

LEGISLATIVE COUNCIL.

Wednesday, September 24, 1952.

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

QUESTIONS.**CRUELTY TO PERFORMING ANIMALS.**

The Hon. E. ANTHONY—With a view to implementing a promise made some two years ago, does the Government intend to introduce legislation for the purpose of protecting performing animals exhibited for the purpose of entertainment?

The Hon. A. L. McEWIN—I cannot remember such a promise made two years ago but the honourable member did ask whether the Government intended to introduce legislation on the lines of the British Performing Animals (Regulation) Act and I obtained a report from the Assistant Parliamentary Draftsman which is as follows:—

The Performing Animals (Regulation) Act, 1925, of the United Kingdom makes provision as follows:—

(1) The Act does not apply to the training of animals for *bona fide* military, police, agricultural or sporting purposes, or the exhibition of any animals so trained.

(2) A person may not exhibit at any entertainment to which the public are admitted or train any performing animals unless he is licensed by a local government authority.

(3) If it is proved to the satisfaction of a court of summary jurisdiction on the complaint of a police constable or a local authority that the training or exhibition of any performing animal has been accompanied by cruelty and should be prohibited or allowed only subject to conditions, the court may make an order prohibiting the training or exhibition or imposing conditions thereon.

Whether or not any such legislation should be considered appropriate to be enacted in this State would obviously depend on whether animals are trained to any substantial degree in the State for exhibition purposes. It is, however, highly probable that the number of cases where animals undergoing training in South Australia is very small and that there is no justification for special legislation, particularly when it is borne in mind that if, in the course of training or exhibition, any animal is ill-treated, that conduct is already an offence under the Prevention of Cruelty to Animals Act.

On that report I think that any abuse or ill-treatment of animals in this State is covered by existing legislation.

PERMITS FOR ROAD HAULIERS.

The Hon. E. ANTHONY—Has the Chief Secretary a reply to the question I asked last week regarding permits for road hauliers?

The Hon. A. L. McEWIN—The Chairman of the Transport Control Board has advised as follows:—

The Road and Railways Transport Act is an Act which provides for the co-ordination of traffic by rail and by road. The Transport Control Board must have regard to this factor in administering the Act both in respect of intrastate and interstate haulage. The Board considers every application on its merits. As an illustration of the consideration of the Board to *bona fide* applicants, the following figures speak for themselves:—For the period September 5 to September 19, 425 applications supported by consignors for permits were received, 422 were approved and only 3 rejected.

It should be noted also that the registration fees and permit fees levied on hauliers in South Australia are far below those of any other State.

STAMP DUTIES ACT AMENDMENT BILL.

Read a third time and passed.

HOSPITALS ACT AMENDMENT BILL.

Read a third time and passed.

**MINISTER OF AGRICULTURE
INCORPORATION BILL.**

Read a third time and passed.

**LAND SETTLEMENT ACT AMENDMENT
BILL.**

Read a third time and passed.

STATE BANK ANNUAL REPORT.

The PRESIDENT laid on the Table the annual report of the State Bank of South Australia, together with profit and loss account and balance sheets, for 1951-52.

FRUIT FLY ACT AMENDMENT BILL.

Second reading.

The Hon. R. J. RUDALL (Attorney-General)—I move—

That this Bill be now read a second time. The Bill is for the same purpose as the previous Bills dealing with the campaign for the destruction of fruit fly. In January of this year, after investigating reports received by the Department of Agriculture, the Government deemed it advisable to make a regulation preventing the removal of fruit from certain areas in Adelaide and the southern and eastern suburbs. In April a further regulation was made prohibiting the growing of certain plants in the same area. In accordance with the policy previously approved by Parliament it is proposed that persons who suffer loss as a result of these regulations or action taken

under them will be entitled to compensation. The Bill provides for this and will also apply to any further regulations prohibiting the growing of plants which may be made during the current calendar year.

The Hon. S. C. BEVAN secured the adjournment of the debate.

PRICES ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from September 23. Page 597.)

The Hon. Sir WALLACE SANDFORD (Central No. 2)—This Bill seeks to do two things. Firstly, arising out of a request by the Commonwealth Government, all States have been asked to pass legislation dealing with the price of dairy produce, in particular butter and cheese. The need for this arises out of the Commonwealth Government's Dairy Industry Stabilization Plan, which came into operation on July 1 of this year. Many people do not realize the size of the subsidies which have been paid during the last 10 years either to maintain the local price at a lower figure than it might have gone to or to stimulate the Commonwealth's dairy production. From July, 1942, to March, 1943—a matter of nine months—the total payments were £1,288,000. These payments went on year by year and in the last three years the amounts have been approximately £8,500,000, £14,800,000 and £15,000,000. To summarize the position, the total payments from July, 1942, to May, 1952, come to the very big sum of £76,500,000. The new stabilization plan has been introduced and it is proposed to continue it for a period of five years. For the 12 months commencing July 1, 1952, the Federal Government proposes to pay a subsidy of approximately £16,450,000 of which £14,900,000 is to be paid to butter manufacturers and £1,500,000 to cheese manufacturers. As a basis for the payment of this money, which is referred to as the new Five-Year Dairy Industry Stabilization Plan, the Commonwealth has determined ex-factory values for butter and cheese. The ex-factory price, or the payable price to producers has been arrived at by a survey of costs throughout the Commonwealth by the Joint Dairy Industry Advisory Committee appointed by the Commonwealth Government for that purpose. In future they, together with the Bureau of Agricultural Economics, will advise the Commonwealth Government each year regarding values necessary to stabilize the industry and thereby to stimulate production. I think it can be said that it is hardly reasonable to ask the Commonwealth

to give a blank cheque when so much is involved. This Bill is really to protect the Federal Treasury which finds the money for the subsidy to be enjoyed by the industry.

We are told that each State is to pass legislation on the same lines but we have seen attempts made in this direction in the past. The amendment confronting us deals with the South Australian Prices Act, but unless the Prices Acts operating in all States are identical it seems that the result can easily be confusing and make for interminable future discussion. I would prefer a Bill dealing only with butter and cheese. The Commonwealth's request is, to my mind, by no means unreasonable, but on the contrary it is eminently desirable and generous and certainly of a direct and real advantage to our State dairy producers. Clause 4 provides for the continuation of the present Prices Act for one more year.

The Hon. F. T. Perry—If the price of butter falls does the subsidy drop?

The Hon. Sir WALLACE SANDFORD The Commonwealth is going to stimulate the industry by guaranteeing a price which will cover the cost of production and consequently only a general fall in other things can involve the subsidy.

The Hon. E. Anthony—What proportion of the subsidy will go to the producers?

The Hon. Sir WALLACE SANDFORD—All of it. Even the clerical work is done by the factories on behalf of the industry. They receive amounts, through the Equalization Committee in this State and various interested channels in other States, and payments will be made for both butter and cheese to the factories which will pass on the subsidy to the farmers.

The Hon. S. C. Bevan—That should reduce the price of butter.

The Hon. Sir WALLACE SANDFORD—The price of butter will be fixed. I have given a formidable list of the names of the committees which, with the Bureau of Agricultural Economics, will work out the true cost of production and advise the Commonwealth Treasury, through the Departments of Agriculture, what it has been calculated is the cost of production in each State. Secondly, clause 4 continues the present Prices Act in South Australia for one more year. Mr. Cudmore said yesterday that he regretted that he had been persuaded that there was any necessity for a continuance of price control. It always seems to be so easy to have these controls imposed but it is most difficult to remove them. I have understood that price control was a war measure, but

although nearly 10 years have since passed price control is still with us. However, I regard the subsidy of very great value to the industry, although I am of opinion that a better way of implementing it would have been by a special measure. In the hope that next year will see the end of prices legislation generally I support the second reading.

The Hon. S. C. BEVAN (Central No. 1)—I cannot subscribe to the opinion of previous speakers that the time has arrived when price control should be abandoned, as it is still necessary for a number of commodities, apart from those mentioned in the Bill. Mr. Cudmore said yesterday that it was time that price control ceased. He went on to say:—

It is with great regret that I have been persuaded that there is any necessity to continue price control.

That statement is a contradiction of his first one. First he said that price control should cease and then said it was with regret that he had been persuaded it was still necessary to continue it. My view is that price control is still necessary. Mr. Cudmore complained about the hardship caused to certain business people because prices were fixed and said they could not increase their charges to meet quarterly basic wage adjustments. I point out, however, that there is a three months lag between the fixation of prices and the fixing of the basic wage. The mere suggestion of price fixation has nothing whatsoever to do with the movement of the basic wage and has proved to me that if price control were eliminated prices would immediately move, and chaos would soon arise in regard to retail prices. It has been argued that prices will find their own level, but in the course of that the community generally will suffer considerable hardship.

Mr. Cudmore also referred to the position of the oil companies. Members know that the companies which operate here operate in other parts of the world and are very wealthy. I think I am safe in saying that millions of pounds are spent by them in advertising. Mr. Cudmore gave an illustration of that yesterday and displayed an advertisement which appeared in only one publication, but this advertisement has been appearing daily in more than one. The oil companies are continually clamouring for the Prices Commissioners to increase the price of their commodities. They plead poverty and say they cannot meet the additional cost of distribution, especially in country areas, yet their funds permit them to spend millions in advertising. It has already been indicated in the press that the Prices Commissioners will

agree to a further increase in petrol and oil prices, which I think is unwarranted. It is an illustration of what will happen if price control is abandoned at this stage. Doubtless the price of petrol and oil could be far greater than it is today.

Sir Wallace Sandford pointed out that, actually, the Bill extended the control of butter and cheese for only 12 months. If we do not agree to an extension of prices regulations the price of these two most important commodities would soar considerably, forcing still higher the cost of living. We would find that if the price were not controlled it would definitely increase, and the cost to consumers generally would force up still higher their price every quarter. Let me quote from a report which appeared in the *Advertiser* of September 19 last, under the heading "Victorian Dairymen 'Get £1,000 for a month'":—

At a stormy annual meeting of the Archie's Creek Dairy Produce Co. Ltd., the chairman of directors (Cr. F. Durling) revealed that 12 members had collected over £1,000 for one month. Another 23 had been paid more than £800, he said. Some had gone on "wild buying orgies" with the money. Local dairyman, Mr. E. Ireland, claimed that the figures should not have been released. "It gives housewives a chance to throw it up at us, and is detrimental to our organizations fighting for higher prices," he said. Another farmer, Mr. P. Dwyer, said that the figures were embarrassing but it should be remembered that expenses had to come from the payments. The company showed a profit for 1951-52 of £31,724 from a record turnover of £928,374. Higher returns are expected this year following further retail price rises in butter.

If we can be guided by that report I can only imagine that if this legislation were not carried we would be faced with higher prices in view of the statement that "they are expecting higher returns following further retail price rises in butter." I suggest, therefore, that further control of this commodity is necessary. As I understand it the Bill places the control under one single authority, but the administration in the hands of the various States. This is governed by clause 3 to which Mr. Cudmore took exception yesterday. I feel it would have been far better had the whole of the price-fixing machinery remained under one authority instead of reverting to the States, for the States separately cannot adequately control prices of goods in short supply.

The Hon. E. Anthony—The Commonwealth showed that it could not do so.

The Hon. S. C. BEVAN—It showed that it could adequately control prices under a single

authority and I still maintain that six different price-fixing authorities cannot have adequate command of prices.

The Hon. R. R. Wilson—What caused so many dairymen to go out of production two years ago?

The Hon. S. C. BEVAN—The extremely high price of wool. The dairymen found that they could be far better off if they sold their cows and ceased working 10 or 12 hours a day seven days a week. They put the money obtained from the sale of their cows, plus possible savings, into sheep, and in my opinion the dairymen will stay there, for I do not think they will be anxious to go back to the long hours of work for the returns they were getting. Statistics reveal that the production of butter and cheese has actually increased, though the amount per capita has fallen, due, I imagine, to the increase of population. We must support this Bill and continue price control of these commodities which are everyday lines.

The Hon. E. Anthony—You cannot say butter is in short supply now.

The Hon. S. C. BEVAN—We are told it is. If not, the arguments advanced by some members about decreased production falls to the ground.

The Hon. E. Anthony—Thousands of tons are being exported.

The Hon. S. C. BEVAN—I readily agree that the biggest proportion of our butter and cheese production goes overseas and that it is necessary to export those commodities to permit the English people to have at least a taste of butter.

The Hon. E. Anthony—It is going to Italy and other places.

The Hon. S. C. BEVAN—A considerable quantity is going to England. I would like to see the whole of our manufacture kept for our own consumption, for we would then find that the retail price would fall to about 2s. a lb. and the producer would still be getting a good price. We should attempt to increase our production and cheese as they are everyday commodities. I subscribe to Mr. Condon's view that the Government should do something to increase the State's quota of margarine. It seems farcical to import it from other States when we could manufacture it in our own State, thereby perhaps relieving the pressure on butter consumption and enabling Australia to export more. It would certainly relieve the housewife considerably, because if she could

obtain a high grade table margarine a considerable amount would be used for cooking purposes, allowing butter to be used more on the table. I know of many homes in which the use of butter is restricted; children coming home from school are told, "We have not too much butter, have a piece of bread and jam."

The Bill is only for a period of 12 months, and if it is necessary next year to continue control of these commodities we will have another opportunity to debate it.

The Hon. J. L. COWAN secured the adjournment of the debate.

BUILDING OPERATIONS BILL.

Adjourned debate on second reading.

(Continued from September 23. Page 599.)

The Hon. E. H. EDMONDS (Northern)—Clause 2 repeals all existing legislation controlling the use of building materials and I feel that everyone would be quite happy if that were the end of the matter. However, we have been told that it is still necessary to carry on at least some control for the reason that many people still require homes and the Bill directs industry to that end. Reviewing the six years in which controls have operated I think we must say that the results generally have been satisfactory and that those charged with the administration of the Act have done a reasonably good job. Undoubtedly anomalies have been brought under our notice, but they are the inevitable consequence of an endeavour to administer a matter of this character. I have found those in charge of building controls have always been prepared to give sympathetic consideration to representations by members on behalf of constituents and generally the officers concerned have attempted to do their best for the people most intimately affected.

To the end of June, 1951, the Housing Trust erected 8,034 homes, including those in the country. Figures for other housebuilding organizations are not readily available, but if we take a line through what the trust has achieved we must agree that at least they have done a fairly satisfactory job having regard to the difficulties confronting them—shortage of material, and at one stage a grave shortage of skilled labour.

The Hon. E. Anthony—Neither of which applies today.

The Hon. E. H. EDMONDS—Fortunately not to the same extent and that, of course, is the reason why the Bill removes many controls. How far the figures I have mentioned would have been approached had operations been left

to private enterprise is a matter for conjecture. Some members have consistently contended that private enterprise would have made a better job of housing. We must appreciate that whilst there was a definite and legitimate shortage of materials there would certainly have been keen competition to secure those which were available, and I think that the authority which was established was the best means of overcoming the difficulty.

The Hon. S. C. Bevan—The ordinary home-builder would not have got any materials.

The Hon. E. H. EDMONDS—The Bill provides for an appreciable relaxation of existing controls and with two exceptions no control is proposed over the use of any specific material. It will be competent for any person to build for his own occupation, or the occupation of an employee, a house not exceeding 18 squares. That should enable a person to build a comfortable and roomy home. If he desires to exceed 18 squares he must apply for a permit. Concessions have been extended in regard to outbuildings and a person can build to three squares for a sum not exceeding £300. That is an advance on the £150 previously allowed. Additions to houses built after the commencement of the war are permissible to 18 squares. That is a fair concession because people had to restrict houses to 12½ squares but many built with the object of adding to them. It is not proposed to control repairs to premises and many properties undoubtedly depreciated because of restrictions. The only control to be exercised is in the use of cement and cement products of South Australian manufacture which are evidently still in short supply. However, I notice that the Premier said it was confidently expected that the supply of red building bricks would be equal to the demand early in 1953 and probably, if that happens, the provisions will be so elastic that the control will be removed. A permit is required for the use of galvanized iron in certain cases and is a continuance of the policy of giving priority to those building in the country. Australian galvanized iron can be used for guttering or for repairs to buildings with galvanized iron roofs. That will be appreciated because many galvanized iron roofs have deteriorated and because of the expense of purchasing imported iron owners were debarred from making necessary repairs.

Another important feature is that which provides for any deposits paid to contractors to be placed in a trust account. There have been unfortunate instances when people of apparently high integrity have got themselves

and others into trouble because of the fast and loose manner with which they have played with building deposits. Many people put their life savings into house deposits only to find that they lost their money and had no hope of recovering it from those with whom they contracted to build. I cannot think of anything sufficiently drastic to prevent such happenings.

The Hon. C. R. Cudmore—That provision is made retrospective isn't it?

The Hon. E. H. EDMONDS—I believe so. We would all be happier had the necessity not arisen for again reviewing this legislation because it would have died a natural if somewhat lingering death. Evidently, there is still a need for some control over the use of building materials and I support the Bill.

The Hon. E. ANTHONY (Central No. 2)—I am quite prepared to admit that the Bill does relax the severe restrictions on house building to which we have been subjected for a number of years. Year after year the Government introduces legislation to re-enact these controls and each year members support the measures because the Government says that they are necessary. When controls were imposed there was a definite shortage of labour and materials but the position has completely altered and some industries are becoming embarrassed by the amount of material on hand. I took care to examine the position and the manager of a large distributing firm said that there was no lack of almost all kinds of materials. I thought there might be a shortage of timber—and there probably is of *pinus radiata*—but the secretary of the Timber Distributors Association told me that they were embarrassed by the supplies of timber on hand.

When young servicemen returned they sought and found employment more to their liking than the brickmaking industry in which they previously worked but today they are returning to brickmaking and the supply of bricks will soon be more than equal to the demand. Why should we continue these controls? I have yet to learn that when a person is "cabin'd, cribb'd and confined" he can breathe better, or if his legs are hobbled he can run better, or can fight better if his hands are tied behind his back. That is what controls are doing to industry and I question whether the best-informed man can predict just what effect these controls have had on industry. Some industries are obliged to employ a large staff merely to keep in touch with the constant alterations in prices. That staff could be better employed in work adding to the wealth

of the country. One could multiply the ramifications of the implication of these controls. Like most of us, the people generally believe in freedom and I cannot understand why we continue with these controls year after year. There appears to be a great dislike to alter the system. I read a most interesting article recently by a visiting American, who spent some time in the Northern Territory inquiring into the possibilities of the expansion of the beef industry there. He spoke of the effect of controls in his own country and said:—

The two commodities mainly relied on to maintain the proper balance have been wool and wheat. The major one, wool, has been uncontrolled, and has been sold at world prices. Wheat, on the other hand, has been tied to an international agreement. And controls have led to a substantial drop in wheat exports. I am opposed to all these controls and have constantly said that the sooner we get back to free trade and a proper flow of it the better off everybody will be. I could never understand members of the Labor Party voting for these controls because it is the masses of people they represent who are the hardest hit. They are all workers who are harassed every day of their lives by controls. Housewives have banded together to form a body of vigilantes. They have been forced to do so in self defence. They visit shops interfering with people in business, but they cannot help it. They are endeavouring to get the prices of commodities down so that they can, in some measure, balance their budgets. It must be a hard job for them. The visiting American continued:—

In meat, too, the export figures show something of the general effect of controls. In 1937, or immediately following the imposition of controls; Australia's total meat exports were 217,900 tons. In 1951, after the full effects of controls had been felt, exports were 110,500 tons; and from some forecasts I have heard, 1952 exports will be even lower.

The Hon. A. L. McEwin—It took him 15 years before he could get a year to quote.

The Hon. E. ANTHONY—I am sure that the Chief Secretary does not want controls; I know his history better than that. I knew his father, too, and do not know what he would have thought had he been forced to live under these conditions. The American went on:—

Local controls played an important part in this decline.

Apparently controls have had the same effect, wherever they operate. Year after year we, as a Party, have advocated a continuance of these controls. It is wrong. Members have been told by people engaged in the industry that

there is plenty of butter and cheese on hand. We have been asked to assist the Government to impose further controls, but they should be discontinued at once. Although it may be necessary to have controls on things which might be in short supply—

The Hon. A. L. McEwin—That is all the Bill seeks to do.

The Hon. E. ANTHONY—Let us remove the controls.

The Hon. R. J. Rudall—We have removed a lot.

The Hon. E. ANTHONY—I compliment the Government for having done so. Other States removed controls two or three years ago and it is time we removed ours. The passing of this legislation will force us to continue certain controls. I definitely disapprove of controls in general. I trust that members will feel strongly enough on this matter to vote against the Bill in order that we can get back to some sort of sanity in our commercial dealings. I oppose the Bill in the hope that others will follow a good lead.

The Hon. F. T. PERRY (Central No. 2)—I think members understand Mr. Anthony's ideas. Those who have opposed restrictive legislation, such as price control and building materials control during the last few years have done so with the idea that although they were necessary the Government was right under existing conditions in its attempt to control building materials. There has been not only control of materials, but of the number of rooms and the type of properties which could be erected. The Government could have accepted the present as an opportune time for getting rid of restrictive legislation affecting building materials. Some States have, by legislation, totally removed restrictions on buildings. I do not think the Government wants to continue the control of building materials indefinitely, as the Bill indicates that it intends to progressively de-control certain items. The Bill foreshadows that the control on cement will end next February, presumably because cement production by South Australian manufacturers then will be sufficient to meet requirements.

The Hon. C. R. Cudmore—That is to say, the Bill will operate for only two months.

The Hon. F. T. PERRY—As regards cement, yes. The Government appears to be stretching things to a far greater extent than it should have bothered about. I do not oppose the Bill and feel that the Minister who is in charge of the issue of permits, through the Building Materials Office, is doing a good job. I think

that the Building Materials Office will be most anxious to get rid of these controls. The position does not appear to have been looked into as clearly as should have been the case. We are going too far by extending the control of certain articles. Notwithstanding that the Government has introduced a Bill to continue controls, it reserves the right to reduce the period of control. I feel, like Mr. Anthony, that if there is a suggestion at some future date of continuing control of building materials this Chamber should not accept it. I trust that not only will cement and other materials be de-controlled, but that control over the size of properties will be waived.

The whole building industry has been forced into a most undesirable position. We have a large number of home builders. I do not object to home-building, but it is dangerous to allow people who are not tradesmen to use essential, good materials in the construction of buildings. Their use could, in many instances, be spoilt

by inexperienced tradesmen and it would not be in the interests of buyers when the buildings are later sold. We should put the building industry on a proper basis whereby anybody has a right to build a home of any size and a builder the right to erect properties, whether for his own use or that of others, or even build for speculative purposes. Building will then get back to the stage where only trained builders will operate. Many of the homes erected today will not be as permanent as if they are built by qualified tradesmen. I hope that this will be the last we will hear of building controls. Although I support the Bill on this occasion I hope that the restrictions contained in it will soon be removed.

The Hon. C. R. CUDMORE secured the adjournment of the debate.

ADJOURNMENT.

At 3.15 p.m. the Council adjourned until Tuesday, September 30, at 2 p.m.