LEGISLATIVE COUNCIL.

Wednesday, December 8, 1954.

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

SUPREME COURT RULES.

Adjourned debate on the motion of the Hon. E. Anthoney—

That Rules of Court regulating the admission of practitioners, 1954, made pursuant to section 72 of the Supreme Court Act, 1935-1953, on November 17, 1954, and laid on the Table of this Council on November 23, 1954, be disallowed.

(Continued from December 7. Page 1683.)

The Hon. C. R. CUDMORE (Central No. 2)—I doubt whether it is necessary for us to discuss this matter. As far as I have been able to ascertain, the position is that all this is due to a very unfortunate misunderstanding. The last rules of the Supreme Court were made in 1936 and have been continued since. In 1952 Professor Blackburn instituted alterations in the curriculum for law students at the University, and as a result it was suggested there should be alterations in the periods for which those aspiring to become members of the profession should be articled. Those rules were considered over the last two years, but seemed to get held up somewhere until Professor Blackburn pressed for something to be done. In the beginning the President of the Law Society had been brought in with the Master of the Supreme Court and had made certain suggestions. Then there was a lull, and unfortunately at the end of that lull the Master of the Supreme Court drew up the new rules. They were approved at a conference with the judges and eventually promulgated by the Chief Justice and laid before Parliament. Unfortunately, the Master of the Supreme Court in doing all this completely neglected to submit any kind of draft, or consult the Law Society in any way.

If it had happened in April or May there would have been time to consider it and put it right and allow the parties to get together, and then it would not have been necessary for us to disallow the rules. The situation is that Parliament is now at its busiest and we are at the end of the year when students must know whether these regulations are to be enforced or not. Training for a young lawyer is conducted in two phases. He goes to the University and is articled to a practising lawyer and learns from the book side and also from the practical experience side, and these two must run together. Unfortunately, there has not been that co-operation which is so desirable. The Law Society, having seen these rules for the first time when they were promulgated, has discussed them and found there are several things which it thinks are unworkable and which should be altered; and no doubt will be altered and a workable scheme arrived at. It is only a matter of all the people interested getting together. It could be said that these rules could be tried and that we could if it were warranted disallow them when the House meets next year. That would be extremely dangerous, because the students who are beginning their course must know under what rules they are working. With great regret, so far as the judges are concerned, I feel compelled to support the motion.

Motion carried.

PUBLIC SERVICE ACT AMENDMENT BILL No. 2 (SICK LEAVE).

Read a third time and passed.

EDUCATION ACT AMENDMENT BILL.

Read a third time and passed.

EARLY CLOSING ACT AMENDMENT BILL.

Read a third time and passed.

STATE BANK ACT AMENDMENT BILL.

Read a third time and passed.

HIDE AND LEATHER INDUSTRIES ACT SUSPENSION BILL

Read a third time and passed.

ELECTORAL DISTRICTS (RE-DIVISION) BILL.

On the motion for the third reading.

The Hon. F. J. CONDON (Leader of the Opposition)—I am taking this opportunity to oppose the third reading, and intend to call for a division. This Bill is purely a Party one, and since its introduction into this Chamber it has been amended to give further protection to this Council. I respectfully submit that its passing will not enhance the prestige of the Council. In my opinion it gives an opportunity to the electors to criticize the Parliamentary institution further, which I regret. The Opposition has upheld the dignity of this Chamber because adult franchise is its policy, and it has not brought the Chamber into disrepute as the passing of this measure will do. When speaking on the second reading, Mr. Cudmore said:—

This Council is not desirous of any radical changes, and I have heard of no agitation from anybody for such changes.

During the course of this debate it has been pointed out very plainly that there is a very strong agitation by not only the Australian Labor Party but many institutions and men of very high standing who desire a change in our electoral laws. I therefore say that it is very evident that the people want a change in our electoral laws. Mr. Anthoney said if there were an election tomorrow the electors with one voice would return the present Government. That is rather an extraordinary statement from such an experienced statesman. Mr. Rowe took us on a trip to Queensland, and then quoted from a weekend periodical what a brother lawyer had said.

The supporters of this measure spoke half-heartedly. I do not think they have any fear of the present, but they are certainly in fear of the future. This House will be making a great mistake if it passes the Bill, which is of such importance to this State. Although members take up a great deal of time in debating social matters, very little has been said on this occasion. In all probability we will have the commission's report prior to the next elections, and we can expect a very vigorous debate on it in which the Opposition will not fail to be heard. This is one of the most objectionable pieces of legislation that has come before us during my term in Parliament. I oppose it because it is unfair, unjust and unreasonable, and should not be tolerated in what we call a democratic State.

The Hon. C. D. ROWE (Midland)—There is very little I wish to say, but one or two statements made by the Leader of the Opposition need answering. He said that there is considerable agitation for some form of electoral reform. My answer is that although the matter has been before the House of Assembly for some time, there has been very little correspondence in the press, and although everybody knows the Bill is before this Chamber there is not one person in the gallery to listen to what is being said.

The Hon. K. E. J. Bardolph—What about the leading article that appeared in the *News*?

The Hon. C. D. ROWE—The *News* can say what it likes, but as I indicated yesterday, it has two views about the matter. If the Labor Party feels that there should be some far-reaching reform it was quite open to it to move amendments to the Bill, but nothing was done. All it has done is to oppose the measure, which will mean that nothing will be done, whereas something will be done if the Bill is passed. Yesterday I said there was no principle of one vote one value in connection with electoral matters, and nothing that the Opposition said replied to that contention, so my statement remains unchallenged. In view of these points I feel there is no justification for the statements made by Mr. Condon. By voting for the Bill we are attempting to correct anomalies which we admit exist, and thereby maintain the prestige of Parliament. I therefore feel I must support the Bill in the interests of the general community.

The Hon. K. E. J. BARDOLPH (Central No. 1)—I was surprised at the specious arguments advanced by Mr. Rowe. He said there had been no clamour for electoral reform, and instanced the silence of the press and the absence of interested persons in the gallery during the debate. I submit that that is no argument as to why the Government should perpetrate this iniquitous legislation. Only one newspaper in South Australia has given the true picture, namely, the *News*.

The Hon. E. Anthoney—That is because it expressed your point of view.

The Hon. K. E. J. BARDOLPH—I am merely stating a plain fact. The other newspaper may publish what it likes—

The Hon. S. C. Bevan—That also criticized the present set-up.

The Hon. K. E. J. BARDOLPH—There may be good reasons for the silence of a section of the press; this measure may cut across its policy, and whilst neither we on this side nor Parliament can control the press I emphasize the point that one newspaper published an article on its front page which presented the case in its true aspects. Members of the Opposition will vote against the third reading because they believe that the desires of the people are not reflected in this Bill.

The Council divided on the third reading.

Ayes (14)—The Hons. E Anthoney, J. L. S. Bice, J. L. Cowan, C. R. Cudmore, L. H. Densley, E. H. Edmonds, N. L. Jude, Sir Lyell McEwin (teller), A. J. Melrose, F. T. Perry, W. W. Robinson, C. D. Rowe, Sir Wallace Sandford, and R. R. Wilson.

Noes (4)—Th Hons. K. E. J. Bardolph, S. C. Bevan, F. J. Condon (teller), and A. A. Hoare.

Majority of 10 for the Ayes.

Bill thus read a third time.

Bill passed.

COMMONWEALTH AND STATE HOUSING SUPPLEMENTAL AGREEMENT BILL.

Adjourned debate on second reading.

(Continued from December 7. Page 1685.)

The Hon. F. T. PERRY (Central No. 2)—This small Bill legalizes the agreement arrived at between the State and Commonwealth Governments in respect of certain housing arrangements. I commend it, for it seeks to establish the right of home ownership rather than renting as has been the case with this type of house for some considerable time. The Commonwealth Government started this scheme in 1945 on a rental basis, but with the change of times and Government the idea of ownership is thought to be preferable. It is a pity for the occupiers of 1945 that this principle was not established then instead of in 1954. The principle contained in this measure is sound, but I am puzzled by the method of arriving at values; it is delightfully indefinite. Methods of payment are indicated. The State eventually pays either the capital, or interest and capital to the Commonwealth Government which finances the scheme, but the amount the owner will pay for a house is left to the State Government through the Housing Trust. An interesting point which will probably worry the Government is whether houses built in 1945 should be sold at the then existing cost, or they should be averaged at present day prices. In passing the Bill we leave it to a Government authority to arrive at a figure which in its judgment is fair both to the householder and the Government I should like an expression of Government policy on the point, and I hope there will be something in the nature of an average price. I support the second reading.

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

TOWN PLANNING ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from December 7. Page 1692.)

The Hon. E. ANTHONEY (Central No. 2)—I am in entire agreement with the Government's desire to introduce a comprehensive Town Planning Act. The 1929 Act set up a Town Planning Department and the Town Planner was attached to the Registrar-General of Deeds Department. It was a step in the right direction. For some years there had been an agitation for a Town Planning Department and for two years I was secretary of the Town Planning Association. At that time there was much propaganda, of which I was the medium, because I thoroughly believed in town planning and still do. I regret that the department, set up in 1929, was abandoned in the depression years. Until then there had been three distinguished Town Planners—first, Mr. C. C. Reade, who was followed by Mr. W. S. Griffiths, and then Mr. Earle. After Mr. Earle's departure the department was closed, and since we have had a skeleton Town Planning Department attached to the Registrar-General of Deeds Department. That is to be regretted. The Town Planners we have had in South Australia were idealists. They looked at the matter from the point of view of aesthetics.

Let us consider what has happened with the town planning experiments at Colonel Light Gardens and Canberra. If we consider what should not have happened, these are two excellent examples. At Colonel Light Gardens utility was sacrificed to the idea of having a pretty plan. It was a very nice plan and so was the plan for Canberra, but anyone who has been to Canberra and has not a good idea of its layout will find himself in difficulties, as he would if lost in the maze at Hampton Court without any idea of how to get out. Unless one knows his geography pretty well, one will also have the greatest difficulty in finding his way around Colonel Light Gardens. Paris is an example of a beautiful city beautifully planned. It is pretty well ideal from the town planner's point of view. They have their magnificent boulevards and all their beauty spots preserved, with vistas wherever one goes. On the other hand, London was to have been planned. The plans were actually drawn up by Sir Christopher Wren, but were never carried out. We have a very charming city in London, but very difficult to move about in. It has grown up almost like Topsy, and without any plan. However, London has its charms.

Consider the position of Adelaide. It is a beautiful plan and its conception was magnificent. We had the first town planner in Australian in Colonel Light and he did a magnificent job. He was a man of many talents and with considerable vision. Some will say that the city has outgrown the plan, and others will contend that Colonel Light did not supply sufficient streets running east and west. In Sydney there is no plan. We know what it costs a community to make good the faults that have accrued since the foundation of a city. It has cost the New South Wales Government millions of pounds to try to make Sydney accessible to its great population. Victoria

on the other hand has made a splendid effort to provide a planned city. Most people who visit Adelaide agree that it is the Queen city of Australia as to its layout. The Bill is an attempt by the Government to carry out the ideas of those who clamour for a master plan. The great fault of the original Bill was that it made no provision for the continued planning of the city.

The Hon. F. J. Condon—Do you favour a Greater Adelaide?

The Hon. E. ANTHONEY—I am not enamoured of a Greater Adelaide Scheme, although it may have its advantages. I should like to have seen the idea of a master plan for the city developed much sooner. A great deal of development has gone on. The Housing Trust was set up and it has built thousands of homes in the metropolitan area. It has done a good job, but it was not its function to arrange for the beautification of the areas on which it built. Its function was to build houses, which it did very well for the thousands who came here under our immigration scheme, but it did not consider the proper formation of streets and the creation of reserves and parklands. It built houses on large areas of land, and most of us have seen the plight of many occupants when trying to get to their homes.

The Hon. K. E. J. Bardolph—But this Bill will not apply to the activities of the trust.

The Hon. E. ANTHONEY—No, I appreciate that. It is excluded from the Act.

The Hon. F. T. Perry—Why should it be?

The Hon. E. ANTHONEY— I do not know, nor do I know why the city of Adelaide was excluded from the first Bill.

The Hon. K. E. J. Bardolph—Don't you think the personnel of the committee should be set out in the Bill?

The Hon. E. ANTHONEY—Yes. In the first Town Planning Bill it was provided that the committee would consist of the Surveyor-General, an architect, two representatives of councils and the Adelaide City Engineer. That was a balanced combination of people who dealt with that sort of thing every day of their lives and who would know how to prepare a plan.

The Hon. S. C. Bevan—It will be another authority to advise us on transport.

The Hon. E. ANTHONEY—It would have to consider all these matters. A safeguard is that any plan the committee prepares will have to be placed before Parliament.

The Hon K. E. J. Bardolph—Only if a subdivision is challenged.

The Hon. E. ANTHONEY—That is true. Under Part X of the Act all subdivisions are referred to the Town Planner, who has to vet them to see if they conform to the Act. This Bill will override that provision and will provide for a Town Planning Committee instead of the Town Planner. A prerequisite of a town planning scheme is a Town Planner, and it may be the duty of this committee to seek his aid. Over the last few years we have had visits from town planners who have told us how we should plan this city. I have no doubt that their remarks have been noted and that we know fairly well how to go about this matter. However, it is important that we should have a first-class officer such as the Town Planner to advise. I hope that those appointed to this committee will have the necessary qualifications. A Town Planner needs a fair knowledge of architecture and engineering and in addition has to be a man of considerable vision. If mistakes have been made, it has been because we have not had sufficient vision. Governments have not realized that this was a growing community and that there was a need to make provisions for its growth.

The Hon. K. E. J. Bardolph—Your Government has been in power for 16 years, you know.

The Hon. E. ANTHONEY—I know that, but it takes a long time to bring these plans about, and probably it is a good thing that it does; reforms should not be rushed.

The Hon. K. E. J. Bardolph—Isn't it always an excuse to say that we should hasten slowly?

The Hon. E. ANTHONEY—Yes, but it is a very good plan. It will take a considerable time after the committee meets to get this matter launched.

The Hon. N. L. Jude—The sooner they meet the better, do you think?

The Hon. E. ANTHONEY—Yes, because there is a good deal of leeway to be made up. I do not like certain features of this Bill. The Minister says that it contains some modifications and alterations, and I quite agree. However, in some respects it makes considerable inroads on the rights of people, and in that respect we will have to watch it closely.

The Hon. K. E. J. Bardolph—Don't you think that it should have been referred to a Select Committee before being introduced?

The Hon. E. ANTHONEY—I do not know about that. If it had, the committee would have taken evidence, after which it would have

brought in a report to be considered by the Government, all which would have caused delay. I do not think there should be any delay in preparing a proper plan for the development of this city. The Bill was introduced in the House of Assembly in August, yet it has just been received by this Chamber. Surely the Minister does not believe that we can deal with it in 24 hours, because it is a fairly contentious measure.

The Hon. N. L. Jude—Do you think we should wait another year?

The Hon. E. ANTHONEY—We are all anxious to do something in relation to planning the city, but it is asking a little too much to request us to discuss a measure containing such contentious clauses in the dying hours of the session. I do not think this is due to the impetuosity of the Minister; I like enthusiasm, but the House of Assembly was not very enthusiastic in keeping it on the bottom of the Notice Paper.

The Hon. N. L. Jude—The public asked for time to consider it, and was given time.

The Hon. E ANTHONEY—But it was not received by this Chamber until yesterday, and it is not fair for the Minister to expect us to pass it at such short notice. It contains some good qualities, but there are some clauses that will cause argument. It sets up a committee instead of the Town Planner and although I commend the idea behind the Bill I am sorry that we did not receive it earlier so as to give it greater attention. However, when we reach the Committee stage we will have an opportunity to discuss the various clauses, some of which do not appeal to me and which, if passed, might do a considerable amount of harm to some people who have land capable of subdivision. For instance, a man might have a large piece of land that he could easily sell, but could be told by the Government that he could not sell it because it might be needed for a beauty spot or for some other reason. That is taking away the rights of the individual, and we are here to safeguard people's property rights.

The Hon. S. C. Bevan—What about the right of compulsory acquisition?

The Hon. E. ANTHONEY—The Government already has that power, but it would not be fair to deprive a man of his land without due compensation. The Bill does not provide for that and that is why I say several clauses require careful consideration and discussion. I support the principle of the Bill and its second reading and I will be very interested to hear what other members have to say.

The Committee divided on the Hon. C. R. Cudmore's motion that the debate be further adjourned.

Ayes (12).—The Hons. E. Anthoney, J. L. S. Bice, J. L. Cowan, C. R. Cudmore (teller), L. H. Densley, E. H. Edmonds, A. J. Melrose, F. T. Perry, W. W. Robinson, C. D. Rowe, Sir Wallace Sandford, and R. R. Wilson.

Noes (6).—The Hons. K. E. J. Bardolph, S. C. Bevan, F. J. Condon, A. A. Hoare, N. L. Jude (teller), and Sir Lyell McEwin.

Majority of 6 for the Ayes.

Debate thus further adjourned.

The PRESIDENT—The question is—That this Bill be made an Order of the Day for—

The Hon. N. L. JUDE—I move that it be on motion.

The Hon. C. R. CUDMORE—I move an amendment that it be an Order of the Day for tomorrow.

The Hon. Sir LYELL McEWIN—On a point of order, Mr. President, is the amendment in order?

The PRESIDENT—Yes. Any member can move for any time he likes.

The Hon. Sir LYELL McEWIN—I take it that the matter is open for debate.

The PRESIDENT—Only in regard to the question of time, not the subject.

The Hon. SIR LYELL McEWIN—My colleague has moved that an item of Government business be dealt with on motion but it is evident from the division that has just taken place that some members have agreed that there shall be no decision on it. That is tantamount to taking the control of business out of the hands of the Government. I have no objection to the Council making a decision if it is opposed to the Bill, but all we have got has been lip service. I have heard members say that they support the Bill in principle, and nothing has been stated convincingly that there is anything wrong with the measure. This move is most extraordinary. In my association with Parliament for over a fifth of a century I have always been game enough to express an opinion for or against legislation. Anyone going back over that period could not find a record of my walking out of the Chamber when a decision was to be made. Now the Hon. N. L. Jude (Minister for Local Government) has moved for an item of Government business to be dealt with on motion but some members are not prepared to give a decision on it. They do not even ask the Government to give special consideration to it.

Apparently we are not to have any more speeches on this Bill. Its consideration was delayed in order that local government could give the measure its blessing. All I have heard is a statement that the Government put the matter at the bottom of the Notice Paper and then produced it as something of a mockery in the dying hours of the session. I regret that as Leader of the Council I have to submit to legislation not being considered.

The PRESIDENT—The Minister of Local Government has moved that the debate on the Bill be resumed on motion, to which the Hon. C. R. Cudmore has moved to strike out "on motion" and insert "tomorrow". I will put the question "that the words 'on motion' stand".

The Council divided on the question that the words "on motion" stand.

Ayes (6).—The Hon. K. E. J. Bardolph, S. C. Bevan, F. J. Condon, A. A. Hoare, N. L. Jude, and Sir Lyell McEwin (teller).

Noes (12).—The Hons. E. Anthoney, J. L. S. Bice, J. L. Cowan, C. R. Cudmore (teller), L. H. Densley, E. H. Edmonds, A. J. Melrose, F. T. Perry, W. W. Robinson, C. D. Rowe, Sir Wallace Sandford, and R. R. Wilson.

Majority of 6 for the Noes.

Question thus negatived.

The PRESIDENT—I now put the amendment that "tomorrow" be inserted.

Amendment carried.

Debate thus adjourned until Thursday, December 9.

ELECTRICITY TRUST OF S.A. ACT AMENDMENT BILL.

In Committee.

(Continued from December 7. Page 1708.)

Clause 5—"Electricity districts."

The Hon. Sir LYELL McEWIN (Chief Secretary)—Yesterday Mr. Cudmore asked why the size of the committee was not stipulated and what a quorum should be. If he examines the clause closely he will realize that to attempt to put into precise words what the size of the committee should be, and what should form a quorum, might present some difficulties. Local conditions would have to be considered. The development of an area embracing three, four or five councils may be under consideration in which case there would certainly be representation of each council as well as of other local institutions, and, of course, the trust itself. The work of a committee is to obtain information and to be of assistance to the trust. Local knowledge can be of value as to the special requirements of the district and its potential. To suggest that Parliament should now decide whether the committee should consist of three, five, seven or nine members is something that I do not think it is in a position to determine at the moment. The last paragraph provides that a decision of the committee shall be valid if concurred in by the majority of the committee.

The Hon. C. R. Cudmore—What about a committee of six?

The Hon. Sir LYELL McEWIN—Obviously they would have to resolve that somehow, but I think the honourable member can rely upon the Government not to appoint a committee that would be incapable of working.

Clause passed.

Title passed.

Bill reported without amendment and Committee's report adopted.

FRUIT FLY (COMPENSATION) BILL.

(Continued from December 7. Page 1715.)

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

WORKMEN'S COMPENSATION ACT AMENDMENT BILL.

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

The Hon. Sir LYELL McEWIN (Chief Secretary)—I move—

That this Bill be now read a second time.

This Bill carries into effect the recommendations recently made by the committee appointed to review the Workmen's Compensation Act. It also contains some amendments to the laws relating to compensation for silicosis. These latter amendments have been recommended by the Government officers concerned with the administration of these provisions. I propose in this report merely to give a short explanation of the clauses as they occur, with some of the principal reasons which may be urged in support of them.

In its report last year the committee pointed out to the Government that the rates of compensation in Australia were then in process of being changed. At that time Bills were before the Parliaments of Queensland, New South Wales, Tasmania and Western Australia, and subsequently one was introduced by the Commonwealth. All these Bills were passed. The result of this legislation was that the average

maximum compensation payable on death, as fixed by the laws of the various Australian Parliaments, increased from £1,790 to £2,270 and the average maximum for incapacity from £1,960 to £2,478. The present maxima in force in South Australia are higher than the average of those in force before the changes made throughout Australia by last year's legislation, but having regard to the increases made in the other States last year it appears that an increase of about £250 is justified in the maximum compensation payable for death and also in the maximum for incapacity. The Australian legislation of last year also justified a review of the existing rates of weekly payments in South Australia and in the amount allowable for medical and hospital expenses. These matters also are dealt with in the Bill.

Clause 3 raises the maximum amount of compensation payable on death from £2,000 to £2,250. The child allowance which is payable in addition to the lump sum is raised from £75 to £80. In addition to these increase the clause makes an important change in the law by the provision that any amounts paid before the death of a workman as weekly payments for total or partial incapacity shall not be deducted from the compensation payable on his death. The previous law was that these deduction were to be made and thus it could happen that the amount payable to a widow on the death of her husband would be appreciably reduced by what had been paid to him in his lifetime. Provision for the deduction of these weekly payments were in most workmen's compensation laws when this type of legislation was first passed, but a number of Parliaments in British countries have now repealed such provision. In view of the position in the other States it is considered that this State is no longer justified in retaining them.

Clause 4 increases from £40 to £50 the amount allowable as the reasonable expenses of the burial of a workman who has died without dependants. This increase is based on increase in the cost of funerals, and the amount allowed in other States.

Clause 5 deals with the maximum amount of the weekly payment of compensation for incapacity. It raises this maximum from £12 to £12 16s. As a corollary the child allowance is raised from 15s. to £1 and the wife's allowance from £2 to £2 10s. All these increases are justified by increases which have been made in the States since last year. New South Wales increased the weekly maximum from £9 to £12 16s., thus adopting the rate which was prescribed in Victoria in April, 1953. Queensland removed the maximum of £8 7s. and provided that the payment during incapacity should not exceed the average weekly earnings. Tasmania removed its previous limit of £11 5s. and provided for 75 per cent of the average weekly earnings. Western Australia alone retains its previous limit of £10. In view of these various changes the committee thought that the adoption of the rate of New South Wales and Victoria was justified in the State, and recommended accordingly.

Clause 5 also deals with the maximum total amount payable as compensation for incapacity. I have previously mentioned that the rates now prescribed by other States justify an increase of £250 in this State. This is provided for in clause 5 which raises the maximum compensation for incapacity from £2,250 to £2,500.

Clause 6 deals with the amount allowable as medical and hospital expenses, and is more far-reaching than may appear at first sight. It raises the maximum amount ordinarily allowable for these expenses from £100 to £150, and also provides that in cases where the expenses actually and reasonably incurred by the workman exceed £150 a special magistrate shall have power to order that the workman be paid such additional amount as is required to meet such expenses. Thus the total effect of the clause is that the workman will be able to obtain the full amount of the medical and hospital expenses actually and reasonably incurred by him. The fact that amounts in addition to £150 may be ordered by a special magistrate does not mean that in every case an application to a magistrate will be necessary. On the contrary, when it is clear that any particular amount of expenses was actually and reasonably incurred there is little doubt that they will be paid without any such application.

Clause 7 increases the fixed rates of compensation for the specific injuries named in section 26 of the Act in accordance with the increase in the maximum amount payable for total incapacity. It is proposed that the payments for the specified injuries will be percentages of £2,500 instead of percentages of £2,250.

Another important provision of clause 7 is that when a lump sum is paid for a specific injury, weekly payments which have been made in respect of the same injury will

not be deducted. This will, is many cases, make an appreciable difference to the amount paid. It is a marked improvement in the system of compensation from the point of view of the workman and has gradualllly been adopted in the other States. The precedents for it justify its introduction here.

Clauses 8 and 9 deal with compensation for silicosis. Clause 8 deals with the conditions of compensation. Under the present law a workman cannot obtain compensation under the silicosis scheme unless he has been resident in South Australia during the five years immediately preceding the date of his disablement and has during that period been employed for at least 300 days in one of the industries or processes involving exposure to silica dust. Owing to the influx of workmen into South Australia from other States the requirement of five years' residence as a condition of compensation sometimes causes hardship and the Silicosis Committee has recommended that it should be repealed. Clause 8 therefore contains amendments to provide that, irrespective of the time for which a workman has resided in South Australia, compensation for death or disablement caused by silicosis will be payable if the silicosis is wholly or mainly attributable to employment in South Australia.

Clause 9 makes some minor alterations respecting the matters which can be included in the silicosis compensation schemes. Under Part IXA of the Act it is provided that the terms of a scheme can empower the Minister to reduce the rate of subscription payable by employers to the silicosis compensation fund in cases where the works of such employers are constructed so as to reduce the risk of silicosis, or if the materials used at the works have a low silicosis content.

The clause also provides that a scheme may empower the Silicosis Committee to impose an additional subscription of 10 per cent on any employer who does not pay his subscriptions to the scheme within one month of the appointed time. It is also proposed that existing schemes for silicosis compensation may contain a clause that failure to comply with the scheme shall be an offence. In connection with this, it may be pointed out that silicosis schemes are very much like regulations in that they are laid before the House and may be disallowed.

From what I have said it will be obvious that this Bill confers substantial benefits on workers and if it is passed the South Australian law as to workmen's compensation will, on the whole, be well in line with Australian standards.

The Hon. F. J. CONDON (Leader of the Opposition)—I regret that the proposed amendments do not measure up to similar legislation in the other States. Although improvements are provided, it is with a certain amount of reluctance that I support the Bill. I do so because I do not desire that injured persons should be debarred from receiving the increased benefits. The Government set up an Advisory Committee to consider the problem. I stand behind Mr. O'Connor, the representative of the Trades and Labor Council, in his attempt to have our workmen's compensation provisions placed on a scale equal to that operating in the other States. Why should a worker in South Australia not receive equal payments? In South Australia we boast about our industrial peace and often praise those connected with industry because of continued operations free from industrial trouble, compared with the position in other States; but we do not do much to encourage those who are rendering valuable services to the State.

For many years I have fought for improvements in workmen's compensation. My mind goes back 45 years when I took a prominent part in the early stages of workmen's compensation in South Australia. I know of the many anomalies existing here. Everything which has been secured by either political or industrial action has had to be fought for. I do not appreciate a stand and deliver policy —take it or leave it—but sincerely hope the Bill will have a speedy passage and pass in its present form. It do not agree with some of the arguments that we are overloading industry. Although some of our provisions may equal those in the other States, others are inferior. South Australian workers are entitled to receive benefits equal to those operating elsewhere in Australia. On the question of overloading industry, I remind members that some of the companies operating in South Australia also operate in the other States where they pay without complaint the compensation rates operating there. Why should they offer any objection to paying South Australian workers equal rates?

I am not satisfied that the Bill goes far enough, but I shall do nothing to prevent its passage. The Labor Party will take the earliest opportunity to implement its policy on this question. Although there are a number of improvements in the Bill, I shall point out some of the things which are missing. For many years we have fought for legislation similar to that operating in other States. I

have handled hundreds of cases under this law, and at present am acting in an honorary capacity in four cases. I know of the hardships suffered by the injured. This Bill provides for a maximum compensation of £12 16s. a week to a man who may be earning £20 a week, but because he has met with an accident he must make a sacrifice of £7 or £8 a week. It is when a man is injured that he needs extra and not less. Therefore, I advocate that when a man is injured he should receive the same payment as he receives when in employment. That is a reasonable proposition.

The Government appointed a committee, of which my Party was not enamoured, to make recommendations to Parliament and thus take it out of the political sphere. Last year Parliament accepted the recommendations of this committee, and the understanding when a Bill was introduced was that the committee would consider further amendments. This Bill is based on this committee's recommendations, and we must support it. The proposed increases are not increases in the real sense of the word, apart from the point of view of the cost of living. The increased rates are only to meet that position. The recommendations are that the maximum compensation for death be raised from £2,000 to £2,250 and that the maximum compensation for incapacity be increased from £2,250 to £2,500. That is not excessive, and is below the rates operating in other States. Therefore, we are not being over-generous.

Another recommendation of the committee is that the weekly payment for incapacity be increased from £12 to £12 16s., a wife's allowance be raised from £2 to £2 10s. a week and a child's allowance from 15s. to £1 a week. Whereas the maximum for the injured workman is £12 16s., today many thousands of workers, owing to marginal differences and overtime, are receiving considerably higher wages than that. Under the Bill the maximum amount for medical, hospital and like expenses will be raised from £100 to £150. However, that does not mean that every person will receive that amount. As the law stands at present, if a workman meets with an accident he has to pay all hospital expenses over £100, but this measure increases that to £150.

The most important amendment to the Bill is a matter that has been advocated by the Labor Party for as long as I can remember, that is, the provision eliminating the deduction of weekly payments from the lump sum payable in the event of total incapacity or loss of a limb. If a man loses perhaps only a finger joint through an accident he might find that under the present law he would receive more in weekly payments than the Act sets out. I know of men who have returned to work without having received anything, yet they will have the disability for the rest of their lives. This Bill improves this matter because it provides that weekly payments will not be deducted from any lump sum, and this provision is one of the most pleasing amendments it contains.

No provision is made for injuries sustained while travelling to or from work, a most contentious matter. There has always been an objection by the insurance companies in this State to such a provision, yet the same companies have recognized it in other States. Why should employees in this State be treated differently from others? I have mentioned before the case of a man who was asked at the end of an eight hour shift to work eight hours overtime. At 6.30 p.m. he said that he wanted a meal, and was told to go to the shop to obtain it. Unfortunately he was knocked over by a tramways bus and taken to the Royal Adelaide Hospital. He subsequently approached me and I took up his case with the insurance company, but I was told that there was no liability because the man had not been injured at work. The company had always been reasonable, with very few exception, and although the law did not compel it to pay compensation, it did so. I have known of other cases in which the companies have said that there was no liability and they have invited me to show how there is, but I have been unable to do so. I am endeavouring to get the best possible conditions for injured persons, and at the first opportunity I shall endeavour to improve this Act. What is proposed is a sort of levelling process, and I sincerely hope that the Bill will not be amended in any way. I do not intend to move any amendment.

The Hon. F. T. Perry—It appears that the honourable member would like to do so.

The Hon. F. J. CONDON—That might be so, but I am accepting the recommendation of a committee. The unions of South Australia play a very important part in looking after injured persons without any cost, and they do a wonderful job. However, a number of people do not come under their control and somebody has to assist them. I have known of injured persons who have been unable to make both ends meet. Parliament should not handicap an employee who has probably

worked most of his life and has rendered a valuable service to the community; instead, it should help him. This Bill does not place the Act on a par with legislation in other States and I and my colleagues will not be satisfied until we are successful in bringing it into line. I ask honourable members to support the Bill, because they will be doing an act that will be appreciated by those unfortunate enough to meet with an accident.

The Hon. F. T. PERRY (Central No. 2)—Like most members or anyone else having to deal with a Bill such as this I feel a little embarrassed. Very extravagant claims are made under this item. Workmen's compensation has been in force for 50 years to my knowledge, and in that time has increased from very meagre advantages to what, if Mr. Condon's aim is achieved, will be full wages for each accident in a workshop. This is a very desirable position to reach; if the community and industry were strong enough to do it throughout the length and breadth of the State it would be a very pleasing and happy position, but the community as a whole does not do that. It believes to a degree in affording some help to those who meet with misfortune, but it never sets out, either in pensions or sickness benefits, to give full wages for absence from work through injury. There is a reason for that, of course, and I do not think we need to go into the matter very deeply in order to understand what that reason is. Self-preservation is one of the first laws of nature, and we have insurance policies of all sorts by which the thoughtful man seeks to guard against misfortune. Workmen's compensation started on those lines and I think it was a very good thing and has rendered very good service to injured workmen. However, in recent years certain sections of the community, particularly our friends of the Labor Party, have sought, through Parliament mind you, to make claims out of all proportion to what I think was the fundamental idea of insurance whereby the community seeks to take care of the unfortunate.

I feel that the Labor Party has made a feature of this type of claim in Parliament. Wages and conditions of employment are fixed by the Arbitration Courts and workmen's compensation is one thing that is left for Parliament to consider; and Parliaments through-out Australia have exceeded altogether the principles of insurance. When explaining the measure the Minister stated that a committee had been set up for the purpose of advising the Government on workmen's compensation. The members of this committee are well-known to most of us; Mr. Bean, the Parliamentary Draftsman, is chairman, Mr. Gibb represents the employers and Mr. O'Connor the Trades and Labour Council. That is a very estimable and well-informed committee, I should say. The recommendations of this committee were brought down and we passed an amendment of the Act last year, and my conception of the situation was that that settled the matter for a while, that justice had been done and consequently we would not hear much more about workmen's compensation for at least two or three years. However, we find again this session another recommendation which increases benefits very considerably. When a committee is appointed on a permanent basis it is naturally available for the consideration of the matter entrusted to its care, but I did not think that workmen's compensation was a matter of the type that should be subject to reconsideration every year. That is why I am surprised that this measure has come forward. When the matter has been dealt with by a committee representing both sides surely we can expect that some finality has been reached and that for a few years at least the position will not alter.

Mr. Condon quoted extensively the good actions of insurance companies, but I point out that they will insure against any risk and charge accordingly—the greater the risk the greater the premium, and industry has to provide the premium on the basis of the total wages paid by the employer. A statement of wages paid has to be submitted and the rate which is fixed by the insurance companies on the experience of years is applied. Consequently, that debt becomes the responsibility of the employer, as he must insure under the Act. The cost of this insurance to the metal trades group is 52s. for each £100, or slightly over 2½ per cent, so that for every pound of wages paid 6d. has to be provided for workmen's compensation; on a wage of £20 a week the cost for insurance is 10s. or £26 a year. In the farming industry the cost is 2 per cent. That indicates what it is costing the industry, and it is growing and cannot be ignored. If we could reduce our costs even by 2½ per cent I should be very happy, but everything we touch in the way of costs during the last few years seems to have increased.

Those dealing with matters such as this should have cognizance of this factor in the cost structure. The employer, of course, recognizes this and he takes as much interest in

his workmen as even the union does. Ambulance and accident arrangements are made, clinics are provided, and in some places nurses are enagaged to tend to the wants, not only of those who suffer accidents, but those who have minor ailments. I do not feel, therefore, that the unions or anyone else have a greater regard for the health and welfare of the employees than the employer, and if an insurance policy is correctly drawn the employer helps to obtain redress for the injured workmen as well, and perhaps ever better than the union concerned. Most employers are interested in the welfare of their employees.

With the introduction of the Bill at this stage of the session most members feel they cannot examine the full extent of the proposed amendments. The Minister mentioned there had been agreement by the committee. I understand the employers' representative agreed to all the proposed increased allowances, but opposed strongly a departure from the regular procedure that had been the practice for years. There may be some justification for increased allowances for death and for weekly payments as the value of the pound has declined and wages and all costs have increased. The proposed alteration rectifies generously the altered conditions that have occurred during the year. Last year we amended the Act to provide for £2,000 compensation for death, whereas previously the amount was £1,500, and now it is proposed to increase it to £2,250, an increase of 50 per cent in approximately 12 months. The same rate of increase is observed in practically all the other payments. Therefore, no-one can feel that the increases in compensation allowances will not result in an increased premium rate, but to what extent I am unable to say without considerable research. There is also to be an increase in the allowances for the wife and children of employees.

I do not oppose the increases in the main, but draw attention to the maximum amount of weekly compensation, namely, £12 16s, the same as in New South Wales and Victoria. Last year we increased the amount to £12. These costs should be based on logical data. The basic wage in South Australia is 12s. below that in New South Wales and about 5s. lower than in Victoria. Therefore, it appears that the committee was generous in arriving at the figure of £12 16s. The main point on which I join issue with the Government is the increase in the amount paid for partial incapacity. The payments provided for the loss of a limb, finger or eye appear in the schedule, and certain percentages are fixed. The payment for partial incapacity has risen by 50 per cent in the last 12 months. Under the old Act weekly payments were deducted when a final settlement was made, but under this Bill they are not to be deducted. This will involve big increases on that item. If an eye is totally lost the payment amounts to 40 per cent of £2,250—about £1,000.

The Hon. K. E. J. Bardolph—Would you suffer the loss of an eye for £1,000.

The Hon. F. T. PERRY—Of course not. An amount of £5,000 would not compensate for it. Under the Act if the loss of eyesight amounts to 10 per cent, then the man gets 10 per cent of the £1,000. It is not the original aim of any insurance or compensation scheme that a man should be relieved of all responsibility. At many places of employment sick and accident funds are supported by the employer, and I know in one instance £3 a week is paid up to 13 weeks, and thereafter lower payments. I consider that the Government has been very liberal in this Bill, and actually more than liberal in respect of deductions for weekly payments. I am sorry that has been done. I do not propose to move any amendments.

The Hon. C. R. Cudmore—Is there any reason why we should not vote against clause 7?

The Hon. F. T. PERRY—I think it is wrong, and in view of the way I have spoken I should vote against it. The question of compensating injured employees is very much alive in the minds of the public and employers, but it should not be the sole responsibility of employers. I should not like to think that the community had reached the point when it thought that the responsibility for the care and welfare of employees as regards accident payments or sickness remained solely with someone else. Unemployment relief works on a different basis and provides £2 a week for a married man, £2 for his wife and 15s. for each child.

The Hon. K. E. J. Bardolph—The workers contribute.

The Hon. F. T. PERRY—I know. The idea was to give partial assistance to those who became unemployed. Many accidents occur when the employee is not at work, and he then has to fall back on public relief. I point out that the Workmen's Compensation Act does not get any assistance from the Commonwealth Unemployment and Sickness Benefit Fund. If

the community accepts unemployment and sickness benefits, I cannot see why it cannot accept that if a man is injured at his employment a sum should be payable. However, the recipients of workmen's compensation payments are not eligible for payment under the Commonwealth unemployment and sickness benefits. I support the Bill in the main, but I oppose the clause that makes weekly payments an addition to the schedule of payments set out for partial injuries under the Act.

The Hon. K. E. J. BARDOLPH (Central No. 1)—I was astounded by Mr. Perry's remarks, particularly, because he can be classed as one of the captains of industry in this State and because he and his family have developed the engineering industry in a way that has not been equalled by others. Nobody in the Chamber should know what befalls men in industry better than he. His speech was most surprising because of his remark about it being the responsibility of the employee to guard himself against accidents by taking out an insurance policy.

The Hon. F. T. Perry—I did not say that.

The Hon. K. E. J. BARDOLPH—Mr. Perry looked at this matter as purely economic, and not from the humanitarian point of view. He said that industry is charged 2½ per cent on its wages to provide compensation, but I point out that these employees are producing the wealth for the captains of industry who employ them.

The Hon. Sir Wallace Sandford—You are talking piffle.

The Hon. K. E. J. BARDOLPH—It is not piffle, but hard facts. I know these facts hurt the honourable member, because he also employs labour, and many people look upon workers as an economic unit instead of as human beings with just as many rights as my friend and I desire to have. Mr. Perry said that workmen's compensation costs industry 2½ per cent on its over-all wages bill, but he did not say that that is added to the cost of the goods manufactured.

The Hon. F. T. Perry—I thought you would understand that.

The Hon. K. E. J. BARDOLPH—I understood it and that is why I am exposing it. On top of that is added the profit, so in effect in many industries the profit is enhanced because of the payment.

The Hon. N. L. Jude—Do you say that industry makes a profit out of workmen's compensation?

The Hon. K. E. J. BARDOLPH—The majority of industries do. Mr. Perry said that Labor's claim for full benefits is absurd. However, all the worker has to sell is his labour. He is not a commodity, and cannot have a commercial sales campaign to sell what he has to offer. The Perry Engineering Company has played an important part in the establishment of industry, but it should be remembered that a workman should be fully covered for accidents that might befall him. Mr. Perry also said that this charge is too much for industry and insurance companies to pay. However, industry fixes its own prices, and is able to pass on this charge to the community. Last session we passed legislation increasing motor registration fees, and following that the insurance companies, perhaps justifiably, increased third party insurance premiums. The honourable member's argument does not hold water because we are dealing with two totally different factors, one of which is the human factor. A workman can be maimed for life or killed, yet his value to his widow is rated at only £2,250. I know that Mr. Perry would not like to think that if he were in those circumstances his widow would receive such a small amount.

We should not discuss this matter from an economic point of veiw, but from a human point of view. When war has been declared who is it that has rallied to the colours to defend what they claim is theirs? The employer and the employee have marched together and suffered all the privations and disabilities of war. They did not cavil about the conditions under which they had to live, yet in peace time all the employee has to sell is his labour but the employer has manufactured goods to sell and he can regulate his profits and fix his margins.

The Hon. N. L. Jude—What if he cannot sell his goods?

The Hon. K. E. J. BARDOLPH—As a wool baron the Minister has no control over prices; Divine Providence does that by fixing the seasons. Mr. Perry said that weekly payments should be deducted from the lump sum payable. I have been in the fortunate position of not having to claim under this Act, but I and my colleagues representing Central No. 1 district have dealt with dozens of cases in which accidents have befallen the breadwinner, and we all know that these accidents have caused a greater expenditure than normal in the home. Consequently, the weekly payments are not sufficient in time of illness. I was surprised that Mr. Perry said that unemployment relief partially provided for these things. It is quite true that unemployment relief is provided, and that we all contribute by way of taxation for such social services.

However, no analogy can be drawn between unemployment relief and workmen's compensation because the man who gains the benefit of the former is in full possession of his faculties and only has to accept assistance because of economic circumstances, whereas the man benefiting from this Act has received injuries resulting from his employment. Mr. Perry said that he thought that after the report of the advisory committee last year we would hear no more for two or three years about this matter. I would not like to say that he is a modern Rip Van Winkle, but if anybody knows the changes taking place from day to day I think he does. After all, not only does he control one of the biggest steel industries here but also he has quite a lot to to with other businesses. He should know that changes are taking place daily with regard to costs and every other item. The committee was not set up to submit only one report, but was constituted as a permanent body to take workmen's compensation out of the realm of politics as stated by the Premier so that it would not be a political football. Submissions may be submitted, not only by the Government but by the constituent members of the committee, namely the employers or the Trades and Labour Council.

The Hon. F. T. Perry—It was a surprise to some members to learn that the committee was continuing.

The Hon. K. E. J. BARDOLPH—I am not responsible for the surprise of members, and consequently I have much pleasure in supporting the measure and, in consort with my Leader, I regret that it does not go far as the Australian Labor Party would desire and cover all aspects in respect of injuries that befall workers from time to time in the various field in which they are engaged in building up the wealth of South Australia, concerning which we hear so many eulogies from the Government and captains of industry.

The Hon. C. R. CUDMORE (Central No. 2)—I think the ground has been fairly well covered and my only reason for speaking is the point raised by Mr. Perry as to the committee appointed by the Government. I thought it was appointed to make one report on what should be done to alter the Workmen's Compensation Act. That report was made last year and on the basis of it a Bill was introduced. I was rather surprised therefore that a fresh amendment should be brought in this year, allegedly on a non-unanimous decision of the committee. There has been enough of politics on this matter in another place and I do not propose to go into that except to say that I support Mr. Perry in believing that I did not think the committee was going to report every year, because that simply means we will have alterations of the Act every year. As Mr. Perry said, all that happens as far as insurance companies are concerned is that they will alter their rates and a little more will be put on industry; it will become a little more difficult to make tenders for contracts, and so we will continue what we are doing all the time, namely, pricing ourselves out of the world's markets by being too luxurious to ourselves at home. I think that is a fair statement of the position and therefore I do not intend to traverse all the amendments suggested by the committee.

There are, however, two clauses which break new ground as far as South Australia is concerned, namely, clauses 3 (3) and (7). Hitherto, when it came to the final settlement of a claim for a loss of a limb or other injury the weekly payments made to the injured workman have been deducted from the lump sum set out in the schedule. If a man has been ill for some time owing to injury received at work and eventually dies I think it is quite proper that the widow should get the full compensation without deduction of weekly payments made to her husband during his illness. That is covered by clause 3(3). Clause 7 adopts completely wholesale the idea that however, long a man is ill and whatever amount it costs his employers, and through them their insurance company, he still has to get the full amount of compensation. I join issue on that. I am advised that every Labor Government in Australia has included it in its workmen's compensation legislation. It is a departure in principle from the way we have attacked workmen's compensation in South Australia. We have tried by various methods, such as rent control and other things to keep expenses down. This will undoubtedly put them up and although I feel that nothing can be done about it but to accept the Bill and all the minor increases in it, I certainly shall not support clause 7.

The Hon. S. C. BEVAN (Central No. 1)—I support the measure and, like the Leader of the Opposition, my only regret is that it does not go far enough. I still cannot see why a workman who is injured in the performance of his duties should suffer any reduction in his weekly wage. Workmen's compensation should provide a sum equal to the full weekly wage. Provision should also be made for compensation for injury to a workman proceeding to and from

his place of employment with, of course, suitable safeguards. Compensation should also cover full funeral expenses. However, the Bill goes some way towards meeting the deficiencies of the Act.

I have listened with some interest to the debate and both Mr. Perry and Mr. Cudmore said that they were under the impression that the Workmen's Compensation Committee was set up by the Government for a period of 12 months only, and to make an investigation and present a report. I was never under that impression. The Premier during the last elections made it quite plain in his policy speech and on the hustings that if his Government were returned he would appoint a committee, and it was quite plain to anyone who heard his statement, and those of other members of his Party, that the purpose was to establish a committee for the purpose of inquiring into workmen's compensation at all times. Twelve months ago this committee presented a report to the Government which accepted it and introduced legislation in accordance therewith. A further 12 months has elapsed and we have another Bill, but what caused the committee again to investigate workmen's compensation? Let us see what it says, namely:—

Since our last report substantial changes have been made by the Parliaments of all the other States and by the Commonwealth. As a result the average maximum compensation payable, as fixed by the laws of the other States and the Commonwealth, has been increased.

So circumstances have arisen which warranted the committee making further inquiries, and arising from that recommendations were made to the Government. Surely it was not expected that this committee, having once reported, would not meet again despite any change in circumstances. The South Australian Government has always prided itself on the fact that in its legislation it does not lag behind the other States or the Commonwealth. Among other things Mr. Cudmore said that Labor Governments were operating in the other States. I remind him there is also a Commonwealth Government which, by no stretch of imagination, is a Labor Government. It also has reviewed its compensation laws and made material alterations.

The Hon. C. R. Cudmore—Can you give me the date?

The Hon. S. C. BEVAN—It was since the 1953 report of the South Australian Workmen's Compensation Advisory Committee. All we are doing is to place compensation payments in this State on a comparable basis with those of the other States and those operating under the Commonwealth. There has been much argument about weekly payments, and it has been suggested that they should not be deducted from any lump sum payments for incapacity or death. Mr. Cudmore said that if it applied only to a widow on the death of the breadwinner he would have no objection, but if it were to apply to a disability to a worker he would object. The committee, having all the facts before it, gave much consideration to that point and according to the report it will amount to only a small increase.

The Hon. C. R. Cudmore—What do you call a small increase?

The Hon. S. C. BEVAN—Perhaps if I quote from the committee's report it will help honourable members. Under the heading "Deductions of weekly payments from lump sums" it stated:—

We have considered the question whether weekly payments made to a workman during incapacity should continue to be deducted from the lump sum payable to his widow in the event of his death, and from the amount payable to the workman himself for one of the permanent injuries scheduled in section 26 of the Act. This question was raised by the Leader of the Opposition in a letter to the Government which was forwarded to the committee, and also by Mr. O'Connor.

The decision of a majority of the committee on this matter is that these deductions ought no longer to be made. They are not made in any other States. In a matter of this kind, which directly affects the amount of compensation received by a workman or his dependants, it is difficult to justify the continuance of a rule which places South Australia below the standards of every other State and of the Commonwealth. The principal objection to abolishing the deductions is the possible cost. This cannot at present be accurately determined, but from the information available it can be inferred with some certainty that it would lead only to a small percentage increase in the total amount of compensation payable.

The experience of the Government Insurance Officer is that the average amount of weekly payments deducted from the lump sums for scheduled injuries is about £125 at present. The lump sums vary from about £100 to £2,250, the average payment being about £600. Thus if the deduction were abolished the average payments for scheduled injuries would probably rise from £600 to about £725, that is to say, about 20 per cent.

After an exhaustive inquiry that is what the committee submitted. As Mr. Bardolph asked, do industries carry any added costs? I think we know the answer. In his objection to this clause Mr. Perry dealt with the question of added costs

The Hon. F. T. Perry—I said it was a factor in the costs of production.

The Hon. S. C. BEVAN—Undoubtedly the committee considered all these matters. I feel that its recommendation and the action of the Government in introducing this Bill are justified, and that the Bill provides only a fair measure of compensation to a workman who suffers injuries through no fault of his own. Mr. Perry also said there were various insurance schemes in operation in factories and that individual employees took out insurance cover for hospitalization or weekly payments to meet the position should they be away from work owing to injury. I interpreted him to mean that the whole onus should be on the workmen themselves.

The Hon. F. T. Perry—I said nothing of the sort. I said they should accept a share of the cost.

The Hon. S. C. BEVAN—If that is so, I withdraw my comment, but that is how I interpreted your remarks. Surely it would be placing an unfair burden on employees if they had to pay premiums to protect themselves? No-one would suggest that an employee would injure himself just in order to collect a weekly payment. If a man meets with an accident he suffers pain and inconvenience, and may suffer considerable repercussions later. I do not subscribe to the thought that an employee should be compelled to insure himself in these circumstances. These additional costs, infinitesimal as they may be, will not be borne by employers but will be passed on. Under our national health scheme certain payments are made when a man goes to hospital, but should anyone want additional payments he must insure with an approved medical health organization. A man pays income tax and from this source the national health payments are made for such things as hospitalization. However, under the Workmen's Compensation Act if an employee is injured nothing comes from the national pool, but if a man suffers an illness and is away from his employment he is entitled to £2 a week, with additional payments for his dependants, and this comes out of the Commonwealth scheme. If he is eligible for workmen's compensation, the other payments should also be included. That would be just. After analyzing the committee's report and perusing the Bill I feel that the measure is justified. Although there has been criticism of its introduction at this late hour, I hope it will have a speedy passage so that it will become law at the earliest opportunity, thus enabling those who are entitled to receive the increased payments provided. I support the second reading.

Bill read a second time.

In Committee.

Clauses 1 to 6 passed.

Clause 7—"Fixed rates of compensation for certain injuries.-

The Hon. C. R. CUDMORE—I have already made my protest against this clause, which seems to me to alter our old system. Mr. Bevan has been good enough to read out the report of the committee on this subject. That committee was appointed to advise the Government on this matter, but it is not necessary for Parliament to follow any legislation submitted as a result of its investigation. I have already given my ideas about this committee. If it continues to exist we will have amendments to this Act every year, and it will be difficult for industry and insurance companies.

The Hon. Sir Lyell McEwin—That is a reflection on the committee.

The Hon. C. R. CUDMORE—All I am saying is that I do not necessarily accept the report. I oppose this clause.

The Hon. F. J. CONDON—For the reasons I explained this afternoon, I hope the Committee will not depart from the provisions of the Bill. I remind honourable members that last year, when a previous Bill was before Parliament, the Premier promised that he would refer several points raised by the Opposition to this committee. It was well known that the matters not agreed upon on the previous occasion would be submitted for further hearing.

The Hon. C. R. Cudmore—Was the Premier entitled to say we would accept it?

The Hon. F. J. CONDON—No, but my honourable friend appears to accept other recommendations by committees. This afternoon I said I was not in full accord with this Bill because it does not go far enough. However, the committee was set up to take this matter away from political control, and it does not matter if the report was a majority one or not because Parliament has always been perpared to accept the report of any committee it has set up. This measure is the best that can be secured, and I ask honourable members to support it in its entirety.

The Hon. F. T. PERRY—Naturally one has respect for a report of a committee, but I point out that the report was a majority one and that Mr. Gibb, the employers' nominee,

definitely did not approve of it. I oppose the clause, which is a departure from the principle of the Act.

The Committee divided on the clause.

Ayes (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, N. L. Jude, Sir Lyell McEwin (teller), W. W. Robinson and R. R. Wilson.

Noes (5).—The Hons. C. R. Cudmore (teller), A. J. Melrose, F. T. Perry, C. D. Rowe, and Sir Wallace Sandford.

Majority of 8 for the Ayes.

Clause thus passed.

Remaining clauses (8 to 10) and title passed.

Bill reported without amendment and Committee's report adopted.

STOCK AND POULTRY DISEASES ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from December 7. Page 1716.)

The Hon. R. R. WILSON (Northern)—This is a very important Bill to owners of stock. It gives power to the Governor to make regulations should an outbreak of the disease known as foot and mouth disease and also sometimes known as hoof and mouth disease occur. I have read about the outbreak of the disease in other countries. It has been very prevalent in the United Kingdom, Europe, Asia, Africa and South America, but there has never been an outbreak in this State. It all comes back to the old motto, "Prevention is better than cure." Quarantine does not appear to be the answer because the disease is so highly contagious. Only a few years ago I read of the tremendous losses throughout England due to an outbreak there. Therefore, drastic action is necessary and this Bill certainly gives wide powers to veterinary officers, stock inspectors and other authorities. Cattle, hogs, sheep, goats, or any animal with a cloven hoof is susceptible to this disease, and in these days of modern transport it has to be watched very carefully. It is on record that a dairy hand in Europe carried the disease to Canada where they were fortunate in preventing its spread through detecting it very early.

I think all owners of stock commend the action of the Agricultural Council of Australia which, following a meeting held in Melbourne last July, took up the matter in earnest. The result has been that the Commonwealth Government has agreed to pay 50 per cent of the costs in the event of any outbreak, the States to bear the other 50 per cent; South Australia's proportion is 10 per cent. By this means there will be co-operation throughout Australia should an outbreak occur. Wide powers for stock inspectors and other authorities are necessary because so many things have to be watched. This disease is a fungus, and like all fungi must have a host and therefore utensils, yards and everything connected with stock must be under strict observation. Every stock man should know the facts about this disease because it spreads like wildfire and must be fought quickly if its control is to be effective. It is detected by the formation of blisters covering the tongue, cheek, lips and other tissues of the mouth. On the feet it is detected just above the hoof or between the cleft of hooves, and finally the covering of the foot is lost altogether. In the tongue this organ is lifted from its original setting.

A doctor has informed me that it is comparable with smallpox in human beings; just as dreadful and as contagious. The virus is easily spread, and therefore customs officials have a very important part to play. They are often criticized for being too officious, but when we realize the good they do in trying to prevent this type of disease entering the country they are not too officious. It would be a good idea if the Department of Agriculture were to circularize all Agricultural Bureau branches with a chapter contained in the 1940-42 *Year Book of Agriculture*, issued by the United States Department of Agriculture. If this were made available to all branches of the bureau I think it would be the best means of conveying the knowledge that is so essential to owners of stock. I support the second reading.

The Hon. A. J. MELROSE (Midland)—During the last few seasons we have had several amendments to Bills dealing with the control of stock diseases, and I remember when speaking on one of them suggesting that the department should envisage the possibility of the occurrence of what might seem then to be an impossibility, and acquire more powers instead of making several bites at the cherry. The Bill before us deals with a matter of urgency because all our existing precautions against the introduction of veterinary diseases were framed at a time when transport was slow and the incubation period would probably be exceeded by the time of the overseas journey of stock being imported. To day the position is quite different, and almost in a matter of hours an aeroplane can arrive from a country which has

such a terrible disease as the foot-and-mouth disease and all the other diseases with which Africa is afflicted. In this way the bacteria could be introduced into the soil of the landing grounds of Australia and, through ordinary air traffic, be distributed in a matter of a few days over the whole of Australia. Therefore it is obvious that the department must have power to act instantly. In the early days of South Australia we were afflicted by sheep disease called scab, and because we did not have the benefits of modern antibiotics the only way of dealing with this disease was by fairly wholesale slaughter of infected flocks—a rather drastic type of cure, but nevertheless it wiped out the disease.

The only known answer to foot-and-mouth disease is complete isolation, which means slaughter of the whole of the infected flock or herd, and probably all contacts. Our Department of Agriculture should be given power to act instantly so that it can nip in the bud any of these introduced diseases before they are spread all over Australia by aeroplane. That will probably apply in respect of a wide variety of animal diseases as well as various human diseases, and undoubtedly one of the most dangerous is foot and mouth disease. Many of these veterinary diseases are spread through infected pastures; the saliva or excreta of infected animals infects the pastures and the virus passes straight into the bodies of other animals, and therefore its spread is difficult to control. I heartily support the Bill and think that the department has taken a wise step in fore-arming itself to meet any emergency that may arise.

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

[*Sitting suspended from* 4 *p.m. until* 4.30 *p.m.*]

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

Adjourned debate on second reading.

(Continued from December 7. Page 1697.)

The Hon. R. R. WILSON (Northern)—Every year since I have been a member of the Council this legislation has come forward for amendment. It has served a very good purpose since it was introduced as a war measure in 1942. During the depression many tenants were unable to pay their rent, and some owners reduced rents to meet the situation. Rents were not increased very much until 1939. If the legislation continues in force, there should be an increase in rent in sympathy with increased costs generally, therefore I intend to support the amendment forecast by Mr. Cudmore. Owners of rental houses have borne more than their share of increased costs due to the effects of war. Around the suburbs one sees many rented houses which are in a state of neglect, particularly as regards painting. This morning a prominent painter told me that to paint a six-roomed house inside and out would cost £300 and that it would last a maximum of four years. On that basis, it would cost £75 a year for painting alone. This man pays two of his empolyees 12s. 6d. an hour, which amounts to £5 for an eight-hour day or £25 for a 40-hour week. The average rental for a six-roomed house is approximately 32s. 6d. a week, or £84 10s. a year. Therefore, there is a balance of only £9 10s. a year, out of which the owner must pay rates and taxes and do other repairs. Often houses were bought for renting by people who invested their life savings, and they are looking to this legislation to give them a better deal.

The building of homes by private enterprise for renting has practically ceased. Most new houses are being built either by private people for their own use or by the Housing Trust or the War Service Homes Commission. It is a great pity that some people go to extremes when they have the opportunity to increase rents. I do not think it is the right time to lift controls altogether, but strongly support the move for an increase in rents. The proposal of Mr. Cudmore that the 1939 basis should be increased by 35 per cent as against the existing 22½ per cent is very fair considering that those who have owned houses for renting have received little income from this source for many years. I support the second reading.

The Hon. Sir LYELL McEWIN (Chief Secretary)—I shall address myself to some of the remarks made during the debate, because I feel that some honourable members have not quite gripped the true position. I agree with Mr. Wilson that we should not lift the lid off rents all at once, because there would be violent reactions. Yesterday Mr. Cudmore quoted some figures from a publication. They were for December, 1951, before any of the progressive legislation was introduced in favour of the landlord. Since then there has been an increase in rents of 22½ per cent, granted in one move. The costs of maintenance, rates and taxes have all been provided for. Perhaps it will be suggested that if an owner could receive his payments in advance he could renovate his house, kick the tenant

out and then sell the property and thus get the increased capital value. It would then be a wonderful thing for him.

It was mentioned during the debate that private enterprise would not build houses for renting, but who is to stop them? Nothing in the Act prevents it. People can build new houses and charge whatever rent they like. There appears to be some lack of knowledge of the actual operations of this legislation, or through some lack of concentration on the Bill some of the remarks made have been totally incomplete. I ask members when considering the Bill in Committee to remember the concessions which have already been granted.

Bill read a second time.

The Hon. C. R. CUDMORE—I move—

That it be an instruction to the Committee of the Whole that it have power to consider a new clause relating to the matters to be considered in fixing rents of premises to which the Act applies.

Motion carried.

In Committee.

Clauses 1 to 3 passed.

New clause 3A—"Basis of fixing rent."

The Hon. C. R. CUDMORE—I move to insert the following new clause:—

3a. Section 21 of the principal Act is amended by striking out the words "twenty-two and one-half" in the eighth line of subsection (2) thereof and by inserting in lieu thereof the word "thirty-five".

Section 21 (1) provides what shall be taken into account in fixing the rent under this Act of any premises to which the Act applies. Section 21 (2) provides:—

In fixing the rent under this Act of any dwellinghouse, the trust or, as the case may be local court, shall take as the basis for fixing the rent, the amount of its rental value in accordance with the general level of rental values for comparable premises prevailing at the first day of September, nineteen hundred and thirty-nine, but for the said purpose the said general level shall be deemed to be increased by twenty-two and one-half per centum thereof.

Every member who has spoken will admit that the expenses of landlords have gone up with the expenses of other people. During the second reading I quoted figures from the *Commonwealth Year Book*. I regret that they only go up to December, 1951, and I freely admit that the actual effect of the 22½ per cent increase enacted in 1951 would not show in them. However, the extraordinary difference between the increase in wages and costs of clothing and food as compared with the infinitesimal increase in rents all round is so striking that I feel we are only doing justice if we give the landlord some further increase at this stage. At first I thought of seeking an increase of 10 per cent on the present rental, but the simplest way was to provide for an extra 12½ per cent. I do not know that it is necessary for me to speak at any great length. During the second reading I set out the facts and figures as I see them. I think this House would be doing less than a fair thing to unfortunate landlords if it did not give them a definite increase in rentals. The people who are in real difficulties are those with old houses that are expensive to keep up. In many cases elderly people have put their life savings into these homes, and because they are obtaining rents they cannot receive pensions. I think we should do something definite for them.

The Hon. Sir LYELL McEWIN (Chief Secretary)—The honourable member's remarks are based on an entirely fallacious background. He has admitted that the figures are three years old and completely out of date, yet on those premises he is suggesting an increase of over 50 per cent on the previous increase. The increase already given represented over a 50 per cent increase in actual rent over the 1939 level. The amendments made from year to year have been progressively and continually in favour of landlords. During the past few years the Government has introduced Bills that have had the effect of substantially relaxing rentals imposed by the Act. This process of relaxation of control commenced in 1950 when the grounds upon which notice to quit were extended, and provision was made that if a landlord had owned his house for a period of years and gave 12 months' notice to quit he would be entitled to possession. In 1951 basic rents were increased by 22½ per cent and full allowance was given for increases in maintenance costs, rates and taxes, etc. The grounds for giving notice to quit were further extended and provisions for gaining possession of shared accommodation were enacted. The process of relaxing controls was accelerated in 1953, when business premises were freed from control. New houses, houses not previously let, and houses let for three or more years were freed from control. The grounds for giving notice to quit were further extended and the Act otherwise altered to make it easier for a landlord to recover possession.

This process is carried on by the present Bill. Apart from the clause extending the operation of the Act for another year, every clause is in favour of the landlord and provides for further

relaxation of control. The Bill is a generous one and is keeping up the progressive relaxation without creating any violent repercussions in the sphere of industrial activity. I ask the Committee to support the Bill as it stands.

The Hon. F. T. PERRY—The figures quoted by Mr. Cudmore were official for the time and for the period. I admit that rents have increased by 22½ per cent since.

The Hon. Sir Lyell McEwin—There is a qualification at the bottom of page 2.

The Hon. F. T. PERRY—I have seen the figures given and they are official, whatever the qualifications are. I find it hard to believe them, but they are official, and show the prices paid to landlords who did not receive the same returns from their assets as did people in other fields.

The Hon. C. S. Bevan—Was that not rectified?

The F. T. PERRY—It was by 22½ per cent, but that is the only increase that has been made. All the other alleviations mentioned by the Chief Secretary simply allowed the landlord to obtain possession of his property or gave him some hope of doing so, but did not affect the return he got from his property. Many of the alleviations in regard to leases have been taken advantage of by people who have been able to grasp the alterations that have taken place from time to time. Many people work under the Housing Trust recommendations and they are restricted absolutely to the Bill. Despite what the Chief Secretary said, they only get 22½ per cent more than they did in 1939, with some allowances for depreciation and maintenance.

The Hon. Sir Lyell McEwin—What about rates and taxes?

The Hon. F. T. PERRY—Yes, but they have to prove all those. Although I am sure landlords appreciate what the Government is doing, I do not think the Bill goes far enough in alleviating their financial position. I support the amendment.

The Hon. E. ANTHONEY—One point that should be made is that while increases have been granted for maintenance and other things, they have not been automatic, and I maintain that they should have been. Instead of that landlords have had to apply to the Housing Trust for a variation, the trust has made valuations and in many cases has not granted an increase.

The Hon. Sir Lyell McEwin—Why does a landlord have to obtain a valuation for rates and taxes?

The Hon. E. ANTHONEY—He has to obtain one to get an increase in rent. When Parliament provides for an alteration, it should be automatic. I support the amendment.

The Committee divided on the amendment.

Ayes (11)—The Hons. E. Anthoney, J. L. S. Bice, J. L. Cowan, C. R. Cudmore (teller), E. H. Edmonds, A. J. Melrose, F. T. Perry, W. W. Robinson, C. D. Rowe, Sir Wallace Sandford, and R. R. Wilson.

Noes (6)—The Hons. K. E. J. Bardolph, S. C. Bevan, F. J. Condon, A. A. Hoare, N. L. Jude, and Sir Lyell McEwin (teller).

Pair.—Aye—The Hon. L. H. Densley. No—The Hon. R. J. Rudall.

Majority of 5 for the Ayes:

New clause thus inserted.

Clause 4 ''Grounds for giving notice to quit.''

The Hon. Sir WALLACE SANDFORD—I move:—

After ''amended'' to insert the following:—

(*a*) by inserting after the word ''lessor'' in the last line of subparagraph (i) of paragraph (*g*) of subsection (6) thereof the words ''or by a brother or sister of the lessor or of the wife or husband of the lessor'';

(*b*) by inserting after the word ''purchaser in the last line of subparagraph (i) of paragraph (*m*) of subsection (6) thereof the words ''or by a brother or sister of the purchaser or of the purchaser or of the wife or husband of the purchaser'';

The difficulties that confront an owner of a house, which he may have had great difficulty in securing, are eased as far as possible, and I was pleased to hear the Leader of the Opposition say yesterday that he intended to give consideration to any amendments which prove to provide the greatest good for the greatest number. There are injustices and inequities that arise from time to time, and one of these strikes me as an example of great hardship: the owner of a pair of maisonettes lives in one of them and is anxious that his sister-in-law, who is over 86 years of age, may secure the tenancy of the other. It seems to me a very great hardship is imposed on the owner because he is unable to do what his generosity prompts him to do, and on the lady, who should reasonably be able to look forward to the right of seuring the tenancy. It should require very little argument to persuade the Committee to support the amendment. The very ages of the owner and the sister-in-law should give them every reason to expect a favourable outcome of the desire they have expressed.

The Hon. C. R. CUDMORE—This amendment simply adds brother or sister of the lessor or purchaser to the list of relatives on whose behalf the owner may obtain possession and I entirely support it.

The Hon. Sir LYELL McEWIN—The whole principle of the Act is to give some protection during a period of acute housing shortage, to the tenant who carries out his part of the contract, and the effect of this amendment, put briefly, is to whittle away some of that protection.

The Hon. C. R. Cudmore—It probably will not apply in more than half a dozen cases.

The Committee divided on the amendment—

Ayes (9).—The Hon. E. Anthoney, J. L. S. Bice, J. L. Cowan, C. R. Cudmore, E. H. Edmonds, A. J. Melrose, F. T. Perry, C. D. Rowe and Sir Wallace Sandford (teller).

Noes (8).—The Hon. K. E. J. Bardolph, S. C. Bevan, F. J. Condon, A. A. Hoare, N. L. Jude, Sir Lyell McEwin (teller), W. W. Robinson and R. R. Wilson.

Pair.—Aye—The Hon. L. H. Densley. No—The Hon. R. J. Rudall.

Majority of 1 for the Ayes.

Amendment thus carried.

Clause as amended passed.

Clause 5—"Period of giving notice to quit in certain cases."

The Hon. Sir WALLACE SANDFORD moved—

Before paragraph (*a*) insert the following paragraphs:—

(*aa*) by inserting before the words "and proof is given" in the third and fourth lines of subsection (6) thereof the words "or a brother or sister of the lessor or of the wife or husband of the lessor";

(*ab*) by inserting before the words "for his occupation" in paragraph (*b*) of subsection (6) thereof the words "or a brother or sister of the lessor or of the wife or husband of the lessor".

The Hon. Sir LYELL McEWIN—These amendments are of the same nature as the amendments to clause 4. Section 49 (6) provides that where notice to quit is given on the ground that the lessor needs the house for himself, a dependent, or a son or daughter, he may, if he has owned the house for two years, given notice to quit for a period of 12 months and, subject to certain conditions set out in the subsection, the hardship provisions do not apply and the tenant must go. Clause 5 reduces the period of 12 months to nine months. The amendments extend the operation of subsection (6) to a case where the house is needed for a brother or sister of the landlord or the wife or husband of the landlord. In some respects, it can be said that the amendments are open to greater objection than the amendment to clause 4. Under section 49(6) the tenant has no chance of establishing a greater relative hardship than the person for whose occupation possession of the house is sought but is, in effect, obliged to give up possession I suggest that the amendments be opposed.

The Committee divided on the amendments.

Ayes (5).—The Hons. J. L. S. Bice, A. J. Melrose, F. T. Perry, C. D. Rowe, and Sir Wallace Sandford (teller).

Noes (12).—The Hons. E. Anthoney, K. E. J. Bardolph, S. C Bevan, F. J. Condon, J. L. Cowan, C. R. Cudmore, E. H. Edmonds, A. A. Hoare, N. L. Jude, Sir Lyell McEwin (teller), W. W. Robinson, and R. R. Wilson.

Pair.—Aye—The Hon. L. H. Densley. No—The Hon. R. J. Rudall.

Majority of 7 for the Noes.

Amendment thus negatived.

The Hon. C. R. CUDMORE—I move—

In line 3 of paragraph (*a*) of section 49 to delete "nine" and insert "six."

In my speech on the second reading I mentioned that last year we provided for owners to have the right to give 12 months' notice to a tenant under certain conditions and that the hardship clauses were not to be taken into account. I explained that this applied to an owner who wanted to get his own house, to protected persons and beneficiaries in estates and to people who wanted to get their own business premises when they had nowhere else to go to conduct their business. In the second reading debate I pointed out that when the Government introduced the Bill in another place six months' notice was provided for, but an alteration was made to nine. All I am suggesting is that the clause revert to its original form.

The Hon. Sir LYELL McEWIN—There is no arguing the point about the period proposed. The Bill gives a concession of three months, which is 25 per cent of 12 months. This was considered and accepted by the Government. No hardship is considered under this clause, but the notice is "sudden death." The period of 9 months is not unreasonable and I ask the Committee to support the Bill as it stands.

The Committee divided on the amendment.

Ayes (10).—The Hons. E. Anthoney, J. L. S. Bice, J. L. Cowan, C. R. Cudmore (teller), A. J. Melrose, F. T. Perry, W. W. Robinson, C. D. Rowe, Sir Wallace Sandford and R. R. Wilson.

Noes (7).—The Hons. K. E. J. Bardolph, S. C. Bevan, F. J. Condon, E. H. Edmonds, A. A. Hoare, N. L. Jude and Sir Lyell McEwin (teller).

Pair.—Aye—The Hon. L. H. Densley. No—The Hon. R. J. Rudall.

Majority of 3 for the Ayes.

Amendment thus carried.

The Hon. C. R. CUDMORE—I move:—

In paragraphs (*b*) and (*c*) to delete "nine" and insert "six."

The Hon. Sir LYELL McEWIN—Although I oppose the amendments, I will not attempt to reply to them.

Amendments carried; clause as amended passed.

Clause 7—"Period of notice to quit in certain case."

The Hon. C. R. CUDMORE moved:—

To delete "nine" and to insert "six".

Amendment carried; clause as amended passed.

Remaining clauses (8 to 10) and title passed.

Bill reported with amendments and Committee's report adopted.

POLICE PENSIONS ACT AMENDMENT BILL.

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

The Hon. Sir LYELL McEWIN (Chief Secretary)—I move—

That this Bill be now read a second time.

It seeks to deal with an unforeseen difficulty which arose when the calculations of the specific amounts of pensions payable to certain existing police pensioners were being made for the purpose of the Police Pensions Act recently passed. The pensioners concerned are some of those who have already retired because of invalidity after at least 15 years' service. Under the old Act the rate of pension for these persons was £150 a year, plus £10 a year for each complete year of service in excess of 14. The new pension is £182 a year, plus £9 for each year of the member's age at retirement in excess of 40.

Members will note that the new Act made a change in the variable part of the pension so that instead of being based on years of service it was based on years of age. This change was made for sound actuarial reasons and for consistency with other provisions of the Act, particularly those relating to the payment of lump sums on a graduated scale to members who retired before the normal retiring age. Although the method of calculation laid down in the Act is correct as a general principle, the age and service of some existing pensioners were such that it does not give them an increase of at least one-sixth in the amount of their pensions, as was intended by the Act. These consequences of the new method were not discovered until the Public Actuary worked out the actual amounts of all the new pensions. The anomaly might have been discovered in advance by working out all the actual amounts before the Bill was passed, but it was considered that the work involved in doing this could hardly be justified until the decision of Parliament on the Bill was known.

The Government does not desire that any group of pensioners shall suffer any discrimination, and therefore has brought down this Bill. It contains a simple provision which will ensure that where the new method of calculating the invalidity pensions in question does not result in an increase of one-sixth in the present pensions, the pensioner shall nevertheless receive an increase of this amount.

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

PREVENTION OF CRUELTY TO ANIMALS ACT AMENDMENT BILL.

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

ROAD TRANSPORT ADMINISTRATION (BARRING OF CLAIMS) BILL.

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

ADJOURNMENT.

At 9.25 p.m. the Council adjourned until Thursday, December 9, at 2 p.m.