

LEGISLATIVE COUNCIL.

Tuesday, October 8, 1957.

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

QUESTIONS.**SNOWY RIVER WATERS AGREEMENT.**

The Hon. J. L. COWAN—Has the Attorney-General any further information about the Snowy River Waters Agreement consequent on the Premier's conference with the Prime Minister on Friday last?

The Hon. C. D. ROWE—As honourable members know the Premier, accompanied by the Engineer-in-Chief, Mr. Dridan, who is also our representative on the River Murray Waters Commission, and the Crown Solicitor, went to Canberra on Friday and conferred with the Prime Minister on this matter. At that conference, which lasted several hours, the views of South Australia with regard to the proposed new agreement were set out quite fully to the Prime Minister, with the result that he asked to be allowed a few days to consider our representations, and has promised to give us a reply to them by Thursday of this week. Until such time as we receive that reply it is not proposed to make any further statement.

FRUIT FLY ERADICATION.

The Hon. C. R. STORY—Has the Attorney-General obtained a reply from the Minister of Agriculture to my question of Tuesday last relating to fruit fly eradication?

The Hon. C. D. ROWE—I am informed that the officer of the Queensland Government who is being sent overseas will investigate the eradication methods against fruit fly used in Florida. The information he gains will be made available to this State by means of a report and by personal discussion if required. Representations have been made by the Department of Agriculture seeking special investigations and inquiries relevant to the specific fruit fly problems in this State. The officer concerned will investigate the use of fruit fly parasites at Hawaii where that research is being done. Parasites are of value where the incidence of a particular pest is high, as only under those circumstances can the parasite become established. This is not the case in any part of South Australia.

PRICE CONTROL.

The Hon. Sir ARTHUR RYMILL—I ask leave to make a statement with a view to asking a question.

Leave granted.

The Hon. Sir ARTHUR RYMILL—When introducing an extension of price control legislation in 1952 the Premier said:—

The Government believes that freedom from control is in the public interest and leads to lower prices than control, provided that adequate supplies of goods are on the market and there is no trade arrangement designed to defeat competition.

Similar protestations have been made almost annually since, and I would like to ask a question I hinted at last week—in view of the current developments in the meat industry whereby meat appears to be not only in adequate supply, but in over supply, what is the barrier to its release from price control?

The Hon. C. D. ROWE—As the honourable member knows, the administration of price control is not under my immediate direction, but as I understand the position, the situation that has arisen because of the extraordinary circumstances may just as easily alter in the other direction with altered circumstances, which would, I think, justify the continuance of price control. The attitude of the Government on this matter has been perfectly clear and straightforward always; that is, when satisfied that circumstances justify release from control that will be done.

The Hon. Sir ARTHUR RYMILL—The Attorney-General stated that the situation regarding meat might alter. Is it not a fact that meat has been in adequate supply for a number of years? I ask him not to evade my question but to tell me what is the barrier to its release from price control.

The Hon. C. D. ROWE—I am sorry if the honourable member feels I evaded his question, which I do not think I did. The facts are that whenever the Government has made a detailed investigation and has arranged for inspectors to make inspections it has invariably found that the prices charged are in excess of those permitted by the price control order at the time. Under those circumstances the Government feels it has a responsibility to the public and it is in the discharge of that responsibility that it has retained price control over meat.

LORD MAYOR'S RELIEF FUND.

The Hon. J. L. COWAN—I ask leave to make a statement with a view to asking a question.

Leave granted.

The Hon. J. L. COWAN—My question relates particularly to settlers on the Lower

Murray. When allocations from the Lord Mayor's Relief Fund have been made, a number of settlers have received cheques, and the amounts they have received in some cases will be of great advantage to assist them to bring their properties back into production. On the other hand, I have heard that a number of people have been informed that they will receive nothing. I know of one case in which a man, knowing what he has received, has become embarrassed because his neighbour will receive nothing. Can the Attorney-General give any indication of the basis on which these allocations will be made?

The Hon. C. D. ROWE—In addition to the assessment of the actual loss sustained by each applicant as a result of the flood, the committee took into consideration the financial ability of the applicant to carry his own loss. By a comparative application of these two factors the extent of hardship suffered by each applicant was estimated, and the quantum of grant was assessed accordingly. I think it will be readily agreed that that basis is probably the only one that could satisfactorily be used to meet the circumstances, and an investigation will show that the committee has done its best to see that justice was done to all concerned. If the honourable member has any cases in which he feels some further consideration is necessary, and supplies me with particulars, I shall be happy to have them investigated.

ASSENT TO BILLS AND PROCEDURE ON PAIRS.

The Hon. F. J. CONDON—I desire to ask you, Sir, whether, if it is passed by both Houses of Parliament, the Marriage Bill must receive the assent of Her Majesty the Queen? Secondly, what is contained in Standing Orders with regard to pairs in this House? Thirdly, is it quite in order to pair with a member who has been granted leave of absence? I point out that I am asking these questions merely for the purpose of clarification.

The PRESIDENT—The honourable member advised me that he wanted to be informed on these questions and I have therefore had an opportunity to check on what I thought was the position. With regard to the assent to Bills, the matter raised is one for decision elsewhere, but the Governor's instructions contained in Volume 8 of the Statutes at pages 837 to 840 set out some classes of Bills not to be assented to by the Governor except under special conditions. In other words, the question of assent has nothing to do with this House but is a

matter for His Excellency to decide whether he will assent on behalf of Her Majesty or reserve the Bill for the signification of Her Majesty's pleasure thereon.

With regard to pairs, the system of pairs operating in the Council is purely a private practice which has no official recognition. As honourable members know, it enables one vote to be neutralized on each side, thus leaving the actual result of a division unaffected. In addition to the ordinary pair on a given question, members sometimes pair for a day, a week or longer; or on all issues on a particular Bill or question; or for or against the Government. The arrangement made by individual members or through the whips is not recorded in the Minutes of the Council, but when divisions occur the Clerk informs the *Hansard* staff of any pairs which are handed in at the Table, and these are recorded in *Hansard* under the record of the division. I am not aware of any agreement to refuse a pair to a member absent on leave, but, as I mentioned earlier, it is a private practice and members are not bound by any specific rules.

ADELAIDE OVAL.

The Hon. K. E. J. BARDOLPH (on notice)—

1. What percentage of the takings, if any, does the South Australian Football League pay to the South Australian Cricket Association for the use of the Adelaide Oval during the football season?

2. What amount has been expended during the past 10 years by the association upon improvements, and the erection of permanent buildings?

3. Does the lease with the Adelaide City Council provide for a stipulated amount to be expended on permanent buildings during the currency of such lease?

4. Is it the intention of the Government to consider amending the Act to cancel the authority given to the Adelaide City Council to control this area at the expiration of the present lease and place it under the control of trustees similar to that obtaining in Melbourne with the Melbourne Cricket Club?

The Hon. C. D. ROWE—The replies are:—

1. The South Australian Cricket Association receives 10 per cent of the gross gate takings for league football matches played at Adelaide Oval.

2. The sum of £23,157 19s. 2d. has been expended by the association upon improvements and the erection of permanent buildings during the past 10 years. During the same

period, the sum of £86,178 2s. 1d. has been spent in ground staff wages and maintenance in respect of Adelaide Oval.

3. No, but the association is required to expend on permanent improvements and the maintenance of the premises all moneys received by way of members' fees, admission fees, rent, hire, and all other revenue derived from the land after payment thereof of the expenses of management of the land and premises and the association.

4. This will be a matter for consideration at the time of the expiry of the lease.

MARRIAGE ACT AMENDMENT BILL.

Read a third time and passed.

MITCHELL PARK BOYS TECHNICAL SCHOOL.

The PRESIDENT laid on the Table the final report of the Parliamentary Standing Committee on Public Works, together with minutes of evidence.

METROPOLITAN DRAINAGE WORKS (INVESTIGATION) BILL.

Returned from the House of Assembly without amendment.

LOCAL GOVERNMENT ACT AMENDMENT BILL.

The Hon. N. L. JUDE (Minister of Local Government) obtained leave to introduce a Bill for an Act to amend the Local Government Act, 1934-57.

EVIDENCE ACT AMENDMENT BILL.

Second reading.

The Hon. C. D. ROWE—I move—

That this Bill be now read a second time.

The matters dealt with in this Bill were brought to the notice of the Government by the Law Society of South Australia. Almost every day in the courts it is necessary for a party to an action to prove some matter by production of the *Government Gazette*. The only way at present whereby this has been done is by tendering a copy of the gazette. For many years solicitors and others associated with the courts have experienced difficulty in obtaining copies of gazettes for production in court as exhibits, and whilst the Government Printer has always tried to assist by keeping a stock of all back numbers, problems of storage and reprinting have of recent years prevented him from replenishing his stocks.

In many cases it becomes necessary for solicitors and their clerks to convey the original

half-yearly bound copies to the court, thus exposing valuable books to the risk of being damaged or lost. It is therefore desirable to provide some more convenient method of proving matters published in the gazette. Clause 3 accordingly provides that evidence of the making of the contents of any regulation or other like instrument may be given in court by the production of any one of the following documents:—

1. A copy of the relevant gazette; or
2. A copy of the regulation or instrument purporting to be printed by the Government Printer; or
3. A copy purporting to be certified correct by the Secretary to the Attorney-General.

Other subclauses of clause 3 make similar provisions for proving the date of publication. Clause 4 deals with the proof that a paper is the gazette or that it was printed by the Government Printer, and is of a consequential nature to facilitate proof of matters which are never in dispute.

Clause 5 is an evidentiary provision to facilitate the proof of the fact that any place is within a municipality, district, or township. This matter is seldom in dispute in court proceedings, but often involves difficulties of proof and sometimes requires the attendance of the Town Clerk of the area concerned, who has little time to be concerned with such matters. The clause provides that an allegation in a complaint or information that a place is within a municipality, district, or township shall be *prima facie* evidence of the matter so alleged.

The clause does not exclude the right of any defendant to contest the issue that any particular place is within a municipality or district. Where such a matter is disputed, the court must be satisfied beyond reasonable doubt before entering a conviction. Where the matter is not disputed, the evidentiary section will enable the point to be proved without the necessity of calling witnesses.

The Hon. F. J. CONDON (Leader of the Opposition)—This is a Bill which can be better dealt with by members of the legal profession and in order to give them the opportunity of securing an adjournment I indicate now my intention to support the Bill, which has the backing of the Law Society. I have sometimes endeavoured to get copies of Acts or regulations but they are not always available, and something ought to be done to rectify that. It does not happen often, but it is not in the best interests of Parliament that when an Act is required by a member, or sometimes by a private citizen, it is not obtainable.

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

METROPOLITAN TAXICAB ACT AMENDMENT BILL.

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

The Hon. N. L. JUDE (Minister of Local Government)—I move—

That this Bill be now read a second time.

The amendments proposed in this Bill arise from the deliberations of the Metropolitan Taxicab Board which, as members know, is meeting weekly to make preparations to inaugurate the new scheme of taxicab control in the metropolitan area.

The Bill deals with two problems which in the opinion of the Board should be settled before the scheme comes into force, namely—

- (a) the definition of the respective rights of the Board and councils regarding the appointment and occupation of taxicab stands;
- (b) the provision of special number plates and registration discs for taxicabs licensed by the Board.

Dealing first with taxicab stands, the present law provides that councils have unrestricted rights to appoint and fix stands, either generally, or for particular vehicles, and to charge fees for permits to occupy stands. The Board has come to the conclusion that the allocation of particular stands to particular taxicabs by councils would cut across the efficient management of the industry by the Board. It is also considered that the Board, because of its special duties in connection with providing taxicab services for the public, should have control over the use of stands erected by councils for use by metropolitan taxicabs.

The effect of clauses 3, 4 and 5, therefore, it to declare that the powers of councils in relation to taxicab stands shall be restricted to a power to appoint and fix the location of stands, and to alter, cancel or remove such stands. The allocation of stands to particular taxis and the general control of stands will be matters for the Taxicab Board.

These amendments of course will only apply to the area in which the Taxicab Board has control. Country municipalities will not be affected by them, and municipal and district councils within the metropolitan area will also retain their full powers in relation to taxicab stands in parts of their areas which are outside the control of the Board.

Councils should not be out of pocket as a result of the amendment, as the Board will take over the policing and regulation of the

stands, and the council staff will have no duties in connection with stands, other than that of marking them out, for which the Board will pay a fee to the council. In addition to the matters which I have already mentioned, clause 3 provides that every holder of an existing taxi licence which is in force when the new scheme comes into operation will be entitled to a refund or a part of the fee paid for such licence proportionate to the unexpired part of the term of the licence.

Clause 6 excludes taxicabs from certain sections of the Road Traffic Act, 1934-1956, and makes the following special provisions apply to them.

Paragraph (a).—This provides that the Registrar of Motor Vehicles may register a taxicab for any period not less than one month and not more than twelve months. It is anticipated that all taxicab licenses will expire on the same day, and this provision is necessary to enable the Registrar to grant registrations for taxicabs expiring on the same day as their licences.

Paragraph (b).—This is a consequential amendment.

Paragraphs (c), (d) and (e).—These paragraphs provide that the Registrar of Motor Vehicles may issue special number plates for taxicabs which, by their distinctive markings, will facilitate the administration of the Act and remove the necessity for the various discs, plates and signs which are at present carried on taxicabs. The Registrar of Motor Vehicles has approved a design for the new number plates and has agreed to issue a distinctive registration disc for taxis which will be of great assistance to the board.

Paragraph (f).—This paragraph provides that the registration under the Road Traffic Act of a licensed taxicab shall become void upon the cancellation, suspension or expiration of its taxicab licence. The effect of this will be that in the above circumstances the registration disc may be destroyed, and the number plates recovered by the board, thus providing an effective means of preventing the vehicles from appearing to be a taxicab when in fact it is no longer one.

Paragraphs (g) and (h) are consequential amendments.

Paragraph (i) provides for a refund of registration fee for the owner of a vehicle who, upon taking out a taxicab licence, has to cancel his ordinary registration and obtain a taxicab registration.

Paragraph (j) exempts licensed taxicabs from the necessity of obtaining certificates of safety from the Registrar of Motor Vehicles. Safety inspections will in the future be made by the officers of the board. Taxicabs are also excluded by this paragraph from section 177 of the Road Traffic Act, which requires them to be painted with the name and address of the owner and the weight thereof.

The Registrar of Motor Vehicles has been consulted regarding the amendments in clause 6 and see no difficulty in the administration of these special provisions for taxicabs.

The amendments will provide for simplified administration and will eliminate several bad features of the old system of control, in particular, the multiplicity of discs and signs carried by taxicabs, and the necessity for taxi operators to go to various authorities for the right to occupy stands. Another advantage will be the policing of the stands by one authority and the enforcement of one set of regulations in relation to conduct on such stands.

I draw the attention of members to the fact that the Taxicab Board sits very regularly and is doing a tremendous amount of work on the problem that faces the city in this matter, and I commend the Bill to the attention and support of members.

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

FRUIT FLY (COMPENSATION) BILL.
Second reading.

The Hon. C. D. ROWE (Attorney-General)
—I move—

That this Bill be now read a second time.

Its purpose is to enable the Government to pay compensation for losses arising from the campaign for the eradication of fruit fly during the first half of this year. Four proclamations relating to the respective areas of Kent Town, Cudmore Park, Peckham and Rosslyn Park were issued during the year to prevent persons from carrying away fruit from the infected areas. One other proclamation dated May 16, 1957, prohibited the growing or planting of certain plants in the four areas. Following the practice of other years, the Government proposes that compensations shall be given for loss arising from these measures, and is accordingly introducing this Bill.

The details of the Bill are as follows:—
Clause 3 provides that a person who suffers loss by reason of stripping or spraying on any

land within the area defined by the proclamations shall be entitled to compensation for the taking of fruit, for damage caused by spraying and for any incidental damage. It also provides for compensation for loss arising by reason of the prohibition of the removal of fruit from any land because of the proclamations, and in the case of the proclamation dated May 16, 1957, compensation is payable to those who suffered loss by reason of the prohibition on the growing or planting of certain plants.

Clause 4 fixes the time limits within which claims for compensation must be lodged. The Fruit Fly Compensation Committee has considered this matter and has recommended that claims arising from the prohibition of the removal of fruit should be lodged by May 1, 1958, and that all other claims should be lodged by February 1, 1958. The Government has adopted these recommendations on the assurance from the committee that the dates mentioned allow a reasonable time for such claimant to assess his loss and lodge his claim.

The Hon. S. C. BEVAN secured the adjournment of the debate.

APPROPRIATION BILL (No. 2).

Adjourned debate on second reading.

(Continued from October 3. Page 928).

The Hon. E. ANTHONY (Central No. 2)—
To compile the Budget Speech, which members see as a rather voluminous document, a great deal of prior preparation is entailed. This preparation, of course, is from statistical data prepared by various departments and given to the Treasurer. Many matters must be taken into account in preparing a forecast of what the Treasurer expects will happen in regard to receipts and payments for the coming year. They may be governed by quite a number of factors—seasonal complications and things of that nature. In the light of present conditions, I should imagine that before very long the Treasurer will have to make a recast of some of these Estimates. We all know that seasonal prospects are not good, which we regret very much indeed, but we hope that bountiful rains will bless this country and assist many people in their temporary set-back.

The limiting factor to industry, commerce, and everything else is water. Without it, we would be in a very bad way, and I am sure we are very thankful that we have been able to tap the bountiful resources of the Murray, the one big and important river in this State, to supply the needs of the metropolitan area.

But for this we would be in a very difficult position now. We are very grateful that the Engineer-in-Chief pushed on with that work. We can feel a certain amount of comfort about the position, although we cannot be complacent. However, it is to be hoped that we will be able to carry on in the metropolitan area without restrictions in the coming summer months.

I regard this Budget as very satisfactory indeed. We are very fortunate that we have been able to carry on this State with expanding industries, which make great demands on the Budget, and which have to be manned. This has been carried out very satisfactorily indeed. Last year's Budget turned out almost as the Treasurer envisaged; in fact, there was a decrease in estimated expenditure and an increase in estimated revenue. This was very satisfactory to all concerned. I regard the Auditor-General's report as one of the most valuable documents associated with the Budget. Without it I do not think any member could address himself intelligently to this Budget, because he must know what has happened in the departments over the last year and what is likely to happen in the coming year. If he is to be guided in his criticism of any department he must know how the money voted last year has been spent and how the Government intends to raise fresh money. That is Parliament's duty.

The Hon. K. E. J. Bardolph—But the Auditor-General does not portray that in his report. He does not say how the money is to be raised.

The Hon. E. ANTHONY—He does not do that, but we know from the Treasurer's Estimates how he intends to raise the money. Without the Auditor-General's report we could not form an estimate of the state of the country. It would be time well spent to devote at least one afternoon a year to a discussion of that report. I have heard the Leader of the Opposition and others complain often that Parliament and the executive are getting too far away from one another, and these complaints are quite justified.

The Hon. K. E. J. Bardolph—Isn't that brought about by the political dictator in charge of this Government?

The Hon. E. ANTHONY—It could be brought about in many ways. It may be brought about by the laxity of members themselves in not stressing the need for close association between the executive and Parliament. By not watching these things closely there is a temptation on the part of the executive to become bureaucratic,

because if there is a chance to seize power, it is often taken, so it is the responsibility of members to see that these two bodies do not get too far apart.

When I was a member of the House of Assembly an afternoon each year was devoted to discussing the annual report of the Public Works Committee, and this was very useful to members. Not every member has time to consider each report made by the committee, but a study of the summarized report of the Committee's activities was very useful.

The Hon. K. E. J. Bardolph—Do you think the Public Works Committee is carrying out a useful function?

The Hon. E. ANTHONY—Of course I do. I have always strongly supported it. That is why I am now advocating that we revert to the former practice of debating the committee's annual report. This would bring before members the works inquired into and their cost, and would save members from having to wade through all the individual documents. Mr. Condon has given us information, but I think more information should come from the Chairman.

The Hon. F. J. Condon—The Chairman is not in this House.

The Hon. E. ANTHONY—The information is not given in the other House to the extent that it used to be given. It is a good practice and I am sorry that it has been abandoned. I would like to make a few comments on the question of fruit fly eradication which has cost this State about £1,000,000. That expenditure has been quite unproductive, except that I hope it has been indirectly productive in giving us an opportunity to eradicate this frightful pest. I was very interested in the question raised by Mr. Story a few weeks ago in which he suggested that an expert be sent to inquire into the possibility of eradicating this pest by means of parasitic infection. That seemed to me a wonderful idea and I hope it can bear fruit.

Some years ago I was staying in the South-East and I visited the forests with the then Conservator. While there we watched a couple of men taking small insects out of the bark of the trees. They told me that they were sending those insects to South Africa, where some of the pines had been sent for use as pit props. Some fungus had got into the trees and was destroying them, but we had the antidote in our own forests. As a result of this action in a very short time they had eradicated that disease from the forests

in South Africa. That is wonderful evidence of how scientists can help our industries, not only in the destruction of pests but in many other ways.

I hope that as a result of investigations we can find some means to wipe out fruit fly. Since the inception of the eradication scheme stripping, spraying, and disposal of fruit has cost £992,663; compensation paid to owners of the fruit destroyed has amounted to £312,110, and the expenses of the Compensation Committee have amounted to £2,282, making a total of £1,307,055. If the Mediterranean and Queensland fruit flies got a good hold here it would be a calamity, as it has proved to be in other countries. This expenditure is worthwhile if we can prevent that happening, but it is a lot of money to find and if we can introduce something into the orchards and vineyards which would completely wipe out the pest it would be a Godsend for South Australia and probably for other countries which are similarly troubled.

The Woods and Forests Department has made wonderful strides, and today we are proud to be able to say that our forests, which took a long time to build up, are now big assets bringing substantial sums of money into the State coffers. It is a wonderful tribute to the sound administration of the department, the excellent technical help it is getting, and to the very fine staff it has in all departments.

The Hon. S. C. Bevan—Would you call it a socialized industry?

The Hon. E. ANTHONY—It has turned out a very successful one, anyhow. It employs a lot of people in various departments, including planting, milling and transport, and this in turn benefits other industries. South Australia has very little natural timber, and we had to do something to provide ourselves with timber. We were very fortunate during the war in having that softwood timber to fall back on. The industry is so firmly established today that we can look forward to an era of great prosperity. The total State funds employed in the industry to June 30, 1957, were £5,842,000. The industry is in a very prosperous state, and the balance sheet shows that the department has something of which it can be very proud.

I now turn to consideration of the Electricity Trust. On reading the Auditor-General's statement one is bound to confess that the undertaking appears to be getting somewhat over-capitalized. I should imagine that any industry that had well over

£64,000,000 invested in it and showed a profit of only £50,000 was reaching that condition. We know it has done a tremendous job in taking electricity throughout the length and breadth of the land.

The Hon. K. E. J. Bardolph—But without competition.

The Hon. E. ANTHONY—Exactly. With the exception of the Gas Company in the metropolitan area it has no competitor. Probably its financial position is because it is in its infancy, but nevertheless the profit shown is a very small return on a large investment, and as trustees of the public purse we should be anxious to see that some savings are effected. We know that in some of the other States new accounting systems have been adopted in public undertakings; I believe that the New South Wales Railways Department has been able to show savings of some millions by this means.

The Hon. K. E. J. Bardolph—Don't you think that a Public Accounts Committee would keep these things in check?

The Hon. E. ANTHONY—I am entirely in sympathy with the honourable member's attempts to have one established. When we are spending £60,000,000 to £70,000,000 a year we should have either a Public Accounts Committee—which I think is fully warranted—or a sub-committee of the Treasury to keep an eye on expenditure. I do not say that the Auditor-General does not keep a check; he does a wonderful job, but after all he has only a small staff and now that our finances have grown to such big proportions I believe that it warrants some further supervision. We notice as we go through these accounts instances of where expenditure has been grossly under-estimated with the result that another vote has to be obtained from Parliament. We are never told just why the estimate has been exceeded and how the extra money has been spent—we know nothing about it. We ought to have some way of seeing that the money has been properly expended.

The Hon. K. E. J. Bardolph—And why the estimate has been exceeded?

The Hon. E. ANTHONY—Exactly. I know that Mr. Condon will readily support me when I say that on many occasions the Public Works Committee has been able to show where considerable savings could be made, and they have been made by the adoption of its reports. That is only one instance of what can be done and, I think, should be done.

One cannot be expected to cover all of the departments enumerated in the Bill, but one sees running throughout the whole lot of them that they are growing very rapidly and demanding a great deal more money every year, which, of course, is largely inevitable with the continuing expansion of the State. The burden of public debt is increasing by big percentages; last year by 57 per cent, and we must watch these things because we cannot just wipe them off by a stroke of the pen and say "Thank God that is paid for." It is not paid for and if we do not meet the debt posterity must. If we do it by increasing taxation it results in higher prices for commodities, following which higher wages are sought, and so the whole thing goes on. We are not reducing the inflationary trend, for every increase in price means an increase in the upward spiral. With those few remarks I support the Bill.

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

LONG SERVICE LEAVE BILL.

Adjourned debate on the motion of the Hon. C. D. Rowe (Attorney-General)—

That this Bill be now read a second time— which the Hon. F. J. Condon had moved to amend by deleting all the words after "be" with a view to inserting "withdrawn and redrafted to provide for three months' long service leave after ten years' continuous service."

(Continued from October 32. Page 888.)

The Hon. K. E. J. BARDOLPH (Central No. 1)—I completely support the amendment of the Leader of the Opposition that the Bill be withdrawn and redrafted with a view to providing long service leave on a true basis. I think that members of the A.L.P. in this Chamber are fully competent to discuss this question, for we have here three past-presidents and the present president of the Trades and Labor Council who are able—and willing—to put the Government on the right path with regard to any industrial legislation that it may bring before us. As the result of the debates on some other Bills before us it appeared to me that we were developing into a sectional Parliament; one had to be a lawyer before one could discuss certain measures, or a farmer before discussing matters affecting primary industries, and so on, but I remind my friends who took that stand that we are all elected to express our views as we see them, because we do not repre-

sent in this Council various sections or professions, and it is on that principle that I base my remarks.

The Bill has been adequately dealt with by the Leader of the Opposition and my two worthy colleagues. It appears that the Premier is attempting to bask in some reflected glory by introducing this measure. I remind members that long service leave is nothing new. It was introduced by legislative enactment in connection with the Public Service of Victoria about 100 years ago, and by negotiation in private industry long service leave has been established for employees in industry. It was refreshing to read in the *News* today that the A.C.T.U., the metal trades and other large groups of industry in South Australia, despite this Bill, have in conference defined a code whereby negotiations can take place for the establishment of long service leave in South Australia. I am attempting to expose the Government's code on long service leave. I know the Minister will not accept our code, but if this measure becomes law, what will accrue to the people of this State?

The Hon. S. C. Bevan—They will not get much.

The Hon. K. E. J. BARDOLPH—The Premier said his proposal will affect 33 per cent, and that the legislative enactments in other States affect only nine per cent.

The Hon. N. L. Jude—Is your code the same as Mr. Shard's?

The Hon. K. E. J. BARDOLPH—It is different from the Minister's code. Members need only go through the Bill and review the enactments of New South Wales and Victoria to see that it is a hotpotch made up of bits and pieces from the legislation of those States, and is not long service leave. On one hand it attempts to hand something to employees and on the other to hand something to or appease employers, but as Mr. Shard said, even employers are not happy about it. The Opposition believes it is designed by the Premier to short circuit any claims that might be made for three weeks' annual leave, and I think all members know this. The Bill is inconsistent with the principles of long service leave, and that is why the Opposition asks that it be withdrawn and redrafted.

The Hon. S. C. Bevan—In 1955 the Premier said it was class legislation.

The Hon. K. E. J. BARDOLPH—That is so; when a deputation waited on the Premier then, that is what he said. In 1910 the Commonwealth Parliament introduced a Long

Service Leave Bill for its employees, and long service leave provisions have been in operation in other parts of the world before any in this country. One of the outstanding schemes was brought about in 1953 in Broken Hill by agreement. After there had been a dispute, a conference was held, and long service leave was provided. The agreement contained, among other things, what is set out in the following report:—

Of special interest among the new features of this agreement is the comprehensive long service leave system adopted on an industry-wide basis, and with other conditions of more liberal nature than the statutory requirements of the New South Wales legislation.

If the Premier desires to give a full-blooded system of long service leave there is nothing to prevent him from bringing in a truly representative Long Service Leave Bill, as was done in New South Wales. The most outstanding long service leave provisions I have heard of in recent months were referred to in a recent broadcast called "Current News in America," in which it was stated:—

New high in industry-wide pensions plan: the most liberal industry-wide retirement plan yet established, set up by the National Maritime Union (C.I.O.) and the Atlantic Coast Shipowners, will start to pay pensions to American merchant seamen next January 1. The plan is financed by employer contributions which began in January 1951, and is jointly administered by six representatives of each side.

That portion of the arrangement is not unlike the working of our Wages Boards. The report goes on:—

The employers currently pay 60 cents a day for every N.M.U. man on their payrolls, of which 35 cents goes to pensions and the rest to welfare. Under the plan single seamen at age 65 after 20 years of regular employment in the industry will receive a pension of 55 dollars a month, or a total of 140 dollars a month, including social security. On retirement, a seaman with a dependant wife of 65 or over will receive a total pension, including social security benefits, of 182.5 dollars a month. Also, benefits will be available at the age of 60 on a reduced basis, a special provision will permit permanently incapacitated seafarers of 65 years or more to retire on full pension and seamen will be able to carry their already earned credits from one job to another.

This Bill restricts these things. The article continues:—

Representing a new high in industry-wide pensions, the plan is more liberal than the new United States of America automobile contracts, not only in benefits, but in its eligibility and disability provisions.

Industry in South Australia is on the verge of entering into an agreement with

unions on the matter we are now being asked to determine. Some firms operate in Victoria and New South Wales and have branches in this State, to which they transfer employees. This Bill does not cover these people, and after serving perhaps 15 years in Sydney or Melbourne, they will lose the benefits provided in those cities when they are transferred. In view of this, the measure should be redrawn to provide for the proposals we have submitted to the Government.

I was told the other day that a man who had worked 25 years in the motor industry would get only the same entitlement as his son who had worked seven years in the baking industry. This is unfair to the father, because he has worked for a much longer period and has assisted to build up and establish an industry.

It has been said that this matter should have been determined by the Arbitration Court. As every member knows, when I was president of the Trades and Labor Council and chairman of the Manpower Advisory Council I supported arbitration, and I have continued to support it. However, when social problems are submitted to the court, irrespective of the justice of the case presented the judge considers the possible repercussions on other sections of industry and consequently may refrain from giving a decision. This is a matter for Parliament to determine. We determine through Parliamentary measures the long service leave granted to high dignitaries, and this practice should be followed in respect of employees in industry.

It is interesting to note the economic buoyancy of this State. In 1938-39 there were 2,067 factories employing 43,371. From then until 1955-56 there was a progressive increase. In 1955-56 there were 3,908 factories employing a total work force of 92,589. I pay a tribute to the trade union movement, which I think all members will agree has played a prominent part in the development of our economy, and contrasts with the position in totalitarian countries where there is no trade unionism. In 1939 there were 117 trade unions with a membership of 67,282; in 1955-56, 138 trade unions with a membership of 146,422. As this Bill covers the major portion of these people, it should provide some amelioration of their conditions to give them something back from the industries that they have built and maintained.

It has been said that long service leave will increase prices and that it will have to be paid out of industry. However, I remind

members that the value of factory production in 1938-39 totalled £13,687,930, or £22 19s. 9d. per capita. The gross output for 1938-39 was £35,005,264, which worked out at £58 16s. 6d. per head of population. In 1955-56 the factory production was £120,935,925, and per head of population it worked out at £144 18s. 6d. The gross output represented £316,961,412, and the gross per head of the population was £379 16s. 6d. It can be seen that conditions in this State have been buoyant. Production has increased, so much so that on a population basis this State takes pride of place in regard to production in secondary industries.

I now turn to the question of the margin of profits. In 1938-39 materials used for production cost £20,308,797, fuel and light, etc., £1,017,537, and the margin for overhead expenses and profit was £5,509,580. When we come to 1955-56 we find that materials used were £183,195,511, the fuel and light and other costs amounted to £12,829,976, and the margin for overhead expenses and profit was £44,698,472. Those figures represent a margin of profit of between 25 per cent and 30 per cent. The value of land and buildings in 1938-39 was £18,460,379, and in 1955-56 it had risen to £111,949,862. I mention these figures to indicate that industry, and secondary industry in particular, is in a very strong financial position. All the complaints that may be raised with regard to the cost of the system of long service leave we desire fail to be sustained.

The Hon. Sir Arthur Rymill—When you say “we” who do you mean?

The Hon. K. E. J. BARDOLPH—Members of the Opposition who represent the Labor movement in this Chamber.

The Hon. Sir Arthur Rymill—But the A.C.T.U. and the A.L.P. are not in agreement.

The Hon. K. E. J. BARDOLPH—We are never in disagreement. We may have different views, but we do not violently disagree and we are usually in a position to resolve problems ourselves without any outside aid because we know exactly what we want and the method to be adopted to go about getting it. Coming to mineral production, we find that in 1954 the total production in South Australia was £5,925,875; in 1955 it had risen to £16,815,306 and in 1956 it was £19,836,661. Whether it be primary production, mineral production or secondary industries, members will see that the financial position of industry generally is on a very sound foundation. In consequence of that, I can see no reason why the Government

at this late stage cannot withdraw its Bill, redraft it and bring it in on the lines of the proposal we have submitted, and thus be in conformity with industries in South Australia which are entering into private agreements with their employees because they realize the necessity for handing back to employees in industry some reward for their production.

The Hon. L. H. Densley—Isn't the Government offering more than what the agreements do?

The Hon. K. E. J. BARDOLPH—It is like the widow's mite. I am reminded of a motor production firm in America which, when the proposition was put to them, readily brought in long service leave for employees. When statistics were made available by the research officer of the trade unions in America it was found that for every dollar paid to the employee in the production plant the employers were making two dollars. The workers in that industry also have a guaranteed wage by agreement. That shows that, whilst we hear all this cry of greater production in order to bring down prices, the American economists have realized that it is not a question of wages pushing up the high cost of living but the high cost of living dragging wages up to meet it. The employers in America have attempted to rectify the position by bringing in the social security measures for the employees by means of increased wage agreements.

I have heard many captains of industry say that there should be greater production, that wages should come down, and that there should not be the high basic wage that we have, but all that is totally in conflict with the views held in other countries. I have previously referred to West Germany's effort, and I now refer to America which has always been termed “the land of the almighty dollar.” America has realized the position, and, as every member will know, if there is a recession in secondary industries in America it is reflected throughout the world on account of the dollar position which America controls.

The Hon. S. C. Bevan—The employers here recognize the position too, but it is the dogmatic attitude of the Government which is at fault.

The Hon. K. E. J. BARDOLPH—I quite agree. The Government is attempting to appease the other section of employers who will not agree to the Opposition's suggestions in this matter. I make these few observations to indicate that I support the amendment moved by Mr. Condon that the Bill be withdrawn and

redrafted on the lines of the proposals submitted by him.

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

STATUTE LAW REVISION BILL.

Adjourned debate on second reading.

(Continued from October 3. Page 923.)

The Hon. F. J. CONDON (Leader of the Opposition)—This Bill has been introduced for the purpose of repealing certain obsolete Acts. One of these Acts is the Wheat Products Prices Act, 1938, which was to come into operation on a day to be fixed by the Governor by proclamation. This Act ceased to operate when the Australian Wheat Board was created. As members know, a Bill will be introduced for the purpose of extending the life of the Australian Wheat Board as far as it applies to South Australia. Other Acts that will be repealed are the Landlord and Tenant Rent Reduction Acts of the years 1932 to 1936. The provisions of those Acts have not operated for the last 20 years, and it is of no value or use to the State to have them.

Altogether it is proposed to repeal 16 Acts which are now obsolete. An operative section in the Bread Act is proposed to be inserted in the Local Government Act. Three Acts in connection with the National Bank of Australasia which it is proposed to repeal do not deal with the present National Bank of Australasia but with a defunct organization which went out of existence many years ago. Those Acts are still on the Statute Book, but they are not operating and there is no need for them. The proposed amendment to the Juries Act will not alter the existing practices. Since the Juries Act was passed the old circuit courts, which were separate and distinct from the Supreme Court, have been abolished and the circuit courts nowadays are in reality circuit sessions of the Supreme Court. I do not think members can object to this Bill because it is righting a position which in my opinion should have been rectified many years ago. Much confusion has been caused, particularly to those who practise in the courts today. I support the second reading.

The Hon. Sir ARTHUR RYMILL (Central No. 2)—During last session quite a few legal Bills were introduced which to many of us who have been practising law seemed very timely, possibly almost overdue. These Bills made excellent technical amendments to our Statute Book. This session seems to have brought along somewhat of an aftermath of that, whereby what I might describe in the language of the last century as "a famous"

weeding out is taking place. I regard this weeding out as somewhat a corollary of last year's efforts, and I would like again to congratulate the Attorney-General, and others to whom I shall refer, on the task they have undertaken which, I am sure, will not only make a good spring cleaning of the Statute Book, but will be of great benefit to practising lawyers who at best are a harassed class and have sufficient difficulties without having to find their way through cobwebs of legislation. I said last time, and I say it again, that our Attorney-General is a great worker and has applied himself nobly to his task. I am sure that the gratitude of everyone goes out to him in the fine job he has been doing.

In this personal regard I should like also to refer to our distinguished Parliamentary Draftsman, Sir Edgar Bean. I know that much of the detailed work has fallen on his shoulders and that, through the exigencies of modern times, his department is not as fully staffed as we might wish. Sir Edgar also has done a very fine job on this Bill as he has on many others. I believe that I echo the thoughts of all members in saying that, for we are possessed of a magnificent, a really outstanding draftsman. Both he and his assistant, Mr. Cartledge, are most assiduous in their tasks, and as a private member I can say that they are most helpful to every member and go out of their way, not only to do everything asked of them, but to do it with a speed that almost surpasses one's comprehension. That must come from years of experience, of course, but to a person like myself, who has had to draft things in a hurry from time to time and knowing the difficulties of it, I am simply amazed at the wonderful job they do. Each measure they draft has to stand the scrutiny of the courts of law, and with the time at their disposal the results they achieve are simply wonderful. I support the measure quite wholeheartedly. It is an excellent thing that we should occasionally dwell a little on our existing legislation and tidy it up, and that is precisely what this Bill does.

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

ACTS INTERPRETATION ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 3. Page 923.)

The Hon. F. J. CONDON (Leader of the Opposition)—This Bill, like a few others we

have before us, can be termed "cockey chaff." It is the result of the Commonwealth Government's action in introducing a new mail service and simply brings this State into line with Commonwealth legislation. By using the new certified mail service instead of registered mail service persons who are required to serve processes and documents of that kind will be able to show a saving of 9d. in postal fees, and I imagine that this will be regarded as a welcome trend. It is a very simple Bill that will be of some advantage to the community and I therefore support the second reading.

The Hon. Sir ARTHUR RYMILL (Central No. 2)—This is a simple measure designed to meet the change in the Commonwealth Government's approach to a postal service. It has been very much welcomed by the business community and, I imagine, will be of equal value to people who wish to serve processes and such like documents. I have closely scrutinized it and I cannot see any possible difficulty in any evidenciary manner, or in any other matter, and therefore I wish to add my support.

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

METROPOLITAN AND EXPORT ABATTOIRS ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 2. Page 876.)

The Hon. C. D. ROWE (Attorney-General)

—I do not think it necessary to say much on this Bill except that the Government is quite

happy to accept it, as has been indicated in another place. Its purpose is to repeal sections 34 and 35 of the principal Act, the provisions of which had been, I think, almost overlooked by most people, and apparently discovered, at least as to section 35, during the unfortunate dispute that occurred in 1955. The effect of repealing section 35 will be to bring employees in this industry under the provisions of the Industrial Code which provides substantially smaller penalties than are provided under this section. The Government has no objection to this.

The explanation of the amendment of section 34 given by the Leader of the Opposition made its intention perfectly clear, and I feel that it will be a great help in maintaining those amicable relationships which we hope will continue in the industry. Section 34 (1) provides for the reference of disputes to an arbitrator acceptable to both sides and, failing agreement on this, to the Industrial Court. Clause 2 provides for reference to the appropriate Industrial Board, or in the absence of such board, to the Industrial Court or authority to which the functions of the court have been delegated. It also provides for the repeal of section 34 (2). These are desirable provisions and I support the Bill.

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

ADJOURNMENT.

At 4 p.m. the Council adjourned until Wednesday, October 9, at 2.15 p.m.