

LEGISLATIVE COUNCIL.

Wednesday, November 3, 1954.

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

QUESTIONS.

AMENDMENT OF LICENSING ACT.

The Hon. F. J. CONDON—Is it the Government's intention to introduce legislation in the Legislative Council to amend the Licensing Act and, if so, can the Chief Secretary say what the amendments are?

The Hon. Sir LYELL McEWIN—Amendments to the Act are under consideration, but have not yet been considered by Cabinet. Until that has been done I am not in a position to give the information sought.

DELAY IN BUILDING OF SCHOOLS.

The Hon. K. E. J. BARDOLPH—Has the Chief Secretary a reply to the question I asked the Minister of Local Government on October 21, concerning the delay in the erection of school buildings?

The Hon. Sir LYELL McEWIN—As the honourable member is aware, all these buildings are the responsibility of the Works Department. The question was referred to the Minister of Works who has been supplied with the following report by the Architect-in-Chief:—

It would appear from the statement made by the Hon. K. E. J. Bardolph that work in connection with the provision of new schools has been delayed by this Department because of the number of small jobs which are in hand for the Education Department. To the contrary concentration has been made on the provision of new schools and it has been the small jobs which have had to be delayed. It is hoped that this position will be improved following the arrangement recently approved by Cabinet for school committees to arrange minor works up to £400 with local contractors. It is considered that work in connection with new schools during this financial year will result in an expenditure of the whole of the provision made available under the Loan Account.

SUBSIDIES ON PRIVATE SCHOOLS BUILDING COSTS.

Adjourned debate on the motion of the Hon. K. E. J. Bardolph:—

That, in the opinion of this Council, it is desirable that financial aid be made available by the Government to recognized private schools on a pound for pound basis on the capital cost to erect new school buildings similar to the

scheme inaugurated by the Government to assist institutions providing for the care of aged persons.

(Continued from October 20. Page 1056.)

The Hon. S. C. BEVAN (Central No. 1)—I support the motion, but was rather surprised to hear the Chief Secretary say that because the motion involved a money matter it should not have been introduced in this Chamber, but should have first been discussed in another place. The first paragraph of the motion reads:—

That, in the opinion of this Council, it is desirable that financial aid be made available by the Government to recognized private schools

Surely the Minister did not intend to convey the view that this Chamber has no right to express an opinion because the motion deals with a money matter? I feel that every honourable member has the right to express an opinion on any matter appertaining to the State, irrespective of whether it deals with the expenditure of money or not. We are only asked to express an opinion which, if finally accepted by this Chamber, would be an indication to the Government, which would then consider it. We are not asked to pass legislation. If an honourable member has not the right to express an opinion my view is that it is futile for us to meet here at all. Mr. Bardolph went to considerable research to place before the Chamber the activities of private schools and referred to the large programmes of expenditure they have in hand. In supporting the motion Mr. Cudmore also submitted some interesting facts. Both honourable members referred in appreciative terms to what had been achieved by those interested in educational facilities since the foundation of the State. It is interesting to notice that the foundations of our educational system were first laid by private schools. They were the basis of our education. Mr. Cudmore pointed out proudly, and rightly so, that his family was connected with the establishment of one of the first private schools in South Australia. Since that time the State has spent a considerable amount on education, and much more will be spent in the future. Education is one of the most important functions of the State because the children of today will be the leaders of tomorrow. Some of them will be statesmen, undoubtedly a large percentage will be business executives and others will be tradesmen of various types. Private schools contribute very largely to the education of our children because, as Mr. Cudmore pointed out, one-sixth are educated at private schools.

Years ago the cost of building a private school was considerably less than today, because as we all know there have been tremendous increases in building costs. Costs of material, labour and everything else connected with the building trade have increased considerably and in my opinion we have not yet reached the zenith of the upward trend. Because of this some assistance should be given to private schools as suggested by the motion. A private school is being erected at Semaphore at a cost of £36,500, and the cost has to be met by the parents living in the Semaphore area who will send their children there, and perhaps other residents who assist in such matters. Over the last couple of months the Mothers' Association, the Old Scholars' Association and parishioners have raised £2,670 towards the cost of building the school.

The Hon. L. H. Densley—But they have Government schools available to them.

The Hon. S. C. BEVAN—I quite appreciate that. This money has been raised from various fetes and competitions, and it is a remarkable effort, but no portion of that amount has been subsidized by the Government, whereas public schools parent's committees have the satisfaction of knowing that the money they raise will be subsidized on a pound for pound basis by the Government. These schools are erected, quite rightly, by the Government, and are furnished and staffed by the Government whereas private schools have to operate without any assistance. It is not compulsory for parents to send children to any particular school, but it is their fundamental right to decide to which school they shall be sent. However, just because there is a Government school in a district that should not be grounds for an excuse by the Government that parents should not establish and maintain a private school.

The Hon. L. H. Densley—It is not an excuse, but a fundamental reason.

The Hon. S. C. BEVAN—It is an excuse. Ever since I have been a member of this Chamber, on every occasion that education has been discussed it has always been pointed out that there is a Government school that children can attend. This motion asks only for assistance to build new private schools or classrooms, and relates only to the initial cost. The amount that I said it would cost to erect a school at Semaphore is purely the initial cost and after it has been spent the school will have to be staffed by qualified teachers and maintained. This is all being done at the

moment by parents of the scholars and parishioners. If this motion is accepted it will afford some relief, but only an infinitesimal relief because of the high cost of constructing and maintaining schools.

Surely the Government should give some consideration to the fact that private schools are relieving it of a considerable expenditure. We know that the Government is doing everything possible to build and staff new schools, but we know also that it is having considerable difficulty in meeting its obligations in respect of education because of the increase in our population and the acute shortage of staff. If, in addition, the Government had the responsibility of educating all pupils now attending private schools the position would become hopeless; our schools would have to be enlarged, or new ones built, and all of them would require staffing, so there would be the outlay on additional classrooms or new schools plus the outlay on salaries, all of which would have to be met by the Government. I suggest, therefore, that it should be possible for the Government to subsidize the initial cost of private school buildings, and even then the savings to the Government, by comparison with the alternative, would still be considerable. All parents sending their children to private schools contribute through taxation towards the cost and maintenance of Government schools.

The Hon. L. H. Densley—They know that before sending their children to private schools.

The Hon. S. C. BEVAN—I frankly admit that, as every reasonable person must. In making the choice they know quite well that they must bear the whole of the cost of educating their children and they accept the burden, but the Government also should accept some of the load because of the enormous amount it is saved.

The Hon. Sir Lyell McEwin—The whole consideration is the saving to the Government, is it?

The Hon. S. C. BEVAN—No, but I am suggesting that the Government has some responsibility in respect of the building and maintenance of private schools, as if it were faced with the task of educating all the children now attending private schools it would be beyond its capacity.

The Hon. Sir Lyell McEwin—Why limit it to private schools? Why not private enterprise generally?

The Hon. S. C. BEVAN—I am at a loss to fathom what the Minister means by private enterprise in this connection.

The Hon. F. J. Condon—Private industries get assistance from the Government.

The Hon. F. T. Perry—So do schools.

The Hon. S. C. BEVAN—Yes, Government schools, but what assistance does the Government give private schools? If the honourable member is referring to the book allowance of £3 a year, that goes to the parent and not to the school and therefore has nothing whatever to do with the cost of building new schools or additions. I sincerely hope that the Government will give sympathetic consideration to the request contained in the motion, which I trust will be carried.

The Hon. F. T. PERRY (Central No. 2)—We are asked by the mover to consider and express our opinion on the motion now before the Chair, part of which is indefinite and part of which is conditional. He wishes us to express the definite opinion that financial aid should be given to recognized private schools, but I am inclined to agree with the Chief Secretary that it is all very well to express an idea in relation to financial matters but another matter entirely to express the opinion that a certain action should be taken. Mr. Bardolph suggested that because the Government, last year, gave certain assistance to religious bodies for the purpose of helping to house elderly people, which I think received the approbation of every member of this Chamber, it should assist private schools in the way requested. However, I cannot support the resolution as drafted. I think the mover was not as wise as he might have been in its wording or in the definition of private schools. The Government accepts responsibility for the education of children and provides facilities for that purpose from the kindergarten to the University, it being easily the greatest contributor to the University's funds. The Government does not accept the responsibility of looking after elderly people to the same extent, although the Commonwealth Government provides pensions and the State Government homes. Certain religious organizations accept responsibility for looking after elderly people as far as their means permit, and also provide private schools. When one considers it from an unbiased point of view, I can see no great harm in the spirit of the motion. If the same conditions existed which prompted the Government to give £400,000 for the care of the aged and a similar surplus was available, I could see no great harm in the Government's applying it to the education of children under certain conditions. However, it must be remem-

bered what prompted the Government to make money available for the care of the aged. With all due deference to it, the money actually came from a surplus. It was not the result of taxation and it was not emphasized in the Government's policy speech or in the Governor's speech at the opening of Parliament. If such conditions do not recur, the motion is of no use. I would not support it as it stands.

It must be remembered that the Government does assist private schools to the extent that if anyone wishes to donate money to a private or religious school for educational purposes an income tax deduction is allowable to the donating taxpayer. That is a recognition by the Government of the work done by private schools, and those who support them have my wholehearted commendation. They have beliefs which they are prepared to back financially by paying for the education of their children, and in some cases I believe it is quite a sacrifice. It is done in the belief that the children will be better fitted for life if they have a religious education. I agree with Mr. Cudmore and other honourable members that this training in the right direction is for the ultimate benefit of the children. We have religious instruction in State schools, and I do not disparage it, but it does not have the same effect on the life of a child as religious education given in private schools whose teachers and their organizations believe in the truth of their teaching. Consequently, I have a great respect for these organizations which staff the schools and the parents who make sacrifices to enable their children to be educated to face life.

If the way were open and the Government's coffers were overflowing, as was the case last year, I would have no objection to a grant being made to private schools which are not run for profit. Mr. Bardolph's motion is not limited to this type of private school and that is one reason why the motion should not be supported. The term "private school" is too wide to be accepted by members. Because the State Government does not control all taxation within its boundary, I do not think the position will again arise of the State having a similar surplus in its coffers as last year which enabled it to provide money for homes for the aged. While I appreciate the motive contained in the motion and have sympathy with its objectives in a general way, I cannot support it as submitted.

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

**PUBLIC SERVICE ACT AMENDMENT
BILL.**

Read a third time and passed.

**SWINE COMPENSATION ACT AMEND-
MENT BILL.**

Read a third time and passed.

**INDUSTRIAL AND PROVIDENT
SOCIETIES ACT AMENDMENT BILL.**

Read a third time and passed.

**ANATOMY ACT AMENDMENT BILL
(No. 2).**

Adjourned debate on second reading.

(Continued from November 2. Page 1207.)

The Hon. F. J. CONDON (Leader of the Opposition)—I do not intend to define my attitude on the Bill at present because I am somewhat in doubt whether it is properly before us. The Bill is to amend the Anatomy Act of 1884-1954, but a Bill to amend the principal Act was received from another place and read a first time on August 25, 1954. On August 26 the second reading was moved and on speaking on the Bill I said:—

One would have thought that there would have been a number of objections to this legislation, but it cannot be said that this Bill has been sprung upon us.

It was requested by the medical profession and supported by Mr. Cudmore and Mr. Anthoney, certain amendments being moved in Committee by the former. The Bill was then returned to the House of Assembly, where the amendments were accepted on October 6. On October 6 a message was received from the House of Assembly intimating that that Chamber had agreed to the amendments. It was then stated that the Bill would not operate for a period of three months after its passing. Three weeks later the Minister of Health obtained leave to introduce a Bill to amend the Anatomy Act of 1884-1954, and yesterday the Bill was explained to us on the second reading. The chief clause of the first Bill was to authorize the removal of the eyes of deceased persons, and this Bill seeks to add something substantial to that provision. It has been ruled here previously that it is not permissible to introduce two Bills on the same subject during the same session. I am not questioning your ruling, Sir, but if it is possible to introduce a Bill three weeks after the passing of a similar Bill what would prevent any member from moving a second Bill on any subject to add a few words or figures.

The Hon. C. R. Cudmore—Haven't we had two Local Government Act Amendment Bills this session?

The Hon. F. J. CONDON—Yes, but they were different matters altogether. All this Bill will do is to include tissues of the body other than eyes. I contend that this Bill is not properly before us for the reasons I have mentioned. I remind you, Sir, that on one occasion a Bill was defeated on your casting vote, and a special session was called later in which the same Bill was introduced and carried. I am sure honourable members do not want me to go into that matter. I suggest that the Government should withdraw this Bill and introduce it next session. What is the urgency for it? The Act was passed in 1884 and 70 years elapsed before it was found necessary to amend it. If the Bill is carried it will be all right for me and for any other private members, because all we need do if we introduce a Bill early in the session is to introduce another measure later during the same session to alter one or two words or add a few figures. If this Bill is in order we cannot be denied the right to do the same thing. I say it is entirely wrong, and therefore I will not now define my attitude on the Bill.

The Hon. C. R. CUDMORE (Central No. 2)—The point raised by Mr. Condon is very interesting. This is the first time that I can remember an amendment being introduced so quickly after a Bill has been carried. I have not had an opportunity to look at the matter raised, but offhand I would say we are not offending the Standing Orders by considering this Bill. However, I hope that the Government in future will make up its mind how much of a bite it wants to make at these matters before Parliament starts to consider them. I am wondering how much more the B.M.A. or anyone else has asked and how much more we are likely to get. There are some interesting points in this Bill.

When speaking on the Bill dealing with corneal grafting, Mr. Anthoney mentioned that in the old days body snatching was quite an ordinary practice and that doctors wanted to get hold of bodies to experiment and to continue with their teaching. In my university days, at the time when undergraduates put on a show on Commemoration Day, one year the burial scene from "Hamlet" was enacted with particular reference to one Tommy Brown who was a well known native of this State, and to the question of dealing with the bodies of deceased persons. I think this finished such matters for all time. Subclause 3 of this Bill

seeks to insert new section 18b, which provides:—

An authority may be given for the removal of tissues other than eyes from a body for therapeutic purposes in the same way and subject to the same conditions as an authority may be given under section 18a of this Act for the removal of eyes.

Section 18a is contained in the Bill that was carried in August with an amendment suggested by me. When dealing with corneal grafting we had some idea of what we were dealing with, but when I read this Bill I wondered what was the meaning of "tissue." There is no definition of the word in the Anatomy Act, so I went to Murray's dictionary, and the definition there is quite interesting. The first meaning is given as "a rich kind of cloth, often interwoven with gold or silver." Other definitions are "any woven fabric or stuff," and "something likened to a woven fabric." The fifth definition, the biological one, is:—

The substance, structure, or texture of which any animal or plant body, or any part or organ of it, is composed; especially any one of the various structures, each consisting of an aggregation of similar cells or modifications of cells, which make up the organism. The chief forms of tissue in the higher animals are epithelial (including glandular), connective (including cartilaginous and osseous), muscular, and nervous tissues.

There is no reference to human beings but only to "higher animals," so I take it that we must assume that the Government and the Parliamentary Draftsman will pay us the compliment of including us among higher animals because otherwise we do not seem to be in it at all. It is rather extraordinary that we should have this matter brought before us in this quick way, the Government simply saying, as it were, "All right, you agreed to certain conditions that will control corneal grafting." Now we are asked to say, "We agreed to all these conditions so we will agree to them being applied to tissue of any kind." I think that is going a very long way. I am not opposing the Bill, because it was only introduced yesterday and I have not had the opportunity to get any information on it. The observations I have made are simply on what I have been able to discover in looking for what will be the effect of the Bill. Although I do not oppose it at this stage I suggest we should examine it quite closely and find out why it is wanted, who recommended it, and in how many cases it will be used so that we will have much more information on it before it is included in the Act.

The Hon. L. H. DENSLEY secured the adjournment of the debate.

METROPOLITAN AND EXPORT ABATTOIRS ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from November 2. Page 1211.)

The Hon. W. W. ROBINSON (Northern)—
This short Bill has been introduced to overcome the situation that has arisen because of the provision in the 1945 Act that nominations for representatives shall be made by the South Australian Chamber of Rural Industries. The board was composed of representatives of different primary producers' organizations and it functioned for a number of years, but I understand it has now gone out of existence so it is necessary to have some other provision in the Act for the nomination of producers' representatives on the board. The Bill proposes to substitute the Stockowners' Association of South Australia, the Australian Society of Breeders of British Sheep (South Australian Branch), the South Australian Wheat and Wool Growers' Association and the South Australian Executive of the Australian Primary Producers Union. Nomination of a representative of the pig industry is to be made by the committee of management of the Australian Pig Society (South Australia Branch).

The Metropolitan Abattoirs Board consists of seven members appointed by the Governor, and I will mention the composition of the board in order to lead up to a point I wish to make later. One member, sometimes called the consumers' representative, is elected by the constituent councils, one is a representative of the breeders of lambs for export, one a representative of the breeders of pigs for export, one a representative of the Stock Salesmen's Association, one of the Meat Exporters Association and one of the Meat Employees Union. Some reference was made yesterday to the fact that I had, on an earlier occasion, given evidence before a Select Committee that was inquiring into the question of the improvement of facilities and conditions for slaughtering at the Metropolitan Abattoirs. It is true that on that occasion I gave evidence in favour of the meat employees' representation because I believed then that it would enable the employees in the industry to get a better knowledge of the ramifications and problems associated with the industry and the viewpoint of the management, and I thought there would have been a great improvement in the relations between employees and management. I must confess, however, that for a time at least I was somewhat disappointed in the results.

From 1946 onwards, even until 18 months ago, almost every year strikes occurred at the busiest period of the lamb slaughtering season and this led to much loss of condition in the lambs, as well as financial loss to the State. All disturbances in the industry are not only to the disadvantage of the industry and the State, but they also rebound on the employees, for lower output increases the cost to the consumer, and as employees are included in that category they are to some extent affected. About 18 months ago a meeting of all those concerned was held and a certain agreement reached. Since then harmony has existed and this year everything has gone along very well indeed. The employees are honouring the agreement and I trust that they will continue to do so in the years to come, for I can conceive of no industry that can be affected as much as the fat lamb industry by industrial trouble during the peak of the season, when from 70,000 to 80,000 lambs a week are available for slaughtering.

In 1950 this Chamber amended the Act by providing for the addition to the board of a representative of the butchers, to be selected by the Governor from a panel of three names. I opposed that, not because I had any objection to a butchers' representative on the board, but because I felt that they were amply represented by the meat exporters' representative, since their interest were identical, but mainly because I thought that instead of the producers having what might be termed a reasonable proportion of representation this additional member threw the board out of balance. Because I hold this view I have prepared an amendment, typed copies of which have been circulated, to try to rectify that position. My proposal is that the Stockowners Association of South Australia be deleted from paragraph (a) of clause 2 as one of the bodies responsible for nominating names of representatives of the lamb industry, and to insert the name of that organization in a paragraph similar to paragraph (b) to provide for the representative of the cattle industry. I believe this would bring the board more into balance and give the producers more reasonable representation.

Adequate provision for slaughtering is vital. We have one main slaughtering works, and under the Act it is impossible to start another abattoirs within 80 miles of Adelaide. It is therefore important that the existing works shall be adequate to deal with all the stock offering. This year it has worked very satisfactorily for the simple reason that it was an early feed season and the lambs were in slaughtering condition early.

The Hon. Sir Lyell McEwin—The dry spring caused them to be sent in earlier.

The Hon. W. W. ROBINSON—That may have had some effect too, but had it resulted in an early termination of the export season the numbers would have been so great that the works would not have been able to deal with them. Fortunately we got a good rain and this enabled producers to hold their lambs until they were mature. To the end of last week 567,525 lambs were slaughtered for export, and it is estimated that the total for the season will be about 650,000. This is slightly above the average of recent years. In 1949 the number was 695,000 and, speaking from memory, some years ago we treated about 730,000 lambs for export.

The Port Lincoln works have slaughtered 90,000 lambs so far, and it is estimated that the total will be over 100,000. That is a very pleasing result and we trust that it is not merely a flash in the pan but will be maintained, because it is important that the numbers handled at Port Lincoln be kept up. Two years ago when the output dropped to 38,000 the cost was 5s. a head more in respect of lambs than at the Metropolitan Abattoirs, and 30s. more for pigs and £4 10s. for cattle. The export price offered for lambs today is from £4 10s. to £5 and this will undoubtedly influence those in the industry to divert their attention to the production of fat lambs, because at that price it is the most attractive primary commodity that can be produced. I suggest, therefore, that we see that our works are adequate to deal with all that come along. If, as the Chief Secretary suggested, the season had finished early by reason of lack of rain the numbers of lambs and sheep that would have been offered for treatment would have been such that the works would have found difficulty in coping with them.

In 1938 the Government appointed a committee to inquire into the establishment of an additional freezing works in this State. Following an exhaustive inquiry the committee recommended that, instead of additional works, the facilities at the Metropolitan Abattoirs be increased to a capacity of 70,000 a week instead of 50,000. At that time, however, there was some suggestion that there would be a glut of about 85,000 cwt. in the export of meat to Great Britain. A meeting of the meat interests was called and it decided that it would perhaps be inadvisable to implement the committee's recommendations, and the Government accepted that opinion. It will be remembered that in 1944 we had a very severe drought and, because of the number of sheep that came forward for treatment, we then realized how important it was that the committee's

recommendation should have been carried out. Had provision been made for an additional 20,000 killings a week farmers would have been relieved of much stock and I believe the severity of the drought would not have been felt to the same extent. Ample provision should be made for killing stock to meet adverse seasonal conditions. There is a record number of sheep in the State and therefore it is more than ever imperative that this question should be considered. I believe the amendment I have foreshadowed will be to the advantage of primary producers, and have pleasure in supporting the second reading.

The Hon. E. H. EDMONDS secured the adjournment of the debate.

METROPOLITAN TRANSPORT ADVISORY COUNCIL BILL.

Adjourned debate on second reading.

(Continued from November 2. Page 1208.)

The Hon. F. J. CONDON (Leader of the Opposition)—This is a Bill on which on general principles one could spend time in expressing his views, and as it proposes to set up an advisory council for the control of metropolitian transport it should not be opposed. Much capital has been invested in our railways and tramways, the capital in the former being £45,000,000, the increase since the war being 46 per cent. The loss last year amounted to more than £3,500,000 and the loss on the tramways also reached a high figure. The object of the Bill is to do away with duplication in metropolitian transport. It might well have been introduced in this Chamber. I have said before that, with few exceptions, Bills which come under the jurisdiction of a Minister of the Council should be introduced here. If they are not, he has to delegate their introduction to a Minister in the House of Assembly to let the public know what is involved. If Bills were introduced here it would result in relieving a certain amount of congestion, particularly towards the end of the session. We could be considering certain legislation today, but it will be rushed down directly. As it is now, we adjourn after sitting an hour or two. The Estimates before the House of Assembly take weeks to pass and they will probably be introduced here on a Tuesday or Wednesday and we shall be asked to complete consideration of them on the Thursday. Thus they will not receive the consideration warranted.

I have only one suggestion to make on this measure and that is regarding the number of

members on the proposed council. It is contemplated that there will be a chairman and a representative from the Tramways Trust and another from the railways. Why not enlarge the personnel and have an employees' representative from each of those organizations? That would result in a council of five. We have just heard Mr. Robinson pay a tribute to the meat industry employees' representative on the Abattoirs Board. I believe in getting different opinions together on boards so that harmony will result in the interests of all concerned. By having a representative board more can be accomplished to the benefit of the State. Therefore, I hope the Government will consider the appointment of an employees' representative from each of the two bodies mentioned. Conditions of transport have changed compared with a few years ago and private contractors have come into the field to a large extent. Much money has been invested in the railways and tramways by the Government. Whereas a few years ago it was difficult to get a seat on the train to Semaphore, today it is a far different proposition.

The Hon. E. H. Edmonds—That must have been many years ago.

The Hon. F. J. CONDON—I pay a compliment to the Railways Department because its costs have been reduced in the last 12 months by just under £900,000. I am afraid the present unsatisfactory transport position is brought about by the fact that the public want everything—they want a railway, a bus service and trams all competing against one another on approximately the same route and the result is that the State is put to additional expense. By the setting up of an advisory council to overcome overlapping there will be considerable savings.

The Hon. S. C. Bevan—I thought it was a Bill to set up a council to control all public transport.

The Hon. F. J. CONDON—That is what it should have been. It should have been more comprehensive. The measure is only playing with the position. The council will have the powers of a royal commission, and undoubtedly those appointed to it will be men of ability.

The Hon. C. R. Cudmore—You do not usually give people the powers of a royal commission in perpetuity, do you?

The Hon. F. J. CONDON—I have known of royal commissions against whose decisions there has been no appeal to any court, but it is necessary that there should be some such appeal under this Bill. The council may make a recommendation to the Government, which

will say to the Tramways Trust or to the railways that they must do certain things. I think there should be the right of appeal, and then the scheme would work more satisfactorily. I hope some good will come out of this legislation and later, as the result of experience, we can amend it further to give people the service they desire.

The Hon. E. ANTHONY (Central No. 2)—The question of the heavy burden being carried by the railways and the tramways is a matter of great anxiety not only to the Government but everyone else. The general public are beginning to realize that our public transport system is in a very bad way. I understand that it is to improve the position that the Bill has been introduced. As the title sets out it is—

A Bill for an Act to provide for the establishment of a council to be known as the Metropolitan Transport Advisory Council, to prescribe the functions and powers of that council, and for other purposes.

The Bill gives the council tremendous powers—the powers of a royal commission which in themselves are very far-reaching. I am wondering whether the council will not at some time find itself in direct conflict with the Railways Commissioner or the chairman of the Tramways Trust. The Railways Commissioner works under a special statute and is only remotely responsible to the Government. How is he going to carry on his vast railway system if there is superimposed an advisory council which may order him to do something? It could make a recommendation and it could be so strong that the Government would be more or less forced to carry out its order. Then, what is going to happen?

The Hon. F. T. Perry—It will not have to carry it out until Parliament passes it.

The Hon. E. ANTHONY—But what does all that mean? Are we going to say to the Railways Commissioner, "You are not going to have the money for this?" How are we going to stop him otherwise? As soon as the Estimates are passed the Commissioner will go on with his work. Are we going to hold up the Estimates because the Commissioner finds it is not his policy to carry out the orders of the Government?

The Hon. S. C. Bevan—Wouldn't he be compelled to carry out the orders of the Government?

The Hon. E. ANTHONY—I should think he would, otherwise he would find himself between the devil and the deep blue sea. This is a very serious matter because it will give

great powers to an advisory council, the personnel of which we do not know. The Leader of the Opposition said that the council would include representatives of the Railways Department and the Municipal Tramways Trust, but that is something that I did not know. I would like to draw attention to the other branch of transport operated by private companies, some of which are in a very big way, but there is no mention of representation for them. The Leader might have mentioned that.

The Hon. F. T. Perry—Perhaps the chairman is one of them.

The Hon. E. ANTHONY—That may be so, but I do not know. No mention was made of private omnibus companies. I went to some trouble to get information about this matter, and found that there are 14 licencees in this business, which is a large undertaking with a capital investment of nearly £350,000. They operate at least 110 vehicles and transport millions of people each year. Their wages bill amounts to £150,000 a year, and within the next few years they are likely to find it necessary to purchase new vehicles that will cost them about £500,000. These people are not exempt from registration fees, in contradistinction to the Tramways Trust and the Railways Department, and they have to pay land tax on their properties, also income tax. They are in competition with public transport, which is making heavy losses, so surely they are entitled to some consideration.

The Hon. F. J. Condon—Are they making a profit?

The Hon. E. ANTHONY—Yes, and they are not asking the Government for anything.

The Hon. N. L. Jude—Do you know that the tramways are going to pay 1d. a running mile in regard to their vehicles?

The Hon. E. ANTHONY—That is rather funny; a bankrupt concern is going to pay 1d. a mile. Where will they get it?

The Hon. N. L. Jude—Do you suggest that the Railways Department should pay income tax?

The Hon. E. ANTHONY—No, certainly not, but these operators by their own enterprise have set up a big business, and they are not asking for any concessions but only for consideration. All they ask is that when these inquiries are held they should be open to the public so that when the council is considering anything that might affect their interests they will be able to hear it. I think this is a reasonable claim. They are perfectly happy about matters now and they are happy about

this Bill provided that they will have the opportunity to hear what is being said before the council.

The Hon. E. H. Edmonds—It will not be much use if they cannot make representations to the council.

The Hon. E. ANTHONY—They can be called, as no doubt they will be, and will make their own representations.

The Hon. F. J. Condon—Aren't these people licensed by the Tramways Trust?

The Hon. E. ANTHONY—Yes, but these licences are only day to day licences. The Minister might interject that they are issued every year, but they can be revoked. Who will put money into an industry like that? They are daring and courageous people and are making a profit out of their business. I applaud the Bill because at least the Government is trying to do something to solve a very knotty problem, but whether it will succeed is another matter. However, giving the council the powers of a Royal Commission superimposed over the Railways Commissioner and the manager of the Tramways Trust will, I think, cause a break between these bodies.

The Hon. S. C. Bevan—How would they obtain evidence if they did not have any powers?

The Hon. E. ANTHONY—They could have the power to call witnesses.

The Hon. N. L. Jude—Don't you think it is desirable to have a representative of the tramways and the railways on the council?

The Hon. E. ANTHONY—Not necessarily, because quite a number of people could speak on this matter as well as they. I think the Minister should tell us who will be on the board because it is an important body and its success will depend very largely on the personnel.

The Hon. S. C. Bevan—The Bill does not tell us much about the appointments.

The Hon. E. ANTHONY—It says there shall be a chairman and two other members. Clause 14 provides:—

For all or any of the purposes mentioned in this section, the Governor, on the recommendation of the Council, may make orders giving to the South Australian Railways Commissioner or to the Municipal Tramways Trust or to both of them directions as to the policy to be pursued by the said Commissioner or Trust in exercise of any of their respective powers or functions, or as to what is to be done or not done by the said Commissioner or Trust in any particular circumstances.

(2) Such orders may be made for all or any of the following purposes:—

(a) ensuring that adequate public transport services are provided for the metropolitan area or any part thereof;

(b) preventing duplication or overlapping of public transport services in the metropolitan area or any part thereof:

(c) otherwise securing economy and efficiency in public transport services in the metropolitan area or any part thereof.

(3) Any order made under subsection (1) of this section may be varied or revoked by a subsequent order made by the Governor on the recommendation of the Council.

(4) It shall be the duty of the South Australian Railways Commissioner and of the Municipal Tramways Trust to comply with every direction given to him or it under this section: Provided that where any such direction cannot be complied with except by the expenditure of money voted by Parliament it shall not be necessary to comply with such direction until money for the purpose of defraying such expenditure is so voted.

The Hon. N. L. Jude—You said they have all the powers. According to that provision they do not seem to have much power but must do what they are told.

The Hon. E. ANTHONY—How much more power do they want? I consider this is a tremendous power in the hands of the council. It is true that it is only an advisory council and that the Governor has to make orders, but can the House imagine that he will reverse a recommendation made by it after it has taken evidence? What is the Governor going to do if the recommendation is contrary to the policy of the Tramways Trust or the Railways? Apart from these matters, I commend the Bill because I think it is an attempt to straighten out difficulties.

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

CATTLE COMPENSATION ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 27. Page 1164.)

The Hon. R. R. WILSON (Northern)—The cattle industry in the northern districts is a very important one because I think the greatest percentage of cattle slaughtered comes from that district or from the Northern Territory and as all cattle from the Territory pass through my district I feel I should have something to say on this measure. The main purpose of the Bill is to reduce the rate of stamp duty for every £1 of purchase price from 4d. to 3d. and to reduce the maximum payable on the sale of any head of cattle from 1s. 10½d. to 1s. 3d. The farmer is encouraged to report diseases because he knows there will be compensation from the fund for any loss. Mr. Melrose raised a very interesting point that I

thought was worthy of consideration. We have had ample time to investigate the opinions of producers on keeping the rates at their present level and I have found that generally they do not favour the present rates continuing.

From the investigations I have made and my own observations I feel it would be hardly fair to the people who deliver cattle in their own vehicles and who take the utmost care to see that no bruising or ill-treating of stock takes place if compensation were paid for injuries. I think this matter would become very unwieldy if applied to anything but disease. Recently I witnessed the branding of several hundred cattle purchased in the Northern Territory. Although the owner took every care I could not say the same applied to his assistants. Bruising took place while about a dozen cattle

were being forced into a race and at times they were very severely handled. It would take a long time for the animals to recover and render the carcasses fit for human consumption. It is necessary to have a substantial fund as protection against an outbreak of disease, but if a severe epidemic occurred legislation could be introduced to meet the position. Therefore, I will support the Bill in its present form, feeling sure that it will give general satisfaction to cattle producers.

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

ADJOURNMENT.

At 3.50 p.m. the Council adjourned until Tuesday, November 16, at 2 p.m.