LEGISLATIVE COUNCIL.

Tuesday, December 1, 1953.

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

LEAVE OF ABSENCE: HON. C. R. CUDMORE.

The Hon. Sir WALLACE SANDFORD moved—

That one week's leave of absence be granted to the Hon. C. R. Cudmore on account of ill-health.

Motion carried.

PARLIAMENTARY PAPERS.

The Hon. A. L. McEWIN (Chief Secretary) moved—

That it be an order of this Council that all papers and other documents ordered by the Council during the Session, and not returned prior to the prorogation, and such other official reports and returns as are customarily laid before Parliament and printed, be forwarded to the President in print as soon as completed, and if received within two months after such prorogation, that the Clerk of the Council cause such papers and documents to be distributed among members and bound with the Minutes of Proceedings; and as regards those not received within such time, that they be laid on the table on the second day of next Session.

Motion carried.

COLLECTIONS FOR CHARITABLE PURPOSES ACT (RED CROSS SOCIETY).

Adjourned debate on the motion of the Hon. A. L. McEwin (for motion see page 1665).

(Continued from November 26. Page 1665.)

The Hon. F. J. CONDON (Leader of the Opposition)—The services rendered by the Red Cross Society during and since the war are well-known and appreciated. The sum of £27,034 6s. 8d. was raised by public subscriptions for the purpose of building a hospital for the treatment of tubercular soldiers, but fortunately that hospital has not been necessary. About 10 months ago the society asked that the money be diverted to some other purpose and this Bill gives effect to that request. The society was unable to obtain a building permit in 1946 or 1947, but in 1948 tenders were called and the estimated cost of building a hospital was £371,000. The money was specifically raised for the erection and equipping of a sanitorium but is now to be diverted to the general purposes of the society in this State. I suggest that it would be better if the money were devoted to the Children's Hospital, the Y.M.C.A., the Salvation Army or some other body which performed wonderful service during the war. The South Australian division of the society has assets to the value of £663,236 and last year, although its expenditure was £27,369 in excess of income it is obviously financial and it would have been a fitting gesture on its part to divert this money to some other worthy charitable organization. Although I know the Red Cross Society has done much good work, I would have opposed this motion but for the letter it wrote to the Chief Secretary requesting that this be done. Because the society asks that the money be diverted, I support the motion.

The Hon. R. R. WILSON (Northern)—A committee was elected to inquire into the way the money collected by the Red Cross Society should be used. Two members of this committee were Mr. T. C. Eastick and Mr. W. F. McCann. After the matter was carefully considered the committee had no hesitation in recommending that the amount be now used for the purposes set out in the motion. The money was collected from the public for tubercular ex-servicemen, but the Commonwealth has now provided accommodation at Belair to meet the requirements of these men, and if there is any overflow they are taken to Bedford Park. The Belair Sanatorium has proved a real benefit to sufferers from tuberculosis because of its situation and the climatic conditions there. I pay a special tribute to the Red Cross Society for the valuable work it has done for many years, not only in this country but in other parts of the world. The Minister stated that this money would be used chiefly for blood transfusion purposes. I have attended meetings of the Red Cross Society of recent years, and I know that they have a problem in obtaining sufficient donors. I appreciate the way the people have responded to requests, because this has saved many lives. A few weeks ago my daughter had to have two blood transfusions in one day, and these saved her life. As the money collected can be used in this direction it will be a worthy move, and I support the motion.

The Hon. J. L. S. BICE (Southern)—I support the motion, and in doing so express my appreciation of the information supplied by the Minister. One pleasing feature was his statement regarding the incidence of tuberculosis in returned soldiers from the last war. I am associated in a minor way with the Red Cross Society, and during a conference held last September Dr. I. B. Jose gave a very

informative and illuminating address to delegates, in which he stated that the daily quantity of blood used last year was 21 pints, but has increased this year to 28 pints. The society has acquired a building on East Terrace, and the various branches are doing their utmost to equip it and to obtain blood doners. The transfer of this money to the general funds of the Red Cross Society is a move in the right direction, so I have very much pleasure in supporting the motion.

Motion carried.

PRICES ACT AMENDMENT BILL.

Read a third time and passed.

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

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

EMPLOYEES REGISTRY OFFICES ACT AMENDMENT BILL.

Second reading.

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

That this Bill be now read a second time.

The purpose of this Bill is to enable licensed registry office keepers to charge higher fees than are at present permitted under the Employees Registry Offices Act, 1915-1939. The Act provides for the licensing and control of employment agencies and, among other things, fixes a scale of maximum fees payable by employer and employee at various rates of wages. This scale was drawn up in 1915, when the basic wage was £2 8s., and has gradually become more and more out of date. The scale, after dealing with rates of wages of less than 35s. a week, finally lays down minimum fees of 7s. payable by an employee and 9s. by his employer on the making of a contract of hire where the rate of wage exceeds 35s. This means that however much a rate of wage is in excess of 35s. the same fees of 7s. and 9s. are still payable. The fees fixed by the scale for the employment of married couples similarly stop short at the same amounts where the wage rate exceeds 20s. a week. The scale fixes fees of 5s. payable by an employee and 5s. payable by his employer for an engagement of a temporary character and not at a fixed wage.

The low fees chargeable under the scale have made it practically impossible for private employment agencies to remain in business, and only a very small number are now carrying on. The principal Act was never intended to have this effect, but only to prevent exploitation. The Government believes that private employment agencies serve a useful function. In particular, they enable country people and country hotels to obtain suitable and reliable employees. It is a great convenience to people living out of Adelaide to be able to employ an agency which will take considerable trouble to investigate references and find suitable applicants. It also seems that hotels, private hospitals and schools in Adelaide require the services of private agencies to get good employees. The Government has obtained a report from the Chief Inspector of Factories on the question. He states:—

I am satisfied that they (private employment agencies) are still serving a useful purpose, particularly to the country and outback people who have continued to obtain their staffs through this medium as licensees go to greater trouble to secure employees in order to retain their clientele.

The Government does not desire that private employment agencies should be forced out of business by the provisions of the principal Act and accordingly this Bill amends the principal Act to relieve them from the effects of those provisions.

Under the Bill private employment agencies will in future be permitted to fix their own fees subject to certain safeguards. The scheme proposed is a considerable departure from the scheme of the principal Act, but the Government believes that the safeguards provided will be sufficient to prevent exploitation. This belief is strengthened by the knowledge that private employment agencies in Western Australia have been permitted to fix their own fees under the law of that State for many years and that the system has worked satisfactorily, even though fewer safeguards are provided. The Government feels that in any event, so long as the Commonwealth maintains free employment agencies that the chances of exploitation will be slight.

The details of the Bill are as follow:—Clause 3 re-enacts section 13 of the principal Act and enacts new section 13a. Under section 13, as re-enacted, the licensed keeper of a registry office will be permitted to fix his own scale of fees. However, the section requires him to deposit a copy of the scale at the office of the Inspector of Factories and to keep a copy posted up in his office in a conspicuous place. Under the section the scale must show the maximum amounts chargeable to employees and employers. Also the scale must not provide for recurring payments. This provision is intended to prevent the charging of fees in the

nature of commission payable from time to time throughout the duration of the employment.

New section 13a requires a printed copy of the scale of fees to be printed on or enclosed with any letter relating to the hiring of an employee which is sent by a licensee and on which his name or business name is printed. Clause 4 makes two consequential amendments to section 14 of the principal Act and amends section 14 to provide that a licensee may not charge an employee more than he charges his employer. Clause 5 enables a licensee to require payment of a deposit which, however, is to be repayable on demand. Clause 6 strikes out the existing scale of fees.

The Hon. F. J. CONDON (Leader of the Opposition)—The main object of this Bill is to increase the fees which may be charged by private registry offices. After the war the Commonwealth Government commenced an employment service, and very few private organizations exist today. The Bill provides the necessary safeguards, and I therefore see no objection to it. I support the second reading.

The Hon. C. D. ROWE (Midland)—Although considerable discussion took place on this measure in the House of Assembly there is no reason why it should be delayed here because it is a good piece of legislation. As the secretary of a small country hospital for over 10 years, I know that private agencies have rendered a valuable service to people wishing to engage specialized labour. On many occasions when patients have had to be rushed to this hospital and it has been necessary to obtain additional staff, private agencies have performed a valuable service to the hospital in a field apparently not covered by the Commonwealth service. I make no comment about the increased fees, because it is obvious that some adjustment from the charges enacted in 1915 is necessary. These increases apparently are acceptable to everyone, so they are acceptable to me. However, many people in the country are not aware of the existence of these agencies and of the service they can render in securing, in most cases, satisfactory employees. I have spoken on this matter partly because many expensive telephone calls and many delays could be avoided if people knew they could contact these agencies, which have contacts not available to the average person outside the metropolitan area. I have pleasure in supporting the second reading.

Bill read a second time and taken through Committee without amendment; Committee's report adopted.

WORKMEN'S COMPENSATION ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from November 26. Page 1670.)

The Hon. F. T. PERRY (Central No. 2)—Amendments of the Workmen's Compensation Act, brought forward either by the Government or the Leader of the Opposition, have come before Parliament almost every session in recent years until finally an Act has been evolved in which the political point of view is given greater weight than I think should be the case. Workmen's compensation is one of the few matters left to Parliament which affects the daily avocation and compensation of workmen; wages and conditions of employment are dealt with by the courts, but this matter has remained to Parliament. In consequence we have a political view on this question which has gone, I think, beyond what could be reasonably expected as a tax on employers and industry. I do not blame Parliament for considering the question, but I think the political point of view has rather outweighed considerations of justice to employer and employee and the public.

In its last policy speech the Government intimated its intention of appointing a committee representing employers and employees, under an independent chairman, with a view to bringing forward considered amendments which it was hoped would satisfy everybody. This Bill is the result of the findings of that committee and I pay a tribute to it for the work it has done. The committee consists of Mr. Bean, the Parliamentary Draftsman, as chairman and a representative of employers and a representative of employees. Members should consider this matter from the point of view of costs. In 1952 workmen's compensation cost South Australian industry over £1,000,000. The metal industry pays 52s. per £100 premium to cover workmen, the cost to the employer for each employee being 7s. a week. A farmer pays 2 per cent or approximately 5s. a week for each employee and the quarrying industry employer pays 6½ per cent or over £1 a week for each employee. Workmen's compensation does have an affect on industry and on the costs of the articles manufactured. I do not oppose the payment of reasonable compensation to an employee who meets with an accident in the course of his employment but I do not

agree that industry should compensate him to the extent of his normal weekly wage. There are other forms of insurance—social service benefits, friendly society benefits, personal accident insurance and sick and accident funds—to which the employees can subscribe. It is also the duty of the employee to safeguard himself against illness or accident and industry should not be expected to compensate a man to the extent of his normal weekly wage. Some industries which do not have to meet overseas competition or competition from other sources might be able to fully compensate a man but industry, as a whole, should not be saddled with such a tax because it could be passed on in the cost of goods manufactured.

Accidents can occur in a number of ways and on occasions are due to some extent to the negligence of the person injured. There is nothing to prevent a man from taking out a personal accident policy for his own benefit. In many cases accidents occur to employees in the home, on the street and elsewhere outside the employers' workshops. The whole community is prone to accidents and the community should share in the cost. In the last few years there has been a tendency to introduce into the scope of the Act provision for compensation to an employee who is injured on his way to or from his place of employment. The employer is responsible if an accident occurs within his premises or when a workman is under his direct supervision but it is foreign to the principle of the Act to suggest that it is an employer's responsibility if a workman is injured on his journey to or from employment. That is a normal risk an employee must take. I propose to move an amendment to clause 3 to make it clear that an employer is only responsible for compensation if an accident occurs to a workman under his direct control. I accept the Bill generally because it has been considered by a committee of responsible persons and I accept the spirit of the Committee's findings.

The Hon. K. E. J. Bardolph—Why not accept the principle of the findings?

The Hon. F. T. PERRY—I do, but I desire to clarify the position. The employer should be obliged to pay compensation when the employee is under his control because that is only reasonable. While the other power is an increase in the compensation for a fatal accident and is perhaps little enough from a sympathetic point of view, it also increases the maximum amount that both married and single men can obtain, and gives other advantages. With the acceptance of these amendments I hope we shall have heard the last of this legislation, instead of having to consider amendments annually. I support the second reading, but at the appropriate time I will move an amendment to clause 3.

The Hon. K. E. J. BARDOLPH (Central No. 1)—I support the second reading, and at the outset say that I disagree with Mr. Perry. I emphasize the fact that Parliament is the only authority that can legislate for workmen's compensation, factory laws and other matters, and the Constitution provides machinery for the fixing of wages by arbitration. I was surprised that Mr. Perry, with his vast experience in heavy industry, objected to a determination of this issue by Parliament. He said that for every £100 of wages paid a tax of 52s. is imposed on industry, and that this means a yearly imposition of £15 for each worker in industry. We hear justified plaudits of the economic advancement of this State, but we must pay tribute not only to the management but to the workers who constitute the major portion of the producing force and the consuming community. The figure quoted by the honourable member is not an imposition on industry, because the amount is calculated on the year's wages and the whole amount is passed on to the consumers. He made a plea for voluntary insurance by the workers themselves, but under the present system, with employers passing on the imposition of workmen's compensation, employees are indirectly paying the whole contribution.

If we go back into history we find that in the early establishment of the trade union movement and in the development of the industrial movement Lord Shaftsbury was the first to introduce laws governing the working of children in factories and mines, and these have been followed throughout the years, not only in England but also in the industrialization of Australia, showing that Parliament is the only competent authority to pass legislation affecting those who work in industry. Mr. Perry said that it is not the function of Parliament to pass this legislation and to review it from time to time, and stated that there should be some form of private safeguard by means of a personal policy taken out by employees. He spoke about people playing football matches and of the danger in so doing, but the danger is not so much apparent there as it is in industry because of the concentration of machinery used. His amendment will not help the smooth working of this Act. In the last analysis Parliament attempts to provide that

after legislation has been placed on the Statute Book it will work smoothly in the interests of the people generally.

The protection of the worker on his way to and from work is essential. The cost will be passed on to the consumer. On the question of whether or not it is the function of Parliament to legislate in this direction, I point out that the Commonwealth and State Parliaments have provided for the protection of various industries. The Commonwealth Government has done so by means of protective tariffs, but I have not heard any objections raised by the captains of industry to the implementation of those powers. I congratulate the committee that inquired into this matter and, although it did not reach a unanimous decision, nevertheless the employees' representative accepted that the legislation should be brought up to date and placed on a similar footing to that in the other States as far as possible.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—''Liability of employees''.

The Hon. F. T. PERRY—I move—

In the third line of new subsection (2) to delete ''on'' and insert in lieu thereof ''while the workman in the course of'' and in the fifth line to delete ''if such journey is taken'' and to insert in lieu thereof ''is being conveyed.''

The purpose of my amendment is to make clear the employer's responsibility in certain circumstances. The clause emanates from the idea advanced many times in this place that any accident incurred by an employee while travelling from his home to his place of employment should be the responsibility of the employer, whereas it should not be the employer's responsibility.

The Hon. A. L. McEWIN—I have examined the amendment and find nothing in it with which to quarrel. In fact the Parliamentary Draftsman says it makes no difference to the meaning of the clause.

The Hon. F. J. CONDON—I oppose the amendment. Recently my attention was drawn to the case of a man who, at the end of an eight-hour shift, was asked to work an extra shift. He did so, but during the extra shift he went home for his tea. During the journey he met with injury as a result of a collision with a tramways bus. The insurance company told him that he cannot claim on them and that he must claim under the Employers' Liability Act, therefore the man has to fight both the Tramways Trust and the insurance company. The clause does not sufficiently cover the case I have mentioned, and it should be altered so as to cover it, for that man is doing a service to his employer who, as such, is covered by an insurance policy. The Workmen's Compensation Act should state that such a case is covered by that Act, and that man should not be put to the expense of applying under the Employers' Liability Act.

The Hon. F. T. PERRY—There is no suggestion of trickery in these amendments. All I am trying to do is to emphasize the employer's responsibility under certain circumstances.

Amendments carried.

The Hon. S. C. BEVAN—I move—

In the third line of subsection (2) (*a*) after ''employment'' to insert ''(whether such journey is to or from work).''

There has been some confusion in interpreting this clause and my amendment is designed merely to clarify the position.

The Hon. A. L. McEWIN—I am assured by the Parliamentary Draftsman that this amendment expresses what is intended and therefore I do not oppose it.

The Hon. F. T. PERRY—I oppose the amendment. It emphasizes the words ''to and from work.'' The clause as it stands is quite clear. The clause was intended to convey that it is the employer's responsibility when he supplies a vehicle or gives authority for the use of a vehicle by an employee.

The Hon. S. C. BEVAN—In explaining the Bill the Minister said that the intention of this clause was that in certain circumstances an employee would be covered by compensation on his journey to and from work. Mr. Perry suggests that the clause is quite plain and definite, but those who deal with workmen's compensation claims have been confused in interpreting the provision. Mr. Perry has suggested that what I am attempting to do is to stress that employees must be covered by compensation in their journeys to and from work. That is so, but under the provisions provided in this clause, namely, where the conveyance is supplied by the employer or where arrangements have been made by an employer to convey employees either to or from work. My amendment does not alter the intention of the clause.

The Committee divided on the Hon. S. C. Bevan's amendment—

Ayes (10).—The Hons. K. E. J. Bardolph, S. C. Bevan (teller), J. L. S. Bice, F. J.

Condon, J. L. Cowan, E. H. Edmonds, A. A. Hoare, A. L. McEwin, W. W. Robinson, and R. R. Wilson.

Noes (7).—The Hons. E. Anthoney, L. H. Densley, N. L. Jude, A. J. Melrose, F. T. Perry (teller), C. D. Rowe, and Sir Wallace Sandford.

Majority of 3 for the Ayes.

Amendment thus carried.

Clause as amended passed.

Clauses 4 to 6 passed.

Clause 7—"Compensation for incapacity."

The Hon. A. L. McEWIN—I move—

In the third line of new section 1a (*a*) to delete "being" and insert in lieu thereof "living."

The amendments merely correct a clerical error.

Amendments carried; clause as amended passed.

Clause 8 passed.

Clause 9—"Fixed rates of compensation."

The Hon. A. L. McEWIN—I move—

In the second line after "in" to insert "subsection (5) thereof and in" and in the fourth line after "thereof" to insert "in each case."

When checking the Bill, the Parliamentary Draftsman found the need for these amendments because, owing to an oversight, the amendment was made in one place instead of two. I have been assured that the amendments will remedy the deficiency.

Amendments carried; clause as amended passed.

Remaining clause (10) and title passed.

Bill reported with amendments and Committee's report adopted.

PAYMENT OF MEMBERS OF PARLIAMENT ACT AMENDMENT BILL.

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

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

That this Bill be now read a second time.

Its purpose is to make some increases in the amounts provided by the Payment of Members of Parliament Act, 1948-1951, to be paid to members. The amounts now authorized to be paid by the Statute were fixed by the amending Act passed in 1951 and are as follows:—

Where no part of the member's electoral district is more than 50 miles from the General Post Office at Adelaide, the amount payable is £1,150 per annum. Where the whole or any part of the district is more than 50 but no part is more than 200 miles from the G.P.O. the amount payable is £1,200. Where the whole or any part of the district is more than 200 miles from the G.P.O. the amount payable is £1,225.

Since these payments to members were fixed in 1951, there have been considerable variations in the cost of living. At July 1, 1951, the time from which the present scale of payments came into effect, the "C" series index number was 1790. In July, 1953, this number was 2238. Whilst it is considered by the Government that the existing scale of payments should be increased, it is not proposed that the increases corresponding with the variation of the "C" series index number should be provided for, and the increases proposed are something less. Accordingly, the Bill provides for the existing scale of payments to be increased from £1,150, £1,200 and £1,225 to £1,425, £1,475 and £1,500 respectively. The Act now provides that the President and the Speaker are to receive £600 per annum in addition to their payment as members of Parliament. It is proposed by the Bill to increase this allowance from £600 to £625. As was done by the 1951 Act, the Bill provides that the new scale of payments for members will take effect from the beginning of the current financial year.

The Hon. F. J. CONDON—(Leader of the Opposition)—I am pleased that the Government has introduced this Bill because I referred to it during the debate on the Appropriation Bill and on the two Constitution Amendment Bills we have had before us. When members of Parliament were in receipt of a salary of £200 a year a Bill was introduced for the purpose of increasing the amount and there was considerable opposition to it. However, those opposing it were left by the wayside at the following elections. Every attempt to increase members' salaries, over a period of many years, has always been opposed by some members and certain sections of the community, who usually have not had the courage to sign their names to letters published in the press. We find the same thing today. In 1930, when a Labor Government was in office, the then Chief Secretary, the Hon. S. R. Whitford, introduced a Bill to reduce Ministerial salaries, and the then Leader of the Liberal Party, Sir David Gordon, moved that it be an instruction to the Committee of the Whole to consider the salaries of all members. I objected to this motion on the grounds that it was outside the scope of the Bill, but Sir David succeeded in forcing his motion through. After the second reading

was carried, I moved in Committee that the chairman's ruling be disagreed to, but the Committee upheld it and proceeded to discuss the matter of reduction of all members' salaries, and eventually the Bill was carried by 11 votes to five. On this occasion I propose to move an amendment to increase salaries of Minister of the Crown.

The Hon. E. H. Edmonds—Can you do that under this Bill?

The Hon. F. J. CONDON—That is for the President to say.

The Hon. N. L. JUDE—On a point of order. In view of your ruling, Sir, earlier this session that only amendments relevant to the subject matter of the Bill may be moved, is the honourable member in order?

The PRESIDENT—The honourable member is indicating an amendment he proposes to move when the Bill reaches Committee. When I have seen it I will be able to decide whether it is in order.

The Hon. F. J. CONDON—I repeat, every time an attempt is made to increase members' salaries there is an outcry, but in 1930 Parliament reduced members' salaries from £400 to £360, and there was no outcry. If it was fair in 1930 to reduce salaries it is fair now to increase Ministers' salaries. There is no necessity for a referendum in this matter because we must accept the responsibility. My attitude throughout has been consistent, because I have advocated in various courts in Australia a living wage and increased wages amounting, sometimes, to more than the sum involved today under this Bill. In most States cost of living adjustments are made and under this Bill the rates proposed are lower than those in other States. The press has often lauded the South Australian Parliament as the premier Parliament in Australia for dignity, decorum and service, but it is not so pronounced in this view when it is a question of advocating adequate remuneration for services rendered.

I was somewhat perturbed to find that Minister's salaries were not included in this measure and I think it is necessary to make a few comparisons. In doing so I want it to be clearly understood that I pay a tribute to our public servants, who are doing a wonderful job. That I am sincere in this view is proved by the fact that I supported recent increases of salaries provided under the Appropriation Bill, and I also spoke on this matter when dealing with the increase in the number of Ministers; I think everyone is agreed on that, but let us consider a few facts. Fancy a public servant receiving a higher salary than the Premier, or clerks in the Government service receiving more than members of Parliament. I have gone to a lot of trouble to work out 48 cases. Many public servants receive more than the Ministers of the Crown, and numerous others more than members of Parliament. The Secretary to the Premier, Government Statistician, Government Printer, and some clerks receive more than Ministers. The Under-Treasurer's salary is £2,670 plus £1,100.

The Hon. E. Anthoney—What is the £1,100 for?

The Hon. F. J. CONDON—He receives that from other positions. The salary of the Auditor-General is £2,750, Director of Lands £2,570, Director of Education £2,580, Public Service Commissioner £2,450 plus £150, President of the Industrial Court £2,500, Director of Agriculture £2,570, Director of Mines £2,675, and the General Manager of the Harbors Board £2,570 plus £250. Those salaries are all in excess of what Ministers receive. The Railways Commissioner receives more than the Premier.

The Hon. F. T. Perry—Has not that always been so?

The Hon. F. J. CONDON—That does not matter. We must explain to the public why we are increasing our salaries.

The Hon. A. L. McEwin—You are not suggesting that public servants are getting more than other persons doing similar work?

The Hon. F. J. CONDON—No. I realize that if a public servant did not receive an adequate wage he would go elsewhere. Many members of Parliament rely on their Parliamentary income. If we are entitled to increase the salaries of other persons we should be entitled to consider increasing our own salaries. If we are entitled to reduce them we are entitled to increase them. A member's job is not easy and his wife and family are frequently called upon to assist him. An elderly friend of mine, a rather conservative man, visited me one Sunday and said that he never would have believed that so many people would come to my place every day and every night unless he had seen it personally. I explained that I was a servant of the public and wanted to help them if I could. This afternoon a friend of mine is in the gallery—Mr. J. Anderson who has been associated with me in the Federated Millers and Mill Employees Association, an association that has been more responsible for industrial peace than any other union in Australia. He can tell members that I have not received one penny for my services to that body for many years. For years I have received no income other than my salary as a member of

Parliament. Government members may not agree with the policy of the Labor Party, but unless members of the Opposition receive decent salaries there will be no Opposition. I realize that some members may be concerned with what electors may think, but I suggest that electors will commend a person for expressing his opinions without fear. During my association with Parliament I have known of three instances of members refusing to accept salary increases. They were playing to electors, but what happened? They were defeated at the next elections and then applied for the money they had refused to accept. Was there any principle in that? My amendment will provide that Ministers shall receive the same increase as members and I hope that members will accept it. I support the second reading.

The Hon. Sir WALLACE SANDFORD (Central No. 2)—It is not unreasonable to say that this Bill came before us as a surprise as well as an embarrassment, because it is not easy to fix one's own salary. As members are well aware, on several occasions in recent years Parliamentary salaries have been increased. In 1948 a committee consisting of Mr. President Morgan, Judge Paine and Mr. W. P. Bishop, the Auditor-General, held an inquiry and made a recommendation that the Government followed. In 1951 Mr. President Morgan investigated the matter, and his report was adopted. Now the onus is imposed directly upon members, and a diffidence among them will be not surprising. In my opinion it would have been better had the matter been dealt with somewhat on the same lines as before. In the general talk that invariably goes on when a Bill of great importance such as this is being mooted, it has been contended that some reference should have been made to this matter in the Governor's Speech, but I do not place much importance on that because it can hardly be expected that such a matter could be anticipated at the early stage of the speech's construction. The Ministers have a real claim to consideration, for upon their shoulders falls the full weight of the burden of administration. This appears to have been entirely disregarded, and it calls for attention now. Members know how the sums of money to be dealt with by Parliament have grown year by year. The management of this State is a costly duty and calls for prudence, wisdom and care to a high degree; fortunately, these qualities are possessed by the Cabinet individually and collectively. The Leader of the Opposition, as he always does, presented his case after much diligent preparation, but he overlooked the fact that wages paid to workers in industry are pegged and therefore it is not right for us to increase our own salaries.

The Hon. S. C. Bevan—Why didn't you take that stand when this House was considering increases of other salaries?

The Hon. Sir WALLACE SANDFORD—The onus has now been imposed on us to make a decision on our own salaries, not others. We have been drifting into a period of inflation with all its confusion and possible dangers, and we do not know yet what contributions we may be called upon to make to overcome the difficulties that will confront us, so we should not overlook the two points I have emphasized. I oppose the Bill.

The Hon. A. A. HOARE (Central No. 1)—Many years ago the Federal Parliament raised members' salaries from £400 to £1,000; there was an uproar at the time, but the public took it very well. Two men refused to take the increased salaries until after an election had taken place, but one of them decided to take the increase after it had mounted up. A special Act was introduced to provide that any money in excess of £400 per annum not collected should revert to the Treasury, but one of the members who had refused to accept the increase objected strongly because he desired to claim the amount he had previously refused. During the depression, the Scullin Government decided that all members' salaries should be reduced by £250 per annum. After discussion, the majority voted in favour of this, yet at the next election every Labor man in South Australia except Mr. Norman Makin was defeated, and he received many thousand votes fewer than when he was previously elected. That is how the public appreciated the action of the Federal Labor Parliament in decreasing members' salaries. We thought we were doing a good thing, yet no appreciation was shown by the public for our action, which meant a great deal to us. I came to the conclusion that I and others not only walked along the road to *Pons Asinorum*, but crossed it as well.

The public is not very concerned about the payment of members, and will vote according to the swing of the political pendulum. I can understand members who have independent means being somewhat indifferent as to whether they accept increased salaries or not, but it is the duty of the Government to introduce a measure as was done in the Federal sphere

to compel members to take the salary immediately or lose it altogether so that they cannot come along afterwards and collect the accumulated sum. In some cases salaries have been refused so that the public will think the member is acting rightly, yet it is not realized that the money is accumulating in the Treasury and will possibly be collected later. Almost every Labor member unlike others is dependent on his Parliamentary salary. As with other members, he has many calls on his pocket and I offer no excuse whatever for accepting the proposed increase. I have been in this House for nine years, but am not yet in a position to buy a motor car. If we get this rise perhaps I will be able to buy one on terms. I give credit to members in both Houses who have stated that they think they are entitled to the increase, but there should be a provision in the Bill to compel those who say they will not accept it to pay the money to some charitable institution. It is a costly thing for members representing large country constituencies to tour their districts in order to come in close contact with the electors and ascertain their difficulties and needs. The maintenance of motor cars, which are essential for this work, and hotel expenses must amount to a very big sum annually and it is difficult to see that they are not out of pocket. Surely therefore, they are not getting too much in accepting the proposed increase.

The Hon. E. ANTHONEY (Central No. 2)—I presume this Bill was introduced after much consideration by the Government, but I should have preferred to see Ministers' salaries included. Members know what a heavy responsibility they have to carry. I was not unfamiliar with the references made by the Leader of the Opposition to the great increases in the salaries of some public servants compared with those of Ministers of the Crown. Year by year they have been gradually creeping up until we have the extraordinary anomaly that Ministers' salaries are lower than those of some of their officers. That is a relationship which seems to be entirely out of perspective. It would have been much easier for members had the Government explained that this measure had received a searching examination. I do not think that all members know that it was scrutinized by important officers in the Public Service, who recommended considerably higher amounts than those proposed. The Bill came as something of a surprise to me, but presumably the Government considered that, as everything else had been subjected to considerable increase, it was only fair that members of Parliament should participate.

We are living in a time of very altered values. Commodity prices have trebled since pre-war days, and if we translate the proposed increases into what we are pleased to call normal currency we should be back only to about where we were several years ago; it is all a question of relativity. Any member who takes his position seriously has a great deal to do and his work cannot be judged merely by what goes on in this Chamber; that is the smallest part of it for a great deal of time is taken up in dealing with the calls of his constituency. For example, I have not had a free Saturday afternoon for three months, and that is the general thing among members. When one takes a public position of this kind one expects that and I am not complaining, but it is a considerable invasion on one's private time. In general principle I think the Bill should be supported, although I should very much liked to have seen Ministers included, and I hope the Government will take an early opportunity of seeing that they participate.

The Hon. A. J. MELROSE (Midland)—In case any member should have doubts of my attitude, I would like to say that I am entirely opposed to the Bill. I have always believed that if there has to be payment of members of Parliament—a principle recognized many years ago—it should be such as to enable any elected representative of the people to maintain a standard of living worthy of his office, and to enable the public to look upon him and his office with respect. That opinion I still hold, and I have no objection to the raising of salaries of members of Parliament, although I have very strong views as to how the process should be carried out. One member made a virtue of the fact that because at one time, when Australia simply could not afford more, members of Parliament, together with other people, voluntarily reduced their salaries, they could with a clear conscience accept increases today. That is entirely false logic and seems to lead us to this position: if a man were to be given free access to the till and told he might draw from it any amount within a certain limit for his services, he could obviously draw less with perfect honesty, but certainly would not be empowered to draw a great deal more simply because he thought he was entitled to it. Therefore, that argument does not hold water.

Our esteemed friend, Mr. Condon, made another of his deeply thoughtful addresses, and I have much sympathy with the case he put up. It is perfectly obvious that he suffers as a victim of his own popularity and public spirit; people come to him incessantly because

they know he will wear himself to the bone in attending to their cases. He is an outstanding example of a man being the victim of his own good nature. I have already said that I have strong views as to the way in which salaries of members should be increased. The last increase was carried out according to my ideas and in a way to which no-one could take exception. The recommendation was made by a completely impartial body, and if we submit our case to an impartial umpire we must abide by the decision whether it be for or against us, for the spirit of fair play is the backbone of arbitration. I am always prepared to stand by that principle.

The Hon. F. J. Condon—This Bill only passes on the cost of living increases in the past few years.

The Hon. A. J. MELROSE—It is perfectly easy to suggest that we are not justified in doing this because we have not warned the electors. That may be true but I do not think that even if we had warned the electors the Party returned to power would be free to do it. Under our political set-up there are two Parties and one must be returned to power. That Party could then claim all manner of mandates. The question of salaries during an election campaign might be a minor one. I do not think we can shelter under the cloak that because something has been put to the electors we can do it. The only way for the matter to be decided is by an impartial tribunal. If this Bill were right in principle—and I do not agree for one moment that it is—it would still be wrong because it excludes Ministers. If a Bill were introduced to increase the salaries of Ministers I would give it my wholehearted support for two reasons; firstly, because Ministers are inadequately paid for the work they perform which has an effect on their physique, and secondly, because private members so outnumber them that the question of "yea and nay" could be taken entirely from their hands and it could be left to Parliament to decide whether Ministers' salaries should be raised.

I think there is a strong political aspect in this question and that is that the public has received no small shock from the pegging of the basic wage. It was an unexpected but pleasurable shock because it revealed, at last, a definite step to face up to the rigours of the interregnum until we achieve some real settling down of the upward spiral of the cost of living. As a result of that decision, I do not think any member could face the public with a clear conscience if, without reference to the public, we increased our own salaries. The moment is politically inopportune and dangerous. I believe, and I think every member will agree with me, that one of our ever-present duties—and particularly in view of what is happening in one of the senior States—is to maintain the prestige and dignity of Parliament. One member said that this Parliament is regarded as one of the finest in the British Empire. It is in our hands to ensure that we do nothing to belittle that high opinion. In the present circumstances I think it would be unpardonable to increase our salaries and we should more seriously consider the effect it would have on the public opinion and on the general prestige of Parliament. As members of Parliament we should be prepared to set an example of public spiritedness and, if necessary, self-denial. We would like people to think always that in taking on the responsibilities of membership of Parliament we do so other than from the point of view of a daily wage.

The Hon. F. J. Condon—Would you do that in your private institutions?

The Hon. A. J. MELROSE—I do not see the connection. I said that as members of Parliament we should take on the job in a public spirit and, if necessary, with an appropriate amount of self-denial. I think that applies to all life—private and semi-public. If that is what the honourable member means I say that I do apply it.

The Hon. F. J. Condon—That is selfish.

The Hon. A. J. MELROSE—I am expressing my opinion and must stick to it even if the honourable member thinks it selfish. He is entitled to his opinion and I hope members will have the courage to stick to theirs. This Bill offers a peculiar opportunity to this Chamber to act in its proper capacity as a House of Review. This matter has been discussed in another place and I think it is our duty to view it in the broadest and widest possible manner and study its effect upon the people of the State and upon their opinions of our Parliamentary institution. One clause provides for retrospective payments and is particularly obnoxious. If I could tolerate the rest of the Bill I would not tolerate that.

The Hon. F. J. Condon—You have supported three Bills this year which provided for retrospectivity so what are you talking about?

The Hon. A. J. MELROSE—I think the retrospective nature of the clause savours very much of a breach of contract. It is bad enough to consider raising our own salaries but it is

worse still to suggest making the payments retrospective to July 1. Why not make them retrospective to the date of the last election! The whole matter, in my opinion, is too weak to argue and I merely include it in the final stages of my argument. I see no good in the Bill although I agree that members should receive adequate salaries to enable them to live in respectable dignity. I believe Ministers of the Crown should be paid a sum much greater than they receive at present, particularly in view of the full time job they render. If the question of increasing Parliamentary salaries is to be decided it should always be decided by an impartial outside tribunal.

The Hon. F. J. Condon—Would you support it being decided by referendum?

The Hon. A. J. MELROSE—No. I oppose the second reading.

The Hon. E. H. EDMONDS (Northern)—This Bill, which is to some extent contentious, requires a considerable degree of thought on the part of members. I have devoted considerable thought to it, and have endeavoured to weigh its pros and cons and the various aspects and ramifications. As a result I say at the outset that I am opposed to the Bill as it stands and intend to vote against the second reading. Having declared myself thus, it is my responsibility to give at least some idea of the reasons which prompt this decision. Firstly, I have a good deal of reluctance in being called upon to determine a matter which involves a pecuniary advantage to myself. I know that it has been contended that in a matter of this nature members of Parliament are the only ones competent to decide, the only ones who can take the initiative in introducing such a measure. I do not wholly support that contention and I am fortified in that opinion by what happened in the past in regard to similar legislation.

Furthermore, I dislike the method adopted in introducing this measure which, if I may use the expression, came out of the blue; it was not foreshadowed in any way as most important legislation is foreshadowed in the Governor's speech, nor was it mentioned in the Premier's policy speech prior to the elections. Some indication should have been given of a matter of such importance, which raises such contentious issues. A few speakers have intimated that they do not consider the matter of sufficient importance to receive the publicity I have referred to, but it must have been foreseen for some considerable time before it was introduced, for one of the reasons submitted for the Bill is that members of Parliament have not participated in the cost of living adjustments, or in the general advance of salaries and wages. On at least two occasions since I have been a member of this Council there have been adjustments of members' salaries, but they were the outcome of inquiries by committees set up to weigh the pros and cons, and I cannot see why that procedure could not have been followed on this occasion.

I want to draw a distinction, though not a very marked one, between the position of different members. In the Legislative Council we have four members to each district, and two of the districts cover very large areas, namely, Southern and Northern. The fact that we have four members to each district, however, relieves the individual member of much of the work that falls to the lot of the House of Assembly member, and it is for that reason mainly that I draw a distinction. We certainly have long distances to travel and many duties to perform quite apart from those incidental to our work in this Chamber, but I cannot, nor shall I attempt, to assess the value of a member's efforts as a Parliamentary representative. I do not know of any formula by which it could be done, and I could not go out and justifiably submit anything of a tangible nature to show that my services as a member of Parliament are worth £500 or £1,000 a year. My point is that no member should be expected to discharge his Parliamentary duties by meeting a considerable portion of the expense involved from his private means.

That brings me to another point which is somewhat perplexing, for I realize that members are in quite different categories. Some members in both Houses are almost entirely dependent upon their Parliamentary salary, whereas others have other sources of income, and here again it is difficult to see where the line of demarcation should be drawn as to what extent a member should be expected to depend upon his salary and how much upon other income. Consequently, I am not debating the point as to whether present salaries are adequate or whether the proposals in the Bill are justifiable; that does not come into the question. I have a personal reluctance to vote myself, as it were, an increase in my remuneration and I do not think we should be called upon to do it. We should at least have the privilege of knowing that we are giving support to a measure that has arisen from the recommendation of some committee that had the fullest opportunity of collecting all the evidence possible.

The Hon. F. J. Condon—We have had two committees and this Bill only passes on the cost of living.

The Hon. E. H. EDMONDS—We had two committees which made recommendations, and Parliament accepted them and has carried on under those recommendations ever since. Until another committee is appointed to make recomdations a proposal such as this will not receive my support.

The Hon. K. E. J. Bardolph—But those committees' recommendations received the endorsement of the electors.

The Hon. E. H. EDMONDS—I have seen very much in the way of condemnation of this measure. I have received letters from individuals, some prepared to sign their names and some not; we always get them, and although I have every respect for another person's opinion they do not carry much weight with me for the simple reason that they, no more than I, do not know just what an adequate and fair remuneration for a member of Parliament should be. Indeed, they are not in as good a position to judge for they have not had as much experience as we have had. I accepted the recommendations made in 1948 and 1951—

The Hon. F. J. Condon—Why not support the second reading and discuss the details in Committee?

The Hon. E. H. EDMONDS—I am still left with the objections I have expressed and all the committees in the world will not shift me from that position. I experience a good deal of diffidence in the knowledge that perhaps my action may deprive others of something they urgently need or are entitled to receive.

The Hon. K. E. J. Bardolph—Don't you think you are writing down the value of members?

The Hon. E. H. EDMONDS—Not for one moment, because Parliamentary representation is one of the highest civic offices to which a citizen can attain; it is an office of responsibility, and it carries with it a dignity that cannot be purchased. It is not a question of writing down our worth or belittling the office we hold, but simply a question of principle and I do not feel disposed to depart from that principle. Therefore, I shall vote against the second reading.

The Hon. S. C. BEVAN (Central No. 1)—I support the measure, which is for the purpose of bringing Parliamentary salaries into line with the increased cost of living. Members' salaries were last adjusted in 1951 on the recommendation of Sir Edward Morgan, then President of the State Industrial Court. Since then cost of living has increased and has been reflected in the quarterly adjustments of the basic wage paid to employees in industry. If the same procedure were now adopted to adjust members' salaries I believe the increases would be greater than those proposed. Labor members rely on their Parliamentary salaries for maintaining their homes and providing for their families. It has been suggested that we should not fix our own salaries. On two occasions committees investigated the question and made recommendations which were adopted by Parliament, but have members' salaries always been investigated by a committee or has Parliament established and adjusted members' salaries? Mr. Condon informed us that at one stage Parliament decreased the salaries of members. Were any voices raised against that procedure or was it suggested that a committee should investigate the matter? Parliament was big enough to accept its responsibilities then and did not seek to shelter behind a committee and we should be big enough to accept our responsibilities now.

The Hon. A. J. Melrose—Parliament was then setting an example to the country and it should do so now.

The Hon. S. C. BEVAN—The example had been set before Parliament reduced members' salaries. It followed what other tribunals had decided in regard to wages. I suggest that the contention that the matter should be considered by a committee is just a smokescreen. I cannot subscribe to the views expressed by Sir Wallace Sandford. He referred to the Arbitration Court suspending quarterly adjustments to the cost of living, and said that because the court had adopted that decision there should be no increases in Parliamentary salaries. Our present salaries were fixed in accordance with the cost of living in 1951, but there have been considerable increases in the cost of living since June 30, 1951, and this measure provides that the increases already received by the community generally shall be added to our salaries. If members who oppose this measure were consistent they would have opposed the measures providing for increases in payments to the Agent-General, Government House staff, and to departmental heads.

The Hon. E. H. Edmonds—They do not fix their own salaries.

The Hon. S. C. BEVAN—I do not suggest that, but if members believe that salaries should not be adjusted because of the Arbitration Court decision they should have opposed

increases in others' salaries. By the same token will those who support the decision to suspend quarterly adjustments agree that profits should be pegged? Isn't it just that if wages are to be pegged, profits should be pegged? The policy of the Labor Party is one man one job.

The Hon. C. D. Rowe—Your Party does not endorse that policy.

The Hon. S. C. BEVAN—It does wherever possible. I am an adherent of it and am entirely dependent on my salary as a member. Members are entitled to a salary commensurate with the cost of living. Opposition members have no other sources of income and in saying that I am not being personal nor intending to insult any member of this Chamber. We should ask ourselves whether this measure is warranted and if it is we should accept it. If it is for the purpose of adjusting salaries in accordance with cost of living increases since 1951 what argument can be advanced against it? Are members afraid that because some of their constituents suggest it is a salary grab they should not agree to it? Can we be criticized for doing something that is just and warranted? Parliament is the proper authority to decide this matter. I agree with Mr. Condon that the salaries paid to Ministers of the Crown are too low and that they, too, should be adjusted. If Mr. Condon's amendment is in order it will receive my wholehearted support. I support the second reading.

The Hon. W. W. ROBINSON (Northern)—I do not propose to speak on this matter at length, but I do not believe in casting a silent vote on something which affects our personal interests. In 1948 and 1951 we affirmed the principle of members' salaries being submitted to a committee of inquiry, whose recommendations were accepted. I see no reason for departing from that principle. My attitude can be summed up in my final words on the Prices Act Amendment Bill when I said:—

> Wages have been pegged, and in order that no injustice shall be done, and so that our economy may enjoy the full benefit, we should see that prices do not rise. If manufacturers, distributors and all sections of the community will take a long range view and, instead of clamouring for their own sectional interests, endeavour to bring production costs on a par with those of other countries, we can hope to progress.

I said that with the knowledge that this question would arise and I propose to be consistent. For that reason I oppose the second reading.

The Hon. J. L. COWAN (Southern)—I have given careful consideration to this matter and as a result I have no hesitation in supporting the second reading because I think the increase is justified and warranted. Unlike some members I believe that we are the competent persons to decide the matter. Because committees have investigated the salaries of members on two previous occasions that is no reason why they should again do so, because the *pro rata* increase proposed in this Bill is in accordance with the cost of living rises over the last two years—in fact it is not even commensurate with them. I have no hesitation in saying that it is justified and warranted. It is a common practice for directors of large business concerns to fix their own salaries without consulting the shareholders. Today I saw an agenda of a meeting of the board of directors of a large establishment, and it contained two items; firstly, the appointment of new members and, secondly, the increase of salaries to the directors from £650 to £750.

The Hon. K. E. J. Bardolph—And these boards have only 12 meetings a year.

The Hon. J. L. COWAN—That is so. Parliament can be likened to the largest businesses in this State, therefore there is nothing wrong with the practice of fixing members' salaries in this way. We know better than anyone what it costs us to carry out the duties for which we have been elected, and members who are dependent on their Parliamentary salaries alone must find it difficult to live to a standard commensurate with the high positions they hold. Even those who have other sources of income, I am sure, find them materially affected because of the time they have to devote to Parliamentary duties. I cannot be convinced that the services rendered by members of this Parliament are worth less than those rendered by members of other Parliaments, more particularly the Commonwealth, because members in this State are more diligent in their duties than those in other Parliaments. Their salaries should therefore be commensurate with the duties they perform, so that they may live in a proper way in keeping with the importance of their positions. I support the second reading.

The Hon. F. T. PERRY (Central No. 2)—A question such as this must have a different appeal to every member, and anyone facing a decision on such a matter is naturally hesitant to express an opinion. Parliament is the supreme authority, and I have always held the view

that it is perfectly justified in reviewing the remuneration of members. That is our prerogative, and as such I accept it, but Parliament in its wisdom decided on another method when the matter was submitted to committees for decision. The decisions made by those committees were accepted, and the necessary Bills were introduced to give effect to them. I was not in favour of that course, because I felt that Parliament should have the responsibility of deciding the matter. That objection applies right through my industrial life; I feel that one body should not decide such a matter if that decision is subject to review by another, and that is in effect what we have done. However, if the previous procedure had been followed in this case I would have had no hesitation in supporting this Bill, although I would not like to have the responsibility of saying what the rate should be. Having once adopted the scheme of approaching a committee, we should always do so. I have held the view for a considerable time that the wage system in Australia has got out of bounds, and I hope it does not react against the whole community, although there is a danger of that. Consequently, when consideration of the basic wage came before the Federal Arbitration Court, I took my part in supporting the contention that in the interests of the general community wages should be pegged. That court, the highest arbitration authority in Australia, after a considerable amount of discussion and evidence, decided to do that.

The Hon. K. E. J. Bardolph—But the Chief Justice said it was a trial decision to see if that course would arrest inflation.

The Hon. F. T. PERRY—That is so, and I am not prepared to do anything that would alter the principle I advocated there.

The Hon. S. C. Bevan—It would not hold water.

The Hon. F. T. PERRY—It does as far as I am concerned.

The Hon. K. E. J. Bardolph—We made increased payments to the Auditor-General retrospective.

The Hon. F. T. PERRY—That is a different matter, but in this Bill members are asked to decide on their own salaries. That may suit Mr. Condon and Mr. Bardolph, and I do not object to that, but as members have been asked for their opinions, I am stating what I feel is proper. Consequently, when it comes to personal application, I must apply the rules that I have advocated for years. It has been said that the proposed increase is in accordance with the increased cost of living, but I think that since 1951 the basic wage has risen by only £2. There is no logical argument for doubling the cost of living and applying percentage increases, a practice that the courts have decided against. If only the actual cost of living increases had been applied, there may have been some argument, but there is no justification for percentage increases.

The Hon. F. J. Condon—Does the member think that Ministers of the Crown should work for the miserable wages they receive?

The Hon. F. T. PERRY—This Bill does not apply to Ministers. If it was felt that they should have received more, a Bill should have been introduced to increase their salaries. I think most members are against retrospective payments; such a practice is obnoxious to my idea of what they should apply to themselves by way of remuneration. However, I feel that when the country is faced, as some people believe, with a condition that is not too healthy because of the inflationary tendencies in our economy, Parliament should give a lead to other people. There again I find myself in the position of not being able to support this Bill and therefore intend to vote against it.

The Hon. N. L. JUDE (Southern)—Reiteration of what has already been said becomes at this stage somewhat redundant, but I wish to state my case as I see it and refer to one or two remarks of other speakers. Mr. Melrose pointed out quite forcibly the merits of having an independent tribunal to deal with a matter such as this, and Mr. Perry enlarged upon this point by saying that not only was an independent tribunal desirable but that we had seen fit to take the action away from Parliament by appointing tribunals previously, and consequently there was a strong precedent for doing so now, particularly in the unusual circumstances forced upon members today. It is a great pity that the Leader of the Opposition used his skill in debate to draw a red herring across the trail. He said he thought Ministers should be given remuneration as private members, quite apart from their salaries as Ministers. I have always thought that Ministers were grossly underpaid, and if I am to comment upon the honourable's member suggested increase to Ministers I can only say that it is far too paltry for my consideration. It is beyond doubt that the suggestions he made in his speech on the second reading were an invitation to vote for the second reading

in order to keep the matter open. I do not think he would deny that, but I am drawing attention to the fact that this has opened up a distinct avenue. I have not the slightest objection to receiving an increase in salary at any time provided I know that I am still out of pocket in representing my electors. Whether I am prepared to vote it for myself, however, is a very different matter.

The Hon. F. J. Condon—Because you have other income.

The Hon. N. L. JUDE—Interjections will not affect my decision. As I see it we are departing from precedent.

The Hon. F. J. Condon—Your salary is only pin money to you.

The Hon. N. L. JUDE—I am sorry the honourable member is taking my remarks personally. I do not believe he really likes the idea of retrospective payments and I do not think other members do either.

The Hon. F. J. Condon—But we had to vote for it three times this session.

The Hon. N. L. JUDE—Not for ourselves, but for others.

The Hon. K. E. J. Bardolph—What is the difference?

The Hon. N. L. JUDE—There is a very big difference. I do not think I can clarify my attitude by further discussion, particularly by answering interjections which are, in the main, not relevant. Unless a Bill to increase salaries is introduced in a different form I am afraid I cannot support it.

The Hon. J. L. S. BICE (Southern)—On two previous occasions I have cast a silent vote on Parliamentary salary rises, but I do not intend to do so tonight. Other Bills have been submitted to this Chamber that have had for their effect rises in salaries and members have always adopted the attitude that they were entitled to express their opinions. That will always be the case. At one time I had the privilege of being an executive officer in the Civil Service and I have some knowledge of the duties involved. I assure this Chamber that the salaries of the officers who hold similar positions to that which I held have gone up by considerably more than is proposed for members under this Bill. A good deal has been said about members being embarrassed in accepting the proposed increase and that a committee has not made the recommendation. I submit that the Government must have considered this measure very carefully, as well as two other measures involving increased salaries which are yet to come before us. This indicates that the Government his given careful thought to the Bill and feels justified in introducing it, and I therefore make it clear that I intend to support the second reading. The legislative value of Federal members has been assessed as recently as 1952 at a reasonably high level. A Federal member gets £1,750 per annum. Senators receive an allowance of £550 and M.H.R's. allowances varying from £450 to £900 in accordance with the various electorates. In addition, they all receive allowances whilst at Canberra as well as free rail, air and other transport. Surely if that value has been put upon a Federal member's services the least we can do is to accept reasonable remuneration for ours. I have had long association with Parliamentary system of this State. In 1902, 1905 and 1908 members served in an honorary capacity in this Chamber, but today the position has become commercialized. I am prepared to support the increase in salaries so as to encourage young people—who hitherto have been compelled to sacrifice their business prospects to enter Parliament—to become interested in politics and I believe a reasonable remuneration will have that tendency. I support the second reading.

The Hon. R. R. WILSON (Northern)—This Bill is somewhat embarrassing and contentious and has caused members a good deal of anxious thought. Doubtless very searching inquiries were made before it was introduced; that is the Government's responsibility and I believe it manfully faced its task. Fluctuating values determine increases and reductions in all things and if we were not enjoying prosperous times there would be no mention of increases. It has already been pointed out that during the depression members accepted reduced salaries, as did most in the community, so the condition of the times does affect the issue. Every member comes into Parliament with his eyes open. The financial aspect did not influence me very much. I am not a very wealthy man, but I have other income to support my salary which, for the northern district, is £1,225, there being an additional £25 to cover the longer distances involved in travelling.

The Hon. K. E. J. Bardolph—That does not cover your out-of-pocket expenses?

The Hon. R. R. WILSON—I can truthfully say that I cannot make ends meet on my Parliamentary salary because I average 8,000 to 10,000 miles a year with my car. The gold railway pass is of little value in my electorate as the train schedules are not very convenient

for appointments. Likewise, country members with cars do not use the tram or trolley bus very much. Members have referred to the prestige and dignity attaching to the position of a member of Parliament. It has also been stated in the debate that members of Parliament hold a position which has no superior in the community and that it is an honour. That is my view. I am here representing the people who elected me to act in their interests. This is an occasion when prestige and dignity can be exemplified. Members of Parliament must be fairly well dressed and are expected to set an example to others, but that cannot be done if they have not sufficient money.

I am concerned about the salaries paid to Ministers and I agree with other honourable members that they are deserving of a higher salary than is paid to the ordinary members. If Mr. Condon's amendment is submitted, it will receive my support. Reference was made to certain members of the civil service receiving higher salaries than Ministers. I have in mind the Director of Lands and the Director of Agriculture with both of whom I am personally associated. It is wrong that they should be paid more than their Ministers. Reference has also been made also to the retrospective payment of members. I should sooner that retrospectivity had not been provided for, but, as has been pointed out, that has applied to so many others that it would not seem wrong for members of Parliament to come into that category as well. Can it be suggested that Federal members of Parliament are of greater value to the people than State members? As Mr. Bice mentioned, they receive a much higher salary than we do, but I cannot see that they do any more than State members. Members of this House have to face their electors every six years, and at the next election my conscience will be clear, as I believe I have always acted in the best interests of all concerned. I support the second reading.

The Hon. K. E. J. BARDOLPH (Central No. 1)—I support the second reading. It is impossible to fully appreciate the position of Parliament in our national life without considering its origin. I shall not give a complete history, but remind members that throughout the years there has always been a struggle by the people against the monarchs of England who were the controlling factors in their economic life, until it was established that the people had their rights and elected their representatives to Parliament. From then onwards the people in the Mother Country, as well as those in its farflung Dominions, have enjoyed free democratic Parliamentary institutions. That is what we know as the democratic form of government. It is true, as honourable members have said, that the Parliament is a noble and dignified institution, and that it is an honour to be a member of it. As mentioned by Mr. Bice, members of Parliament were not paid in the sessions prior to and up to the beginning of 1902, 1905 and 1908 and English Parliamentarians were not paid until 1911. On no occasion did an outside authority determine what emolument South Australian members should receive, but Parliament determined the issue itself, thus carrying on the tradition that Parliament was supreme. Members opposing the Bill have said that the Government received no mandate from the people for the proposed increase. In opposing the Bill they are denying Ministers, who are charged with the responsibility of government, the right of receiving an increase in their salaries commensurate with their responsibilities.

The Hon. W. W. Robinson—That is dealt with in a different part of the Constitution.

The Hon. K. E. J. BARDOLPH—In his speech the Leader of the Opposition debunked that argument and referred to the fact that salaries were reduced in 1930 and 1931. If Parliament could reduce the salaries then, I support the contention of the Leader of the Opposition that it is competent for this Chamber to make the necessary amendment to this measure to provide for increased salaries for Ministers. I remind those members who are fearful that they will be spending the taxpayers' money without authority having first been endorsed by the electors at the last elections of the words of the great Parliamentary authority, Sir Erskine May, who said:—

> The Crown acting on the advice of its responsible Ministers is charged with the management of all the revenues of the country. The Crown makes known to the Commons the pecuniary necessities of the Government, and the Commons grant such supplies as are required to satisfy these demands, and provide by taxes the ways and means to meet the supplies which are granted to them. Thus the Crown demands money, the Commons grant it, and the Lords assent to the grant.

I submit that we are in a similar position. This measure has been passed by the House of Assembly, which is elected on a totally different basis from that on which members of this Chamber are elected. As it has been passed by the lower House, we should give it

all the consideration due to it. In view of the constitutional set-up of the bicameral system of government, we should not reject a measure passed by the popular Chamber. Much has been said in regard to the first increase in South Australian Parliamentary salaries. Members opposing the Bill have said that the Government should have submitted the proposal to a committee as it did in the first case. I have always contended that Parliament should never delegate its powers to any outside authority which is not responsible to the people. There has been an atmosphere surrounding us in recent years whereby everything that savours of conflict with outside public opinion should be submitted to an outside committee for report to the Government. That is wrong.

The Hon. W. W. Robinson—For instance?

The Hon. K. E. J. BARDOLPH—The first increase in salaries granted to members of Parliament. On the second occasion an arbitrator was appointed to fix Parliamentary salaries. Parliament was still shirking its responsibility because, before a Bill for an increase in Parliamentary salaries had been submitted, the arbitrator himself had been granted an increase in salary by Parliament without any investigation by any authority. The last Parliamentary increase was fixed upon an Arbitration Court basis associated with the cost of living, and other factors came into it. Consideration was given to the fact that members of Parliament received an annual stamp allowance, a gold railway pass, and a pass on the tramway and buses, and the value of all those privileges was taken into account by the arbitrator in determining the salary members should receive.

The time has arrived when Parliament should be courageous enough to determine the issue. Who is in a better position to determine the value of work performed by members of Parliament than Parliament itself? We are charged with great responsibilities. I remind members that there are three ingredients which go to make up our British democracy—citizenship, and from citizenship we elect our Parliament, and from our Parliament we elect our judiciary.

The Hon. Sir Wallace Sandford—We do not elect our judiciary.

The Hon. K. E. J. BARDOLPH—The Government of the day appoints the judiciary and therefore the appointments come through Parliament from the Party having the largest number of members who constitute the Government. If we are to by-pass those three major factors then Parliament will sink into an atmosphere of disrepute with the people. It should be our function to maintain the high prestige that attaches to our Parliamentary institution. It is not our job to write down members of Parliament, but to place them on their proper plane. There are some people who advocate the breaking down of Parliamentary institutions, but the great majority of Australians desire that we should maintain our Parliaments and our Australian way of life. Mr. Perry said that the Arbitration Court had pegged wages. Would he favor pegging prices?

The Hon. L. H. Densley—A Prices Branch has been established to deal with that.

The Hon. K. E. J. BARDOLPH—That is another instance of shelving responsibilities which should rest with Parliament. The Arbitration Court has pegged wages ostensibly to stop the spiral of inflation. I am not opposed to the arbitration system, which I wholeheartedly support, but its reasons were given as a trial judgment. Mr. Perry desides that to be the cornerstone upon which he builds his opposition to this measure. There have been many examples whereby this Parliament has retrospectively increased the salaries of high officials.

The Hon. S. C. Bevan—Were they included in the Governor's Speech?

The Hon. K. E. J. BARDOLPH—No, nor were they mentioned during the elections. We are expected to carry on the affairs of government in the same way as a board of directors is expected to carry on the activities of a company in the interest of its shareholders.

The Hon. A. J. Melrose—They cannot raise their fees.

The Hon. K. E. J. BARDOLPH—I remember reading recently of the directors of one concern increasing their fees without reference to the shareholders. Mr. Cowan referred to a large organization which has two items on its agenda which proposes increasing directors' fees from £500 to £750 a year. Those directors only sit 12 times a year.

The Hon. C. D. Rowe—But that is on the agenda of the annual meeting of the concern.

The Hon. K. E. J. BARDOLPH—And this measure is on the agenda of our Parliamentary proceedings. We are the shareholders representing the electors of South Australia. Those who oppose this measure are entitled to their opinions and have the right to adduce arguments in an effort to persuade members to

accept their contentions, but it is their responsibility to ensure that Parliament functions in the best interests of the people of this State.

The Hon. L. H. DENSLEY (Southern)—This Bill proposes increasing members' salaries, increasing the allowances to the President and Speaker, and making those increases retrospective. It has become the policy in recent years to appoint a committee to examine the question of any suggested increases to members' salaries. In 1948 a committee of three was appointed and made recommendations which Parliament accepted and in 1951 the question was referred to a commissioner whose recommendations were embodied in a measure adopted by this Parliament. I think all members have been concerned at the continued spiral of wages and costs which bring about an inability for primary and secondary industries to compete with other countries. We are concerned with that position. We are familiar with the action of the Arbitration Court in suspending quarterly adjustments under the "C" series index and most of us were pleased that that was done.

There was no decision to increase Parliamentary salaries prior to the Arbitration Court's decision and as a matter of principle, if we are desirous of pegging wages and bringing about a cessation of spiralling costs we must be prepared to accept our responsibilities regarding our own affairs. As no decition to increase salaries was made prior to the Arbitration Court's decision it is undesirable at this stage to pass legislation providing for all-round increases. There is no provision in the Bill to provide for increasing the salaries paid to Ministers. I think we were happy that they were not desirous of increasing their salaries but if any member is entitled to an increase—and I do not debate that—then Ministers are doubly entitled to an increase. It is not a matter of passing the second reading to enable the Bill to reach the Committee for consideration of amendments, but it is a question of whether the Bill is desirable. The Bill cannot be amended to make it desirable so far as I am concerned. I congratulate the Leader of the Opposition on suggesting an amendment to intrigue, as it were, members into supporting the second reading.

The Hon. K. E. J. Bardolph—That is unfair.

The Hon L. H. DENSLEY—If it is I shall withdraw it, but I congratulate the Leader of the Opposition on his ability in this direction. There does not seem to be very much to debate in this measure and if we pass the second reading we admit that the principle of the Bill is correct. I believe it is bad and oppose the second reading.

The Hon. C. D. ROWE (Midland)—I have given this Bill careful consideration from all aspects which I consider relevant and I am unable to support it. I was elected to this House in 1948 when the salary was £950 a year. That was increased to £1,250 in 1951. In some respects the amount of work I have to do today is less than in 1951 when I had numerous applications under liquid fuel rationing and practically every week when I came to the city I had to interview several people concerning those applications. Similar circumstances applied regarding applications under the Building Materials Act which was a constant source of worry to me. I still have files relating to those matters which include numbers of letters. In addition the amount of work I am required to do under landlord and tenant legislation is less now. I am unable to say, therefore, that there is an increase in the work I have to do now compared with 1951 which would entitle me to support the Bill.

My second reason for opposing it is that the increases which have been made in the basic wage since 1948 are not so great in proportion as the increase proposed in this Bill. In 1948 the basic wage was £5 14s. a week and the salary of a member of Parliament was £11 5s. 9d. a week. In November, 1951, the basic wage was £9 15s. a week and if we had received the same amount by way of increase as the man on the basic wage our salaries would then have been £774 16s. a year. In 1951, because of the independent report of a commissioner, we increased our salary to £1,150 and secured an increase of £375 16s. above the actual cost of living increases which the man on the basic wage received. At present the basic wage is £11 11s. a week and if we had continued to adjust our salaries in accordance with the increases received by the basic wage earner we would be getting £923 a year as opposed to £1,425 mentioned in the Bill. It appears to me that even on strict figures we are not doing a fair thing. I point out that the increase from £950 to £1,475 represents an increase of 64 per cent which, in my opinion is not justifiable. It has been mentioned that this session we have increased the salaries paid to judges of the Supreme Court and to other persons and that to be consistent we should support this measure. Judges of the Supreme Court are men who possess a high degree of knowledge and who

have in most instances made great sacrifices in accepting their positions. In any event, they are a limited class of people.

The Hon. K. E. J. Bardolph—Those facts are not denied.

The Hon. C. D. ROWE—I realize that, but what have we done about the person who secures his income from the rent of houses? They represent a very strong and stable section of the community, so if the argument is valid we should make the same increases apply to rents.

The Hon. A. A. Hoare—Will you accept the increase?

The Hon. C. D. ROWE—There is no clause stating that I shall not. We have prevented many people who have contributed very much to community life from increasing their incomes when they have been justly entitled to do so. We have limited them in what they can do with their own property, and until we are prepared to say that they can have a 64 per cent increase we are not justified in taking it for ourselves. I cannot see how people who have sat on the lid in regard to permissible rents and who have opposed increased rates of interest on Commonwealth loans can justify this increase in their own incomes.

We have not yet realized how serious inflation has been and will become in Australia in its effects on our community. We have priced ourselves out of world markets, and are at the top of the tree now. The returns from barley for this year will be considerably less than last year, so I feel it is incumbent on us to do anything we can by precept or example to stem the tide of inflation and let people know that the easy money that has been about will not be available in the future. That being my view, and because I am a believer in arbitration and the Arbitration Court has seen fit to stop future increases in wages, I think it is obligatory upon us to set some sort of example. It has been said that a larger salary is required if we are to maintain our status in the community, to carry out our responsibilities and gain the respect and esteem people should have for members, but all the information I can secure rather points to the fact that in some respects the higher a member's salary, the less responsible he becomes. We do not have to look far beyond the borders of the State to find proof of that statement. For all these reasons I feel that I am justified in opposing this measure on the grounds that I have mentioned.

The Hon. A. L. McEWIN (Chief Secretary)—This Bill is quite different from any other introduced here, because members have a perfect right to express their own opinions as they view the matter. It therefore results in an individual approach to it. I think the increases are justified because the matter was investigated and a comparison made with everyone else in the community and consideration given to what has been provided by arbitration or other means to assess values for other people. It is for members to say whether or not they consider themselves worth the increases, so I do not intend to enter into debate on the matter.

The Council divided on the second reading.

Ayes (9).—The Hons. E. Anthoney, K. E. J. Bardolph, S. C. Bevan, J. L. S. Bice, F. J. Condon, J. L. Cowan, A. A. Hoare, A. L. McEwin (teller), and R. R. Wilson.

Noes (8).—The Hons. L. H. Densley, E. H. Edmonds, N. L. Jude, A. J. Melrose, F. T. Perry, W. W. Robinson, C. D. Rowe, and Sir Wallace Sandford (teller).

Pair.—Aye—The Hon. R. J. Rudall. No—The Hon. C. R. Cudmore.

Majority of 1 for the Ayes.

Second reading thus carried.

In Committee.

Clause 1 passed.

Clause 2—"Payments to members."

The Hon. F. J. CONDON—I move to add the following paragraph—

(*d*) by adding at the end thereof the following subsection (the previous part of section 4 being read as subsection (1) thereof):—

(2) Every member of Parliament who is a Minister of the Crown shall be entitled to payment for his services in the discharge of his Parliamentary duties at the rate of two hundred and seventy-five pounds a year, in addition to his salary as a Minister of the Crown.

This provides that every Minister will be entitled to an extra £275 per annum. I regret that some members have objected to their receiving an increase, because I feel that some members are on "pin money". It is all very well to say that members are not entitled to certain salaries, but Ministers are paid less than officers of any commercial undertaking in South Australia. Although the Premier receives only £3,000 a year, the Engineer-in-Chief receives a larger salary, and other Ministers are paid less than that officer and the Under-Treasurer. The Minister of Education receives less than the Director of Education, and there

are many such cases, yet today we had the sorry spectacle of eight members of this Council denying an increase to Ministers.

The Hon. C. D. Rowe—I do not think any member did that.

The Hon. F. J. CONDON—You did when you voted against the second reading, because it included an increase for Ministers.

The Hon. N. L. Jude—But isn't there another Act dealing with the matter?

The Hon. F. J. CONDON—Members have acclaimed the work done by Ministers, stating what a wonderful asset they are to the State, that this is one of the leading Parliaments in Australia and that this State is held up as a standard, yet some members oppose increasing salaries for Ministers.

The Hon. A. J. Melrose—That is not in the Bill.

The Hon. F. J. CONDON—It is in my amendment.

The Hon. N. L. Jude—We were not allowed to discuss your amendment.

The Hon. F. J. CONDON—The honourable member did not want anybody to have the right to increase salaries. My friend objected to my introducing this, but he cannot get out of it now; he cannot vote against it. With his seven colleagues he is placed in the position that he cannot deny it and I challenge him to vote against my amendment. I am sorry to have so say again that members of this place who hold other positions as directors and so forth should have a little consideration for members who are here earning their salaries for a living. They ought to be more considerate for members who are trying to do their best in the interests of the State.

The Hon. A. J. Melrose—Keep it clean.

The Hon. F. J. CONDON—I have always endeavoured to do that but the time has arrived for a little plain speaking and I am sorry if it hurts. I ask members to support my amendment.

The Hon. C. D. ROWE—I rise not to oppose the amendment, for the time for an increase in the emolument of Ministers is long overdue, but I feel that the amount suggested is not as much as it should be. This is, however, a piecemeal way to tackle the matter and I think it should be done in the Constitution Act which fixes the amount Ministers receive. If that were done I feel that a much greater increase would be given than Mr. Condon proposes. I mention this because it may be assumed from what Mr. Condon remarked that there are members in this place who oppose an increase of Ministers' stipends, and I do not think that is fair comment. I say quite firmly that no member would be opposed even to a larger increase, and members who voted against the second reading did so only in relation to their own salaries and certainly not in relation to the proposed increase for Ministers, which should be dealt with in a separate Bill. I felt I should answer Mr. Condon's interjection that there are members here simply for the pin money. Although I am not offended I think that is extremely unfair comment. I certainly am not in a position to regard my salary as pin money. I need it to meet my commitments, and to suggest that what we get is something on the outer and that we recognize no responsibilities in respect of the amount received and do not do a reasonably satisfactory job for our electorates is hardly warranted, and I much regret that the Leader of the Opposition made that comment.

The Hon. A. L. McEWIN (Chief Secretary)—I would like to acknowledge the attention members have given to this Bill and for the motives prompting the amendment. I must point out that it has been the practice for Ministers' salaries to be appropriated in another Bill, and I am afraid that because we have only had the one Bill before us it has caused remarks which would otherwise not have been made. We have made considerable headway today and therefore I ask that progress be reported.

Progress reported; Committee to sit again.

ROAD TRAFFIC ACT AMENDMENT BILL (FEES).

In Committee.

(Continued from November 26. Page 1673.)

Suggested new clause 9a moved by the Hon. N. L. Jude—

9a. Section 16 of the principal Act is amended by striking out the words "commencement of the month in" in the fourth and fifth lines of subsection (2) and inserting in lieu thereof the words "day on."

The Hon. N. L. JUDE—When the Committee was last discussing this matter Mr. Perry suggested a more practical method of dealing with my proposal. The Chief Secretary realized there was merit in Mr. Perry's suggestion and progress was reported. A new amendment has been drafted and I ask leave to withdraw my suggested new clause 9a.

Leave granted; amendment withdrawn.

Clauses 10 to 14 inclusive and title passed.

Clause 5—"Registration fees"—reconsidered.

The Hon. N. L. JUDE—I move to add the following new paragraph:—

(6d) Where a vehicle is registered after the seventh day of the month the fee payable for such registration shall be the amount prescribed by the other provisions of this section, less a rebate of the prescribed amount for each complete seven days in the period commencing on the first day of the month and ending on the day on which the vehicle is registered.

The prescribed amount of the rebate for each seven days as aforesaid shall be—

(*a*) If the vehicle is registered for twelve months—five pence for each pound of the registration fee:

(*b*) If the vehicle is registered for six months—ten pence for each pound of the registration fee.

In computing a rebate no account shall be taken of a fraction of a pound in the amount of a registration fee.

The amount of each rebate shall be calculated to the nearest shilling; and if the actual amount of a rebate is a whole number of shillings and sixpence, it shall be calculated to the nearest shilling above that amount.

No rebate shall be payable under this paragraph in respect of—

(*a*) any registration effected before the first day of February, nineteen hundred and fifty-four: or

(*b*) the registration of a vehicle which has been previously registered by the same owner.

This gives effect to Mr. Perry's suggestion that when a person makes an initial registration, either of a new or secondhand vehicle, the clerk receiving the fee shall allow a credit for the time for which the person registering would not normally receive registration. This amendment, instead of giving a credit on a daily basis, will do so on a weekly basis; in other words, the year will be divided in 48 portions, and if a person registers in the third week of a month he will get the benefit of a credit for the first two weeks.

The Hon. A. L. McEWIN (Chief Secretary)—I have a report on the amendment from the Registrar of Motor Vehicles. A comparison between what is done here and in other parts of the world will indicate that our system does not place a penalty on those who drive and seek licences for their motor vehicles. It has been mentioned that the Victorian system is an efficient one, but the basis of insurance policies in this State is different from that in Victoria. Under this Bill the word "renewal" does not appear; every licence if not immediately renewed becomes in effect a new licence. The amendment will disrupt the work of the department, because it has no first class accountants to work out these various rates. I have been advised by the Registrar of Motor Vehicles as follows:—

When the present method of registration of motor vehicles was introduced in 1930 the American system of quarterly adjustment of fees was adopted, and was in force for some years. Under that system there was a fixed registration year—usually the calendar year. A person who registered his motor vehicle at any time in the first three months of the year paid the full annual fee, whilst the owner who registered at any time in the second quarter of the year paid 75 per cent of the annual fee, and so on. With the alteration from quarterly to monthly adjustment of fees, all complaints were silenced, and I have never heard any objection to our present system under which an owner pays for the full month in which the registration is effected.

The American system that once applied here still applies in a number of licensing schemes; for instance, petrol pump licences expire at the end of the year. I cannot see any reason to start a system as suggested by the amendment because the majority of cars affected will be small vehicles, costing approximately £1,000, the registration fee for which is only £5 or £6. The honourable member makes a big fetish about commercial users, but there is no reason for providing for odd cases when such a provision will affect thousands, thereby increasing the costs of administration and staff of the department. If I felt any real hardship existed I would be prepared to meet the member, but I feel that his proposal would clutter up the work of the department to obtain a result which is not justified. The report continues:—

Under our present system a form is posted to every registered owner showing the amount of fee required for renewal of registration. The owner remits the amount shown on the renewal form, and the renewal of registration is effected without any further determination of fee. The proposed amendment would necessitate a re-assessment of fee for all applications for renewal of registration lodged more than seven days after the expiry date. The need for re-assessment would greatly increase the already considerable congestion at the public counters in this office and greatly increase the waiting time for applicants.

Under the Victorian system I understand that sometimes there is a lapse of a fortnight before registration discs are sent out. The report further states:—

Many thousands of applications received over the counters are lodged by the Royal Automobile Association and insurance companies acting as agents for the owners, and the applications are usually accompanied by cheques drawn by the owners. It is safe to assume that in practically all cases the owner would forward a cheque for the full fee shown on the renewal form. This would necessitate the

issue of an acknowledgment or receipt for the amount overpaid, and the subsequent drawing and posting of a cheque to the owner of the vehicle for such amount.

I will not proceed further on this, because I know the obvious answer of the honourable member will be that this applies to renewals and his amendment will apply only to the first registration. However, many applications arrive late because people in the country send cheques to insurance companies and sometimes seven to 10 days elapse before the policy is received by the department; the vehicle is not registered during that time, so can it be considered a new registration or a renewal? The report states further:—

I find that approximately 33,000 new registrations are effected annually in the second third and fourth weeks of a month. Of that number, approximately 50 per cent are received direct from country applicants or through dealers carrying on business in country centres.

Mr. Jude said that the department could have a formula all worked out, but the credits on applications coming in from country dealers would have to be worked out, not by the department, but by somebody else. The report continues:—

Most of the applications from the country are forwarded to insurance offices in Adelaide for attachment of the required insurance certificate and transmission to the department. This means that the applicant for registration cannot know to a few days when the application for registration will be lodged with the department, and therefore could not under the proposed amendment accurately determine the fee payable at the date of registration. In view of this I think applicants from country centres would remit the annual or half-yearly fee, and leave it to the department to refund any overpayment. I estimate that there would be approximately 16,000 overpayments in a year. This would necessitate, in addition to the issue of the registration certificate which is also a receipt for the appropriate fee, the issue of 16,000 receipts for the amounts overpaid, and the drawing and posting to owners of 16,000 cheques mostly for amounts varying from 4s. to £1.

That is because the majority of cars are of the smaller type, carrying small registration fees. The report concludes:—

The accounting for and proper disposal of 16,000 overpayments would add considerably to the work of a department already hard pressed by the buoyancy of the motor trade in this, the most motorized State in the Commonwealth. From 1915 to 1930 the tax on motor vehicles was based on ownership and the annual tax was required to be paid whether or not the vehicle was used on any road. When the present system of annual registration of motor vehicles was introduced in 1930 the American system of a fixed registration year with only quarterly adjustment of registration fees was adopted. There appears to have been general satisfaction with our present system of registration which requires payment for the month in which registration is effected, but not for any expired month.

I think we have already given maximum consideration to car owners. This amendment will cause complications far beyond any benefit derived by anybody, so I ask the Committee not to accept it.

The Hon. F. T. PERRY—I am somewhat surprised by the Chief Secretary's attitude. The mechanics of collecting money can be handled if set about properly. There may be difficulties, but the point Mr. Jude raises is that this money is really a service charge for the use of the roads and, accepting his figures, 5d. in the £ is 2½ per cent of the registration per week and most people would be looking for that discount, for three weeks represents 7½ per cent of the registration fee. The difficulty of correcting unjust taxation should not be the criterion that influences the Government. I do not know what the fee on a diesel truck is, but I can visualize its running up to £300. A three weeks' fraction of this represents a considerable amount which should not have been paid. I support the amendment.

The Hon. N. L. JUDE—I was prepared to concede to some extent some of the Minister's points with regard to clerical difficulties, but if ever he damned his case he did it by saying that people send in cheques for their first registration and change would be required. A man gets his first registration account in response to his application.

The Hon. A. L. McEwin—Without a payment?

The Hon. N. L. JUDE—Yes.

The Hon. A. L. McEwin—Don't talk rubbish.

The Hon. N. L. JUDE—An application for registration is lodged and all that the Registrar has to do is send the account back, involving only one letter and no return cheque. I say emphatically there is no need for return cheques. Even though I concede there are difficulties, as Mr. Perry pointed out, that should not prevent justice being done, and this is an unjust imposition which can be be overcome with reasonable ease. It is something that should be reviewed in view of the considerable number of motorists involved. The Minister referred to commercial vehicles being only a handful. According to the Registrar's figures there were 1804 new registrations of commercial vehicles last month.

The Hon. A. L. McEwin—Including farm auxiliaries.

The Hon. N. L. JUDE—They are primary producers' vehicles. I imagine most of that number were commercial vehicles. We should endeavour to deal fairly with everyone and not be hard on one section who may have to take delivery of a vehicle at a time in the month when they do not want it.

The Hon. A. J. MELROSE—The registration of heavy commercial vehicles is so costly that we should not be satisfied merely to maintain the *status quo*. If an injustice is being done—and I think that has been established—it is no more than our duty to endeavour to overcome the difficulty. The arguments about extra departmental work are potent, but I remind the Minister that this question applies to initial registrations. When one buys a new vehicle one gets a lot of papers from the agent, including an application for registration. It could easily be made to include the cost of registration, which would not entail much more work. If the owner were aware that for each week later in the month he lodged his registration he was entitled to a discount he could make his application on a certain date and even go so far as to send in a cheque for the correct amount less the appropriate discount. I ask the Chief Secretary to consider that point of view.

The Hon. A. L. McEWIN—The whole of the support for the amendment has been on the basis of heavy commercial vehicles, but I see nothing in it indicating that that is what it means. It is a general amendment applicable to all motor vehicles and in consequence I oppose it.

The Committee divided on the Hon. N. L. Jude's suggested amendment.

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

Ayes (4).—The Hons. N. L. Jude (teller), A. J. Melrose, F. T. Perry and Sir Wallace Sandford.

Majority of 9 for the Noes.

Amendment thus negatived; clause passed.

Bill reported with suggested amendments and Committee's report adopted.

SUPREME COURT ACT AMENDMENT BILL.

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

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

That this Bill be now read a second time.

Its purpose is to alter the pension scheme for judges of the Supreme Court. This scheme was inaugurated in 1944 and is, on the whole, similar in principle to the other schemes then in force under the laws of the Commonwealth and other Australian States. Under the scheme a judge who has served for 15 years and who retires at age 70 or through incapacity is entitled to a pension of half his salary. If he retires for either of these reasons with less than 15 but not less than five years' service, he is entitled to a pension of three-tenths of his salary with an additional one-fiftieth for every year of service in excess of five. If he retires with less than five years' service or for any reason other than because he has reached the age of retirement or has become incapable, he is entitled to a refund of contributions. No benefits are provided for widows of judges. The scheme is contributory, a judge paying £80 a year.

Originally, pensions were to be calculated on the salary received by a judge at retirement. However, in 1947, when judges' salaries were raised, it was provided that for the purpose of fixing the rate of pension the salary of the Chief Justice at retirement should be taken to be £2,500 and of a puisne judge, £2,000. Since 1947 judges' salaries have been further increased without any alteration in this provision. Because of the decreased purchasing power of money the Government has recently given careful consideration to the question whether the present provisions are now adequate. It appears that the provision requiring 15 years' service before a full pension can be paid is proving unsatisfactory. Because of their ages on appointment no less than four of the present judges can never qualify for the full pension and, no doubt, unless the scheme is altered, some future judges will suffer the same disability. Further, since 1944, the Commonwealth, Victoria, Western Australia and Tasmania have provided for pensions to be paid to widows of judges and the Government considers that it would be equitable to introduce a similar provision here. In addition, because of the increases in salary which judges, in common with other sections of the community, have been granted since

1944 it is appropriate now to alter the provision which declares that judges' pensions are to be based on their 1944 rates of salary.

For these reasons the Government has come to the conclusion that it is desirable to introduce a somewhat different and more liberal scheme. Accordingly, this Bill provides for a full rate of pension to be paid to every contributing judge regardless of his length of service, but at the same time for contributions to be paid at rates varying in accordance with the age of a judge at the time of appointment. Furthermore, the Bill provides that the widow of a contributing judge will be entitled to a pension at half the rate of the judge's pension. The Bill also deals with the point which I mentioned earlier and provides that pensions will, in future, be based on the rate of salary at retirement.

The details of the Bill are as follow:—Clause 3 amends section 13b of the principal Act to raise the pension of a judge now in retirement to the proposed new rate for puisne judges, namely, £1625. This is done in accordance with the generally accepted principle that on increase of pensions existing pensioners also enjoy the benefit of the new rate. There is only one judge at present in retirement. Clause 4 amends section 13c of the principal Act to provide that a judge who has attained the age of 65 at the time of his appointment may not elect to contribute for a pension. As judges will, in future, be entitled to the full rate of pension whatever their length of service, the Government considers that it is reasonable to place a judge outside the scheme if his service will necessarily be less than five years. Clause 5 re-enacts section 13d of the principal Act. New section 13d. lays down the scale of contributions under the new scheme. The percentage of salary contributable ranges from 5 per cent payable by a judge who is under 55 years of age at the time of his appointment to 8.3 per cent payable by a judge who is 64 years of age at the time of his appointment. It should be noted that it is expressly provided by the section that existing judges are not required to pay any additional sum in respect of any period prior to the passing of this Bill.

Clause 6 re-enacts section 13e of the princi- pay Act. The new section provides for the benefits to be received by judges and their widows under the new scheme. Briefly, the section provides as follows:—

1. A judge who has contributed and who retires on reaching the retiring age or because of incapacity will be entitled to a pension equal to half of his salary at retirement.

2. The widow of a judge dying before retirement will be entitled to a pension equal to a quarter of the salary of the judge at the time of his death.

3. The widow of a judge dying after retirement, the judge having retired because he has reached the retiring age or because of incapacity, will be entitled to a pension equal to a quarter of the salary payable to the judge at retirement.

4. If a judge retires otherwise than on incapacity, or before the age of 70, or dies before retirement and does not leave a widow, her or his personal representatives will be entitled to a refund of his contributions.

Clause 7, by enactment of new section 13ea, enables a judge contributing under the present scheme to elect to continue to contribute under that scheme. Clause 8 makes a consequential amendment to the principal Act.

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

STAMP DUTIES ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from November 26. Page 1679).

The Hon. F. J. CONDON (Leader of the Opposition)—Although the Chief Secretary went to great lengths to explain the Bill, I think it is simply designed to correct a mistake made by the department many years ago when it accepted the registration of a company it had no authority to do. As the Minister pointed out section 40, which is proposed to be repealed, is very difficult to administer as it requires payment of the registration fee before a company is incorporated. Its deletion will not affect the Act as payment of the fees is safeguarded by section 41. Another provision exempts banks that are financing hire purchase agreements from payment of *ad valorem* duty on such transactions. The Bill also exempts the person who surrenders one form of Crown lease for another of different tenure from payment of duty. I support the second reading.

The Hon. Sir WALLACE SANDFORD (Central No. 2)—The principal purpose of this Bill is to validate the incorporation of a company incorporated contrary to the provisions of section 40 of the Act. This section is to be repealed, because failure to comply with it has made the incorporation invalid. We are

informed that the present difficulty of the company was caused in part by an error of an officer of the Government, and this Bill has been introduced to rectify the position. Although members will agree that this should be done, one cannot help wondering how this mistake happened, and how long has elapsed since it occurred. A little more information would, I think, have been appreciated, if only so that members could decide whether the alterations sought will render the Act more effective. I believe there are about 79 insurance companies, excluding life assurance companies, in Adelaide, so that one appreciates the fact that the responsibility of dealing with the requirements of the Act is widespread and, I suppose, carries a certain amount of difficulty. Section 40 of the principal Act seems to have been enacted as far back as 1902, which must have been before the election of Mr. Condon to this place, as the penalty prescribed for non-observance is £50 for a month or part of a month, which surely would never have escaped his notice. I understand that section 41 adequately safeguards the position and that section 40 is only an additional safeguard. It can therefore be deleted without danger.

The Bill also deals with the payment of *ad valorem* duties on hire purchase transactions. Section 31 was never intended to affect hire purchase transactions entered into in the ordinary course of trade, and the Government proposes to exempt banks which enter into the hire purchase business from the payment of *ad valorem* duties, and put them on the same footing in this matter as those companies which make it their sole or principal business. The Bill contains yet another provision relating to the payment of duty on the surrender of Crown leases and exempts the holder from the payment of duty when he merely surrenders one lease in order to secure another of a different tenure. I have pleasure in supporting the second reading.

The Hon. C. D. ROWE (Midland)—The speeches already delivered adequately cover the provisions of the Bill and consequently it is unnecessary for me to deal with it clause by clause. The first intention of the Bill is to correct an error made by the Registrar in registering a company without its having paid the prescribed fees. I mention that to emphasize the point that notwithstanding all the work performed by the various Government departments it is only on the most infrequent occasions we find that a mistake has been made. Therefore, the fact that we have to make this correction does not call for censure, but simply emphasizes the fact that the whole machinery of Government works so smoothly year in year out that serious mistakes are rare.

The Hon. K. E. J. Bardolph—And often due to the looseness of the legislation.

The Hon. C. D. ROWE—That may have been the cause of this problem. The other feature of the Bill is the amendment which allows companies whose sole or principal business is not that of engaging in hire-purchase finance to do so. I am pleased that a trading bank has decided to enter the hire-purchase field. Economic conditions being what they are far too many people are resorting to buying goods on hire-purchase, which will be to their ultimate detriment. People with young families can ill afford to do without certain household appliances, and possibly their only means of securing them is by hire-purchase, but there are on the market numerous luxury or semi-luxury goods being advertised for sale on hire-purchase with a very small deposit, or none at all, and it seems to me that people would be well advised not to enter into transactions of that nature. Many of these articles are becoming in ample supply and if a little delay is exercised possibly they will be able to purchase them for cash at much less than is required if they resort to hire-purchase finance. I believe that the bank will purchase on a sounder financial basis than some of the firms engaged in hire-purchase business today, and I advise people when entering into a hire-purchase transaction to see that they get the best possible contract with the company concerned.

The Hon. K. E. J. Bardolph—The banks will do it on a more equitable basis.

The Hon. C. D. ROWE—Yes, and I think they will be a little more selective in the people with whom they do business, and may refuse to make a loan which ultimately would not be in the best interests of the client. If a bank is not prepared to finance a person he is probably well advised in his own interest not to go on with it. The Bill will allow these transactions to go through on the payment of a nominal duty of 1s. instead of *ad valorem* duty. I have pleasure in supporting the second reading.

Bill read a second time and taken through Committee without amendment; Committee's report adopted.

PARLIAMENTARY SUPERANNUATION ACT AMENDMENT BILL.

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

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

This this Bill be now read a second time.

Its object is to increase the superannuation pensions payable to ex-members of Parliament and to provide for increased contributions to the Parliamentary Superannuation Fund. The existing rates of pension were fixed in 1948, and the Government is of opinion that in view of the substantial increases in prices, wages and salaries since that year the rates should now be reviewed. An investigation of the relevant data, including the rates of Parliamentary pensions in other States, discloses that an increase of £50 a year in the South Australian pension is now amply justified. It is therefore proposed to increase the basic pension—which is £250 a year for 12 years' service in Parliament—to £300 a year. The maximum rate of pension, namely, £370 a year for 18 years' service or more, will be correspondingly increased to £420. In order to give some special help to widow pensioners, the rate of their pensions is being increased from three-fifths to three-quarters of the pension to which their deceased husbands were entitled. In order to obtain increased pensions members will be called upon to pay heavier contributions, the increases being from £58 10s. a year to £72. If, however, any member (whether present or future) does not desire to subscribe for an increased pension, the Bill gives him the option to contribute at the old rate, in which case his pension also will be at the old rate.

In addition to these alterations of pensions and contributions, the Bill alters the law relating to the reduction of pension when an ex-member holds some other office or pension under the Crown. The Act provides, among other things, that the rate of a pension is to be reduced by the rate of the salary or remuneration attached to any office of profit under the Crown held by the pensioner. Thus, if an ex-member in receipt of a pension of £370 a year is appointed to a board carrying fees of £370 a year his pension would entirely cease. The Government is of opinion that it would be just to allow ex-members to hold part-time positions remunerated by relatively small salaries or fees without reduction of their Parliamentary pensions. Clause 6 therefore provides that if a pensioner holds an office under the Crown for which he is remunerated out of money of the Crown at a rate not exceeding £500 a year his pension shall not be decreased. If, however, the remuneration of any position which a pensioner holds is more than £500 a year his pensions will be reduced by the amount of the excess. The Bill will come into operation on the first day of the first month after it receives the Governor's assent and the increases in the rates of pension will apply both to existing and to future pensioners.

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

[*Sitting suspended from* 5.40 *until* 7.45 *p.m.*]

MINING ACT AMENDMENT BILL.

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

The Hon. A. L. McEWIN (Minister of Mines)—I move—

That this Bill be now read a second time.

This Bill contains several amendments of the Mining Act, and has been introduced mainly to deal with some difficulties which have arisen in the administration of the Mining Act in connection with royalties and mining leases. While dealing with these problems the opportunity has been taken to make some consequential amendments to the principal Act. They are contained in clauses 3, 5, 6, 8, 10 and 11 and strike out of the Mining Acts certain references to oil which are not now required, as oil prospecting and mining is dealt with by separate legislation. These amendments do not alter the law. Clause 3 amends section 4 of the principal Act. Since 1946 royalties have been reserved in a mining lease of Crown lands on the gross amount realized from the sale of substances "obtained" from land comprised in the lease.

The Director of Mines has informed the Government that legal doubts have arisen whether salt obtained by evaporation of sea water brought on to land artificially can strictly be said to be "obtained from the land," and therefore whether royalties are payable on the collection of the salt. Royalties have in the past been paid on the collection of salt produced by this method. In fact, under the terms of a lease granted prior to 1946, there would be little doubt that royalties would be payable. This problem has only really arisen since the basis of assessment was altered in 1946. The Director of Mines has recommended that it should be made clear that royalties are payable, and the Government has accepted this recommendation. Clause

3 accordingly provides for payment of royalties on substances collected, as well as obtained, from land comprised in a mining lease.

Clause 4 inserts three new sections in the principal Act, sections 23b, 23c and 23d. Section 23b deals with a problem which has arisen in the computation of the amount upon which royalties are payable by mining lessees. At present, royalties reserved under a mining lease granted since the commencement of the Mining Act Amendment Act, 1946, are payable at the rate of 2½ per cent of the gross amounts realized from the sale of the product of the mine. The Government is advised that by virtue of this provision royalties must be paid on the actual gross amount paid by the buyer. This may sometimes lead to inequitable results. In some cases the gross amount paid by the buyer includes the cost of transporting the mine product to a place other than the mine, or it may include expenditure incurred for treatment of the product additional to the treatment which is necessary to bring it into a marketable condition. In other cases the amount paid by the buyer is the bare value of the product at the mine in the condition in which the product first becomes marketable. Thus, if the royalties are based upon the gross amount received, in some cases the costs of transport and treatment will be taxed but in others they will not.

It has been the practice of the department to allow a deduction for transport, but the Auditor-General has questioned the practice and the Government is advised that at present the deduction cannot legally be allowed. The Government desires to place the matter on a more equitable basis and accordingly the proposed section 23b provides that in computing the gross amount realized from the sale of any substance obtained from the lessee's land, a deduction shall be made of expenditure incurred by the lessee on treatment of the substance other than treatment required to make it a marketable product. This will mean that the costs of any treatment necessary to make an unsaleable product of a mine saleable will not be deductible, but the costs of any further treatment undertaken by the lessee will be deductible. The section also provides for the deduction of expenditure incurred by the lessee on delivery of substances to a buyer. Section 23b also makes provision for the settlement by arbitration of any disputes about the amounts of such expenditure, and the stage at which the product of a mine is first marketable.

Section 23c deals with the legal position of a person whose application for a mining lease has been approved but to whom a lease has not been granted. It has been the practice for some time for the Department of Mines to regard a person whose application for a mining lease has been approved, as a lessee, although a grant of lease by the Governor has not actually been made. Such applicants, who are referred to by the department as holders of "rights to leases are permitted to occupy and work the land concerned exactly as though they had been granted mining leases. The practice has proved a convenient one. When, for example, a miner wishes to occupy land for only a short period, a formal grant of lease is hardly necessary. However, it is extremely doubtful whether the practice is justified under the Mining Act, and even if it is, the rights and obligations of the parties are in many respects doubtful. The Government wishes the practice to be continued, and accordingly this section gives it statutory authority and clarifies its legal effect. The section declares that a person who has been notified in writing that his application for a mining lease has been approved shall be regarded as a lessee under a mining lease of the kind applied for, and specifically makes such a person liable for payment of rents and royalties. The section applies notifications made before its enactment as well as to future notifications. The holder of a "right to a lease" which is still current at the time of the passing of the Bill will thus be deemed to be a lessee, and to be liable for rent and royalties, by the operation of this section. Section 23c applies both to mining on Crown lands and to mining on private lands.

New section 23d deals with a problem raised by the Director of Mines in connection with the payment of royalties under certain leases granted prior to 1946. Prior to 1946 royalties were reserved in mining leases on the net profit obtained from the sale of substances mined. In one or two cases where the product of a mine was used by the lessee in some process of manufacture of his own, it proved almost impossible to assess the net profit obtained from the substance. This difficulty arose, for example, where a lessee used gypsum from his mine for the manufacture of plaster of paris or limestone for the manufacture of cement. In order to avoid such difficulties the Minister of Mines in some of these cases arranged with the lessees concerned that royalties should be paid at a flat rate per ton of the substance mined. There are still leases in force under which such an arrangement was made, and the

question has recently been raised whether these arrangements are valid under the Mining Act. There seems little doubt that they are not valid, but in the opinion of the Government they should be made so. Provided that there are suitable safeguards the fixing of a royalty calculated by reference to the amount of a substance mined is clearly a simple and convenient basis for royalties in cases where it is impossible or difficult to assess profits or gross earnings.

New section 23d authorizes the Minister of Mines to make such arrangements provided that the rate of royalty agreed upon is recommended by the Auditor-General. It has been thought desirable to give this power both where the royalty under the lease is based on net profits and where, as in a lease granted since 1946, it is based on the gross amount realized from sales.

Clause 7 re-enacts section 69f of the principal Act, in an altered form. The principal effect of the amendment is to alter the rate at which royalties are payable by persons mining on private land. At present under section 69f of the principal Act the owner of a claim or the holder of a licence or lease on private land is liable to pay royalties at the rate of one per cent of the gross amount obtained from the sale of any substance mined on the land. This rate was fixed in the year 1931 and has not been altered since. But the rate of royalty payable to the Crown on leases granted since 1946 is fixed at 2½ per cent of the gross proceeds. Thus there is a divergence between the rate of royalties payable by persons mining on private land and those payable by persons holding mining leases from the Crown. There is also a divergence in the language used to prescribe the basis of assessment.

The Director of Mines has recommended that royalties payable by persons mining on private land should be placed on the same footing as royalties payable by mining lessees, and the Government believes that this is a just principle. Clause 7 therefore increases the rate of royalty from 1 per cent to 2½ per cent which will apply to claims pegged out or licences and leases granted after the passing of the Bill, and makes the basis of assessment of the amount upon which royalties are payable by persons mining on private land the same as that applying to royalties reserved by mining leases. The later amendment will apply to persons owning claims and holding licences or leases at the commencement of this Bill. It is anticipated that it will, if anything, put them in a better position than before. It should be noted that section 23a and new section 23b of the principal Act will apply to royalties payable by persons mining on private lands. Section 23a, like new section 23b, further explains the basis of assessment of the amount upon which royalties are payable by lessees of Crown mineral rights.

Clause 9 inserts new section 125a in the principal Act, which enacts further provisions concerning "rights of leases," and deals with a difficulty which has arisen in drafting mining leases. Under section 125 of the principal Act penalties are provided for the non-payment of rent by the day appointed in a mining lease for payment. As there is some doubt what the appointed day would be under a "right to a lease," the new section 125a declares that in such a case the appointed day in each year shall be the anniversary of the day on which the right to a lease took effect.

Section 125 also provides penalties for non-payment of royalties by the appointed day. The Department of Mines has experienced difficulties in appointing days for payment as at the time of the grant of a lease the date when the lessee's annual statements will be available for assessment of royalties is not known. The new section therefore enables the department to fix a date for payment of royalties, by notice given to the lessee. This provision applies also to royalties payable under a "right to a lease." The section provides, at the same time, for the determination by the Minister of Mines of the period in respect of which royalties are to be payable. The enactments of clause 9 all apply to leases and to "rights to leases" granted both before and after the passing of this Bill. This is a very important Bill as it provides not only for the future but for practices that have operated in the past.

The Hon. K. E. J. BARDOLPH secured the adjournment of the debate.

LOCAL GOVERNMENT (CITY OF ENFIELD LOAN) BILL.

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

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

That this Bill be now read a second time.

The purpose of the Bill is to authorize the Enfield City Council to borrow £250,000 from the Savings Bank in order to carry out drainage works which are necessary within the municipality. The municipality of Enfield includes a considerable area of

land and, during the last few years, there has been a very large amount of building carried out in it. The Housing Trust has built many thousands of houses within the municipality and, in addition, there has been a great deal of building by others.

The topography of Enfield gives rise to considerable drainage problems. That part of the municipality which is easterly of the Main North Road is high land which generally slopes down to that road. From the Main North Road the ground falls away until relatively low parts of the municipality are reached in a considerable tract lying between Hanson Road, Woodville Gardens and the northern railway line and running northerly to and beyond Grand Junction Road. Building has been carried out very extensively both on the higher portion of the municipality and on the lower. One invariable result of building up an area and the making of roads is to increase the run off of drainage water and this is particularly in evidence in an area such as Enfield where a substantial part of the area is high and this part slopes down fairly rapidly towards the lower portions. The council is fully aware of its problem and has, with commendable prudence and foresight, prepared plans for the carrying out of a comprehensive drainage scheme which it considers will take care of its drainage problem. The Commissioner of Highways has collaborated with the council in the preparation of its scheme and considers that it is not only necessary but is a realistic and reasonable approach to the problem.

The drainage scheme proposed by the council is a comprehensive one and, by its nature, is one that, if once commenced, must be completed in order that the benefits proposed by it can be obtained. The total cost is estimated at approximately £250,000 and it is the intention of the council to carry out the work over a period of about five years. There are, however, other difficulties associated with the undertaking, apart from the actual construction of the drainage scheme with which the council is confronted and it has accordingly approached the Government with a view to overcoming them. In the first place, Part XXI. of the Local Government Act imposes certain limits on the amount which a council may borrow. Enfield has, in the past few years, been faced with the problems associated with the very quick development of its area. The tremendous amount of house building at Enfield has necessitated considerable expenditure on roads and the other works necessary upon the development of an area and consequently the council, at the moment, has not the borrowing capacity under the Local Government Act to enable it to borrow the £250,000 necessary for these drainage works.

In the second place, the Local Government Act contemplates a maximum period of 42 years for the repayment of any loan. These drainage works will, it is considered, provide a permanent solution to the drainage problems of Enfield and the council considers that, in order to reduce the annual commitments which must be incurred by it, the period for repayment should, in this instance, be 60 years and not 42 years. It may be mentioned that, when the Act was amended in 1941 to enable the Adelaide City Council to borrow for street widening purposes, the same issues arose and the Act was amended to enable that council to borrow moneys additional to that provided by Part XXI. and the term for repayment was fixed at 50 years.

Following upon the approach to the Government by the Enfield council, the first thing to be established was whether loans would be available to the council to carry out the scheme if the law were altered to meet its particular case. Accordingly, the Savings Bank was asked whether it would entertain a loan to the council. For the purpose required, the council needs a total loan of £250,000 to be advanced in instalments over a period of about five years and with conditions for repayment which will have the effect of distributing the liability over a period of up to 60 years.

The Savings Bank has replied to the effect that, if legislation such as is proposed by the Bill is passed, it is prepared to grant a loan to the council for the purpose in question on terms and conditions to be agreed upon between the bank and the council and there have been some preliminary negotiations between the two parties. The Bill accordingly authorizes the council to borrow £250,000 from the Savings Bank but provides that every loan made under the Bill must have the consent of the Governor. The bank and the council are to agree upon the terms and conditions of the loan, which is to be made on the security of debentures issued by the council, but the maximum period for the repayment of any debentures is not to exceed 60 years. If debentures are issued for any shorter period, the council is given power to raise a further loan from the bank in order to redeem the earlier debentures but the total term of the original and any substituted debentures is not to exceed 60 years. To the extent that

any debenture does not provide for the repayment of the principal by periodical instalments, the council is to establish a sinking fund based on an amortization period of 60 years.

Other provisions of the Bill deal with the powers of debenture holders on default by the council and the power of the council to levy a special rate to meet its commitments under any debentures. It is also made clear that the borrowing powers given by the Bill to the council are additional to those given to it by Part XXI. of the Local Government Act.

In general, these provisions are similar to those contained in sections 871j to 871q of the Local Government Act. These sections give additional borrowing powers to the Adelaide City Council for street widening and construction purposes.

This is a hybrid Bill within the meaning of Joint Standing Orders, and in accordance with them it was referred to a Select Committee of the House of Assembly. This committee, after hearing evidence and considering the issues raised by the Bill, duly made its report in favour of its passing. I give the Bill my personal commendation, because I know something of the circumstances. I have conferred with the council and have inspected certain properties that come under my administration; I realize the problem the council has because of the rapid expansion that has taken place in its area. The Government has offered land for the cheap disposal of drainage in the area to help the council out of its heavy expenditure during the current year. This involves the Government in only a few thousand pounds and, after having witnessed the problems on the spot and knowing something about the responsibilities of local government, I have no hesitation in saying that this is one of the most reasonable and desirable requests ever to be placed before this Chamber. I therefore have pleasure in recommending the Bill for the favourable consideration of members.

The Hon. K. E. J. BARDOLPH secured the adjournment of the debate.

BUILDING ACT AMENDMENT BILL.

In Committee.

(Continued from November 18, Page 1515.)

Clauses 3 to 13 and title passed.

Clause 2 "Duty to furnish plans"—reconsidered.

The Hon. K. E. J. BARDOLPH—I move to insert the following new subsection:—

(14) Any plans, working drawings or specifications in respect of any building which are delivered to the council or the surveyor pursuant to this section shall be signed by the owner of the building, and if the plans, drawings or specifications have been prepared by an architect, shall be also signed by the architect, and if a contract has been entered into with a builder for the carrying out of the work, shall also be signed by the builder.

Every working copy of any plans, drawings, and specifications which, pursuant to subsection (13) hereof, is required to be available for inspection, shall also be signed as is hereinbefore provided in this subsection.

The amendment I originally intended to move could be misinterpreted to mean that all plans submitted to a council had to be signed by an architect. My new amendment makes it clear that only plans prepared by an architect shall be signed by him. The amending Bill has been submitted to Parliament on the advice of the Building Advisory Committee with the object of conferring certain powers upon building inspectors and so that it shall be mandatory for plans and specifications passed by a council to be kept on the job. Under the existing Act that is not so, but only for the plan to be submitted to the council. My amendment is purely a machinery provision.

The Hon. A. L. McEWIN (Chief Secretary)—I understand that the purport of the amendment is to ensure that a plan approved by a council applies to a particular contract. Plans are produced by architects which are not signed, but are copyright, and to that extent could be copied or altered. I think the Committee will be justified in accepting the amendment.

The Hon. F. T. PERRY—I cannot see what the honourable member is aiming at. The Bill deals with the approval of a council for a building, and in each case a plan has to be submitted to the council for its approval. The Act as amended provides that a copy of the plan shall be kept on the job. That is all that is necessary. It would appear that the honourable member's amendment requires that on the plan shall appear the signatures of the owner, the architect, the builder and a representative of the council. I cannot see the need for all those signatures. All we are concerned about is that the class of building in question is approved by the council and that a copy of the plan has been lodged on the job so that the council inspector or surveyor can be acquainted with it.

The Hon. E. ANTHONEY—There may be merit in the amendment, but it makes the position more complex to provide that a plan has to be signed by all the people mentioned. If there is a plan on the job, it is then available to anyone to inspect it.

The Hon. K. E. J. BARDOLPH—If members study the amendment they will see that if plans, drawings or specifications have been prepared by an architect they shall be signed by him, and if a contract has been entered into with a builder it shall also be signed by him. Any contract for a building must be signed by the owner because the drawings become part of the contract. In accordance with the conditions of contract, plans and specifications must be signed by the owner, the architect and the builder. All that the amendment provides is that a replica of the original plans shall be deposited with the council so that a building permit can be granted, and for a replica to be kept on the job. If that is done it will provide an identification that the plan is the plan passed by the council. At present a plan can be passed by the council, but a totally different plan can be on the job.

The Hon. E. Anthoney—Can that happen?

The Hon. K. E. J. BARDOLPH—It has happened. Deviations have been made from the plan passed by the council.

The Hon. J. L. S. Bice—But the builder would then be taking a great risk.

The Hon. K. E. J. BARDOLPH—Perhaps so, but the object is to tighten up the legislation to make it work. We must give the necessary protection to the builder, architect, contractor and owner. Therefore, I can see no reason for opposition to the amendment.

The Hon. R. R. Wilson—Is it usual to have a plan on the job?

The Hon. K. E. J. BARDOLPH—It is not mandatory under the Act, but it will be if the Bill is passed.

The Hon. Sir WALLACE SANDFORD—I have had some experience in building, and almost invariably a plan is kept on the job for reference from start to finish. I cannot see justification for the amendment.

The Committee divided on the Hon. K. E. J. Bardolph's amendment—

Ayes (13).—The Hons. E. Anthoney, K. E. J. Bardolph (teller), 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, A. J. Melrose, W. W. Robinson, R. R. Wilson.

Noes (4).—The Hons. L. H. Densley, F. T. Perry (teller), C. D. Rowe, Sir Wallace Sandford.

Majority of 9 for the Ayes.

Amendment thus carried; clause as amended passed.

Bill reported with an amendment and Committee's report adopted.

ROAD TRAFFIC ACT AMENDMENT BILL (GENERAL).

Adjourned debate on second reading.

(Continued from November 26. Page 1677.)

The Hon. E. ANTHONEY (Central No. 2)—This Bill which is essentially a Committee measure, is based on recommendations of interstate and local traffic committees and provides some radical alterations to present traffic practices. There are some clauses with which I entirely disagree. For instance, the provision that motorists shall stop behind stationary trams is rather dangerous. From what I have seen in the eastern States that practice has resulted in motorists scurrying to pass a tram before it reaches a stopping place. Our traffic laws work not without some danger but if we interfere with the laws we will cause confusion to those who are accustomed to driving under present conditions. It takes a driver some time to become accustomed to changes. Another proposal is to permit a motorist to turn at an intersection into a stream of pedestrian traffic. I realize that that may speed the flow of traffic but will result in confusion and danger to pedestrian traffic. It may be suggested that pedestrians can look after themselves but I point out that under existing laws they usually have to. The clause provides that the procedure must be carried out with consideration for pedestrians. About 99 per cent of motorists are rational people who would not willingly do anything to endanger the lives of other citizens but many elderly people, who are not very active, experience difficulty in crossing at intersections before the lights change and this clause may result in many accidents. I will definitely oppose it. Another proposal is to permit a motorist at a stop sign to turn into the oncoming traffic on his left. At present a motorist has to see that both traffic lanes are clear before entering an intersection. I ask members to visualize the position on the Gawler Road on a race day. If a man entered the stream of traffic on his left there could be considerable confusion.

The Hon. N. L. Jude—If he didn't he may have to wait a couple of hours.

The Hon. E. ANTHONEY—That would be preferable to his driving into the traffic and

possibly killing someone. The Bill does make some improvements to the existing law and I shall support the second reading, although I shall oppose some of the clauses which appear to represent a danger to pedestrian and other traffic.

The Hon. A. J. MELROSE (Midland)—I strongly disapprove of the introduction of legislation which merits a great deal of discussion and thought at this late hour of the session. There are two outstanding measures which are introduced every session apparently in the dying moments—amendments of the Road Traffic Act and the Local Government Act. Both matters are of wide interest. Every member in both Houses is familiar with the many problems associated with both Acts and for every problem there are at least a thousand points of view. It would be fairer if these matters were introduced earlier in the session so that members could at their leisure ventilate their opinions and advance suggestions for improvements, and gradually come to decisions. I deplore these measures being introduced so late that no real consideration can be given to the problems involved. We are faced with the option of taking or leaving them.

The Hon. K. E. J. Bardolph—Wasn't this Bill based on the recommendations of the State Traffic Committee?

The Hon. A. J. MELROSE—That doesn't affect my argument. The committee has all the year to consider traffic matters and its recommendations should be put before members at the beginning of a Parliamentary session.

The Hon. F. J. Condon—This measure has been before us for three weeks.

The Hon. A. J. MELROSE—Yes, but we have not been discussing it for three weeks. At no point of time time do we reach a stage when there is nothing further to be said on either local government or road traffic legislation. It should be the aim to make traffic rules so simple and so uniform in application that a visitor can grasp their effect in the shortest reasonable time. This was impressed upon me very much on a visit to Tasmania. In that State the "give way" rule applies and traffic on any subsidiary road leading into a main road must give way to traffic on the principal road. In less than half a day that law became perfectly apparent to me and was easily understood and easily obeyed.

We can make rules easily understood by the metropolitan population. For instance, in this legislation it is proposed that motorists shall stop at the rear of a stationary tram. In my opinion that lulls people alighting or boarding a tram into a false sense of security and they could become victims of the quite innocent ignorance of a person who did not know that the rule applied. In Tasmania there is a rule that posts outlining a road on curves, instead of having a black band on one and no black band on another, have on them a triangular sign like an arrowhead that points to the road. One has only to glimpse one of these arrowheads to know where the road is without having to go through a brain exercise wondering whether the road is on the left or the right. Simplicity and the unification of traffic rules should be aimed at and in so far as this Bill departs from that it has not my support. I do not support the provision for stopping at stationary trams. Although that is a practice followed in other States, I think it is wrong. My experience is that motorists treat tram passengers with the greatest respect, and stop long enough to enable young or old people to board or alight from trams. If we bring in a rule that motorists must stop, we will find that they will speed up to pass trams before they become stationary, a practice which is fraught with danger. The motoring public has been educated to have respect for tram passengers and, as we understand that trams are on the way out, we should not alter the law to give any further consideration for these passengers.

There is a laxity on the part of motorists in regard to the amber lights at crossings. Sometimes it is almost impossible to stop when the light changes and in those circumstances one is allowed to cross the intersection against the amber light. That is perfectly safe because there is little danger of a collision owing to the short period of time that it takes to cross, but every day of the week one can see people speeding to cross intersections after the light has changed. The police seem to take no notice of this, and it is a practice followed by all types of vehicles including municipal vehicles. If any member stands at any intersection in the city for a few minutes he will see several instances of this sort of thing. If this Act is brought up for amendment again, as I have no doubt that it will be in the dying hours of the next session, I propose to move an amendment to bring to an end the prevalent practice of driving on the hooter, by providing that the horn must not be sounded except in an emergency.

That law now exists in Tasmania. I understand that it is also the position in England, and perhaps in other parts of the

world. In quiet streets many vehicles speed along hooting at every intersection and destroying the peace that would otherwise be found. My chief reason, however, is that many motorists depend on the hooter when crossing an intersection, and if someone approaching an intersection at right angles does the same thing there must be an accident. It is much safer to ban this practice so that everyone will have to exercise care when crossing intersections and travel at a pace that will enable them to stop in the time available. In Committee I will oppose some of the clauses with which I do not agree. I regret that the Government has seen fit to bring in this Bill, which has such a wide field of interest, without members having had sufficient time to consider the matter fully. I support the second reading because I realize that in Committee I will have an opportunity to speak on the clauses with which I do not agree.

The Hon. J. L. S. BICE (Southern)—I realize that a great deal of discussion can take place in Committee stages in this Chamber as it did in the House of Assembly. It is very unfortunate that we have to deal with road traffic legislation almost every year. I compliment the Traffic Committee which is acting in a voluntary capacity for the benefit not only of members but for the public as well. There are so many complicated clauses in this Bill that one is rather diffident about offering an opinion without having had the advantage of hearing evidence submitted by experts, as the Traffic Committee has had. The personnel of this committee has always impressed me and that is why I take a great deal of notice of its recommendations; however, I cannot understand why it recommended that motorists should be allowed to proceed against the red light when turning right.

Over the years there has been a considerable amount of debate on the question of whether motorists should stop at stationary trams. Today we appear to be on the verge of trams going out. I have travelled along the Marryatville tramline for many years and although the narrow road from Portrush Road east to the terminus caused disabilities when trams ran along it, now that the buses have been installed there is no difficulty. I wish to pay a tribute to the Commissioner of Police for the institution of motor cycle patrols; they are a courteous body of men and are a tremendous help in our traffic difficulties. When a person has broken the law and has not extended the courtesy one might expect, the Police Department requires him to attend compulsory lectures, and these have done a very good job. On the South Road there is a tremendous amount of heavy traffic carrying loads of up to 10 tons. Many of these vehicles carry sand from Noarlunga and Morphett Vale to the metropolitan area, and I pay a tribute to the drivers of them for the courteous way in which they wave motorists on. This is a very big help because it is almost impossible to see what is ahead of them and it could with advantage be adopted by motorists generally. Although I object to the right-hand turn against the red light, I propose to leave that matter to the Committee stages. I support the second reading.

The Hon. W. W. ROBINSON secured the adjournment of the debate.

BLACKWOOD AND BELAIR WATER SUPPLY.

The PRESIDENT laid on the table the report of the Public Works Standing Committee on the augmentation of the Blackwood and Belair water supply, together with minutes of evidence.

ADJOURNMENT.

At 11.07 p.m. the Council adjourned until Wednesday, December 2, at 2 p.m.