

LEGISLATIVE COUNCIL.

Tuesday, August 16, 1955.

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

BULK HANDLING OF GRAIN ACT.

His Excellency the Deputy Governor, by message, indicated his assent to the Bulk Handling of Grain Act.

ELECTORAL BOUNDARIES.

The PRESIDENT laid on the Table the report of the Royal Commission on electoral boundaries.

REPORTS OF PUBLIC WORKS COMMITTEE.

The PRESIDENT laid on the Table reports by the Parliamentary Standing Committee on Public Works on the Croydon Girls Technical School, together with minutes of evidence, also the second progress report on water and sewerage schemes for the new town north of Salisbury.

QUESTIONS.**IRON ORE DISCOVERIES.**

The Hon. F. J. CONDON—In view of the reports that the Mines Department and the Broken Hill Pty. Coy. have found new deposits of iron ore of great value, is the Minister of Mines prepared to take the Council into his confidence and make a statement on the matter?

The Hon. Sir LYELL McEWIN—I regret that I am unable to give the Council any detailed information. Drilling has been done and there are indications of further deposits of what could be normally termed high grade ores available. The drilling programme of the B.H.P. Company has also been successful. This would suggest that certain geological ideas regarding the ore bodies will have to be changed and, if I may introduce a personal note, I think what has happened has confirmed some of the ideas held by the late Director of Mines, Doctor Ward, that the known deposits would have roots. That is as far as I can go. There is no secret about what is going on. The plants are active; percussion drills have gone to certain depths and those holes are being followed up with rotary drills, but as yet the whole picture has not been completely drawn. Results achieved, however, indicate further supplies of iron ore beyond anything previously suspected.

CONDITION OF TRAM TRACKS.

The Hon. K. E. J. BARDOLPH—In view of the deplorable and unsafe condition of tram tracks in the metropolitan area and the effect upon vehicular and pedestrian traffic, will the Minister of Local Government take the matter up with the trust in order to have this condition rectified?

The Hon. N. L. JUDE—The honourable member will realize, I am sure, that the recent spell of wet weather throughout the State has been very costly to taxpayers and the deterioration of the roads along the tram lines has been quite noticeable. As the matter is of great importance to the people I assure the honourable member that it is already receiving consideration.

CONTROL OF TAXICABS.

The Hon. C. R. CUDMORE—In view of published and other statements as to the difficulties of the City Council in controlling taxicabs, will the Government further consider the advisability of handing over the licensing and control of taxicabs to the Commissioner of Police?

The Hon. Sir LYELL McEWIN—I will submit the question to Cabinet for consideration.

AMENDMENT OF MARGARINE ACT.

The Hon. F. J. CONDON—Does the Government intend to amend the Margarine Act in order to increase the quota of margarine and meet the public demand, as manufacturers will be compelled under present legislation to close down their plants shortly?

The Hon. Sir LYELL McEWIN—I will bring the question under the notice of the Minister concerned.

APPOINTMENT OF JUSTICES OF THE PEACE.

The Hon. F. J. CONDON—I understand that quite a number of nominations have been made for the appointment of justices of the peace. When is it likely that the new appointments will be made?

The Hon. C. D. ROWE—It is true that a large number of nominations has been made. I have been through the majority of them and propose to go through the remainder in the course of the next week or so. I expect the appointments to be made this month.

USE OF QUARRY RUBBLE.

The Hon. C. R. CUDMORE—I ask leave to make a statement with a view to asking a question.

Leave granted.

The Hon. C. R. CUDMORE—As the Minister of Local Government knows, there is considerable agitation as to the effect on the Adelaide Hills of quarrying and the objectionable sight of certain quarries and their surroundings. At the foot of the main Stonyfell quarry there are about 20,000 tons of screened rubble, but it is one of the objectionable sights. I understand that it is very useful material for roads, paving, school yards and other things, and is cheap in comparison with metal used on roads. Will the Minister inquire whether the Government could not take this rubble away and use it for some Government purpose?

The Hon. N. L. JUDE—The honourable member has asked a carefully considered question, and I should like to give it a carefully considered answer next week.

INTRODUCTION OF BILLS:

The Hon. F. J. CONDON—I understand it is the Government's intention to introduce a number of minor Bills. In order to facilitate matters, are Ministers prepared to introduce in this Chamber Bills which affect their departments? My object is to facilitate the business so that we do not have to adjourn from time to time awaiting legislation from the other House.

The Hon. Sir LYELL McEWIN—For the convenience of members I have taken the necessary action to introduce in this House Bills which would be appropriate for Ministers here, and I propose to ask the indulgence of members later this afternoon to suspend Standing Orders to enable these Bills to be introduced and their second readings given so that members may have a chance to peruse them before they are called on again. There will be the usual difficulties until legislation arrives from the House of Assembly for consideration. By doing as I have suggested, I feel that we can convenience members and also provide ample time for them to consider Bills before they are asked to speak to them.

The Hon. F. J. CONDON—I do not think the Minister has answered my question. I asked that Council Ministers should introduce certain Bills dealing with their departments. Members will remember what has happened in the past. I think the Council should be an initiating body, the same as the other House. Will Council Ministers introduce in this place first Bills dealing with matters which come under their jurisdiction?

The Hon. Sir LYELL McEWIN—I have already given the honourable member certain assurances. He is aware that no matter whose department they come under, money Bills

cannot be introduced in this Chamber. However, the usual discretion will be exercised regarding the introduction of appropriate Bills relevant to departments administered by Ministers in this House.

PRICES ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from June 23. Page 415.)

The Hon. C. R. CUDMORE (Central No. 2)—This is a very short and simple Bill. It merely extends price control legislation from the end of this year to the end of next year. It is so short and simple that apparently it was taken for granted in another place, where it was introduced by the Minister, commented on shortly by the Leader of the Opposition and then went through, nobody taking much interest in it. I think that is all the more reason why we in this Chamber should closely scrutinize it.

It is interesting to note the different reasons given for the re-introduction year after year of a Bill to continue price control. In 1952 it was tacked on to a question of the control of the price of butter and cheese, and some of us expressed some doubt whether that might be made an excuse for continuing control further. In the following year the Minister was perfectly frank in stating that the Government had not changed its policy on this matter, and he made this very sound observation:—

The Government believes that freedom from control is in the public interest and leads to lower prices provided there are adequate supplies of goods and there is reasonable competition between sellers.

That was a statement of the Government's policy, which I applauded and support. But it was also stated that there were then shortages. The Government asked for the measure to be renewed on that account, and it was renewed. Last year the Government asked for a renewal of the legislation for a further year without giving any reasons, but I and others objected, stating that it was for the Government to give some reasons for a continuance of price control, as we did not assume that it should be continued and left to someone else to break down. I emphasize that I think that is the true position. Price control was a war measure brought in by the Federal Government in Australia, the United States, England and other places, and in most countries it was given up as soon as possible.

It is our obvious duty to ask why we have to continue price control. Unless there is some

very good reason I feel we should not keep on with it. Last year no reason was given. Attention was drawn to that, and the Minister gave considerable reasons in his speech in reply to the debate. When I endeavoured to comment on that in Committee you, Mr. President, very rightly and promptly stopped me and said I could not make another second reading speech. However, I am now on my feet to make a second reading speech.

This year the tune has changed, and the situation has developed since the Bill was introduced in this Chamber. This year the chief reason given by the Minister was that this legislation is in the interests of our manufacturers and that they would be in trouble unless we had some price control. The second reason given was that local prices were in some cases below overseas prices and unless there was price control they would be likely to come up to overseas prices and therefore cost the public more. I do not think the latter point is affected in the slightest by whether we have local price control or not. It is never stated in these speeches what items are really referred to; I imagine they are goods such as leather, possibly steel and galvanized iron, for which the Australian price is lower than the overseas price. However, these are matters controlled by the customs and the general fiscal and economic policy of the Commonwealth Government, and I cannot see how anything our Prices Commissioner or Minister can do will have any effect.

The main reason given was that it helps our manufacturers. I thought there was only one place to go to see if they wanted this help, so I interviewed the Chamber of Manufactures and was told quite officially that they do not want price control.

The Hon. F. J. Condon—You have the majority of members here. Why don't you vote it out?

The Hon. C. R. CUDMORE—I hope to, and I am going to try, if that is any satisfaction to my honourable friend. I notice that he gave this matter extremely lukewarm support, his only comment on it being that if control was necessary it should be for five years or for ever instead of being extended year after year. Who is in favour of this control? I cannot find out who is. We have had a good many weeks since this Bill came before the House and I have tried to find someone who is really in favour of it. The United States gave up price control in 1947, and the Commonwealth in 1948. The States took it on in 1948 or thereabouts. In Tasmania price control expired

on October 31, 1954, in Victoria on December 31, 1954. It is rather amusing that the Labor Government in Victoria, having given up price control, immediately it lost office said it was an outrageous thing that there should not be price control. It seems to be a matter of whether you are in or out. In Western Australia price control went out on December 31, 1953. In Queensland it is still in force. There is a permanent Act in that State, called the Profiteering Prevention Act, a much better term, and this Act covers much wider things. It might possibly deal with cartels and profit control, not only price control. In New South Wales a Prices Act is still in force, but controls have been relaxed there as they have in South Australia. When we in March, 1952, took the control off clothing, the other States followed. That is the general position, but here the position as to the introduction of this Bill is rather peculiar because, as I have pointed out, we were the first to decontrol clothing in 1952. The Bill was introduced into this place on June 21 this year. Then on July 28 this year a proclamation was issued recontrolling a large number of goods, mostly clothing; I think probably all things in the C Series index, but price control as carried on here does not deal with everything in the index, or a lot of other things which are not taken into account, but which do make a great deal of difference to the welfare and costs of the ordinary household—fruit, vegetables and things of that sort.

Owing to the expansion of the number of papers that we are expected to read on Sundays I had some difficulty in finding the statement of the Commissioner of Prices. I read a leading article in the *Advertiser* on what he had said, but had some trouble in finding his statement, perhaps because I do not study the Sunday papers as much as some people do. The statements of the Commissioner of Prices, I assume, were perfectly correct; he said that certain assurances were flouted and that margins were increased. I do not think we can overcome the faults of human nature in dealing with these things, but I was interested to read underneath that a statement by Professor Karmel, Professor of Economics at the University, and one thing he said interested me very much, namely, "Price control in itself does not remove inflationary pressure but supplements it, and unless control is universal it will probably result in shortages in controlled lines and an undesirable expansion in uncontrolled goods." That is the point I will keep hammering at. I ask my friends of the Opposition whether it is a good thing for

a man on the basic wage; if there is such a person today? Does it help him if there is a shortage of supplies of controlled goods?

The Hon. F. J. Condon—At least the Labor Party sticks to its policy.

The Hon. K. E. J. Bardolph—It knows where it's going.

The Hon. C. R. CUDMORE—I have a rough idea where I am going and I do not think those comments have much bearing. There must be some misunderstanding in the published statement that the proclamation of July 28 was a reintroduction of price control. It is not that at all; the power has always existed as we have retained the whole of our organization, but the Government has been since March, 1952, gradually decontrolling and exempting goods of various sorts, and everyone hoped that price control was on the way out as the Minister indicated two years ago was the desire of the Government.

The Hon. F. J. Condon—Don't you think that the pegging of wages made it reasonable to continue price control?

The Hon. C. R. CUDMORE—The honourable member has seen all the statements in the press and I do not need to quote all the figures, but the extraordinary fact is that since wages ceased to be adjusted in August, 1953, the clothing component has fallen in this State by .09 per cent. That is the answer to my friend's comment. This measure seems to be a retrograde step. I know there has been quite a bit in the press to the effect that it is going to be done in other States as well, but it is all going back to war-time control and regimentation, and as far as I can gather those countries which got away from control earliest have been the most prosperous since the war.

In 1953 the Minister said that the Government was in favour of decontrol, but there were still shortages. As far as I can find out there are no shortages to speak of today. One cannot get everything in Rundle Street at the price one wants, but they can be obtained in other places, and as far as I know there is no really serious shortage, except possibly in vegetables and fruit at the moment. I should be pleased to hear anybody who can tell me that there are real shortages of goods today, and I would say that there is much greater competition in this State than there ever was before the war.

The Hon. Sir Lyell McEwin—Why should there be shortages?

The Hon. C. R. CUDMORE—I said that controls were inclined to reduce the production of controlled articles and increase production of uncontrolled lines.

The Hon. Sir Lyell McEwin—We have been out of control of these things you are complaining of but we still have not got them.

The Hon. C. R. CUDMORE—I have just said that we have got them. I feel that the real economic effect of controls is that they will decrease the production of controlled articles which are the things we want to help the man on the lower rung to get, and they will increase production of uncontrolled articles. That is only human nature. Why do people go into manufacturing? To earn for their company or for themselves a good return and if they see that the articles that they are producing are to be controlled there is not the inclination to produce them. Members know that there are cases of people who manufacture in a big way and who say to the retailer "If you do not sell for such and such a price you do not get our goods at all," and if we try to say, "You must sell it at a lower price," what happens? The people just do not get the goods. That seems to be the inevitable result.

The Hon. Sir Lyell McEwin—That is not price control.

The Hon. C. R. CUDMORE—That was in operation long before price control was thought of. I have been supplied with a mass of detailed figures and information by various people none of which I propose to use because it does not seem to advance the basic problem at all. In 1776 a gentleman named Adam Smith came out of a 10 years' retirement to produce a book called *The Wealth of Nations*, and as far as I know it has not been contradicted in any material factor yet; it is still the truth about supply and demand. For my sins I had to study it as a special subject in 1905, just 50 years ago, but I have remembered certain things that were in it. I also have a habit, as members know, of looking at history, and we all know that the only thing we learn from history is that we refuse to learn from history. But this question of price control and controls generally was tried out thousands of years before Adam Smith, and I was very interested to read an article in a magazine called *World's Business* of January, 1953.

Some years ago we had a member in this Chamber who used frequently to regale us with long readings from overseas papers, and I regret to say that he has lately died but,

with the indulgence of the Council, I propose to follow his example on this occasion because it seems to me particularly apropos of the whole question of continuing price control. This article was obviously written just after a Presidential election in the U.S.A. in the hope that controls would not be reimposed, and as it has some peculiar things to say about the people in control I read this with all due apologies to the Minister of Prices. It reads:—

Some 4,000 years ago the first great economic tinkerer on record, King Hammurabi of Babylonia, concluded that: (a) a free market did not properly regulate prices; (b) individual decision and freedom of contract did not sufficiently stimulate economic development. He had a lot of other ideas, too. A few were good, but the others were mostly bad, because they revolved around attempts to maintain prosperity in the Kingdom of Babylonia by Government administration. He made a few early passes at the merchants and traders of the day by asking them to sit on so-called "advisory boards" in order that their worldly wisdom could be whispered into the King's ears.

We have also heard something like that here. The article continues:—

He surrounded himself with trusted advisers from every walk of life except from the seamy merchant class of the country. Soon, in their infinite wisdom, his "special consultants" were able to prove to him that the advice of the "advisory council" was not necessary.

We have heard something like that here, too. The article further states:—

In order to administrate Babylonian economy under the "new order" the King first raised wages by decree. Then he set minimum wage laws and provided for higher rates in specific industries.

Today we call it margins, but it is the same thing. The article further continues:—

To his surprise the cost of living immediately rose; so he fixed commodity prices. Thus the first known cycle of economic disaster was begun and the old King was caught in the rising spiral of inflation. He made it work, for awhile, by scaring out risk capital with another wrinkle—he controlled interest rates. Of course, taxes rose and there are many who believe it was King Hammurabi himself who unrolled the first spool of "red tape."

I do not suppose one has to go so far back in history except to further substantiate the fact that, since the beginning of recorded time, each generation has consistently refused to learn from the one that preceded it. Actually, there is no need to go back farther than the world depression of the 1930's to view the utter failure of attempts to restore prosperity by a combination of government sanctions and collective business administration by bureaucratic control.

We are at present witnessing some very worthwhile attempts throughout the world to sustain fair trade, employment and production

along free enterprise lines. On the other hand, governments are rampant with men in positions of power who fancy themselves as economic tinkers of the first order. It is time they were reminded of Hammurabi.

That is semi-humorous, but there is a good deal of truth and substance in it. I am certain that the Premier, as Minister of Prices, is perfectly honest and genuine in his idea that if he could keep down the C series index prices it would be for the benefit of the people of the State, but I cannot agree with him. Nothing that I can get from anybody can persuade me that it is right for us to continue price control. I believe that if one ties a bag at the bottom it will bulge out at the top, and if we are to have control then we must control practically everything to make the system work. It is either control everything or nothing. I am not convinced that a continuance of this legislation is in the best interests of the people, and I still have to find those who will really benefit in the long run. Therefore, I intend to oppose the Bill.

The Hon. S. C. BEVAN (Central No. 1)—I support the measure. I agree with Mr. Cudmore when he says that on a cursory glance it appeared to be only a small measure providing for a continuation of this legislation for another 12 months. I also agree with his opinion that we should closely scrutinize the measure, and that it is not unimportant legislation but of importance to the whole State. I think the same legislation would be of importance to the whole Commonwealth. The honourable member mentioned that on his inquiries he was convinced there was no further use for this legislation, and added that he could not find anyone in favour of its continuance. He mentioned interviews with the Chamber of Manufactures, which does not want price control and openly advocated its abolition. I do not subscribe to those sentiments, because the Chamber of Manufactures naturally would not want price control. This also applies to retailers as well as manufacturers. If the honourable member were in earnest in his endeavour to find who wants price control, I would ask him to canvass housewives and notice their reaction to the Bill.

To give a picture of the position today, I find it necessary to mention the inauguration of price control and its re-enactment from time to time. It was first enacted in September, 1939, just after the commencement of World War II in August. National security regulations were introduced about that time to peg

wages. It was realized that if we were to conduct a successful war it would be necessary to control prices too.

The Hon. C. R. Cudmore—You realise that the whole of the Labor Party voted against the National Security Act.

The Hon. S. C. BEVAN—It did, but while in power successfully fought the war. It was that Government which re-enacted this legislation from time to time until 1948, when price control powers were handed back to the States. Perhaps it is interesting to mention that it was because of the clamour of the States, South Australia being no exception in the opinion that the States could more efficiently control prices than the Commonwealth Government. The Commonwealth took the States at their word and handed back price control, but immediately the States said, in effect, that it was only doing so in a pique. However, when the States got this power back they found it necessary to enact legislation for the control of prices.

Whether we like it or not, wages are pegged. Mr. Cudmore is advocating the freeing of all controls and says goods are in ample supply. In effect, goods are in ample supply. The argument put forward from time to time by some members in this Chamber regarding price control—that if goods are in plentiful supply prices will decline—is somewhat remarkable. That has not proved to be a fact. If there is an abundant supply, why has there been no reduction in prices? I contend that there are adequate supplies at present, and this is obvious when one visits the stores either in the city or the suburbs. It will be found that the shops are fully stocked with all classes of goods. There is a close relationship between wages on the one hand and the prices of goods on the other. Because of this, there is an agitation for a fair living wage based on what is known as the C series index figures compiled by the Commonwealth Statistician for the purpose of arriving at an equitable living wage. It was argued as to whom this wage should apply and what should be the family unit, and it was decided that the average family should be one of five—a man, wife and their three children, and the figures were arrived at on that basis.

The C series index was based under four headings. One was food and groceries, which took into account groceries, dairy products and meat. The second was housing, and the figure was based on a home of four or five rooms. The third heading was clothing, and the figures were based on the ordinary needs of a man,

his wife, a boy of 10½ years, a girl of 7 and a boy of 3½. The fourth heading was miscellaneous, under which came a fair amount of household and everyday commodities, including household utensils, fuel and light and other miscellaneous items such as fresh vegetables, fish and so on.

It has been suggested from time to time that there has been little movement in prices. It was mentioned by Mr. Cudmore this afternoon that there was a press statement that there was a slight reduction in the price of clothing after clothing was decontrolled. Unless the Prices Commissioner and the Statistician who investigate these matters are completely wrong, this is contrary to actual fact because, during the war when both prices and wages were pegged, there was no movement in the cost of living figures until 1948. It is a recognized fact that the cost of living, as shown in the quarterly adjustment figures, always followed the trend of prices; wages were not increased first. Quarterly adjustments to make up the lag between prices and the basic wage were made each quarter from 1948 until the Commonwealth Arbitration Court in its wisdom decided that they should be suspended to stabilize the economy of this country. Assurances had been given to the court that there would be no appreciable increases in prices.

It is interesting to note the increases that took place from the September 1939 quarter, when the C Series index figure was 916. The first movement occurred in the March 1945 quarter, and the greatest increase was between 1948 and 1952, after the Commonwealth relinquished control. To the end of December, 1952, quarter the index figure had increased to 2,243.

The Hon. C. R. Cudmore—That increase took place while there was full price control.

The Hon. S. C. BEVAN—It was between 1948 and 1952 under State price control, which I have never agreed has been adequate. I still maintain that the States cannot effectively and adequately control prices, and while there is a necessity for price control it should be under one centralized Commonwealth authority. Up to 1952 considerable increases took place in the price of commodities in the C Series index. Food and groceries increased by 162.8 per cent, housing by 27.2 per cent, clothing by 268.3 per cent and miscellaneous by 103.9 per cent. It is ridiculous for any member to suggest there have been no increases in prices because if that is so why has the State Government seen fit to recontrol a considerable number of commodities that were previously decontrolled? Since those items were freed from control

their prices have increased so much that, the State Government has found it necessary to reimpose control. All inquiries by the Prices Commissioner have proved that the increases have been unfair to the community. If we assume that the Government has not a justifiable reason for recontrolling these goods the only logical assumption is that this measure has been introduced because there will be an election next year, and the Government is trying to play politics with prices. I do not subscribe to that because I feel that the Government has found it necessary after investigation to recontrol these items.

Mr. Cudmore said there has been a slight reduction in the price of clothing. I think the figure he gave was 0.16 per cent, which is infinitesimal even if it took place. However, I point out that a ready made suit which cost £22 to £22 10s. has now been reduced to £20. A first quality Pelaco shirt that cost 48s. a short time ago is now sold for £2. Leather has been recontrolled, and that has reduced the price of shoes. All commodities that have been recontrolled have been reduced in price, which indicates that once price control is taken off an article there is an immediate increase in price because the demand is still there. The only advocacy for discontinuance of price control has come from people who will benefit because they will make greater profits than they are entitled to make. The general public will be exploited, and there is no necessity for that. Mr. Cudmore said that it is only human nature for any manufacturer to get as much as possible for goods for which there is a demand. However, if it is good enough on the one hand to say there shall be no further adjustments to the basic wage, the goods which make up the C Series index should not be allowed to increase in price.

It has also been said that prices will find their own ceiling. That may be so, but that time will not come until they are beyond the reach of the ordinary person, when the warehouses will be full and the manufacturer will have to sack his employees. There is no competition today, despite the freedom from controls. We all know what goes on and will continue to go on. It is necessary to re-enact price control, even though it is only for a further 12 months, and I support the attitude of this Government in renewing price control on goods on which more than a fair profit has been made. I agree that a fair profit should be made, but not that any section of the community should be able to exploit another, which

has happened since some goods have been freed from control. The profit margin on some of these items is 33½ per cent, and if that is not great enough I would like to know what is.

The Hon. Sir Frank Perry—Have wages gone up in the meantime?

The Hon. S. C. BEVAN—Only a small number in the community have benefited.

The Hon. Sir Lyell McEwin—That would be in the cost and not in the margin, wouldn't it?

The Hon. Sir Frank Perry—But the cost must come out of the margin.

The Hon. S. C. BEVAN—The basic wage has not increased so the unskilled man has not received higher wages. If there had been an increase in wholesale prices I could understand it, but there has not. The one who has profited has been the retailer, who has been clamouring all the time for decontrol so that he could make larger profits. As a result we have no alternative but to re-enact this legislation for another 12 months, and I support the Bill.

The Hon. E. ANTHONY (Central No. 2)—It is evident from the debate this afternoon that we have created very artificial conditions around ourselves, and some people say we must go on doing so. I have always argued that this artificial system of price control is fundamentally wrong despite the opinion of those whose judgment is usually sound. Price control will not control prices.

The Hon. K. E. J. Bardolph—What will?

The Hon. E. ANTHONY—The law of supply and demand will if it is allowed to function.

The Hon. K. E. J. Bardolph—It is allowed to function in America and prices have gone up there.

The Hon. E. ANTHONY—The housewife is a pretty keen buyer; she knows when she is being imposed on and there is keen competition among business people despite what the honourable member says; they have to watch one another very closely. In an endeavour to inform myself on this question once again I went to several managers of big business firms here and they willingly put before me schedules showing the exact figures they had shown to the Prices Commissioner. With one or two exceptions, and those only where a commodity failed in regard to quality, there had been no increase in prices. It is said that truth is at the bottom

of a well; one person says the things another person alleges are not true, and we get nowhere with that sort of argument. We have to assume that the facts which have been given us are correct, and I feel that a great deal of untruth has been circulated in regard to these statements.

The question of price fixing is as old as time and because some people have not realized that it has been tried before they regard it as something new. It has been tried and failed.

The Hon. F. J. Condon—Your Government is re-enacting it.

The Hon. E. ANTHONY—And I am not supporting it. Until we remove these shackles, until we get rid of the war-time controls and regulations, we will be in trouble. Each time the Minister says that the Government hopes that it is the last time we take hope that we will not have to re-enact price legislation. I am totally opposed to it. I speak every year in the same way so I cannot add much to what I have already said, but, honest as the Premier is in the belief that the control of prices is a good thing for the community, I say in the long run it is a bad thing.

The Hon. K. E. J. Bardolph—What would you substitute?

The Hon. E. ANTHONY—Nothing. I would let business function in its natural way; keep the ring clear for business and protect the public from the exploiter. That is the duty of the Legislature; not to interfere, as the Government has been doing far too much, in the industrial and commercial life of this country. Competition will fix the price eventually; it may be delayed but it will inevitably do so. I would give a signal instance of what freedom of trade and competition means. The price of wool has never been controlled; it has fluctuated from time to time and no one has suffered. On the other hand we have had wheat control and what do we see? Great stores of wheat which we cannot dispose of and the price kept up at an artificial level.

The Hon. K. E. J. Bardolph—But there is no analogy between wheat and wool.

The Hon. E. ANTHONY—Wool is a signal instance of free marketing, and if the wheat-grower had met the market and taken his losses and accepted his profits we would all be far better off. I am totally opposed to these controls and for that reason I will oppose this measure.

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

HEALTH ACT AMENDMENT BILL.

The Hon. Sir LYELL McEWIN (Minister of Health), having obtained leave, introduced a Bill for an Act to amend the Health Act. Read a first time.

The Hon. Sir LYELL McEWIN—I move—

That this Bill be now read a second time.

It makes a number of administrative amendments to the Health Act. Section 147 of the Health Act empowers the Governor, on the recommendation of the Central Board of Health, to make regulations on a variety of topics. Among other things, the section authorizes the making of regulations as to the measures to be taken for preventing or limiting tuberculosis and infectious diseases, the prevention of the spread of infectious diseases by the agency of "carriers," and the imposition of isolation or medical observation of persons suffering or suspected to be suffering from tuberculosis or infectious disease. It will be remembered that the Health Act was recently amended to provide for two categories of disease, namely, infectious disease and notifiable disease. The Central Board has recommended that these regulation making powers should apply both to infectious and notifiable diseases and clause 2 extends the powers accordingly.

Clause 2 also provides that the Governor may make regulations prescribing the qualifications to be possessed by persons employed as health inspectors by local boards of health and country boards. The regulations may authorize the Central Board to conduct examinations and to issue certificates of competency to persons passing the examinations or who possess other qualifications prescribed by the regulations. The regulations may provide that every inspector appointed by a local board or county board must possess a certificate of competency issued under the regulations. However, it is provided that the regulations are not to apply to or diminish the status of any person holding the office of health inspector at the time the regulations come into force. This provision is introduced as a result of representations of the Australian Institute of Public Health. It is considered that it is in the public interest that health inspectors should be properly qualified to carry out their duties and clause 2 will enable regulations to be made to achieve this purpose. At the same time, provision is made whereby inspectors holding office at the time the regulations are made but who do not possess the qualifications which may be prescribed will not be affected.

Paragraph (h) of subsection (1) or section 147 of the Health Act authorizes the Governor to make regulations as to septic tanks. Under this paragraph, regulations have been made providing, in general, that a septic tank is not to be installed unless it has been approved by the Central Board. The Central Board has reported that, in some instances, tanks are being made which do not comply with the requirements of the Central Board. One particular objection is that the tanks are "five person" tanks which have been found to be too small and have proved unsatisfactory. These unsatisfactory tanks are sold by the maker to unsuspecting householders and, if any action is taken, it must be taken against the householders and not the maker. Obviously, the manufacturer of septic tanks should know what is required and it is proposed by clause 3 to place upon him the duty of seeing that the tanks sold by him are of the kind approved by the Central Board. Clause 3 therefore provides that it will be an offence for any person to sell, expose for sale, manufacture for sale or have in possession for sale, any septic tank unless it is of the size and is constructed of the materials and in the manner approved either specifically or generally by the Central Board. The Central Board has pointed out that it often occurs that breaches of the law relating to septic tanks do not become known until after the expiration of the six months' period provided by the Justices Act as the time within which prosecutions may be launched. Clause 3 therefore provides that, as regards proceedings for offences against the clause or against the regulations relating to septic tanks, proceedings may be taken within twelve months of the commission of the offence instead of the usual six months.

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

REGISTRATION OF BUSINESS NAMES ACT AMENDMENT BILL.

The Hon. C. D. ROWE (Attorney-General), having obtained leave introduced a Bill for an Act to amend the Registration of Business Names Act, 1928-30. Read a first time.

The Hon. C. D. ROWE—I move—

That this Bill be now read a second time.

Its principal purpose is to enable regulations to be made under the Act providing for increased filing fees to be paid where an application for the renewal of the registration of a business name is filed by a firm after the time laid down by the principal Act. Last year, the Auditor-General reported to the

Government that considerable expense was being incurred in pursuing persons who failed to file returns under the Industrial and Provident Societies Act within the required time and also persons who failed to renew the registration of business names under the Registration of Business Names Act within the time required by that Act. He suggested that to encourage the filing of the documents concerned at the right time increased fees should be charged for late filing. He pointed out that a system of late filing fees under the Companies Act had given people a strong incentive to file documents within the time fixed by the Act.

The Thirteenth Schedule of the Companies Act provides that a fee of 5s. is payable for the filing of certain documents within the period provided by law, a fee of £1 5s. if the documents are filed within one month of that period, and a fee of £5 5s. if they are filed after that. The Schedule provides that the Registrar may, if he thinks just in any special case, reduce the increased fee. The Registrar of Companies recommended the adoption of the Auditor-General's proposal. A Bill was passed last year to amend the Industrial and Provident Societies Act in the manner suggested, and the Government is now introducing this Bill to amend the Registration of Business Names Act to provide for the payment of late filing fees.

Clause 7 provides for the making of regulations providing for late filing fees based on the same general principles as the provisions of the Thirteenth Schedule of the Companies Act. The clause provides that regulations may be made requiring that where a statement of particulars on an original application for registration, or on an application for renewal of registration, or a statement of a change of particulars is not filed within the time required by the principal Act, but is filed within a certain period after that time, an increased fee shall be payable, and where the statement is filed after that period, a further increased fee shall be payable. The regulations may enable the Registrar to reduce the increased fee in a particular case if he is satisfied that just cause exists for so doing. The regulations may provide that on the renewal of registration the first increased fee shall not be payable until after the expiration of a period of grace. This period of grace is allowed in order to give the persons concerned a little more time to file their application for renewal of registration. The Government, while wishing to encourage early filing, does not wish to penalize members of the public unduly, and

it appears that in all the circumstances, members of the public might be unduly penalized, if the increased fee became payable, as soon as the time for renewal of registration expired.

It will be noticed that the regulations may apply not only to applications for renewal, but also to original applications and applications for change of particulars. The Government thinks it desirable that if a late filing scheme is to be introduced, it should be applicable to the filing of all three kinds of applications. The clause provides for the system of late filing fees to be introduced by regulation because the fees chargeable under the principal Act at present are fixed by regulation, and in any event the matter is one which can properly and conveniently be dealt with by regulation.

The Bill deals with a number of other matters which have been raised by the Registrar of Companies. The first of these is the question of the attestation of a statement of particulars required under the principal Act for the purpose of registration. At present the statement, if made in South Australia, must be attested by a justice, proclaimed bank manager, commissioner for taking affidavits, or solicitor; or if made outside South Australia by a justice, British consul or notary public. The Registrar of Companies has received numerous complaints that it is often difficult to find a witness authorized under the Act. Members of the public may be required to travel long distances to find a witness and generally are put to expense and trouble. The Government considers that the list of authorized witnesses should be expanded. It is thought that, as well as simplifying matters for the public, this would lead to more prompt filing of statements.

Clause 3 accordingly enables a statement to be attested in the Commonwealth by any elector of the Commonwealth Parliament, and outside the Commonwealth, by any such elector, a notary public, a British or Australian consul, a person having authority to administer an oath in the place, or any other person before whom a document may be signed or acknowledged outside the State under the Evidence Act. It is anticipated that this amendment will greatly facilitate the attestation of the statements.

The second matter is concerned with notification to the Registrar of Companies that a business name has been given up. The principal Act provides that it shall be an offence if a person fails to notify the Registrar that he has given up the use of a business name within one month of so doing. The Justices Act provides that a complaint cannot be laid after six

months from the time when the matter of the complaint arises. It seems almost certain that this rule prevents the prosecution of a person for the offence of failing to notify the abandonment of a business name if the offence is discovered more than six months after the failure to notify begins. In practice, offences are only discovered after a long delay, so that if this view of the law is correct, prosecutions would generally be impossible. Clause 4 removes any doubt about the matter by laying down that a complaint may be made at any time during the continuance of the failure to notify, and at any time during the six months after notice has actually been given.

Third, the Bill deals with a difficulty the Registrar has encountered in the exercise of his power to strike a business name off the register. The Registrar has reported to the Government that business names are sometimes registered solely for the purpose of preventing others from using them, the person registering the name having no intention of carrying on business under the name. There is a procedure under the principal Act whereby the Registrar can require a person to state whether or not he is carrying on business under a registered name. The principal Act provides that if the Registrar receives the answer "No" or no answer at all he can strike the name off the register, but does not give the Registrar any power to strike the name off the register if he receives an affirmative answer which he believes to be untrue.

The Registrar is approached from time to time by persons who genuinely desire to use a business name which has been registered by some other person purely to protect the name. On requiring the latter to state whether he is carrying on business under the name, the Registrar is told that the person is so doing, and is thereby debarred from taking any further action. The Registrar has suggested that he be enabled to strike a name off the register if, notwithstanding the answer given, he is satisfied that business is not being carried on under the name. While the Act gives a measure of protection to a business name by providing that a name the same or almost the same as a name already on the register may not be registered, it was never intended that the Act should be used merely to give a kind of copyright to a business name. The Government accordingly has decided to give effect to the suggestion of the Registrar.

There is an appeal under the principal Act to the Supreme Court against the striking off the register of a business name, so that the exercise of the power is amply safeguarded.

Clause 5 makes the necessary amendment to the principal Act.

Finally, the Bill extends the power of the Registrar to refuse to register certain words in business names. The principal Act at present enables the Registrar to refuse to register certain words as part of a business name. Thus, he may refuse to register a name containing the word "proprietary," "bank," "limited," "unlimited," or "co-operative" where he is satisfied that the words are inappropriate to the business.

On several occasions, applicants who are not incorporated have attempted to register business names containing the words "incorporated" or "corporation," and in the absence of a specific power to refuse to register the names, the Registrar has had great difficulty in preventing them from being registered.

It is clearly undesirable that unincorporated persons should be able to carry on business under a registered name which is misleading as to their legal status, and it has accordingly been decided to enable the Registrar to refuse registration of the words "incorporated" and "corporation."

Clause 6 makes the necessary amendment to the principal Act, but does not permit the Registrar to refuse the renewal of the registration of a business name containing these words which may have been registered before the passing of the Bill.

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

INTERSTATE DESTITUTE PERSONS RELIEF ACT AMENDMENT BILL.

The Hon. Sir LYELL McEWIN (Chief Secretary), having obtained leave, introduced a Bill for an Act to amend the Interstate Destitute Persons Relief Act, 1910-43. Read a first time.

The Hon. Sir LYELL McEWIN—I move—
That this Bill be now read a second time.

Its principal purpose is to apply the Inter-State Destitute Persons Relief Act to orders registered under Maintenance Orders (Facilities for Enforcement) legislation.

The Inter-State Destitute Persons Relief Act is an Act similar to Acts of other States of the Commonwealth, all of which are passed for the purpose of securing that persons resident in one State shall not escape their obligations to maintain their dependants resident in another State. The Acts provide facilities for the service in one State of the Commonwealth of a summons for maintenance issued in another, and provide machinery

whereby maintenance orders made in one State may be enforced in another. The Maintenance Orders (Facilities for Enforcement) legislation is legislation passed as part of a scheme for the reciprocal enforcement of maintenance orders between parts of the British Commonwealth.

There are two procedures under the scheme. First, where a person against whom an order for maintenance has been made leaves a country participating in the scheme and goes to another part of the British Commonwealth with which his country has reciprocity, the order may be registered and enforced against him in that part. Second, where a person leaves a participating country before an order can be made against him, and goes to another part of the British Commonwealth with which his country has reciprocity a provisional order may be made against him in his country. The provisional order is forwarded to the part of the British Commonwealth to which he has gone and may be confirmed by a court in that part and enforced against him there.

The Inter-State Destitute Persons Relief legislation did not originally provide for the enforcement under the legislation in the States of orders registered or confirmed in other States of the Commonwealth under Maintenance Orders (Facilities for Enforcement) legislation. However, in 1931, at the suggestion of the Premier of New South Wales, the South Australian Act was altered to apply to orders confirmed under the Maintenance Orders (Facilities for Enforcement) legislation. The Acts of several other States were similarly altered at about the same time. The question of applying the legislation to orders registered under the Maintenance Orders (Facilities for Enforcement) legislation does not appear to have been raised.

Last year, a conference of State officers was held in Sydney to consider the enforcement of maintenance orders in the Commonwealth. The conference considered the question of the application of Inter-State Destitute Persons Relief legislation to orders registered or confirmed under Maintenance Orders (Facilities for Enforcement) legislation, and resolved that it was desirable that the Inter-State Destitute Persons Relief legislation should apply to both kinds of orders. The Government has decided to adopt this resolution, and is accordingly introducing this Bill which makes the necessary amendments to the South Australian Act to give effect to the resolution. Clauses 3 (a), 3 (c) and 4

to 13 make the necessary amendments to the principal Act for this purpose.

The Bill also deals with another matter raised at the conference. Although Inter-State Destitute Persons Relief legislation has functioned for many years among the States, similar legislation has never been passed in Commonwealth Territories. The conference thought it desirable that there should be such legislation in Commonwealth Territories, particularly for the purpose of enforcing affiliation orders. Commonwealth Territories participate in the Maintenance Orders (Facilities for Enforcement) scheme, but that legislation does not apply to affiliation orders. The conference resolved that the Commonwealth should be approached with a request that Inter-State Destitute Persons Relief legislation should be enacted in Commonwealth Territories, and also resolved that the Inter-State Destitute Persons Relief legislation of all States should be amended to provide for the reciprocal enforcement of maintenance orders with Commonwealth Territory, including United Nations Trust Territory administered by the Commonwealth.

The South Australian Inter-State Destitute Persons Relief Act was amended in 1931 to provide for reciprocal enforcement of maintenance orders with Commonwealth Territory. However, the terms of that amendment do not permit the Act to be extended to United Nations Trust Territories administered by the Commonwealth. The Government thinks it desirable that reciprocal enforcement of maintenance orders under the legislation should be possible with United Nations Trust Territories administered by the Commonwealth in addition to other Commonwealth Territories. Accordingly clause 3(b) makes the necessary amendment to the principal Act for this purpose.

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

MAINTENANCE ORDERS (FACILITIES FOR ENFORCEMENT) ACT AMENDMENT BILL.

The Hon. Sir LYELL McEWIN (Chief Secretary), having obtained leave, introduced a Bill for an Act to amend the Maintenance Orders (Facilities for Enforcement) Act, 1922. Read a first time.

The Hon. Sir LYELL McEWIN—I move—

That this Bill be now read a second time.

The principal purpose of this Bill is to enable a provisional maintenance order forwarded to the State to be forwarded for confirmation and enforcement elsewhere if

the defendant has left the State before proceedings can be commenced against him here. As members are aware, the Maintenance Orders (Facilities for Enforcement) Act is part of a British Commonwealth scheme for the enforcement of maintenance orders.

There are two procedures under the scheme. First, where a maintenance order is made in favour of, say, a deserted wife, and her husband subsequently leaves the country for another part of the British Commonwealth participating in the scheme, the order may be forwarded to that part, registered there, and then enforced against the defendant without any further hearing. Second, where the husband leaves the country where his wife is before an order for maintenance can be made against him, a provisional order can be made there and forwarded for confirmation and enforcement to the part of the British Commonwealth to which he has gone. When the order is received in that place, a court of summary jurisdiction determines whether or not the order should be confirmed after serving a summons on the defendant and hearing him if he wishes to oppose the order.

Under the present legislation of the countries participating in the scheme, there is no simple way of dealing with the situation which arises where the defendant to a final or provisional order leaves the country to which the order is sent for registration or confirmation before the order can be registered or confirmed there. Though this has not caused any serious difficulty in South Australia, it has caused concern in other States, particularly in Tasmania. Last year a conference of State officers was held in Sydney to discuss the enforcement of maintenance orders in the Commonwealth, and this question was one of the principal matters dealt with at the conference. The conference decided that where an order was forwarded for registration, it should be registered notwithstanding the absence of the defendant, and if the defendant had gone to another part of Australia, subsequently enforced under Inter-State Destitute Persons Relief legislation. The conference thought that where, however, a provisional order was forwarded and the defendant had left the jurisdiction, the legislation should provide for the documents to be forwarded without further ado to the place where the defendant had gone for confirmation and enforcement there. The Government has decided to adopt these recommendations. The first does not require any alteration of the South Australian Maintenance

Orders (Facilities for Enforcement) Act. However, the second does require several amendments.

Clauses 4 (a), 5 (a) and 6 make the necessary amendments to the Act to enable a provisional order received for confirmation and enforcement in South Australia to be forwarded elsewhere for enforcement, and similarly, a provisional order made in South Australia to be confirmed in a place other than that to which it was originally sent. The Bill provides for these provisions to come into operation by proclamation. The Government intends to bring them into operation on being advised by other States that they have enacted similar provisions.

The Bill deals, in addition, with several minor matters. Clauses 4 (b) and 5 (b) fill two minor omissions in the provisions of the principal Act relating to the variation of maintenance orders which are being enforced under the legislation. Clause 7 makes a drafting amendment to the principal Act. Clause 8 amends section 13 of the principal Act to make it clear that the section applies to orders varying maintenance orders. Section 13 provides for the proclamation by the Governor of a person in lieu of the Governor of a reciprocating State to which he may send and from whom he may receive maintenance orders. The section does not clearly apply to orders varying maintenance orders and it is desirable that it should so apply.

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

SUPPLY BILL (No. 2).

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 follows the usual form of Supply Bills, and provides for the issue of £7,000,000 to carry on the public service of the State pending the passing of the Appropriation Bill. The moneys supplied under the first Supply Bill will be exhausted by the end of the month and this further amount will be sufficient to the end of October. Cause 3 provides that no payments shall exceed similar lines on the Estimates for last year, except that increases in salaries or wages can be paid, and the Treasurer is authorized to pay the increases.

The Hon. F. J. CONDON (Central No. 1)—This is the third occasion when we have been called upon to pass a Supply Bill. The amount

on this occasion is not large, but as I understood it was the intention of the Government to adjourn the proceedings for a week or so and I intended to address myself on the motion for the adjournment, I shall now take the opportunity of stating what I desire to say on this Bill. An amount of £7,000,000 is small when it is compared with what the Government is called upon to discuss in these times. This morning the Public Works Committee passed 10 reports involving a total of £5,500,000. There are still five more reports to be submitted, probably in another place tomorrow, which will mean further heavy expenditure.

The Hon. C. R. Cudmore—Won't that be out of loan money?

The Hon. F. J. CONDON—We have to find the money whether it is from loan or revenue. I am simply pointing out what is ahead of us.

The Hon. E. Anthoney—It has nothing to do with this Supply Bill.

The Hon. F. J. CONDON—No, but public servants have to be paid out of this money in order that they can make reports and so forth—

The Hon. Sir Frank Perry—Are there any more reports to come?

The Hon. F. J. CONDON—There are quite a number of references yet to be dealt with and I am simply pointing these things out to let the Council know that at least its members do work.

There is another point I would raise which is very important in my view. I asked the Chief Secretary this afternoon whether the Government intended to introduce legislation to amend the Margarine Act, and I would like him to let me have a reply at an early date because the Agricultural Council is to meet in Adelaide this month and it is proposed to increase the quotas of margarine in other States. I say definitely that quotas should be removed altogether.

The Hon. E. Anthoney—But you don't like freedom of trade.

The Hon. F. J. CONDON—Whilst we have the quota system we must deal with each case on its merits and I do not want South Australia to be at a disadvantage compared with other States.

The Hon. L. H. Densley—Do you mean the dairyman or the manufacturer?

The Hon. F. J. CONDON—I am speaking for the people who are entitled to consideration, and I challenge the Government or any member to show where any other industry has been stopped from manufacturing. If it is the Gov-

ernment's intention to do anything in the matter it must do it forthwith because we have a repetition of what occurred last year. By the end of the month these factories will have to close again, so Parliament should determine the matter. I urge the Government to consider this important matter, particularly now that the price of butter has been increased to 4s. 5d. a pound. If people want a cheaper article they should have the right to procure it just as they have in respect of any other article.

The Hon. E. Anthoney—Take off controls and they will get it cheaper, and more of it.

The Hon. F. J. CONDON—The honourable member has his own opinion, but this is not a question of price control. This is a case where Parliament has denied the people the right to purchase an article that is in strong demand. My main point is whether the Minister will take up the matter with a view to informing this Council whether the Government intends to fall into line with other States in order to give consumers the same privileges as are enjoyed in other parts of the Commonwealth.

The Hon. C. R. CUDMORE (Central No. 2)—I support the second reading of the Bill, which is in the usual form. It is exactly the same as the Bill assented to on, I think, August 26 last year, the only difference being that it is £1,000,000 more, as was the Supply Bill we passed in June. It is for the purpose of carrying on the Public Service of this State until the Budget is debated. The only thing I have to say on the matter raised by Mr. Condon is that I cannot help feeling that from the consumers' point of view, if they want to use cheap margarine they ought to be able to get it, and I think it is time that we reviewed

this quota system which prevents more than a certain amount of margarine being made.

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

WOODVILLE CORPORATION BY-LAW.

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

That By-law No. 56 of the Corporation of the City of Woodville relating to drinking outside licensed premises, made on December 13, 1954, and laid on the table of this Council on May 19, 1955, be disallowed.

(Continued from June 22. Page 384.)

The Hon. N. L. JUDE (Minister of Local Government)—I can well appreciate the desire of the Woodville Corporation to protect the rights of its citizens and their civic pride. I am certain that members would not be critical of their desire to do this even if this Chamber feels that this by-law is not desirable from a legislative point of view. The chairman of the Subordinate Legislation Committee has set out the facts quite clearly. That Committee felt that this by-law was not desirable for two reasons, the main one being that it seeks to impose a specific by-law on only one part of the metropolitan area. I think members will agree that if it is desirable in one part it would be desirable elsewhere. Mr. Bevan also made the point that the by-law itself is very wide in its application. It includes a prohibition against trading in soft drinks in the same manner, but when we consider that it may be desirable to take soft drinks out to children or invalids in motor cars and so forth I think it wise that the motion be supported.

Motion carried.

ADJOURNMENT.

At 4.16 p.m. the Council adjourned until Tuesday, August 30, at 2 p.m.