. Although it has been using it in a general way for some time, I stress the point that the company will play an important part in relation to our pine forests.

The Hon. E. H. Edmonds—Is that dependent on the Government taking up these shares?

The Hon. J. L. S. BICE—I would not say that. In taking up shares the Government will have the ordinary rights of shareholders to advance this proposition at the shareholders' meeting. I support the second reading.

The Hon. A. J. MELROSE (Midland)—We are indebted to one or two members for recounting the history of this company so clearly. While I refrain, so far as is humanly possible, from criticizing the sincerely

expressed opinions of fellow members, the question of principle and expedience are not always kept as clearly apart as they should. In this discussion it is not really a matter of whether it is the cellulose or any company which is involved; it is a matter entirely of principle. In the establishment of an industry which is of vital importance to the State it is proper for the Government to come in in a paternal way and provide the sinews of war for such a company.

The establishment of this company would have presented no great difficulties had it not been for a succession of unfortunate happenings—the death of the late Mr. Barr Smith and also of my father who was associated to some extent with Mr. Barr Smith in the establishment of this proposition, and also the advent of the war—which made it completely impossible to carry on. If it was a question of quickly establishing another industry which would be of vital interest to the State and Government financial support was required, then I would favour it. As the industry has been thoroughly established to the extent of being able to stand on its own feet the Government should gracefully retire. If in the event of supporting an industry it acquires shares, in the process of retirement it should dispose of those shares. In disposing of its shares in this case the Government will more than get its money back. It is obvious that if the industry is well established the shares will not bring less than par on the open market. If an industry is well established and requires further money for extension purposes it should have no difficulty in obtaining money through ordinary stock exchange avenues. If the company cannot obtain sufficient capital for extensions then it is logical to assume that the public is not convinced of its soundness.

I do not think it is the function of the Government to invest money in shares of any industry. If the Government has helped to establish an industry and proposes to acquire shares, one naturally asks, "Where is the matter to end?" There are Governments of all shades of political opinion and it may be that, in the future, the Government of the day may not feel inclined to buy shares in a paper pulping industry but in a chain of grocery stores or even in a tin hare racing industry. Once a right to invest taxpayers' money in the shares of any private company is established the sky is the limit. I am confident that I voice the opinion of what the Minister referred to as "the unanimous

majority of the shareholders" when I say that I would resent being highly taxed and then seeing surplus Government revenue being invested in the shares of some company. If I said more I would not emphasize my stand further on the general principles involved or on my opposition to this clause. While supporting the second reading I propose to support the amendment to deprive the Government of the right to invest money in the shares of the company.

The Hon. A. L. McEWIN (Northern—Chief Secretary)—I have listened with interest to the debate and I appreciate the attention members have given it. Some exception has been raised to the Government buying shares in a company and if that was the matter under discussion I would be in wholehearted accord because the Government has no desire to buy shares in any company. It only desires to continue in a company which it has fostered and which desires to extend its capital. The Bill seeks to allow the Government to increase its holdings in the company on a percentage basis. It is the result of an arrangement with the company. I need not go over the history of its formation, but we know that the Government is very definitely interested in the operations of Cellulose Ltd., for it is something which goes hand in hand with afforestation development in the South-East. A Select Committee inquired into the utilization of our forest products, prior to the formation of this company, and its report reveals the position in which the Government would have been placed had our forests been left at the mercy of outside enterprise. Therefore on this measure there is an association and an interest by the Government which cannot be compared with the general principle of taking up holdings in companies. I hope the Bill as presented will be accepted, because of its very great importance to the Government and to a department upon which large sums of public money are being expended.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—"Power to take up additional shares."

The Hon. C. R. CUDMORE—I have a suggested amendment on this clause. The first part of it is to leave out "sections are" in line 1 and insert "section is" and subsequently to leave out the whole of subsections (1), (2) and (3) of section 3a. The effect of that will be to carry the Bill with what the

company wants as regards the Government's relinquishing its directors, but not authorizing the Government to put a further £20,000 into the enterprise. I emphasize the fact that if the Government wants to retain an interest in the company it still has £25,000 invested. Mr. Bice suggested that I knew the figures regarding this company, but I do not. However, the difference between £25,000 and £45,000 will not make any difference to the Government's share in the control; it will still be a shareholder and able to attend meetings, so I do not think that point amounts to anything. The other point was well put by Mr. Perry when he said "For the first time we have to decide what is to be the attitude of Parliament to the investment in industries which Parliament has fostered and helped." Once they are on their feet are we to go on investing money in them, or are we to use that money for the purpose first intended, namely, to foster new industries as they come along? No-one has suggested that this company wants the Government to come in with more money, and the Government has simply suggested that this is a good investment and that it should take up the shares. To test the feeling of the Committee I suggest the deletion of section 3a.

The Hon. A. L. McEWIN (Chief Secretary)—I ask the Committee not to accept the suggested amendment. Mr. Cudmore says we are deciding a principle, but I am not impressed with his argument, for the principle remains unaltered. The Government already is a shareholder in this company and will continue to be, and acceptance of this suggested amendment will not alter the fact in any way. I suggest that the arrangement made with the company is a desirable one, and Mr. Bice, I thought, expressed the position very well.

The Committee divided on Mr. Cudmore's amendment—

Ayes (9).—The Hons. E. Anthony, C. R. Cudmore (teller), L. H. Densley, E. H. Edmonds, N. J. Jude, A. J. Melrose, F. T. Perry, C. D. Rowe, and Sir Wallace Sandford.

Noes (10).—The Hons. K. E. J. Bardolph, S. C. Bevan, J. L. S. Bice, F. J. Condon, J. L. Cowan, A. A. Hoare, A. L. McEwin (teller), W. W. Robinson, R. J. Rudall, and R. R. Wilson.

Majority of 1 for the Noes.

Amendment thus negatived; clause passed. Title passed, and Committee's report adopted. Bill read a third time and passed.

INTEREST ON CROWN ADVANCES AND LEASES ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from November 27. Page 1465.)

The Hon. C. R. CUDMORE (Central No. 2)—This is a short Bill to amend an Act which we passed in 1944 to give the Government power to fix rates of interest, and it does not alter that position as far as I can see. As I read the Bill it simply means that the original Act did not give power for this fixation of rates of interest to apply to a loan made after a proclamation, and this gives power to fix rates after the date specified in the notice; the Government may decide that the rate of interest shall be four per cent, and that it shall apply to loans granted after the date of the proclamation as well as to loans in existence at the time. Therefore I have no objection to the Bill.

Bill read a second time.

In Committee.

Clause 1 passed.

Clause 2—"Rates of interest on Crown advances and loans."

The Hon. F. T. PERRY—The Bill is as interpreted by Mr. Cudmore and it would appear that certain money has been advanced at interest rates of $3\frac{1}{2}$ per cent and $3\frac{1}{4}$ per cent, whereas other loans will be at $3\frac{1}{2}$ per cent. Many of our past loans have been short-dated and we should take into consideration the fixing of an average interest rate on all loans. What policy has the Government adopted in the present case?

The Hon. R. J. RUDALL (Attorney-General)—As explained in the second reading, by notice published in pursuance of the 1944 Act a general rate of 4 per cent has been fixed as the interest rate on these Government advances. It was fixed at a time when the interest rate on Government borrowing, I think, was $3\frac{1}{2}$ per cent, but now the Government is paying $3\frac{1}{2}$ per cent it is obvious that it must consider fixing a general rate of 4 per cent.

The Hon. C. R. CUDMORE—I am intrigued with the Minister's explanation, but not satisfied. Subsection (4) of section 2 of the 1944 Act makes it clear that when a new interest rate is announced it applies to old loans.

The Hon. R. J. Rudall—The Bill prevents that from being done.

The Hon. C. R. CUDMORE—The Act provides that the Treasurer may, from time to time, by notice published in the *Gazette*, fix

the rate of interest, from the day specified in the notice, and that any higher or additional rate of interest so payable shall be that specified in the notice. Paragraph (a) of subsection 5 of section 2 provides that the provisions of the notice shall apply in respect of all advances or loans made pursuant to all the provisions of any Act. We are asked to amend that by saying "or in respect of all such advances or loans made after a date specified in the notice." We are asked to make it apply to future loans, but as I understand the matter it still makes any increase apply to old loans.

The Hon. F. T. PERRY—I understand that many loans were made by the Government, under agreement, at 3, 3½, and 3¾ per cent, but today the rate is 3¾ per cent. I have seen an agreement where a rate of 3½ per cent has been fixed for the currency of the loan, but I am wondering whether it will be revised in view of loans costing the Government 3¾ per cent. The Attorney-General's explanation indicates that new borrowers will be placed at a disadvantage as compared with old ones.

The Hon. R. J. RUDALL—All the Bill does is to give the Treasurer discretionary power. Under the existing Act, as I understand the position, he has no discretionary power, but must apply the rate fixed in the Act to all loans.

The Hon. C. R. CUDMORE—I am getting more unhappy than ever about this. A discretionary power is vested in the Treasurer by the 1944 Act. The Bill does not contain any discretionary power; it is merely an amendment to make whatever discretionary power he had apply to future loans as well as existing ones.

The Hon. R. J. RUDALL—The Parliamentary Draftsman's explanation, as set out in the second reading, is as follows:—

If a new rate were fixed by the Treasurer under the 1944 Act, this rate would, under the existing provisions of the Act, of necessity apply to past advances as well as to future advances. The Government is of opinion that it is desirable that there should be discretionary power to distinguish between these and, accordingly, the purpose of the Bill is to provide that, when fixing the general rate of interest to be payable upon Government advances, etc., the Treasurer may, in the notice fixing the rate, declare that any new rate of interest is to apply to advances and loans made after a date specified in the notice. Clause 2 makes this amendment with relation to Crown advances and loans, whilst clause 3 makes a similar amendment with relation to Crown leases and agreements. Paragraph (d)

of clause 2 also makes a further amendment to section 2 of the Act. Subsection (8) provides that a notice fixing general rates of interest is not to apply to the general banking business of the State Bank. This provision is clarified to include in this exemption any advance made by the bank under the State Bank Act, which is the Act under which the bank carries on its general banking business. This does not affect such Acts as the Advances for Homes Act, the Advances to Settlers Act and the others administered by the bank on behalf of the Government and any notice fixing interest rates will, of course, apply to advances and loans under these Acts. Under the 1944 Act, if the rate is altered, it must automatically apply to all loans.

Clause 2 passed.

Remaining clause (3) and title passed.

Bill reported without amendment and Committee's report adopted. Read a third time and passed.

WILD DOGS ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from November 27. Page 1465.)

The Hon. E. H. EDMONDS (Northern)—This Bill arises because of an alteration in the technique of distributing poison baits for wild dogs. In recent years the distribution of bait has been undertaken by aeroplane. Circumstances which have contributed to the development of that technique are the shortage of manpower on stations, and the fact that it has been demonstrated that a greater area can be covered by plane than was formerly the case when stationhands undertook the work. Station employees were provided with the necessary poison and equipment and they laid the bait as they travelled around in discharge of their duties. A fund was established under the Act to provide for the necessary expenditure in distributing baits, but at that time distribution by means of aeroplane was not contemplated. Members of the Stockowners' Association agree as to the effectiveness of this means of distribution and support the proposals to have funds made available for that purpose. In view of the undoubted benefits that will accrue I have pleasure in supporting the second reading.

The Hon. A. J. MELROSE (Midland)—In supporting this Bill I feel justified in sounding a note of warning on a matter which has not been given sufficient consideration. It is only natural that the people who are affected by the wild dog menace should be fairly single-minded in accepting this means of distribution of baits. They aim at the destruction of the greatest number of wild dogs in the

shortest possible time. It should also be at the minimum possible expense. There is no doubt that the distribution of vast quantities of bait by air in selected localities, such as outside the buffer fences, is most effective, but other animals may fall victims to these baits. I take it that strychnine is used and that a piece of meat or suet is the medium of conveyance. This could readily be consumed by smaller animals and birds and it would be a pity to wage a wholesale warfare against our fauna when we only aim at destroying one section. It has been amply proved in many countries that a disturbance of the established balance of nature is not in the best interests of humanity in the long run.

The Hon. R. J. Rudall—That would apply without laying baits by aeroplane.

The Hon. A. J. MELROSE—Not necessarily. The art or profession of dogging is highly skilled. Baits are so concealed as to be discoverable only by wild dogs. The baits have to be camouflaged to avoid the scent of human beings, and guile has to be used. The objective of the pastoralists concerned is the destruction of wild dogs and if some innocent victims also fall before the onslaught there is little we can do. This method of destruction is extremely effective, particularly when the baits are distributed in selected areas. The wild dog has had no experience at jumping and the buffer fence is the first obstacle he encounters and if baits are dropped there it is most effective. This method of distribution is almost Australia-wide and in the interests of our pastoralists it is necessary to pass this legislation to enable funds to be made available. While expressing those regrets I support the second reading.

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

WRONGS ACT AMENDMENT BILL.

Returned from the House of Assembly without amendment.

TRESPASSING ON LAND BILL.

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

HEALTH ACT AMENDMENT BILL.

Consideration in Committee of the following amendments of the House of Assembly:—

No. 1. Page 2, line 9 (clause 3)—Leave out "suspects" and insert "is satisfied that there are reasonable grounds for suspecting."

No. 2. Page 2, lines 40 and 41 (clause 3)—Leave out "twenty-five" and insert "ten."

No. 3. Page 2, line 43 (clause 3)—Leave out "fifty" and insert "twenty-five."

No. 4. Page 4, line 36 (clause 3)—Leave out "twenty-five" and insert "ten."

No. 5. Page 4, line 38 (clause 3)—Leave out "fifty" and insert "twenty-five."

No. 6. Page 8, line 14 (clause 3)—Leave out "fifty" and insert "twenty-five."

No. 7. Page 8, line 23 (clause 3)—Leave out "fifty" and insert "twenty-five."

No. 8. Page 8, line 41 (clause 3)—Leave out "fifty" and insert "twenty-five."

Amendment No. 1.

The Hon. A. L. McEWIN—The amendments are easily followed and the first makes some slight alteration to section 146c which reads:—

(1) If the Director-General suspects that any person is suffering from tuberculosis he may by notice in writing signed by him or by any person acting under his authority require that person to attend at a time and place specified in the notice, and to undergo such diagnostic examinations as the Director-General arranges

The amendment is to strike out the word "suspects" and insert "is satisfied that there are reasonable grounds for suspecting." I do not know what the distinction is but it does not weaken the clause and I move that we accept the amendment.

Amendment agreed to.

Amendments Nos. 2 to 8.

The Hon. A. L. McEWIN—These amendments reduce all the penalties in the Bill. Penalties which were originally fixed at a maximum of £50 have been reduced to a maximum of £25, and those which were originally £25 are reduced to £10. I pointed out before that compared with penalties in the other States they are not high. The House of Assembly considers it unlikely that a person would repeat an offence. Although the fines are still fairly substantial I am sure Mr. Condon will support the House of Assembly's amendments. I move that the amendments be agreed to.

The Hon. F. J. CONDON—I am pleased the House of Assembly has seen fit to reduce the penalties.

Amendments agreed to.

LANDLORD AND TENANT (CONTROL OF RENTS) ACT AMENDMENT BILL.

The House of Assembly intimated that it had agreed to the Legislative Council's amendments Nos. 2 to 4 and 9 to 12 and had disagreed to amendments No. 1 and Nos. 5 to 8 for the following reasons:—

Because the amendments, by preventing the question of the relative hardships of the parties being considered, will bear unduly on the lessees.

Schedule of Legislative Council's amendments to which the House of Assembly disagreed:—

No. 1. Page 1, line 19 (clause 2)—After "room" insert "bathroom or privy."

No. 5. Page 7 (clause 14)—After paragraph (c) insert the following paragraph:—

(c1) by inserting therein after paragraph (k1) of subsection (5) thereof the following paragraph:—

(k2) that the premises being a dwelling-house, are reasonably needed for the personal occupation in consequence of that employment of some person employed by, or about to be employed by the lessor:

No. 6. Page 9, line 11 (clause 19)—After "(k)" insert "(k1)."

No. 7. Page 9, line 24 (clause 19)—Leave out "subsection" and insert "subsections."

No. 8. Page 10 (clause 19)—After new subsection (6) insert the following new subsection:—

(7) In any such proceedings where application is made on the ground that a dwelling-house is reasonably needed for the personal occupation in consequence of that employment of some person employed by, or about to be employed by the lessor, proof is given to the satisfaction of the court—

(a) that the lessor has been the owner of the premises for at least five years before the giving of the notice to quit; and

(b) that the lessor is a British subject or is a body corporate incorporated or registered in accordance with any law of the State; and

(c) that the lessor has since the passing of the Landlord and Tenant (Control of Rents) Act Amendment Act, 1951, given notice to quit to the lessee for a period of not less than 12 months,

then the court shall not take into consideration any of the matters mentioned in subsection (1) of this section. Provided that no lessor shall recover possession of more than one dwellinghouse in any one year under the provisions of this subsection.

Nothing in this subsection shall limit any right of the lessor under any other provision of this Act.

The Governor may make regulations prescribing a form of notice to quit which may be given by any lessor in pursuance of this subsection and, without limitation of the right of a lessor to give notice to quit in any other form, any notice to quit in the form prescribed by regulation shall be deemed to be sufficient notice of all the matters referred to in paragraphs (a) and (b) of this subsection.

In this subsection "owner" includes a life tenant and the survivor of two or more joint tenants or tenants in common.

Consideration in Committee.

The Hon. A. L. McEWIN (Chief Secretary)
—The Council's amendment No. 1 was to insert

"bathroom or privy," in respect of shared accommodation. That amendment covers almost all apartment premises, as almost invariably either the bathroom or the privy is used in common. The opinion of another place was that the provision in clause 2, although recommended by the Committee of Enquiry, went too far and it was there that the definition was inserted limiting it to families only sharing living quarters. That was debated here very fully. Another place has objected to our amendment and insisted on its first definition, and in order to test the feeling of the Committee I move—

That the Legislative Council do not insist on its amendment No. 1.

The Hon. C. R. CUDMORE—I hope the Committee will not agree to the motion. In the first place, it is very difficult to deal with the matter in the absence of detailed information, and some of the amendments are very much interlocked. There were two instances in which the other place had altered the findings and recommendations of the Committee of Enquiry and they were both on this question of shared accommodation. All that we did was to go half-way back to what the Committee of Enquiry recommended, and I suggest it would be rather futile if we were to accept straight away the first suggestion that we should accept the refusal by the other place of our amendment. Perhaps the usual method should be adopted by our insisting on all our amendments, for we will then have the opportunity of looking at the difference which exists between the two Houses.

The Hon. F. J. CONDON—As the Assembly has agreed to five of our 12 amendments why not agree to its message?

The Hon. C. R. CUDMORE—The other place has accepted all the amendments which are of no importance, but we made three, possibly four, amendments which amounted to something but merely got back to the Enquiry Committee's report, for everything which I moved that went further was defeated. Amendments by Mr. Rowe and Mr. Bice were accepted because they were in respect of things which had not been considered by another place. Of my amendments on the accommodation clause one was accepted and the other refused. I take the strongest exception to the suggestion, without any consideration of the implications or relationship of the first amendment to the other, that we should say "We do not insist on our amendments." I personally do insist on them. The Chief Secretary should

report progress so that members can see exactly what the House of Assembly means.

The Hon. A. L. McEWIN—Members know what the amendments are; they have been debated fully. Amendments Nos. 9, 10, 11, and 12 are important. Another important one is to delete “may” and insert “shall.” The Council has full knowledge of the amendments and their implications and should make a decision on the matter. We should either re-affirm our attitude or accept the House of Assembly’s amendments.

The Hon. C. D. ROWE—In objecting to our amendments the House of Assembly said it did so because they will create hardship on lessees. I feel that it will create great hardship on lessees if the words “bathroom” and “privy” are deleted. Our amendments were carried by a substantial majority and we should not agree to the House of Assembly’s message without serious consideration.

The Hon. A. J. MELROSE—Voting figures on the amendments weigh heavily with us on the question of whether we should insist on them. My view is that we should insist on them. The question of sharing bathrooms and privies is of greater importance than Assembly members apparently believe.

The Hon. C. R. CUDMORE—If we insist on the amendments to which the House of Assembly has disagreed the matter will enter upon a stage of discussion. We will not get anywhere by taking the amendments piecemeal. I hope that the Council will not agree to give way on one amendment without considering the position as a whole. It would be wrong to do so.

The Hon. F. J. CONDON—If I were in the Government’s position I would drop the whole Bill rather than agree to a conference. The Bill is a landlord’s measure, granting them concessions with which I do not agree.

The Hon. L. H. DENSLEY—Over the weekend two people living in a six-roomed dwelling told me that if there was a provision enabling them to get rid of unsatisfactory tenants they would be willing to share their house and would be happy to let half of it.

The Committee divided on the motion that amendment No. 1 be not insisted upon:—

Ayes (6).—The Hons. K. E. J. Bardolph, S. C. Bevan, F. J. Condon, A. A. Hoare, A. L. McEwin (teller), and R. J. Rudall.

Noes (13).—The Hons. E. Anthony, J. L. S. Bice, J. L. Cowan, C. R. Cudmore, L. H. Densley, E. H. Edmonds, N. L. Jude,

A. J. Melrose, F. T. Perry, W. W. Robinson, C. D. Rowe, Sir Wallace Sandford, and R. R. Wilson.

Majority of 7 for the Noes.

Amendment thus insisted upon.

Amendments Nos. 5 to 8.

The Hon. A. L. McEWIN—As the Council has objected to amendment No. 1 it might as well object to the lot, therefore I move—

That the Council insist upon its amendments Nos. 5 to 8.

Amendments insisted upon.

A message was received from the House of Assembly requesting a conference in respect of certain amendments of the Legislative Council to which it had disagreed, and indicating that in the event of a conference being agreed to the House of Assembly would be represented by five managers.

The Hon. A. L. McEWIN moved:—

That a message be sent to the House of Assembly granting a conference as requested, and that the time and place for holding same be the conference room of the Legislative Council at the hour of 9 o’clock this day, and that the Hons. J. L. S. Bice, F. J. Condon, C. R. Cudmore, C. D. Rowe and the mover be the managers on the part of Legislative Council.

The Hon. C. R. CUDMORE—I do not know whether Mr. Bice desires to be one of the managers, but I suggest that Mr. Perry should take his place.

The Hon. A. L. McEWIN—I have made my nominations, which were on the usual basis that those who handled the amendments are included among the managers plus, as is customary, the Leader of the Opposition and myself. I see no reason to alter them.

The Hon. J. L. S. BICE—I am very appreciative of the compliment which the Chief Secretary has paid me, but I particularly requested that I should not be included because I have a very firm conviction that a manager should be prepared to compromise, and unless he is prepared to do so he should not offer himself for service. I understand that there are authorities to support my attitude and I suggest that the procedure generally recognized in the House of Commons be adopted, *i.e.*, if the Chief Secretary is not prepared to agree to Mr. Cudmore’s suggestion that Mr. Perry take my place a ballot be taken.

The PRESIDENT—If the honourable member is selected by the Council he has to go on the conference. I also point out that in the event of any dispute as to the managers they must be elected by ballot.

The Hon. L. H. DENSLEY—I move that a ballot be taken.

The Hon. E. ANTHONY—Could you guide the Council, Sir, in regard to the duty of members attending conferences. I was always under the impression that managers expressed the view of the Council or body they represented.

The PRESIDENT—Standing Orders, supported by Blackmore and others, lay down very definitely that it shall be the duty of the managers for the Council to confer with the managers for the House of Assembly and endeavour to obtain a withdrawal of the points in dispute between the two Houses and, failing this, a modification of the same by way of further amendments. In other words, it is the duty of the Council managers to argue the Council's viewpoint and not their own on the matter under discussion.

Mr. PERRY—I am satisfied to leave the matter to the Chief Secretary's discretion.

The PRESIDENT—It does not matter what the honourable member is prepared to do; the facts are laid down definitely—if any one member shall so require the managers of the Council shall be selected by ballot. As one member has applied the managers must be selected by ballot.

A ballot having been taken the Hons. F. J. Condon, C. R. Cudmore, A. L. McEwin, F. T. Perry, and C. D. Rowe were appointed managers to the conference.

A message was received from the House of Assembly agreeing to the time and place appointed by the Legislative Council for holding the conference.

At 8.55 p.m. the managers proceeded to the conference, the sitting being suspended in the meantime. They returned at 11.37 p.m. The recommendations were:—

That the Legislative Council do not further insist on its amendments No. 1 and Nos. 5, 7 and 8, but make the following amendments in lieu thereof and that the House of Assembly agree thereto:—

Clause 14. Page 7, after paragraph (c) insert the following new paragraph:—

(c1) By inserting after the word "house" first occurring in paragraph (k1) of subsection (5) thereof the words "(which was owned by the lessor at the time of the passing of the Landlord and Tenant (Control of Rents) Act Amendment Act, 1951)";

(c2) By striking out the word "adjacent" in paragraph (kl) of subsection (5) thereof and by inserting in lieu thereof the word "contiguous."

Clause 22. Page 12, line 21—Strike out "thirty days" and insert "two months."

Clause 22—At the end of new section 26wc insert the following subclause—

(7) In this section "shared accommodation" means any premises to which this Act applies—

(a) which form part of other premises; and

(b) which are leased for the purpose of residence; and

(c) lessee of which, under the terms of the lease uses any habitable room, bathroom or privy in common with the lessor or with another lessee.

Clause 22—At the end of the clause add the following new section:—

26wc (1) Notwithstanding section 26n but subject to this section the lessor of any dwellinghouse may give notice to quit to the lessee of the dwellinghouse on the ground that the dwellinghouse is reasonably needed for the personal occupation in consequence of that employment of some person employed by, or about to be employed by, the lessor.

(2) Notice to quit shall not be given under this section except subject to the following provisions:—

i. The lessor shall have been the owner of the premises for at least five years before the giving of the notice to quit.

ii. The lessor shall be a British subject or a body corporate incorporated or registered in accordance with any law of the State.

iii. The lessor shall have, since the passing of the Landlord and Tenant (Control of Rents) Amendment Act, 1951, given notice to the lessee for a period of not less than 12 months.

(3) On the hearing of any proceedings by the lessor for an order for the recovery of possession of the dwellinghouse or the ejectment of the lessee therefrom, if proof is given (the onus of which proof shall be on the lessor) that the lessor was entitled under this section to give the notice to quit and that the lessor has not within the period of 12 months preceding the giving of the notice to quit given any other notice to quit under this section, the court shall make the order without taking into consideration any of the matters mentioned in subsection (1) of section 26u.

(4) Except as otherwise provided by this section, the provisions of this Part shall apply with respect to any such notice to quit or proceedings.

(5) Nothing in this section shall limit any right of the lessor under any other provision of this Act.

As to amendment No. 6.

That the Legislative Council do further insist on its amendment and that the House of Assembly do not further insist on its disagreement thereto.

The Hon. A. L. McEWIN (Chief Secretary)—The effect of the proposed new amendment to clause 14 is that the Bill as submitted by the House of Assembly will apply to existing tenancies, and that the amendment of the

Legislative Council to include bathroom and privy will apply to all new tenancies entered into after the proclamation of the Act. New section 26wc relates to the amendment moved by Mr. Rowe to allow an employer to obtain possession of a house for an employee. This new provision will limit the application to one house in any one year and it will encumbent on the lessor to prove to the satisfaction of the court that he has not applied for an eviction order within the 12 months.

All managers went to the conference feeling that amendments which had been moved on the one hand and those rejected on the other would be given effect to. A most valuable contribution to the deliberations was made by Mr. Perry who really set the conference on its way to a solution of its difficulties. As a result of the deliberations a very happy conclusion was arrived at. All managers unanimously agreed to the recommendations. I move that they be agreed to.

The Hon. C. R. CUDMORE—I support the Chief Secretary's remarks. The conference arrived at a happy solution of the difficulties that presented themselves.

Motion carried.

Later, the House of Assembly intimated that it had agreed to the recommendations of the conference.

SUCCESSION DUTIES ACT AMENDMENT BILL.

The House of Assembly intimated that it agreed to the Legislative Council's amendment and suggested amendments.

ROAD TRAFFIC ACT AMENDMENT BILL.

The House of Assembly intimated that it agreed to the Legislative Council's amendments and suggested amendments.

BUILDING MATERIALS ACT AMENDMENT BILL.

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

HAIRDRESSERS REGISTRATION ACT AMENDMENT BILL.

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

Second reading.

The Hon. A. L. McEWIN (Northern—Chief Secretary)—The purpose of this Bill is to make some amendments to the Hairdressers Registration Act which have been suggested by the Hairdressers Registration Board of

South Australia. The Hairdressers Registration Act provides for the registration of hairdressers which is granted by the board to an applicant who passes the appropriate examinations conducted by the board. The board depends upon its examination and registration fees for the income to enable it to carry out its functions. These various fees are fixed by section 21 of the Hairdressers Act and the board has pointed out to the Government that these fees are now inadequate to meet the necessary expenses of the board. In fact, during the financial year ending June 30, 1951, the board's accounts showed a deficit of £240.

Accordingly it is proposed by clause 2 to increase certain of these fees. At present the fee for examination is £1 1s. This is increased to £1 11s. 6d. The existing fee for registration and the annual fee paid by registered hairdressers is now £1 1s. In each case it is proposed that the fee should be increased to £1 11s. 6d. The registration and annual fees for an employee are now fixed at 5s. and no alteration to these fees is made by the Bill.

Section 29 of the Act makes it an offence for an unregistered person to use the title of hairdresser. The Act does not prohibit unregistered persons from carrying on the business of cutting hair or otherwise acting as hairdressers but it prohibits them from calling themselves hairdressers. The purpose of clause 3 is to make it plain that the prohibition in section 29 extends to companies. Obviously, if an unregistered person is prohibited from calling himself a hairdresser he should not be able to evade the section by carrying on business under the name of a company or other like body. I move the second reading.

The Hon. K. E. J. BARDOLPH (Central No. 1)—The Bill is purely a machinery one. The Minister pointed out that the Hairdressers' Registration Board had a deficit of £240 for the financial year ended June 30, 1951. He said that students' examination fees had been increased from £1 1s. to £2 2s., and hairdressers' registration and annual fee from £1 1s. to £1 11s. 6d. which, in the board's opinion, would provide sufficient funds to enable it to carry on. There should be an overriding control in regard to apprentices to any trade, say, by the School of Mines or the Adelaide University. The complete objective which is desired in connection with the training of students and apprentices cannot be obtained by dual control. Although the Bill increases

examination fees by 100 per cent no alteration is made in the 5s. annual fee for employees. There appears to be some anomaly there. The registration of hairdressers was requested by hairdressers themselves. I support the second reading.

Bill read a second time.

In Committee.

Clause 1 passed.

Clause 2—'Fees.'

The Hon. C. R. CUDMORE—A number of members thought it ridiculous for hairdressing to be made a profession, but Parliament made it a profession. The question of how much hairdressers have to pay to their organization is a domestic matter, but it must have Parliament's approval.

The Hon. K. E. J. Bardolph—Hairdressing is not a profession. A plumber is not a professional man, but a registered plumber.

Mr. C. R. CUDMORE—I merely point out that if we had not, in our unwisdom, adopted it as a profession in 1939 we would not have this Bill. Parliament should not be bothered with small amendments to various Acts.

Clause passed.

Clause 3 and title passed.

Bill reported without amendment and Committee's report adopted.

Read a third time and passed.

Sitting suspended from 5.55 p.m. until 8 p.m.

EDUCATION ACT AMENDMENT BILL.

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

Second reading.

The Hon. R. J. RUDALL (Midland—Minister of Education)—This Bill deals with the long service leave rights of Government employees who transfer to the teaching service of the Education Department. The present law on this topic is that upon such a transfer the employee becomes entitled to long service leave on the scale prescribed for teachers, as if all his service under the Government had been service as a teacher. The South Australian Public Officers Federation has pointed out to the Government that, under these provisions, where an employee becomes a teacher after some years of other service under the Government, he stands a risk of losing the whole or some part of the leave rights which he has accumulated in respect of that service. One of the difficulties arises from the fact that

whereas Government employees other than teachers become entitled to long service leave after 10 years' service, a teacher cannot be granted such leave until he has completed 15 years. Therefore, if a man transfers to the teaching service with 11 years' previous service, he may have to serve four years as a teacher before any of the long service leave which he had earned by his previous service could be granted to him. If he should retire or die before completing the four years' service no leave could be granted. A similar difficulty arises from the fact that in order to qualify for leave in excess of 90 days a teacher must complete 25 years' service. It follows that if a man is transferred to the teaching service after having earned 180 days' leave by 20 years' service he would have to serve a further five years as a teacher before he could be granted the full amount of leave which he had earned before the transfer.

The Government is satisfied that a case has been made out for further legislation in order to preserve the leave rights of persons who transfer to the teaching service. In this Bill, therefore, provisions have been included to ensure that the existing long service leave rights of such transferees in respect of their previous service will be retained and that they will, in addition, be entitled to earn long service leave in the Education Department, due regard being had to the length of their previous service. It is proposed that a person who transfers to the teaching service with less than 10 years' service will be entitled to be credited, for the purpose of leave as a teacher, with one and a half years' teaching service for every year of his previous service as a Government employee. Those who transfer with more than 10 years' service will retain the leave rights earned before the transfer and will, in addition be entitled to earn up to 90 days' leave for their first 10 years of service as a teacher, and a further 90 days for a second 10 years. In no case, however, will a Government employee who transfers to the teaching service be entitled to more than the maximum amount of leave available to a public servant, namely, one year. Although the cases are not likely to be very frequent it is obvious that a case may arise where a person transfers from another department, and as I stated in the first example, until he had served four years he could not get any privileges in respect of leave because he had not served his 15 years as a teacher. I do not know that there have been any actual

cases, but I hope that the House will agree to this provision as I feel it is fully justified. I move the second reading.

The Hon. E. ANTHONY (Central No. 2) —There is little in this Bill. As the Minister explained it is quite plain sailing, but it is rather an innovation, so far as I know, for officers to transfer from any public department to be teachers in the Education Department. No doubt the Minister would like to get a number of them. I support the Bill.

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

[Sitting suspended from 11.55 p.m. on November 28 to 12.30 a.m. on November 29.]

JOINT COMMITTEE ON SUBORDINATE LEGISLATION.

The House of Assembly intimated that it had agreed to the adoption of the report of the Standing Orders Committee relating to the Committee on Subordinate Legislation.

LOCAL GOVERNMENT ACT AMENDMENT BILL.

The House of Assembly intimated that it agreed to the Legislative Council's Amendment No. 1 and disagreed to Nos. 2, 3 and 4 as follows:—

No. 2. Page 3—After new clause 5a insert new clause 5b as follows:—

5b. Amendment of principal Act, s. 169—Assessment of certain areas used for sporting purposes.—Section 169 of the principal Act is amended by adding at the end thereof the following subsection:—

(3) Any land situated in an area in which Division III. of Part X. applies shall during the first five financial years during which the said Division so applies be assessed at one-half of the amount of the land value thereof if—

- (a) the land is occupied by an association or organization of persons the principal object of which is the playing of games on the land by the members thereof; and
- (b) the land is used for the playing of games by a substantial number of the members of the association or organization; and
- (c) the land is 10 acres or more in area; and
- (d) the constitution of the association or organization is such that the members thereof (other than honorary members) are required to pay subscriptions to the association or organization and no payment is made to the members from any of the receipts of the association or organization.

No. 3. Page 5 (clause 12)—Leave out paragraph (j3).

No. 4. Page 8—Leave out clause 23.

Reasons for disagreement were:—As to Amendment No. 2 it gives an undue privilege to a limited number of people, and as to Nos. 3 and 4 it is against the interest of local government to so restrict the powers of local governing bodies.

The Hon. A. L. McEWIN (Chief Secretary) —I move that the Legislative Council's amendments be insisted upon.

Motion carried.

A message was sent to the House of Assembly intimating that the Legislative Council insisted on its amendments.

Later a message was received from the House of Assembly requesting a conference, and intimating that in the event of a conference the House of Assembly would be represented by five managers.

The Hon. A. L. McEWIN moved—

That a message be sent to the House of Assembly agreeing to a conference as requested and that the time and place appointed for the holding of the conference be the Conference Room of the Legislative Council at 1 a.m. and that the Legislative Council be represented by the Hons. S. C. Bevan, C. R. Cudmore, Sir Wallace Sandford, R. R. Wilson and the mover.

Motion carried.

At 1 a.m. the managers proceeded to the conference, the sitting being suspended in the meantime. They returned at 3 a.m. The recommendations were:—

As to amendment No. 2.—That the Legislative Council amend its amendment by leaving out the word "first" in the fourth line, by leaving out the words "during which the said Division so applies" in the fourth line, and by inserting in lieu thereof the words "next occurring after the passing of the Local Government Act Amendment Act, 1951," and by striking out the word "one-half" in the fifth line and by inserting in lieu thereof the word "three-quarters" and that the House of Assembly agree thereto.

As to amendments Nos. 3 and 4.—That the Legislative Council further insist on its amendments and that the House of Assembly do not further insist on its disagreement thereto.

The Hon. A. L. McEWIN (Chief Secretary) —The effect of amendment No. 2 is that whereas the Council's amendment provided for payment of one-half the rates for five years by the bodies in question they will pay full rates for the financial year beginning on July 1, 1951, and three-quarters for the following five years. There was considerable discussion on this amendment and for some time it looked

as if it would be impossible to reach any solution of the deadlock. Finally the Assembly managers suggested that perhaps the Council would consider payment of three-quarters of the rates, which suggestion was acceded to.

Amendment No. 4 dealt with the provision regarding consumption of liquor. There was a very close division in the House of Assembly on this proviso and the Assembly managers accepted an assurance by Council members that they would not in any way consider the amendment.

Amendment No. 3 dealt with contributions by councils to organizations and an attempt was made to arrive at some proposal which would place a limitation on it, but nobody was able to submit a practical suggestion whereby it could be controlled in any way. It was felt that the matter should receive further consideration at some future date when local government legislation was under discussion. I move that the recommendations of the conference be agreed to.

Motion carried.

Later the House of Assembly intimated that it had agreed to the recommendations of the conference.

PROROGATION SPEECHES.

The Hon. A. L. McEWIN (Northern—Chief Secretary)—I move—

That the House in its rising do adjourn until Tuesday, January 15, 1952, at 2 p.m.

As the motion indicates, we have concluded the business of the session and are about to prorogue. Whilst it has not been a long session much important legislation has been dealt with. Two occurrences have affected the atmosphere of the Chamber this session. One was the death of our old respected colleague, the Hon. E. A. Oates. That cast a cloud over this Chamber, but we have been pleased to welcome Mr. Bevan as his successor. He has already had the opportunity of proving his ability as a debater and his presence will be an acquisition to the Chamber. The other sad note this session is the illness of the clerk, Mr. Redman. We miss him this evening and hope that his health will rapidly improve. The efficiency of the House has not suffered because the work of Mr. Combe and his assistant Mr. Drummond has been exemplary. We are fortunate to have officers of their talents. I am not going to deal with each person individually. We have a "Hansard" Staff, the Parliamentary Draftsman and his Assistant, messengers, librarians, and a staff which does much to add

to the comfort of members. They have carried out their duties in such a manner that we can justifiably say "Thank you" to them.

We again appreciate, Sir, that we have been so ably presided over and that you have been able to maintain a fairly even balance of tempers during this difficult period. We hope you will continue in office for many years. To you, and to all honourable members, I wish the best in the coming season and hope that everyone will have a happy Christmas, good health in the recess, and that we shall all meet again when we re-assemble next session.

The Hon. F. J. CONDON (Central No. 1—Leader of the Opposition)—I support the remarks of the Chief Secretary. To you, Sir, I offer the congratulations of the House for your leniency and impartiality in conducting the business of the Chamber. You have always been fair and reasonable, and by your actions you have earned the respect and love of every member. I congratulate the Ministers on what they have achieved. As there are only two of them in this Chamber their duties are indeed arduous. I extend my thanks to those responsible for conducting the proceedings of this House. During the absence of Mr. Cudmore abroad, his deputy, Sir Wallace Sandford—a gentlemanly man of great character—achieved a great deal, and we should be grateful for the courteous manner in which he treated members. I pay a tribute to him for the part he has played this session. One of the greatest losses this Council has ever sustained was the death of the Hon. E. A. Oates, who was in this Chamber for many years. He played a great part in our legislation and we shall always honour and respect his memory. There is one compensation, however, that in his successor we have a man in whom we can have every faith. He has already taken an active part during his short term in our midst. Parliament is a hard life, as evidenced by our experience tonight. It takes a toll of members, but I hope that the chain which has been forged this session will not be broken. It does not matter what our opinions may be, there is always friendship and loyalty to one another, which is appreciated by every member. I thank my colleagues for their loyalty, not only to me, but to the principles of this House—conscience and Godliness. I hope that the loyalty and friendship which has been in the forefront of this House will continue for many years.

The Hon. C. R. CUDMORE (Central No. 2)—I rise first to say how much I appreciate the

work that was done by my deputy, Sir Wallace Sandford, during my absence abroad. I am sure all agree with the sentiments expressed by my friend Mr. Condon and realize the amount of work Sir Wallace did in taking on a job which some people may think is a light one but which, as you know, Sir, is not, having done it yourself for so many years. I wish also to thank my other colleagues for their willing co-operation with him. Now I come to a sadder thing—the shock I had when I came back and missed my friend the Hon. Oscar Oates. We came into this House on the same day, we were on the Land Settlement Committee together and we travelled over large portions of Australia together and I still find it hard to realize that he is not with us. I used to meet him on my way into the House in the mornings and I still feel each morning that there is something missing, for, beyond question, he was a personality and we are the poorer through his death. However, I wish to add a word of welcome to our new member who was elected in his place, and I venture to say he has already made all of us wake up and think when he is speaking, for he displays a knowledge and appreciation of the subject with which he is dealing.

I wish to thank you, Sir, and all members of the staff. I regret that my very great friend, Mr. Redman, is not with us tonight. We all know what a stalwart he is; he was one of the first war people. I congratulate everybody on the way in which our proceedings have been conducted, and without delaying members any longer I would simply like to say that I thank them all for the work they did while I was away and the support they have given me since I came back. I wish them and all the staff a very happy Christmas and express the hope that we will all be back in good health next year.

The PRESIDENT (Sir Walter Duncan)—Before putting the motion I would like personally to thank the Chief Secretary, the Leader of the Opposition and the Hon. Mr. Cudmore for their kindly references to myself. As I

have said before, it is the members who make this Council, and maintain its decorum and reputation. The reputation we have is well worth keeping and it is my ambition to maintain it at the high level which has been built up over many years. I will convey members' expressions of sympathy to Mr. Redman and I am sorry he is not with us tonight, but I particularly congratulate Mr. Combe and Mr. Drummond for the excellent job they have done. Never at any time in my experience have messages gone out as quickly as during this session; in fact it is almost uncanny, when after a debate that is perhaps carried by a majority of one, to have handed me within five seconds a notice for despatch to the other House. It shows that they have watched what was going on and have been able to forecast the result which I have not always been able to do. I congratulate them on the excellence of their performance, because it is never particularly easy to do a job when one is performing it in an acting capacity.

I would like to refer to the wonderful record of attendance which this Council has put up. I do not think any Parliament in the world could beat it. As an example, in the last two days we have sat until after midnight and until 3.30 a.m. and on every division every member of the Council has been present and all are still in their places doing their job. I doubt if any other House anywhere could put up such a record. It also shows that everyone must be in fairly good health or they would not have been able to stand up to the heavy work of the last 48 hours. I hope that good health is a forecast of what is to come and that when we meet after a merry Christmas and the beginning of a happy New Year we will all be back as we are at present.

ADJOURNMENT.

At 3.20 a.m. on Thursday, November 29, the House adjourned until Tuesday, January 15, 1952, at 2 p.m.

Honourable members rose in their places and sang the first verse of "God Save the King."