

LEGISLATIVE COUNCIL.

Wednesday, October 24, 1956.

The PRESIDENT (Hon. Sir Walter Duncan) took the Chair at 2.15 p.m. and read prayers.

QUESTIONS.**FERRYDEN PARK BUS SERVICE.**

The Hon. K. E. J. BARDOLPH—I ask leave to make a brief statement with a view to asking a question.

Leave granted.

The Hon. K. E. J. BARDOLPH—Because of bad road conditions the Ferryden Park bus service is likely to have to terminate about one mile short of its normal destination. This would mean that thousands of residents of Woodville Gardens would not have transport. An alternative route suggested by the operator of the privately owned bus service has received the approval of the Tramways Trust, but has not been endorsed by the Enfield Council as it would result in the ruination of the road on the alternative route. Will the Minister make a special highways grant to the council to repair the road and enable the service to be continued?

The Hon. N. L. JUDE—I can give no guarantee that a grant will be made. The Municipal Tramways Trust makes annual contributions to councils for the maintenance of roads, and this year the sum of £27,000 was advanced towards the upkeep of bus routes, every penny of which will be spent. In addition a considerable amount is spent by the Highways Department on main roads where they are part of a bus route. An approach would first have to come from the council concerned. Until that is done I cannot offer any further consideration of the matter.

HIRE-PURCHASE BUSINESS.

The Hon. K. E. J. BARDOLPH—Has the Attorney-General a reply to the question I asked earlier this week regarding the control of interest on hire-purchase business?

The Hon. C. D. ROWE—In reply to the honourable member at the time and speaking offhand I expressed the opinion that the provisions of the Prices Act did not apply to the control of the rate of interest on hire-purchase and other transactions. Since then I have further considered the matter and in my view the Prices Act does not authorize the fixation or regulation of interest charges as such.

ASSOCIATIONS INCORPORATION BILL.

The Hon. C. D. ROWE (Attorney-General), having obtained leave, introduced a Bill for an Act to make provision for the incorporation of associations, to repeal the Associations Incorporation Act, 1929-1935, and Section 401 of the Companies Act, 1934-1952, and for other purposes. Read a first time.

JUSTICES ACT AMENDMENT BILL.

Read a third time and passed.

LOCAL COURTS ACT AMENDMENT BILL.

Read a third time and passed.

**ENFIELD GENERAL CEMETERY ACT
AMENDMENT BILL.**

Read a third time and passed.

FRUIT FLY (COMPENSATION) BILL.

Read a third time and passed.

**METROPOLITAN AND EXPORT ABAT-
TOIRS ACT AMENDMENT BILL.**

Second reading.

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

That this Bill be now read a second time.

The object of the Bill is to extend the metropolitan abattoirs area. This area at present consists of the whole of several municipalities in and around Adelaide, portion of the municipalities of Mitcham and Marion, and portion of the district council district of Salisbury. The rapid growth of residential areas both north and south of Adelaide has created a demand for delivery of meat from the abattoirs to a number of new suburbs and towns at present outside the Abattoirs Board's area. The Government has received requests from the Councils of Mitcham and Salisbury that the whole of these two local government areas should be brought within the abattoirs area.

At present a large part of the municipality of Mitcham is outside the abattoirs area. Eden Hills, Blackwood, Belair West and other residential areas in the locality are excluded. As regards Salisbury, the northern portion of this district including Salisbury North and Elizabeth as well as several other residential settlements and St. Kilda are outside the abattoirs area. Both the Abattoirs Board and the councils concerned agree that it is desirable to extend the abattoirs area so as to bring these places under the Metropolitan and Export Abattoirs Act. Under the existing law extensions of this kind can only be made by Act of Parliament. This Bill accordingly makes the

amendments which are necessary to include the whole of the municipality of Mitcham and the district of Salisbury in the abattoirs area. The opportunity has also been taken to make some consequential amendments in the language of the principal Act which have been rendered necessary by the fact that some areas which were formerly district council districts have been changed into municipalities.

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

TRAVELLING STOCK WAYBILLS ACT AMENDMENT BILL.

Second reading.

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

That this Bill be now read a second time.

The Travelling Stock Waybills Act, 1911-1947, provides that where stock, that is, horses cattle or sheep are being driven on the hoof or conveyed by means of a vehicle, then, in general, they must be accompanied by a waybill giving particulars of the stock, the place of departure and their destination. In 1947, the Act was extended to include the conveyance of stock by sea or air. A waybill must be carried with stock under the following circumstances. Where stock are being driven on the hoof within hundreds for a journey of 15 miles or more. Where stock are being conveyed on a vehicle (other than by railway) within hundreds for any distance. Where stock are being driven on the hoof outside hundreds for a journey of 50 miles or more. Where stock are being conveyed by vehicle (other than a railway) outside hundreds for a distance of 15 miles or more. Where stock are being conveyed for any distance by sea or air.

A waybill must, on demand, be produced to any inspector, justice, ranger or member of the police and the purpose of the legislation is, of course, to provide a means of identification of travelling stock and thus to render it difficult to move stolen stock.

The purpose of this Bill is to make a number of amendments to the Act. Some of them relax the existing provisions whilst others provide for a greater degree of control. The Act, at present, applies to horses, cattle and sheep although, as a matter of drafting interest, it may be mentioned that the term "cattle" is, in section 3, defined to include camels; the term "horses" includes asses and mules, whilst "sheep" includes goats and kids. It is now considered that it is unnecessary to extend the provisions of the Act to horses, including, of

course, the asses and mules included in the statutory definition of "horses." The only horses now conveyed to any extent are race-horses and trotters and it is considered that the time has come to repeal the provisions of the Act relating to horses. Clauses 2, 3, 6 to 10 and other provisions of the Bill therefore delete from the Act all references to horses.

As has been previously mentioned, the Act now requires that a waybill must be carried with stock being travelled on the hoof for 15 miles or more. It is considered that this distance should be increased to 20 miles and that the obligation to have a waybill with the stock should apply only where the journey is 20 miles or more. The amendments to give effect to this change are contained in clauses 4, 5 and 9. A further relaxation of the present provision is proposed by paragraph (f) of clause 5. The effect of this paragraph is to provide that it will not be necessary to have a waybill with stock conveyed in a vehicle where the journey is less than 20 miles and where the stock are conveyed during daylight hours; that is, between half an hour before sunrise and half an hour after sunset.

However, paragraph (e) of clause 5 provides for a more stringent control where stock are moved during the night. This paragraph provides that where stock are driven on the hoof or conveyed in any vehicle, other than a railway, during the period between half an hour after sunset and half an hour before sunrise, the stock must be accompanied by a waybill, irrespective of the distance travelled. In addition to having the usual particulars included in the waybill, the waybill must be indorsed with a certificate as to its truth given by a justice, inspector, ranger, member of the police force, or authorized employee of the Stock Salesmen's Association, or two neighbours occupying land within a mile of the place of departure of the stock. It is obvious that, if stock are stolen, they are most likely to be moved during the hours of darkness. The effect of this amendment will therefore be to require a person who travels stock in the night time to have a waybill with the stock certified by a person occupying an official position or by two neighbouring land holders in the district from which the stock commence their journey.

Proof of the times of sunrise and sunset on any day is provided under the proof of Sunrise and Sunset Act, 1923. Under this Act an almanac is published quarterly giving the times of sunrise and sunset on each day for the quarter and in any legal proceedings the times

shown in the almanac are *prima facie* evidence of the time of sunrise or sunset, as the case may be.

The Hon. A. J. SHARD secured the adjournment of the debate.

ROAD AND RAILWAY TRANSPORT ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 23. Page 1121.)

The Hon. W. W. ROBINSON (Northern)—This is a laudable attempt to compel users of unregistered vehicles to make some contribution towards the upkeep of roads. It provides that the owner of an unregistered commercial vehicle which is driven on roads in South Australia shall (a) cause a record to be kept in duplicate on the prescribed form of all journeys taken on public roads in South Australia by that vehicle; (b) on each day on which such a journey is taken cause to be entered in such record the particulars indicated therein of such journey; and (c) retain every such record for at least six months after the last day to which it relates. Records must be supplied of the trip made and loads carried. One twentieth of a penny per hundredweight is to be levied on all unregistered motor vehicles to compensate for the use of the roads. An "unregistered motor vehicle" is defined as one having a tare weight of 2½ tons or more.

Over the last year or so motor vehicles have been trading without making a reasonable contribution to the roads. The Highways Department has been spending large sums of money, and these vehicles without let or hindrance have tended to undo the work which is being done. During last year the department spent £6,742,000 on roads. I have travelled over some of them for considerable distances, and I believe that they are in very little better, if not worse, condition than they were at the commencement of last year. No doubt a contributing factor has been the very wet season, plus the number of heavy vehicles carrying heavy loads which have traversed them. I have in mind particularly the road from Port Wakefield to Snowtown which was completed about five or six weeks ago and was in excellent condition. I travelled over it a fortnight ago and found in many places it is not standing up to heavy traffic.

The Hon. N. L. Jude—What about my district?

The Hon. W. W. ROBINSON—A road which is perhaps in the worst condition of any is the

road from Hynam to the Victorian border, and it shows up badly when one comes from Victoria where they have recently put the road in that State in an excellent condition.

The Hon. Sir Lyell McEwin—How does it compare with Eyre Highway?

The Hon. W. W. ROBINSON—Eyre Highway gets worse under wet conditions, but in dry weather it is not so bad and has not as many potholes as the road from Hynam to the border. In addition to the £6,742,000 spent by the Highways Department, £1,932,000 has been spent on plant, an increase of nearly £1,000,000 in the last four years. The department has also provided £1,249,000 to make plant available to councils, which means that the total outlay on machinery has been £3,181,000. The interest and depreciation on this amount alone would be about £318,000 a year.

It is regrettable that the roads in this State are not standing up to the strain imposed upon them. I believe this is caused to a very great extent by road hauliers in the cartage of goods from one capital city to another. I have in mind the Eyre Highway to which the Chief Secretary referred. That is a road which is graded, but it has not had any great preparation to enable it to withstand heavy loads. I believe that the charge of one penny per ton mile will have a tendency to at least retard some of this heavy haulage.

I believe that the rightful place for heavy goods is on the railways. Some Government and semi-Government undertakings such as the Electricity Trust and the E. and W. S. Department could with advantage place some of their heavy goods on the railways, because I believe that these heavy loads are the greatest factor in cutting up our roads. There seems to be no control whatever, and the roads are used irrespective of the damage caused. They could be used in some instances for the cartage of sheep from Eyre Peninsula. A load of, say, 200 head of sheep would weigh about 12 to 15 tons, whereas some of the loads carried are nearer 40 tons. We have restrictions on the cartage of stock from Eyre Peninsula, and it means quite a difference in the amount received by farmers. I have heard of cases where farmers have been offered £2 a head for stock which, when brought over to Adelaide, were worth nearer £5. The price received on Eyre Peninsula is out of all proportion to that received in the city, and I believe there should be a freer flow of stock. Stock suffer through being delayed in transport, and the earlier they can be got to market the better condition they will be in. On the question of cruelty, it is

important that there should be some concession with regard to the carriage of stock from these far distant places.

There is not much one can say about this measure. It is certainly a step in the right direction, because the users of the roads should be made to pay for their upkeep. I have pleasure in supporting the second reading.

The Hon. E. H. EDMONDS (Northern)—I have consistently advocated the provision of funds for road maintenance and construction, and therefore this Bill has my wholehearted support. It is only fair that the users of the roads should contribute towards their maintenance. I think this is the third attempt of this nature to control interstate hauliers. Members were informed by the Minister that the High Court had on two previous occasions ruled as invalid previous legislation seeking contributions from interstate hauliers who used highways for road transport. Acting on some hint or suggestion from the last judgement of the High Court the Government is encouraged to think that this Bill will meet the objections regarded by the court as unconstitutional.

The formula set down in the Bill for fixing registration fees should at least return something to the State towards the upkeep of roads, though it is difficult to get down to something hard and fast in the way of compensation that would adequately recompense the road authority for specific damages to roads. Much depends on weather conditions and the nature of the road formation. The sealed highways constructed in recent years which have solid foundations will carry much more than natural dirt tracks, and in the whole length of a journey from our eastern to our western boundaries many diverse road surfaces would be encountered, so that something almost of a hit and miss nature must be adopted in assessing what contribution should be made. If the results of the operation of the Act show that damage caused by hauliers is more than is provided by this Bill I presume it can be amended later in the light of further knowledge. In the circumstances I welcome the Bill as some slight contribution towards the maintenance of roads by those using them.

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

HOMES ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 23. Page 1122.)

The Hon. E. ANTHONY (Central No. 2)—I have pleasure in supporting this measure

which merely re-enacts the 1941-1952 Act with the exception that it amends one section in regard to an increase in interest rates. The provision made by the Government for lending people money for the erection and purchase of homes has been very beneficial to the State. I congratulate the Government on its former liberality, but I think it has had of necessity to reduce the amount on account of financial stringency. Today, of course, the £1,750 which is provided is often not nearly sufficient for a person to purchase a home. However, the Statute has been of great benefit and the Auditor-General's report shows that many people have taken advantage of it. As at June 30, 1956, three institutions had advanced moneys under this Act, and the amount of those advances outstanding at that date was £5,960,588, and the contingent liability of the Government under guarantees in respect of that amount was £909,414, so it will be seen that the public have taken fairly generous advantage of the provisions made by the Government for the purchase of homes. We all agree that the building of homes is a great thing in any country and the more liberal we can make the provisions the better it will be for our people and the State. There is little more that one can say about the Bill, and I give it my full support.

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

CRIMINAL LAW CONSOLIDATION ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 23. Page 1119.)

The Hon. E. ANTHONY (Central No. 2)—First I would like to congratulate the Attorney-General on this further evidence of his zeal in improving the legal systems of this country. For some years members have drawn attention to the fact that we have got behind in bringing our statutes into line with countries that are a little more progressive, but this Bill is an example of the desire on the part of the Attorney-General to bring our legal matters up to date.

The early part of the Bill deals with the expedition of the processes in regard to the payment of fines and so forth. It is rather puzzling to me just why the statute makers of the past adopted such cumbersome methods; they seem to have gone to a tremendous amount of trouble to make things as cumbersome as

possible. Summonses were issued only four times a year out of the Supreme Court, which meant that sometimes two or three years elapsed before payments were made. This Bill will expedite the process considerably and it places upon the Sheriff the onus of seeing that fines are paid instead of waiting for the Full Court to meet and issue orders. I am sure that this will be of great assistance in facilitating the work of the courts.

Clauses 3, 4 and 5 ought to be considered by this Council very closely, as what I regard as a rather serious departure from present practice is contemplated. It is proposed to place in the hands of a court of summary jurisdiction a responsibility hitherto exercised by the Supreme Court. I presume that our judges are appointed because of their experience and detailed legal knowledge and to entrust to a local court a matter of such importance as is involved here seems to be rather dangerous.

Clause 3, which amends section 77, gives power to a local court to commit a person to prison indefinitely on a sexual charge, and clause 4, it seems to me, gives a magistrate the right to give any person an indeterminate sentence for any offence. He may be charged with larceny or burglary, but proposed new section 9 (b) says very plainly:—

Any other offence where the evidence indicates that the offender may be incapable of exercising proper control over his sexual instincts.

If the magistrate thinks that he is incapable of exercising proper control he can sentence a person indefinitely, despite the fact that he has never been guilty of the crime with which he is charged. Under section 322 where a man is an habitual criminal and is confined for perhaps the term of his natural life, he may earn a certain amount of money in prison. In the early stages the idea was that trades should be taught to these people. That is an excellent idea and gives them the hope that some day they may look forward to a reformation of their life. It would be better to allow that practice to continue. The power relating to the Attorney-General appealing against sentences does not appear in the English Act, but no doubt the Minister can justify the position. I do not know whether the Supreme Court judges have been consulted in this matter, but it would be a good thing if it were further looked into.

The Hon. Sir ARTHUR RYMILL secured the adjournment of the debate.

LOAN MONEY APPROPRIATION (WORKING ACCOUNTS) BILL.

Adjourned debate on second reading.

(Continued from October 18. Page 1089).

The Hon. K. E. J. BARDOLPH (Central No. 1)—As was indicated by the Minister in his second reading speech, it has been the practice up to June 30 last, to finance and record all operating transactions associated with Woods and Forests sawmills and mining and treatment of uranium ores through the Loan Fund. The only monies now needed from the Loan Account will be for working expenses. If passed the Bill will provide for £100,000 capital being made available from the Loan Fund which can be drawn on by both the undertakings mentioned.

The Bill also provides that any surpluses in the working accounts created from the proceeds from sale of dressed timber and uranium oxide and not required to finance future expenditure chargeable to the working accounts may be paid to the Loan Fund. It is a great compliment to those in charge of these two State undertakings that instead of having to continue operations on Loan monies they have become self-supporting. It is a tribute not only to those in control of those industries but to the workers engaged in applying themselves to make these undertakings a success. I support the second reading.

The Hon. Sir FRANK PERRY (Central No. 2)—It must give great satisfaction to those who have supported our State forestry operations over the years to at last see the department being able to stand on its own feet. It seems desirable that the accounts should be kept separate from other Government accounts, so that the department can be independent of Loan funds. The time is evidently rapidly approaching when State revenue will be receiving credits from these operations. It is remarkable to see that on a capital of £2,800,000 the department is able to make a profit amounting to hundreds of thousands of pounds. Those who supported the establishment of our forests and milling operations will be glad to see this result. The forests are likely to be a great asset, and they are playing an important part in our building programme.

According to the Auditor-General's report, returns from uranium at Radium Hill are not as attractive as was at one time anticipated, but working under the agreement it has with buyers for the disposal of uranium oxide it would appear that the Government will largely liquidate the capital expended on the project.

Now these two State operations will have their accounts and balance sheets clearly defined. This is an advantage to the undertakings as well as to the keeping of the Government accounts. I support the second reading.

The Hon. E. ANTHONY— (Central No. 2)—It is very gratifying to all those who have taken an interest in State afforestation, and I number myself among them, to see at last that the Woods and Forests Department is able to stand on its own feet. During the discussion on the Estimates I said I thought it was quite wrong for the department to be a burden on the Loan account. It has made a profit of £1,000,000 and is now able to carry on without further loan money.

It is gratifying to know that this wonderful asset is now reaping tremendous benefits as the result of a scheme conceived many years ago. It has passed through many vicissitudes and faced much criticism. This applied particularly to those who espoused the cause of forestry in South Australia. At last the forests are operating on a profitable basis. It is an industry of which the State can be proud, and one which I am sure will bring to the State considerable revenue in the near future. I have much pleasure in supporting the second reading.

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

ADMINISTRATION AND PROBATE ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 23. Page 1122.)

The Hon. Sir ARTHUR RYMILL (Central No. 2)—Clause 4 increases the amount payable under section 54 of the principal Act in favour of the spouse of a deceased person from £500 to £5,000. This is not only a recognition of the loss in value of money since the Act was framed, but also agrees with the modern conception that the spouse is entitled to more. I think most members will agree with this construction of what is fair. I support this clause.

Clause 5 takes section 71 of the principal Act a little further. This section provided that where the personal representative of a deceased person was entitled under the Public Service Act to any sum not exceeding £100 the amount was to be paid to the person who appeared to the Treasurer to be entitled to take out letters of administration or probate in regard to the estate of the deceased, or in

the case of an infant to the guardian or such other person or persons the Treasurer thought fit. Whether designedly or not, the amending section by-passes the personal representatives of a deceased person, and provides that where a Government employee dies the Treasurer can pay to the spouse of the deceased or to any other person whom the Treasurer deems to be just a sum not exceeding £100. I do not know whether the omission of the personal representatives is designed or not. I feel that the Council should be cautious about this matter if it is intended to by-pass a legal personal representative of an estate and allow the Treasurer to nominate any person he wishes to receive the amount. Although the amount concerned does not exceed £100, it is expressed to be an amount actually owing to the deceased at the time of his death, and in that case the deceased is surely entitled to designate by his will or by dying intestate, with the knowledge of the law he is assumed to have as to succession, to whom that money ought to go. If this clause is enacted in its present form it means that the Treasurer can override the deceased's wishes and donate the sum to the spouse or such other person as he may think fit. I draw the attention of the Council to that point. In other respects I support the Bill, but I desire to give further consideration to that matter.

Bill read a second time.

In Committee.

Clauses 1 to 4 passed.

Clause 5—"Payment without production of probate or letters of administration."

The Hon. C. D. ROWE (Attorney-General)—I have had an opportunity of looking at the matter raised by Sir Arthur Rymill. His contention was that if there were an executor or trustee or personal representatives representing the deceased person, the right to payment of any moneys due to the deceased should not be taken away from them but should be handled by them in the ordinary course of administration of the estate. The proposed new section 71 reads as follows:—

Where a Government employee dies and immediately before his death a sum not exceeding one hundred pounds was owing to him by the Government or by a person or authority representing the Government the Treasurer may in his discretion direct that such sum shall be paid to the surviving spouse of the deceased or to any other person to whom the Treasurer deems it just to pay it, or that such sum shall be divided among any of such persons.

It quite frequently happens that when a Government employee dies there is a relatively

small amount due to him for, perhaps, his last fortnight's salary, and there is sometimes difficulty in disposing of that amount. This new section will facilitate the handling of these odd amounts by the Treasurer.

I also point out that the amount is limited to £100 in any case, and we are not giving this right to anybody except the Treasurer who obviously will exercise his discretion; it will only be in cases where he feels that there is no executor applying for a grant of probate, or anybody in that capacity entitled to this money, that this power will be exercised. It will enable the Treasurer to more quickly dispose of the sundry small amounts due to a deceased Government employee at the date of death. I feel that as the amount is limited to £100 there will be very little risk attached to it, and that this Council would not be doing anything wrong in accepting the clause.

The Hon. Sir Frank Perry—What about other employees?

The Hon. C. D. ROWE—I have not given any consideration to that matter, but the same provision may apply to them. This provision is limited to the question of Government employees.

The Hon. Sir ARTHUR RYMILL—I accept what the Attorney-General says as being a fact, and I realize that the Treasurer would exercise these discretionary powers in a correct manner under present circumstances, but we are nevertheless attempting to write into an Act a clause which has the effect of by-passing an actual legal representative in certain circumstances. I had not realized that the Bill would reach the Committee stage today, and consequently I have not given it the consideration I would have liked. Perhaps the Minister would be prepared to ask that progress be reported.

Progress reported; Committee to sit again.

PRICES ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 16. Page 1024.)

The Hon. E. ANTHONY (Central No. 2)—In debating this legislation I feel very much like the celebrated Persian poet who said:—

Myself when young did eagerly frequent
Doctor and Saint, and heard great Argument
About it and about: but evermore
Came out by the same Door as in I went.

I feel very much like that when I think of this prices legislation. We have heard so much about it from both schools of thought,

and arguments whether control of prices is a good or a bad thing for the economy of a country. I have always taken the view that any interference with the price mechanism in a free economy is a bad thing. I do not for a moment hesitate to say that I believe the Government is thoroughly well-intentioned with regard to this matter. The history of the control of prices goes back for thousands of years, and every country that has tried this artificial legislation has come a cropper. They have perpetuated the very things they thought in their innocence they were overcoming.

The Hon. K. E. J. Bardolph—The honourable member never expressed those views during the war.

The Hon. E. ANTHONY—The honourable member knows very well that then there was an all-out effort to win the war. The Commonwealth Government undertook price control on a national-wide basis because it felt there would be an acute shortage of materials. Manpower and materials were also controlled. Is there any excuse for carrying this legislation on for all these years? I say there is not, and we should not persevere with it. We were told that it was purely an emergency measure and that when the war ceased we were to establish an equilibrium by getting rid of these artificial things.

The Hon. F. J. Condon—Do you say we have been misled?

The Hon. E. ANTHONY—It would be no exaggeration to say that we misled ourselves. Some members still feel that this legislation is a good thing, but surely they cannot have gone into it.

The Hon. K. E. J. Bardolph—Does the honourable member really believe in national control of prices?

The Hon. E. ANTHONY—I think the principle of price control is completely wrong and cannot be justified on any grounds.

The Hon. A. J. Shard—But you believe that the control of wages is quite all right.

The Hon. E. ANTHONY—Wages are not controlled, and we have recently seen an increase of 10s. a week. I think that even my friends in the Labor Party are beginning to feel that this legislation is not a cure-all, and that price control is not really a good thing. I think it is quite wrong, and there will not be a stable economy in this country while we have these artificial controls. Long before industry had grown to the extent it has today we had simple marketing conditions. In England and on the Continent even today there are days where people come to the market, meet the

man who produces the goods and barter about the price. There is a take it or leave it attitude today, which is bad. It is upsetting to industry, it makes for inefficient merchandising, and it puts a premium on inefficiency. When prices are fixed a man will not try to make a better article, because he knows he can get the same price for inferior goods. There is no stimulus to production.

The Hon. A. J. Shard—Do you ask us to believe that?

The Hon. E. ANTHONY—I do.

The Hon. A. J. Shard—Sir Frank Perry will not agree with you. I will not believe that manufacturers in this State make an inferior article because they can get the same price for it as they do for a good article.

The Hon. E. ANTHONY—I say that the temptation would be to not strive to make a superior article while the same price can be obtained for an inferior article. Are we not living today in an age of high prices and shoddy goods? The quality is not like it used to be and the price is considerably higher.

The Hon. K. E. J. Bardolph—Amend this Act and make it more stringent to stop the making of shoddy goods.

The Hon. E. ANTHONY—I do not think we can; there is little we can do to amend the Prices Act. I say that it halts production, keep the volume of goods down and therefore makes them dearer, for when there is a shortage of goods the price is bound to rise. That is a simple economic and elementary law and we cannot do much about it. It is like defying a natural law; you can do it but it comes back at you, and so will the law of supply and demand.

The Hon. K. E. J. Bardolph—Economics is not a science.

The Hon. E. ANTHONY—There are some very important fundamental principles in economics that I commend to the honourable member.

The Hon. K. E. J. Bardolph—Don't tell me you are an economist.

The Hon. E. ANTHONY—I am trying to be one.

The Hon. F. J. Condon—You will make the same mistakes that they all do.

The Hon. E. ANTHONY—Perhaps it would not be a bad idea not to admit it because some of the economists are responsible for much of the trouble we are in. In the early stages economists were called in to advise the Government as to the best way of overcoming some of its difficulties, and this so-called system

of price fixing was one of the things they suggested. I say, and I do not care who denies it, that it is responsible for many of our ills and until we get rid of it we will still have the same troubles—increasing wages chasing increased prices. The whole thing is uneconomic and it will not work.

We heard excellent speeches from Sir Arthur Rymill and Sir Frank Perry who said in a very excellent way all that can be said about the iniquities of price fixing, so that it is merely beating the air to say more about it. The Government puts forward some very plausible arguments in favour of the principle, but when it is realized that the Commissioner of Prices—and I do not know him—is in the autocratic position of controlling the profit and loss accounts of every business in South Australia we see what a tremendous power is in the hands of one man.

The Hon. A. J. Shard—That is not true while some goods are not controlled.

The Hon. E. ANTHONY—However good he is I very much doubt whether he is able to give full justice to everybody. Therefore, I will do my best to end the system of price control, and indicate that I shall oppose the measure in the hope that it will be defeated.

The Hon. L. H. DENSLEY (Southern)—Measures for the re-enactment of price control have been before this Council for seven or eight years, which leads one to think that a degree of permanency is becoming evident. Each succeeding year reasons are advanced why we should have it for one more year. It has been the policy of the Liberal and Country League to encourage initiative and enterprise and I believe that the fixing of prices of all descriptions, or even of some description, is totally wrong; and if I am any judge there must be more evil in fixing the prices of some while allowing others to go free; I see no justice in that.

If people believe in complete dependence upon the Government let us have price control, but that is not the policy of the Party I represent, nor do I think it is a policy that is in the best interests of Australia and the people generally. I know that some political Parties believe that the more people lean upon the Government the better so that they can be more easily controlled. However, that is undesirable.

During one election campaign I heard a candidate say, "Look at the prosperity in this street; look at the motor cars; how can I expect to get support with all this prosperity about.

When times get harder the people will come back to me.' We do not want the times to become harder. We have prosperity now and we can build it up still further if we continue in the right way. When prices are high for any manufactured commodity, or for grain or meat more people will become interested in those forms of production and consequently the supply will be maintained. On the other hand, if prices are cut to a level which merely covers interest in one industry while another is allowed to earn higher rates people will naturally seek to enter the latter business.

It appears that the prices most usually controlled are those affecting the C series index which determines the basis upon which wages are fixed. On the other hand everybody is free to do something towards providing reasonable costs. Every day we see things done that must increase costs—wasted effort and wasted use are drags on the wheel of industry, and these things could be excluded. We read in the paper recently an article referring to our revered friend, the Leader of the Opposition, who has been a union official for 50 years, during which time there has been no industrial stoppage in that industry. Surely that is the way to keep prices under proper control. That is a really magnificent record, and I feel sure that if all union officials aimed at the same high standard much of our trouble in regard to high costs could be overcome. That is a thing which is in the hands of the people.

In war-time we saw the cost-plus system inaugurated when we wanted some goods made which were not normally manufactured here. I think everybody has heard enough about the system to know that it was undesirable, and surely price control tends to operate in that direction. It is not a matter of saying that potatoes must be sixpence a pound, but that, say, "10d. will allow some profit to the grower, so let us make it 11d." We tried price control with potatoes and we know it was a failure, as it is with meat. Surely when people turned away from controlled mutton and bought dearer lamb which was uncontrolled it must have been very disadvantageous to those who wanted lamb. Whether it has any real meaning to the general economics of the country I am unable to say, but it appears to me to be most undesirable to peg prices in one industry while not doing so in another. It seems to me that it has become more a question of profit control than price control.

Other things have increased our costs much more than just a few greedy people who wanted to charge more than things were worth simply because they had the opportunity to do so. I have spoken so often on this kind of legislation that I think my views are well known. I am not speaking of price fixing when it is necessary to take men out of a certain industry because they are needed elsewhere. I realize that it is more or less essential, when men are taken from one industry and put in another thereby upsetting the whole balance of production, to do something to correct the balance by ensuring that there is no overcharging for the commodities so affected, but surely after all these years, when so many lines are in full supply, the time has come to discontinue price control.

The increase in interest rates, I believe, has built up our costs more than anything else. This has been largely the result of people wanting to live just a little bit above their means in a period of hitherto unknown prosperity and higher wages than they have ever known before. Hire purchase firms can offer two per cent or three per cent more than standard rates of interest and thus absorb the money that is so essential for governmental purposes. All these things are in the hands of the people; they do not have to buy on hire purchase, but if they do they must be prepared to pay a little more for the goods they want. So, while we have been fixing the price of lots of things people themselves have said, "We want to pay a little more and have things a little sooner." That is all very well if it is for the purpose of improving production plant, but to buy a thing today which one could normally have by waiting a little longer upsets the balance of the country in two ways; it stops the saving that is essential for progress and by utilizing goods which people really cannot afford, forces up prices. One cannot buy as much under hire-purchase as if one saved a little longer and then bought, so the policy of hire-purchase is short-sighted when carried to extremes. If we use all the goods that are manufactured today surely the market must be worse tomorrow; if we go one step today, two steps tomorrow and three steps the next day surely it must lead to a crash. All these things are in the hands of the people and they can decide whether they are going to keep costs down so that we can compete with overseas countries with our manufactured goods.

Anyone who studies our statistics knows that our overseas exchange is kept going as a

result of the export of primary products. If we cannot keep prices down by methods within our control, which are fair, reasonable and honourable, we deserve what is coming to us. We have to keep prices low so that we can compete with overseas countries with our manufactured goods, and we are not going to do that by a system which encourages people to get a little higher profit than if they sold at the cheapest possible price and get the same rate of interest on their money. I cannot see that price control is in the best interests of the country, and if we could break away from it immediately the little hardship which would follow would soon be overcome. Consequently, I feel that I am doing the right thing in opposing the Bill.

The Hon. A. J. SHARD (Central No. 1)—The object of the Bill is to prolong the Act for another 12 months. I give it my lukewarm support. The reasons for its introduction are purely political and for the specific purpose of justifying the Government's action in connection with wage fixing. The measure is kept in operation only to give certain people a chance to satisfy their consciences in having kept wages pegged as from September, 1953, I would support the legislation willingly if it were effective, and so long as wages were not pegged. I am not one of those married to controls. I cannot understand those who are quite happy to see employees' wages pegged and who still advocate openly and freely that employers should have the right to charge what they like for their goods. The Act has proved ineffective. If anyone has any doubt about that he has only to consider an independent public servant's views and calculation on the C series index figures, which have been accepted as a guide in Australia for fluctuations in the cost of living.

Since wages were pegged in 1953 costs under the C series index in this State have increased by 29s. a week. They are not my figures. That proves the total ineffectiveness of this legislation. I do not know what is the effect on the consciences of those who advocated in the 1947 referendum that the States should control prices. We who thought differently were told that we were playing politics. If there is one thing this legislation proves beyond anything else it is that no one State can effectively control prices, no matter how sincere it might be.

Another thing about the Bill which I do not like is that it is sectional. Its whole object is to keep down the price of those

items listed in the C series index, and as a result have the effect of keeping wages down. This acts unfairly on those who manufacture the commodities which come under the C series index, compared with those who are permitted to charge what they like. The Grants Commission has told the Government that it must impose charges on hospital patients, increase rents, water rates and other charges. The effect is that workers are being denied a just wage to the extent of 19s. a week as from the first week in November. They will be compelled to pay the increased charges for rent, hospital accommodation, water rates and so on which have been increased to provide additional revenue in accordance with the ideas of the Grants Commission. Our workers are not getting increased wages in accordance with the increased price of items in the C series index, although they have to pay similar charges to those paid by workers in the other States.

I can quote the case of one manufacturer who has been forced out of business through the operations of this legislation. *The Australian Baker and Millers' Journal* of September, 1956, contains the following, which was included in a statement by Mr. E. A. Micheltore (president of the Bread Manufacturers Association of South Australia):—

There were two variations in the price of bread, and the first of these had very serious consequences for the trade. That was when there was an all-round reduction in the delivered price of bread on December 5 last. This order was made by the Prices Branch, following a reduction in wheat and flour prices.

With the present high cost of delivery, the halfpenny a loaf reduction on delivered bread proved embarrassing to the trade. So much so that ultimately one of our members was forced to go out of business. His areas were scattered and difficult, and despite all our efforts no relief could be obtained.

The result was the closing of Linn's Marryatville Bakery. Then, less than a month after this reduction, the Prices Branch reviewed the position, declared certain districts as "outer areas" and new prices were approved to operate on January 3.

The closing of Linn's Bakery marked the end of 72 years' service rendered to the public by one of the most respected families in the baking trade. The founder of the business, Mr. Donald Linn's grandfather, served on our council, and Donald's father held office both as State and Federal president.

I knew Linn's Bakery very well. It was up-to-date and had approximately 20 rounds. I knew Mr. Donald Linn's father and also Mr. Donald Linn himself. They were good employers and good servants of the public, but because of this legislation and the action

of those determined to keep down the C series index figures, and in doing so not realizing what they were doing, this bakery was forced to the wall. There was no justice in that. After the damage was done the Prices Branch realized its mistake. It not only gave the trade back the halfpenny a loaf which had been deducted, but in certain areas allowed bakers to charge an added penny. Whereas before no-one wished to service these outside areas, there was now a race between those left to see who could get in. There is not only one firm delivering in that area today, but at least three. If this legislation is to operate, there must be fairness. There is something more in life than the keeping down of the C series index figures to the disadvantage of the workers. Everyone has a right to get a fair return for his labours. Those in my Party have never departed from that attitude.

The ineffectiveness of this legislation is having a tremendous effect upon the community. The number of employees, male and female, working under State awards is about 72,000, and as from the first pay in November they will receive £63,000 a week less than they should have had the increase in accordance with the C series index continued. If justice was to be done, there was no reason why increases in accordance with the figures of the C series index should not have continued. It has resulted in reducing the spending power of the community to that extent. If anybody believes that is good and in the interests of the community I will be surprised. Those people represent only about 40 per cent of the working community of this State, and the overall total being denied employees in this State would be about £145,000 a week. If we can say that is fair and just I have yet to realize what those expressions mean. I think that the only way to cope with wages and prices will be by a total control of wages, prices and profits, in the same way as existed during the war years.

The Hon. E. Anthoney—That is the Socialist doctrine.

The Hon. A. J. SHARD—Nobody can deny that the best period of stability in our history was during the war years when those conditions existed. Housewives knew what money they would receive and what they could buy, and that never varied to any extent for four or five years.

The Hon. L. H. Densley—They did not always know where they were going to sleep.

The Hon. A. J. SHARD—Yes, they did. One can ask the average working class people today what they thought of those years, and they will say, "Give us a pegged wage and pegged prices and let us have the stability, comfort and security we had during the war years." The people enjoyed their standard of living, which was better in most of those years than they are enjoying today with our supposedly high standards and State prosperity. There was not a total ban on wage increases or a definite fixation of prices. There was a fluctuation in prices, but only after a full inquiry. The pegging of wages at that time had to be rigid, and before one could prove that an increase in wages was justified one had to establish that there was some alteration in the nature of the work or some anomaly existing. The industry with which I was connected was successful in securing an increase in wages on three occasions. At the same time, I know that prices went up and down according to supply and demand.

Wages are now pegged, and if the Bill covered all commodities and resulted in proper price control we would be happier with it. If the Government and the people concerned were prepared to take price fixation away and allow the unions to go back to where they were prior to the war, I do not think there would be any real objection from the unions because they would have the right to barter for wages and say, "We do not want to work for Jack Jones when we can get another £1 a week from someone else."

We were told that the pegging of wages would stop the increase in prices, but prices in this State have risen to the tune of 29s. a week since September, 1953. I think I have made my position clear on the Bill, and when I vote in favour of it everyone will realize that I am doing so in a half-hearted manner. I am not concerned with the amount of money people receive in wages each week, but I am vitally concerned about what that money will buy. People are reputedly receiving high wages today, but they are not able to buy the commodities they did 10 or 12 years ago. I support the Bill.

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

ADJOURNMENT.

At 4.07 p.m. the Council adjourned until Thursday, October 25, at 2.15 p.m.