LEGISLATIVE COUNCIL.

Tuesday, September 6, 1960.

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

QUESTIONS.

TOWN PLANNING.

The Hon. K. E. J. BARDOLPH—Has the Attorney-General a reply to the question I asked last week regarding criticism by Mr. Lock, a town planner from England, of trust houses built at Elizabeth?

The Hon. C. D. ROWE—The following is the reply furnished to me by the Chairman of the South Australian Housing Trust:—

No written record was made of the speech of Mr. Lock at a recent meeting of the Australian Planning Institute, but I am informed by the secretary of the institute that Mr. Lock's reference to Elizabeth was only a brief aside in a lecture dealing with new trends in town planning. What Mr. Lock said about housing at Elizabeth was to the general effect that it was a pity that the houses were placed on separate allotments of land, thus not conforming to the true concept of urbanity which could have been achieved by rows of houses or flats. Mr. Lock is also quoted in the *Advertiser* of September 1 and again in an interview given on September 2 in the *Advertiser* as saying that there is no sense of street architecture at Elizabeth.

It would appear that Mr. Lock wishes us to model our housing development on the English system of rows of houses facing a street, giving a fully built-up appearance. There is no doubt that architecture of this sort in the hands of the masters of the Regency and Georgian period produced architectural gems. However, to have architectural pretensions, the long rows of houses must be of three or more storeys so that individual houses and their yards must be narrow and there must, of necessity, be many stairs to negotiate. I think it can be assumed that Australian families would prefer their own individual blocks of land and open space such as is given at Elizabeth, and, in fact, in other housing development areas in the State.

Another of Mr. Lock's criticisms, as contained in his newspaper interview, was that the streets at Elizabeth are too wide for domestic use, and that there are broad runways for the traffic whilst pedestrians have to take second place on each side. Mr. Lock, according to his newspaper interview, suggested that we ought to have our roads at the back of the houses and not at the front and that there should be grassed ways running along the fronts of houses right to the shopping centres. Quite apart from the fact that most people would prefer to have a road in front of their houses instead of at the back, if Mr. Lock's suggestion were given effect, there would have to be many miles of grass at Elizabeth so that everybody could walk on the grass from the front doors to the shopping areas. The cost of such a proposal would be prohibitive even if it were thought advisable. The general conclusion, I suggest, is that Mr. Lock has meant to be provocative and has probably made exaggerated remarks to achieve his purpose.

TABLE MARGARINE.

The Hon. S. C. BEVAN—Can the Attorney-General say whether the ingredients used in the manufacture of table margarine imported into this State are submitted for inspection by a South Australian inspector?

The Hon. C. D. ROWE—I regret that I cannot give a detailed answer to the question, but will obtain it as quickly as possible for the honourable member.

VERMIN CONTROL.

The Hon. G. O'H. GILES—Has the Attorney-General, representing the Minister of Lands, any further information to give me regarding the appointment of two officers for vermin control?

The Hon. C. D. ROWE—The further information I have is as follows:—Under existing legislation and the terms of his appointment, the proposed advisory officer, vermin control, would have "no power to enforce action at district council level if it is not being taken". It is proposed that this officer when he is appointed should advise councils and landholders on methods of vermin control. Under section 17 of the Vermin Act the Minister of Lands may in the circumstances referred to:—

(1) cause an inspection to be made by a Government vermin inspector:

(2) if warranted, require a district council to take necessary action to enforce the Act; and

(3) failing that, he may enforce the Act and recover costs from the district council.

CONTROL OF PHYLLOXERA.

The Hon. G. O'H. GILES—Has the Chief Secretary a reply to the question I asked last week regarding the control of phylloxera?

The Hon. Sir LYELL McEWIN—I have received the following report from the Chief Horticulturist:—

It is not considered that the risk of introduction of phylloxera into South Australia has increased. Prohibition of the entry of grape vines and soil exists, and any increased risk through heavier road traffic is more than balanced by the increase in State quarantine facilities particularly at border road blocks. The introduction of resistant root stocks brings the problem of avoiding the introduction of virus diseases as well as phylloxera.

In Victoria and in New South Wales are plantings of phylloxera resistant stocks which are readily available if required. Overseas progress on virus and resistant stocks is being followed. When phylloxera resistant stocks which are also known to be free from virus diseases are available, consideration will be given to importing these into South Australia.

PREVENTION OF CRUELTY TO ANIMALS ACT AMENDMENT BILL.

The Hon. Sir LYELL McEWIN (Chief Secretary) obtained leave and introduced a Bill for an Act to amend the Prevention of Cruelty to Animals Act, 1936-1954. Read a first time.

STATUTES AMENDMENT (PUBLIC SALARIES) BILL (No. 2).

Read a third time and passed.

PUBLIC FINANCE ACT AMENDMENT BILL.

Read a third time and passed.

ADMINISTRATION AND PROBATE ACT AMENDMENT BILL.

Second reading.

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

That this Bill be now read a second time.

Its object is to make some necessary amendments of a practical nature to the Administration and Probate Act which, as honourable members know, has been amended on only two occasions since the last consolidation in 1936, and which has remained in virtually its original form since as far back as 1891. Generally speaking, the Act has stood the test of time and the present amending Bill is the result of consideration by the Government of a number of suggestions which have been made during the last two or three years. The Bill relates almost entirely to those parts of the principal Act which relate to the functions and duties of the Public Trustee. I pass over clauses 3, 4 and 5, which are consequential upon the later amendments effected by clauses 6 and 7 and deal with these last mentioned clauses first.

Clause 6 amends section 56 of the principal Act. That section requires every administrator within six months from the date of administration to deliver to the Public Trustee a statement and account. It is proposed to amend this requirement by providing for discretion in the Public Trustee to allow a longer period to file a satisfactory statement and account, and accordingly subclause (*a*) of clause 6 will permit any administrator to apply for an extenson of time. (Clauses 4 and 5 effect consequential amendments to sections 18 and 31 (*b*) concerning the duty of administrators to give a bond covering among other things the delivery of the statement and account required by section 56.)

Subclause (*b*) of clause 6 will exempt limited companies (which are all trustee companies) from the requirements of section 56. Such companies are already exempted from the provisions of section 65 of the principal Act, which requires administrators to pay over moneys and deliver property to the Public Trustee to which persons under disability or not resident in the State are entitled and no good purpose appears to be served by requiring the filing of statements and accounts by these companies with the Public Trustee. I deal with clauses 7 and 8 which are of a drafting nature at the end of my remarks, and pass to the remaining clauses concerning matters of substance.

Clause 9 amends section 65 of the principal Act requiring administrators to deliver to the Public Trustee all property to which persons under disability or not resident in the State are entitled. Subclause (*a*) will make it clear that this requirement does not apply to property outside the jurisdiction. It appears somewhat anomalous to require an administrator to deliver to an officer within the State property or moneys which are situated outside the State. Subclause (*b*) effects an amendment of a not dissimilar nature. It will exempt from the requirements of section 65 what may be termed "foreign" administrators, that is to say, administrators who have obtained probate in another State or elsewhere and have obtained a re-seal in this State. Section 65 has created difficulty and inconvenience in its application to foreign administrators and it cannot be said to be part of the duty of this State to compel such administrators to carry out duties in relation to persons domiciled in other States and countries. Moreover, it is embarrassing to require a foreign administrator to transfer part of a foreign estate to the South Australian Public Trustee. Clause 3 effects a consequential amendment to section 17.

Clause 10 repeals section 68 of the principal Act. This section empowers the Public Trustee or any administrator of an intestate estate to provide for the maintenance, education and advancement of persons under disability. The

Trustee Act already makes provision in sections 33 and 33A for ordinary trustees to provide for maintenance, advancement and education, and there seems to be no good reason why the Public Trustee and administrators of intestate estates should not come within the more general terms of the Trustee Act, which covers substantially the same subject. To this end it is proposed to repeal section 68 of the Administration and Probate Act, leaving the Public Trustee and administrators of intestate estates in the same position as other trustees.

Clause 11 deals with what is known as the common fund reserve account. Section 102 of the principal Act provides that all moneys belonging to estates received by the Public Trustee are to form a common fund, which is invested as a single fund at interest, each estate being credited annually with an amount of interest at a rate to be approved by a judge. The difference between the total interest received by this common fund and the interest credited to the various estates is retained by the Public Trustee and kept in the common fund reserve account, which in turn becomes invested as part of the common fund. Moneys in this common fund reserve account can be applied only towards making good losses incurred in connection with that fund and not otherwise. The fund at present stands at over £77,000. It is proposed to make different provision in respect of this common fund reserve account. Instead of leaving these moneys in an account kept by the Public Trustee, it is proposed that the whole fund, together with future credits, should be kept in the Treasury and not invested as part of the common fund or carrying interest.

The Hon. Sir Frank Perry—Doesn't that give the Public Trustee an advantage over other trustees?

The Hon. C. D. ROWE—I do not think so. I do not think it will alter the present position. The rate of interest to be paid in any State is fixed by a judge, and that will continue to be the case. The fact is that these moneys do not belong to any person or any estate. They represent simply interest received from time to time and not credited to individual estates. The only charge upon them is that they may be applied towards making good losses incurred in connection with the common fund itself. Paragraphs (*a*), (*d*) and (*e*) of clause 7 make the necessary provision for the transfer of the reserve account to the Treasury.

At the same time it has been suggested that the common fund reserve account, which, as I have said, is not the property of any estate or any person, should be available (if necessary) to make good losses incurred in connection with specific estates. These losses would in any event fall upon the Treasury because the Government is in the last resort responsible for all losses incurred by the Public Trustee. Subparagraph (*c*) makes the necessary amendment to section 102 (7) of the principal Act.

Clause 12 will increase the amount which the Public Trustee may borrow from the State Bank with the approval of a judge from £20,000 to £100,000. Section 102a was inserted in 1932 and the amendment is designed to take account of the change in the value of money since that date.

Clause 13a will amend section 106 of the principal Act by removing the provision that the Public Trustee cannot sell or deal with real estate without the court's approval. Removal of this limitation will put the Public Trustee in the same position as any other trustee. Subclause (*b*) of clause 11 is designed to make it clear that the limitation upon the powers of the Public Trustee to dispose of securities in which funds held by him are invested extends also to investments in which the common fund is invested. The object of this amendment is merely to make clear what has been doubted in some quarters.

Clause 14 amends section 110 of the principal Act. That section empowers the Public Trustee to make advances for the purposes of administration with the approval of a judge. It is proposed that the Public Trustee should be empowered to make advances up to 40 per cent of the value of any estate without approval. As the Act now stands the Public Trustee is required to obtain the court's approval in every case even where an advance is of a purely temporary nature. Paragraph (*a*) of clause 12 makes the necessary provision in this respect, while paragraph (*c*) validates advances which have been made in the past. Paragraph (*b*) is designed to obviate the need for a judge's order fixing interest rates in each and every case by empowering the fixing of a general interest rate from time to time to cover all cases. This will avoid a multiplicity of applications and consequent loss of time.

Clause 15 amends section 116 of the principal Act which requires the Public Trustee to pay unclaimed moneys held on behalf of intestate estates to the Treasurer after six years.

It is proposed to extend this provision to cover testate estates where the sums involved do not exceed £500. Under the Act as it now is, where there is a will the appropriate procedure is set out in the Trustee Act under which unclaimed moneys are paid into the Supreme Court and an affidavit and various notices must be filed and given. The procedure is time consuming and expensive and it is considered desirable to empower the Public Trustee to pay amounts up to £500 directly to the Treasurer.

Clause 16 will amend section 117 of the principal Act which now provides that parties subsequently claiming unclaimed moneys must apply to the court for an order. The amendment will empower the Treasurer at discretion to repay moneys received by him under section 116—that is unclaimed moneys to the credit of intestate or testate estates—on the Public Trustee's certificate that the identity and whereabouts of the persons entitled have been ascertained.

Clause 17 will insert a new section in the principal Act making the Public Trustee's certificate that administration has been granted to him either alone or jointly with others evidence of his appointment. (A similar provision is provided in the Queensland legislation and under our own Mental Health Act a certificate by the Public Trustee is evidence of his appointment as committee.) The new section will save considerable time as at present an original grant of administration has to be produced to a large number of persons, companies and societies in the ordinary course of administration.

Clauses 7 and 8 effect two drafting amendments to sections 61 and 62 of the principal Act. Section 61 was taken from the original Act in 1891 when the reference to administration by the Public Trustee was to section 49 which referred back to section 48. These two sections 48 and 49 of the 1891 Act, appeared in the 1919 consolidation as sections 79 and 80 respectively, but when section 77 of the 1891 Act was incorporated in the 1919 consolidation as section 61, the reference was to section 87 of the new Act and not as it obviously should have been, to section 80. This reference to section 87 was reproduced in the 1936 edition of the consolidated statutes and this seems an opportune time to make the necessary correction. Since however section 80 of the existing Act, corresponding to section 49 of the original Act refers in turn to section 79 which is the section under which the court is empowered to grant administration to the Public Trustee, it is thought desirable to amend section 61 by substituting section 79 for section 87 now appearing therein.

A similar slip appears to have occurred in relation to section 62 of the principal Act which corresponds with section 78 of the original Act and again makes a reference to section 91 of the principal Act instead of section 85 which is the section corresponding to section 50 of the original Act which was referred to in section 78 of that Act. The opportunity is accordingly being taken by correcting this anomaly. Both of the foregoing clauses are, as I have said, merely in the nature of corrective amendments to cover matters which appear to have been overlooked.

I believe that honourable members will be in agreement with regard to the amendments proposed in the Bill, all of which (except the drafting amendments in clauses 7 and 8) are designed to streamline procedure, to save unnecessary delay and expense, and which should operate to the advantage not only of the department but also to the benefit of the estates which come under its control. As I have said, the Bill does not effect any serious amendments to the general law. This is another one of many Bills which are brought forward and designed to bring legislation up-to-date and to meet the demands of modern commerce. I commend the Bill to the careful consideration of honourable members.

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

PUBLIC PURPOSES LOAN BILL.

Adjourned debate on second reading.

(Continued from September 1. Page 881.)

The Hon. A. J. SHARD (Central No. 1)—I support the Bill and wish to speak on it for the purpose of recording my opposition to certain hospital charges, criticising the Government on one or two matters in general, and referring in another instance to what the Government is not doing but should be doing.

My first point relates to hospital charges and I shall reiterate something I previously said. After a pensioner has had hospital treatment and is ready to leave the institution his ability to pay the hospital charge has to be assessed. He has to fill in certain schedules regarding personal particulars and details of his assets, money, possessions, bank credits, bonds, fixed deposits and so on. The item I am particularly concerned with refers to a motor car or motor vehicle. When the form is filled in the department assesses the ability of

the pensioner to pay the account, and if the pensioner should own a motor car the Hospitals Department theoretically increases his income by £1 a week for each £100 at which the vehicle is valued. I do not know who values the vehicle, but I presume it is assessed at the pensioner's valuation. This is a point that concerns me and it also concerns people of my own political faith, people on the other side of the fence politically, and honorary doctors at the hospital.

If a pensioner should possess a motor car valued at £400 the Hospitals Department, for the purpose of assessing his ability to pay, increases the pensioner's stated income by £4 a week. I asked a question on this matter and the Minister of Health said that if any particular case was submitted to him he would examine it. I am not concerned with particular cases, but with the principle of the matter and I make that statement to put the record right. A question similar to mine was asked in another place and the reply of the Premier disclosed a point of view with which I am not happy. The reply given by the Premier was:—

I have gone into this matter and ascertained that the case has been taken up by a member in another place, who has thoroughly investigated it and discussed it with the Minister of Health. The papers were available and were examined by the member to whom I referred earlier and who, I think, was directly involved because the person concerned resided in his electorate. I have gone into all the circumstances of the case. I do not think it advisable or proper that people's property or means should be discussed in this House, but I assure the honourable member that, having gone into the whole question, I could not find any hardship at all in the department's decision. In fact, I think the decision of the department is very fair and reasonable, and that it will not involve hardship.

I say emphatically that I was not the member concerned and that I have never discussed the case with the Chief Secretary or any other member. I believe in that particular case the question of increasing the income because of a car was omitted and an adjustment made accordingly. I stress that I am concerned with the principle, not with going into every case. It is wrong and improper for the Government and the Hospitals Department to continue this method of assessing a pensioner's ability to pay. In effect the Government is saying to the pensioner, "If you did not have a motor car you would have money in the bank and you could pay", without having any thought for the pensioner's health or disability, or the necessity for him to have a car to get some pleasure in his last years. It is a most cruel and unbecoming method of assessing a person's ability to pay. Last December I indicated that the Government would have to use various means to get added income as South Australia was no longer a claimant State, but I did not think the Government would have to go to such lengths to secure money from the people. It is one of the worst things I have ever heard of. I could quote many cases of pensioners and non-pensioners who, without a car, would have no pleasure in life because of their disabilities and complaints. I could name half a dozen people who use their motor vehicles on a Saturday afternoon to watch sport in the parklands, but the Government believes if pensioners are taken to a hospital their income should be increased according to the value of their car; that they should sell the car and so be able to pay their hospital bill.

The Hon. Sir Lyell McEwin—That is only your imagination, it does not mean that at all.

The Hon. A. J. SHARD—If it does not mean that what does it mean? Does the Minister want every case to be taken up individually? I do not think that is what is wanted. I say it is not needed and I am sure the vast majority of people in South Australia do not want it. A lady who is not a member of my Party asked me if I was misquoted in the paper because the position seemed so bad, yet the Premier says he sees nothing wrong with it. I leave that to others to judge because never in my public life have I known anything so hard or unsympathetic to old people. The Commonwealth Liberal Government—and I give it credit although it does not go as far as we would like—has eased the means test to assist pensioners, but the Liberal Government in this State has imposed this harsh condition upon them. I emphasize that I have never accepted nor am I happy with the situation as it is.

The Hon. F. J. Condon—You are speaking to a dumb Government.

The Hon. A. J. SHARD—I will have something to say about the Government later. In connection with hospital charges I am informed that honorary doctors and surgeons at the Royal Adelaide Hospital are worried about two other matters concerning pensioners. The first is that as the hospital is a teaching hospital the time the patients are kept there is not governed solely by the condition of the patient. The instruction of the student doctors has to be considered. I understand that a doctor or surgeon treats a patient in a certain way and

shows the student what has been done and what has to be done for a patient. The patient perhaps could be well enough to go home, but for the student to get adequate training, patients are sometimes kept there up to five days longer than is really needed. At £3 a day that amounts to a large sum.

The Hon. S. C. Bevan—They are used as guinea pigs.

The Hon. A. J. SHARD—I would not say that, but they are kept there rather for the students' benefit than because of the state of their health. The second point worrying the honorary surgeons is the time that patients are kept there because of what might be termed an unfortunate set of circumstances. I am told that honorary doctors go to the hospital perhaps twice a week. If a patient needs an X-ray or something has to be analysed, and neither the X-ray nor the analysis is available the next time the honorary doctor calls, the patient has to stay in the hospital until he calls again, because no one else is able to give permission for the patient to be discharged. I had a case brought under my notice last night of a child at the Children's Hospital. When we inquired about its condition the sister said, "My opinion is that the child could have gone home today, but the honorary physician has not seen her, and until he gives permission she cannot go home." I am told by a person whose word I am prepared to accept that the same thing happens at the Royal Adelaide Hospital. I should like the Minister of Health to inquire into the position. Further consideration should be given particularly to pensioners who are kept there under these circumstances; they should not be charged for the full time and at least they should not have the burden of motor car expenses added.

In my opinion the Government has made up its mind to continue its policy to keep the basic wage in South Australia at the lowest possible point, despite the prosperity of the State.

The Hon. G. O'H. Giles—Nonsense!

The Hon. A. J. SHARD—It is not. This is the only State which has accepted the Federal Arbitration Commission's wage figure continuously since 1953. Since the abolition of quarterly adjustments workers in South Australia have contributed millions of pounds towards the stability and progress of the State. Let any honourable member deny that. Perhaps the honourable Mr. Giles, who has more interest in dairy farms, does not realize that at present each adult in South Australia is receiving 18s. a week less than if the C series index figures still applied. Female workers suffer the disadvantage to the extent of 75 per cent of that amount. If people were fair, they would acknowledge what the employees in South Australia have contributed toward the stability of the State. Apparently the Government wants still further to increase the difference. A study of the basic wage figures shows the difference in the amounts of the basic wage paid in the various States. The most astonishing thing to me is that in Sydney, where quarterly adjustments operate, the difference between the State basic award and the Federal basic award is only 5s. a week. The bulk of employees in New South Wales automatically receive the quarterly adjustments resulting from the C series index variations. In Melbourne, where the quarterly adjustments do not apply, the difference is 27s. a week, in Brisbane 15s., in Adelaide 18s., in Perth 25s., and in Hobart 19s., and the difference under the six capital cities figure is 16s.

The Hon. F. J. Potter—You think that we should follow New South Wales?

The Hon. A. J. SHARD—If we followed New South Wales, our workers under the automatic adjustments would be receiving 18s. a week more.

The Hon. L. H. Densley—Would they be any better off?

The Hon. A. J. SHARD—Yes. Certainly they would not be any worse off. Because of the low basic wage, the vast majority of workers in South Australia are getting more than 18s. a week in over-award payments. The C series index figure is fixed by an independent body, and if the workers knew that they were receiving wages accordingly, which would be only fair, their pressure would not be so great for over-award payments. I think that everyone knows that over-award payments amount to much more than 18s. a week. I know that that applies in my own industry and in many others. Everyone would be a lot happier under the other arrangement.

That brings me to the position in the railways where there are no over-award payments, and that is the reason for the proposed stop-work meeting next week. The men know that the Government will not pay over-award rates and that they are 18s. a week worse off than they should be. I will analyse the Minister of Industry's reply to the request that the Government should not proceed with its support of the employers in the basic wage case before the Arbitration Court. I would be out of

court if I said that the Minister's reply was an untruth. It was only a half truth, and was splitting hairs. For him to say that it was for the benefit of employees is beyond me.

The Hon. C. D. Rowe—There are a lot of things beyond you.

The Hon. A. J. SHARD—It may be unusual to have someone in this Chamber who stands up and criticizes the Government. My submissions are 100 per cent correct, and if anyone can prove otherwise, I will humbly eat my words.

The Hon. L. H. Densley—You will have some indigestion!

The Hon. A. J. SHARD—People who live in glass houses should not throw stones. If I wanted, I could make some people look foolish. The Minister said, in effect, that the workers would not suffer any reduction in their standard of living if the basic wage remained stationary. What he did not say was that if the basic wage increases the workers will suffer a severe reduction in the standard of living. He gave only half the story. History has proved, and I think the Minister would be the first to agree, that in future the basic wage is sure to increase, and I think we all hope it does, because no one wants to go back to the bad depression days. If the basic wage increases, the standard of living of workers in this State must be further decreased beyond the 18s. I mentioned. The Minister said that there were two applications before the court. In effect, there were three. The first was an application by the Federated Enginedrivers' and Firemen's Association to vary the Enginedrivers' and Firemen's (General) Award and to abolish the 3s. differential between the country and the metropolitan area. That is accepted. We want to abolish it and put the whole of the State on the same basic wage. The second application was by the South Australian Chamber of Manufactures and the Metal Industries Association of South Australia, and it was to alter the Metal Trades Award in two ways:—

1. By having a provision inserted that upon any variation increasing the basic wage prescribed in this award for Sydney, the amount by which the basic wage prescribed for Adelaide is increased shall be 25 per cent less than the amount of the increase for Sydney, until the proportion which the basic wage for Adelaide bears to the basic wage for Sydney is reduced to 90 per cent. At present that proportion is 95.8 per cent.

2. That upon any variation increasing the basic wage prescribed in the Award for Adelaide, the basic wage for country areas (other than Whyalla and Iron Knob) shall be an amount of £13 8s. or an amount of 12s. less than the basic wage for Adelaide whichever is the greater.

The Minister said that the present Adelaide basic wage, £13 11s., was 95.8 per cent of the Sydney basic wage of £14 8s. I was not able to make a proper check, so I had the position checked by three different authorities and they made it 94.1 per cent. If the employers' application, supported by the Government, is successful, and our basic wage is reduced to 90 per cent of the Sydney basic wage, on today's figures the Adelaide basic wage will be £12 19s. 2d., which will mean a reduction of 11s. 10d. a week for workers in the metropolitan area. If I am right in assuming that the basic wage will increase later the workers will be at a greater disadvantage even than I have pointed out.

If the second employers' application, supported by the Government, is accepted country workers, with the exception of those at Whyalla and Iron Knob, will have their rate reduced by a further 9s. a week. If that is applied in the future on today's figure their rate will be reduced by £1 0s. 10d. a week, and if the basic wage rises the difference will be higher. The application seeks an imposition of 25 per cent at a time. Apparently the employers and the Government feel that there is nothing wrong in slowly poisoning a person to death. They feel that if he is given a small quantity at a time he will not feel it and therefore will accept it. If this procedure continues there will be rebellion. Already there are threatened stoppages of work by employees because of the continued policy of the Government and employers of always opposing basic wage increases. The Government says that it is a party to the award and must go to the court. Of course that is so, but it could just put in an appearance. There is no need for it to support the employers' application. For the sake of peace in industry and continued good relationship between employer and employee, which we have had for many years, I think the Government should reconsider its attitude and on this occasion not support the employer's application. I speak with knowledge of this subject and I am convinced that the employees will not take kindly to any further reduction in their standard of living. That is what will happen, irrespective

of what anyone says. If the two applications before the court are granted it must eventually affect the standard of living in this State.

I now want to refer to the attitude of the Railways Department towards a section of its employees. I shall not refer to the daily paid employees who were dealt with last week by the Honourable Mr. Condon, who put their case clearly and fairly. I do not know what the result will be, but I hope that Mr. Condon's remarks will not have fallen on deaf ears. I want to refer particularly to the Australian Transport Officers' Federation, which has had a raw deal from the Government and the Railways Commissioner. I do not want to be personal in my remarks. I do not think Mr. Fargher, Railways Commissioner, would have taken the stand he did if the Government had not consented, so I link them together. There was an increase of 28 per cent in margins in about November last year. The Transport Officers' Federation did the right thing and asked the court to apply the 28 per cent to its members in the employment of the Railways Department. It succeeded in getting a favourable decision, which was to apply to all Railways Departments in Australia, but of all the Railways Commissioners only the South Australian Commissioner appealed against the decision, and he was supported by the Government. For the information of members I quote the following from a circular issued by the Australian Transport Officers' Federation to its members in July last, because it sets out the whole case:—

1. Following the judgment of the Conciliation and Arbitration Commission in November last, granting increases to the Metal Trades' Award amounting to 28 per cent of margins assessed in 1954, Commissioner Austin awarded 28 per cent increase on all margins in the Railways Salaried Officers' and Railway Professional Officers' Awards.

2. The South Australian Railways Commissioner appealed against these awards in so far as they affected South Australia, and at a preliminary hearing the Railways Commissioner requested that the Austin decision be stayed pending a decision on the appeal. The bench decided to stay one half of the increases which were appealed against—the balance has been operative from the first full pay period commencing in December 1959.

3. The appeal was heard in May, 1960, and on June 24 the Commission handed down its judgment upholding the appeal. Speaking very shortly, the Commission declared—

(*a*) that Mr. Austin had acted on wrong principles in increasing margins in these awards by 28 per cent;

(*b*) that the principles to be applied to these awards were those general principles announced on June 23 in the Commonwealth Public Service case;

(c) that it would not attempt to work out in detail the application of these general principles to the Railway awards, but the parties to the awards were directed to confer and work out such details, and then report back to the Commission when variation orders would be issued;

(*d*) that a member of the Appeal Bench would be made available to the parties should they require assistance in the conference;

(*e*) that the further increases granted would be retrospective to December last, except for any who resigned or whose services were terminated for disciplinary reasons prior to June 24 1960.

4. Following a careful analysis of the general principles contained in the 31 page Commonwealth Public Service case judgment, we conferred with the Railways Commissioner's reperesentative on Monday, 11th inst. We found that the Commissioner's attitude was not that these general principles were to be applied, but that the increases in the railway award were to be no greater than the increases given to Commonwealth Public Servants on similar margins.

5. As this was not acceptable, the conference broke up and the assistance of a member of the Appeal Bench (as offered in 3 (*d*) above) was requested.

6. Senior Commissioner Chambers has been directed to assist the parties, and a conference has been called in Sydney at 10.30 a.m. on Tuesday next, 2nd August.

I must emphasize that we are dissatisfied with the appeal judgment, but realize that it must be accepted. However, we are still endeavouring to obtain the best possible result from these conferences. It is clear that not all members will retain the 28 per cent increase—we want as many possible to retain the 28 per cent or as large a percentage as possible.

The conference was held on August 2, and was attended by Mr. Commissioner Chambers, but it concluded without an agreement being reached. One can only take the view that the Government is following the attitude of the Chamber of Manufactures in giving nothing and letting the employees take what the court gives. I feel that that was the attitude adopted at the conference.

The Hon. S. C. Bevan—There was no co-operation.

The Hon. A. J. SHARD—No. The statement I read indicates that the Federation did not like the judgment but had to accept it. It also said that it could not get the 28 per cent increase for all its members but would get it for as many as it could. Now the whole position has been referred back to the court. I want to know what has happened to the conciliation part of the Act, when Governments take this stand.

The Hon. F. J. Potter—The federation asked for the 28 per cent for nearly all its members.

The Hon. A. J. SHARD—My information is that it was anxious to get a settlement rather than go back to the court. Experience has shown me that usually the best results are obtained around the table than at a court hearing. On May 12 next year I shall have completed 25 years with my union, and as yet I have not appealed to the court. We have often negotiated agreements around the table but if we are to be thrown back to the court, sooner or later, the whole system will break down. The Minister knows my opinion of wages boards.

The Hon. F. J. Condon—What has been the position? Has there been peace in the industry?

The Hon. A. J. SHARD—Yes; there has been no trouble over the whole 25 years but there has been a little give and take here and there and generally everyone has got on all right. The wages board system and the industrial set-up in South Australia is equal to or better than anything else in Australia. If the suggestion of the Chamber of Manufactures is adopted and nothing given but the court's order, the system will break down and the State will experience industrial trouble. The members of the Chamber of Manufactures do not honour the instructions given by the Chamber and its members make over-award payments but, unfortunately, the Government and its officers do not adopt that attitude ostensibly because they are dealing with public money. I sincerely believe that if there is a possibility of arranging a settlement, the Government should adopt a more conciliatory attitude at these conferences for the sake of peace in industry.

I refer now to the Government's lack of action in relation to the system of selling cars on the floor space scheme. I oppose this system and it horrifies me that no prosecution has been launched for I know people are being cheated. The case I refer to particularly concerns a finance company buying a car from an agent who has a franchise from a big motor firm. City Motors have the Holden franchise. It is a practice for finance companies to obtain a car and place it in the secondhand car dealer's yard. An innocent person may buy that car and pay cash for it. The case I mentioned involved £1,300. The secondhand dealer put the money in his pocket while the finance company sat back and smiled. When it took action an innocent person lost his £1,300.

The Hon. C. D. Rowe—Assume that the secondhand car dealer went bankrupt.

The Hon. A. J. SHARD—If the car were known to be under hire-purchase before the innocent party purchased it he would not have bought the vehicle. He wants a new car. The law permits this practice and I do not know if this has been brought to the notice of the Attorney-General. The following quotation, from the *Advertiser* of July 9, 1960, contains statements by Mr. Justice Chamberlain, who was a former Crown Law officer:—

His Honour—My diagnosis of Beesley's trouble is that he was getting behind and he collected money and obviously used it for the purpose of keeping himself afloat, but found himself promptly unable to make good.

His Honour also said that it was not the ordinary case of false pretences, the sort of confidence trick that was the usual false pretence. The seriousness of it was that Beesley, being in a desperate financial position, used the method of endeavouring to keep himself afloat. Mr. O'Grady dealt with Beesley's financial position.

His Honour—What is the real explanation why he went so bad? Were his interest charges to the finance company rather higher than he had taken into account?

Mr. O'Grady—I think so. The Official Receiver thought that.

His Honour—To what extent do you attribute what he has done to the attitude of the finance company? Do you think the finance company was letting Beesley run on, knowing the risk he was subjecting his customers to in the hope he would pull out of it?

Mr. O'Grady—We have evidence of the system that allowed him to run on.

Later, His Honour said that it seemed to him to be an iniquitous thing that a secondhand dealer could have vehicles on his floor for sale which really belonged to the finance company and could be repossessed by the company even though the customer had paid cash for them.

"It seems to me that this floor-plan is a highly dangerous thing," continued His Honour.

"I daresay it is good enough for the finance company, which takes no risk, but it is not fair to the public.

"I am not saying this by way of criticism of Beesley but by way of criticism of the system.

"Should not a man be able to walk into a shop where a vehicle is displayed for sale and feel some assurance that if he pays his money he will get title to his goods?

"It seems to me that there should be some system whereby the finance company is obliged to notify the public that these goods are under hire-purchase to the finance company and if they failed to carry that out it should be at their risk.

"I am not expressing any considered view about this but it seems to me that it is a matter that requires very careful consideration when the hire-purchase law comes up again before Parliament."

Mr. O'Grady—I agree and there ought to be some means whereby a sort of title deed should follow the motor car in some way, as it does with land.

His Honour—Look what has happened in this case. Here is a secondhand car dealer who is going bankrupt and is in a position where he cannot meet his obligations. The hire-purchase company had a pretty good notice of that, I think.

Continuing, His Honour said:—"They still allowed Beesley to go on selling their cars with the prospect that he might take cash for them.

"They are sitting back on their security, knowing perfectly well that however a member of the public might be misled, they are going to enforce their security and take their property back.

"I do not think that they should be allowed to put the public in that position."

Mr. O'Grady—I agree.

The Crown Prosecutor (Mr. E. B. Scarfe), prosecuting—I will be only too happy to convey this to the Attorney-General.

His Honour—I hope, Mr. Scarfe, you will report the facts of this particular case to those in authority.

Mr. Scarfe—I will. This floor-plan operates not only in respect of motor cars, but also with regard to TV sets, refrigerators, washing machines and other goods.

His Honour—Yes, it seems to me the public should not be put into this position and it is the finance companies which ultimately do it. If they are going to impose risks of that sort on the public, then I think the risk ought to fall back on them.

"However, this does not alter the fact that I think Beesley himself committed a serious offence.

"He was the man who imposed a very heavy loss on a perfectly innocent member of the public.

"He knew perfectly well that he was not selling Mewett a car but only a chance of getting a car."

If the Attorney-General has been informed of the position, what thought has been given to it and why wasn't something done when the Hire-Purchase Agreements Bill was before the Council recently? Was it too big a contract to do anything about this matter in the short time available? Will the Government examine this matter closely and bring down a law to prevent a repetition of this type of business and similar practices? Almost weekly there are court cases involving matters which, although not exactly like this, refer to the selling of secondhand cars.

The Hon. Sir Arthur Rymill—What is this floor plan you refer to?

The Hon. A. J. SHARD—I explained the system and if the honourable member had been listening he would have heard it. If he did not hear it that is unfortunate because I am not going to repeat it again merely for his benefit. I now turn to late shopping on Christmas Eve. I do not blame the Minister of Industry entirely for the decision made on this matter because it was referred to Cabinet but I protest at an action that sets the clock back 20 years, for it is about 20 years since Parliament abolished late Friday night shopping. The first thing about the recent decision which strikes me is that the Minister, at the request of Cabinet, by a stroke of the pen can override an Act of Parliament in an important matter like late shopping. It appears that Acts of Parliament, in some cases, are only Acts of Parliament when it suits certain people but have no force when it does not suit those people.

The Hon. C. D. Rowe—I do not think that is quite fair. The Act gives the Minister certain powers.

The Hon. A. J. SHARD—I know the Act gives the Minister power to permit late shopping but it is a wide authority and Cabinet and the Minister should have good reasons before attempting to override an Act. In this case I think the power was exercised without real consideration for the employees in shops and more consideration should have been given the subject. If Christmas shopping is analysed members will see that from about December 1 onwards the work of shop employees is no picnic. I think that is accepted. They are under pressure from the time they commence work until they finish. The week preceding Christmas is a rush for everyone, and climatic conditions are not good. On the Friday shop assistants will start at five minutes past nine in the morning and finish at 9 p.m. Admittedly, the shopkeepers will not have to open at night, but every shop in the metropolitan area will be open because human nature comes into it. The departmental stores will benefit more than the smaller shops in the suburbs, and that should be considered.

The Hon. Sir Frank Perry—Isn't it of benefit to the public too?

The Hon. A. J. SHARD—I am speaking of the employee at the moment.

The Hon. Sir Frank Perry—You are saying too much about the employee. The public has to be considered.

The Hon. A. J. SHARD—I am sure the people the honourable member represents have had a good deal in the last fortnight.

The Hon. Sir Frank Perry—I represent the public.

The Hon. A. J. SHARD—I am coming to them. I will deal with the employee first,

then I will show why the public do not want it. On this Friday the employees will have to be present from 9 a.m. to 9 p.m. Their determination prescribes a minimum of 45 minutes for their lunch, but only 30 minutes for tea, a total time off of 1¼ hours. Forty-five minutes is a minimum time for an employee to travel from the shop to his home, and he is expected to be back at work on Saturday morning from 9 a.m. until noon. In a period of 27 hours the employees will be on the job for at least 15 hours.

The Hon. Sir Frank Perry—While others are enjoying themselves?

The Hon. A. J. SHARD—That is so.

The Hon. Sir Frank Perry—Do they get overtime for this?

The Hon. A. J. SHARD—The rate is fixed so that from 5.30 p.m. it is at time and a half for the first four hours.

The Hon. Sir Frank Perry—That overtime rate is not only for shop assistants, but for everyone.

The Hon. A. J. SHARD—I appreciate that, but others do not work 12 hours straight.

The Hon. Sir Frank Perry—Some of them do; it is quite common.

The Hon. A. J. SHARD—I do not think it is quite common. It is not necessary for shops to be open on Friday night as much today as it was 20 years ago. Our standard of living and working conditions are much better today than they were then, for there was no annual leave or any Christmas shut-down. I am told that most factories will close on Tuesday, December 20, this year, and the employees of those factories will have the whole of Wednesday, Thursday, Friday and Saturday morning in which to do their shopping with their families.

The Hon. Sir Arthur Rymill—The bread will still have to be baked. They will need a late shopping night.

The Hon. A. J. SHARD—Yes, but that is quite a different matter. Bread is an essential article and a service must be given to the public. The bread carter and the baker will work long hours on Friday, but they will have Saturday, Sunday and Monday off, but the shop assistant will have to go back to work on Saturday. I put that to the Minister at the deputation when it was first mooted in the country. The Premier was Minister of Industry at that time, and he gave the country shopkeepers the right to open on Friday night, but then they had to close on Saturday. If shops are open on Friday night, it should be compulsory for them to close on Saturday, so that everyone will have a long week-end. Factory employees will have Wednesday, Thursday and Friday, as well as Saturday morning, to do their shopping.

The Hon. Sir Arthur Rymill—The factory workers are only a section of the public.

The Hon. A. J. SHARD—The employees in factories in this State would make up the majority of the public.

The Hon. Sir Arthur Rymill—There are a lot of others, too.

The Hon. A. J. SHARD—The city from mid-December until almost the end of January is practically dead because of the shut-down of industry over the Christmas and annual leave period. Sooner or later industry will have to keep the wheels turning and allocate their employees' leave throughout the year in the interests of the State and themselves. That is my personal view. Sometimes I look at things from the employers' point of view, too.

The Hon. G. O'H. Giles—Isn't it a fact that the world trend is for retail stores to open much longer?

The Hon. A. J. SHARD—God forbid that the Continental or American style should come to this State. I should hate to see the business and shopping areas of this State open on Sundays and every night of the week on a shift basis until 10 p.m. We are putting the clock back by giving way on one Friday night and if a protest is not made against this extension it will develop into something which is undesirable.

The Hon. C. D. Rowe—You are more concerned about the possible extension of this particular Friday evening to more than one night.

The Hon. A. J. SHARD—There is no need for it. The public interest is already well served. The danger is that perhaps next year there will be application for two nights. I hope that the Government will not give way to the present application but examine the position in the interests of the public and tell Rundle Street traders that there is already enough time for the public to do its shopping and no need to bring employees back to work at night. I am vitally concerned that the present relationship between employers and employees in South Australia should continue on its present high plane, but I am afraid that the actions of the Government in doing what it is doing will weaken the position.

Employers have every right to approach the Arbitration Court and ask for what they want. I have never complained about that, but I am afraid that the Government support of the Chamber of Manufactures' application is gaining momentum to the detriment of the workers in this State.

The Hon. R. R. WILSON secured the adjournment of the debate.

CELLULOSE AUSTRALIA LIMITED (GOVERNMENT SHARES) BILL.

Adjourned debate on second reading.

(Continued from September 1. Page 882.)

The Hon. A. C. HOOKINGS (Southern)—The history of the cellulose industry in South Australia has already been very well outlined by two honourable members. It has been my good fortune to have lived in the vicinity of Cellulose Australia Limited ever since its inception, and it has been with great interest that I have watched its progress. I take this opportunity to congratulate everyone concerned in its establishment, and should like particularly to include the Government for the action it took in the early stages when certain difficulties were experienced. No new venture is easily launched. In this particular instance we were starting to make paper board, a process then unknown to most people in this country and it was started at a most awkward time—at the beginning of World War II. I am pleased that it has been a success story.

The Hon. K. E. J. Bardolph—But it was the Industries Development Committee that made the recommendation.

The Hon. A. C. HOOKINGS—I give the committee full credit. The Bill will enable the Government to take up its full rights in the expansion of the capital of the industry. We should give thought to the matter because certain principles are involved which to my mind are important. In a comparatively young State as South Australia many problems still wait to be solved. Much has been said by members in both Houses regarding the association of our Woods and Forests Department and Cellulose Australia Limited. There are also local problems associated with State forests. Three or four councils in the area are worried because their roads in the winter are badly damaged by heavy forest traffic. During the last two or three years, at the instigation of the Minister of Local Government, a committee was formed of representatives of these councils, the Government, and private forests, and it was called the Forest Road Traffic Committee. Its object was to put before the Minister any problem in relation to heavy forest traffic which it could not solve within this area. The committee has received very sympathetic consideration from the Minister, but there are still some very worried representatives of councils in the lower South-East because of the way roads are damaged by heavy forest traffic; and they are anxious that more money should be granted by the Government to repair these roads.

The Hon. Sir Frank Perry—Do the forests pay any rates?

The Hon. A. C. HOOKINGS—No, but the Government is aware of the problem and has been fairly generous in the matter. However, the councils are wondering whether more money from the successful Government ventures could be made available for repairing these roads. I am sure that the people concerned would appreciate that. At opportune times Cellulose shares could be sold, thereby providing funds. I have been interested to hear what other honourable members have said regarding the Bill and in view of all the facts I have much pleasure in supporting it.

The Hon. Sir FRANK PERRY (Central No. 2)—The history of the company was told by the honourables Mr. Bardolph and Mr. Densley, but neither went back far enough. It was floated in 1938. The late Mr. Tom Barr Smith and the late Mr. E. W. Holden were financially interested in the project. The question of its establishment had been submitted to a voluntary body associated with the Chamber of Commerce and the Chamber of Manufactures, and it consisted of Messrs. James Gosse, Holden, Isaacson, Wainwright and myself. It did very useful work. When the flotation of the company, involving about £200,000, was not successful, the Premier of the day, Mr. R. L. Butler, agreed that the Government should buy shares amounting to about £20,000. The policy of the Government was to assist industries by guarantee, and that as soon as an industry could take care of itself through the ordinary financial channels it would withdraw. The Government was favourably disposed towards the establishment of this company. I thought then and still think that the South-East is the most favourable place in Australia for the development of a big paper industry. It has the largest area of forests, the necessary water at Snuggery, and means of getting rid of the effluent. I am confident that the industry will still further enlarge its activities. Mr. Bardolph referred to the assistance given the company by the

Government in the form of a guarantee. I know that the Government is interested in the disposal of forest products. The majority of the sawmills in the area are controlled by it and most of the timber is sawn in Government mills. I think partial investment in a paper company is a dangerous move for any Government. Money invested is usually money saved and not Loan money. In this case Loan money is being used for investment in the company, which practice is not generally advocated by sound investors. The proposal is that the Government shall advance £104,000 this year, with the Treasurer having power to advance a similar sum next year. The Treasurer is also given power to dispose of the Government's interests in the company, if he so desires. One cannot oppose the Bill because the Government has already invested money in the company, and it must protect its interests.

The last clause in the Bill gives the Government power to dispose of its shares. It may be said that the Government, because it owns the forests, should have an interest in the disposal of the products of those forests, but I think that the owner of the raw material has a great power and can largely control the distribution of profits. Unless the Government's shares are disposed of, I think the Government will be called on to invest more money in the company in the future. This is a progressive and prosperous company. I think the forest area will not be sufficiently catered for until a sulphate chemical plant is in existence, but that is a most expensive plant. Although the Government can always get Loan money to invest in this company I do not think it should do so. The Commonwealth Government disposed of its interests in the Broken Hill Proprietary Company, Commonwealth Oil Refinery, the aluminium works, and shipping. This is a type of trading that can be more satisfactorily handled by private enterprise. I hope that our Government will dispose of the shares that it holds in this company. The Stock Exchange price of the shares returns only 2 per cent or 3 per cent to the holder of each share, and the Government could make three or four times as much elsewhere on the sum it has invested in the company. I support the Bill only because of the last provision, which gives the Government power to dispose of its shares at an appropriate time. I hope the Government will take advantage of the buoyancy of the share market in the next year or so and dispose at least of its acquired holdings in the company.

The Hon. W. W. ROBINSON secured the adjournment of the debate.

COUNTRY HOUSING ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from September 1. Page 884.)

The Hon. W. W. ROBINSON (Northern)—This Bill merely extends the good work started in 1958 when the Commonwealth Government made available £4,000,000 to the various States to provide housing in country areas for people on low incomes. South Australia's share of that money was £360,019 and it was made available free of interest. In answer to an interjection by Sir Frank Perry, the Hon. Mr. Bardolph said he did not know of any time when the Commonwealth Government had made money available without charging interest on it, but I remember that when this State initiated a scheme of subsidizing homes on a pound for pound basis, the Commonwealth Government took over one-third of the business and later paid a subsidy of £2 for each £1, which money was interest-free. The present Commonwealth Government has made large sums available to our universities. Money made available in this way must be interest-free, otherwise schemes cannot function.

As I have said, in 1958 money was made available to the Housing Trust to build houses in country areas for people on low incomes. The houses were to be let at a weekly rental not exceeding one-sixth of the income of the person concerned, and the minimum weekly rental to be charged was £1 or such other amount prescribed by regulation. Altogether under that scheme 160 houses were built. During this debate mention was made of 140 houses, but on checking with the Housing Trust I was told that 160 houses had been erected under the scheme in 31 country towns in an area extending from Mount Gambier to Port Lincoln. This scheme was a fine example of decentralization because it enabled houses to be built in country areas for people who had lived there all their lives, and thus obviated their transfer to the city. Each house had four rooms, with two bedrooms, and the cost was £2,500. Where necessary a sleepout was provided. The accumulated rentals from the houses are to be used for the provision of more houses. The rents, taking into account also the 40 houses to be erected under this Bill, will return a minimum of £10,000 a year. This will provide money for a revolving scheme so that more and more houses can be built.

The Bill provides for the allocation of £100,000 from the Home Purchase Guarantee Fund, which at present has an accumulation of £99,700. It is assumed that when the money is required this fund will have exceeded £100,000. This money was provided as security on houses costing £2,500 or even £3,000, but at present each house is worth from £4,000 to £4,500, so it is reasonable to suppose that the fund will not be called on for many years, because as each year goes by the houses may appreciate in value, but the accumulated funds can be carried into the future to cover any depreciation in value that may arise. This Bill provides for the erection of 40 more houses which will make 200 altogether under the scheme. I understand that the houses already built are regarded very favourably. When in a country town on Saturday I ascertained from the representative of the Housing Trust there that the houses were satisfactory indeed. In that town three families had been housed in new houses and were endeavouring to keep them in the best of condition. I think it is an excellent scheme to provide houses for people on low incomes, and I have much pleasure in supporting the Bill.

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

MILE END OVERWAY BRIDGE ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from September 1. Page 886.)

The Hon. A. C. HOOKINGS (Southern)—I support the Bill but first I shall outline a few historical facts in relation to the bridge. It was opened for traffic on December 23, 1925, having cost £67,563. The greatest part of the cost of the bridge was borne by the Municipal Tramways Trust but the cost was also shared by the Government and by the Adelaide City Council. On May 18, 1953, the trust first asked the Government to release it from its share of the responsibility for the maintenance of the bridge. Evidently the request was not granted because on November 4, 1958, a similar request was made just before trams were replaced by buses on the roads in and around Adelaide.

I inspected the Mile End overway bridge and I listened to the comments made by the Hon. Mr. Bevan and to his complaint about sleepers on part of the land south-west of the bridge. The sleepers are in the south-western corner; they are secondhand, and they belong to the Municipal Tramways Trust. The land and the bridge are to be handed over, under the terms of this Bill, for care, attention and maintenance by the Highways and Local Government Department. The Chairman of the Municipal Tramways Trust and the Commissioner of Highways have conferred and an agreement has been reached whereby the Highways Department has agreed to the sleepers remaining where they are until they are used to replace sleepers in sections of the Glenelg tram tracks. I am sure that all honourable members will support the Bill but I take this opportunity to compliment the Municipal Tramways Trust on its decision to change from trams to buses in the metropolitan area. The trust has taken a forward step and one much appreciated by everybody.

The Hon. Sir Arthur Rymill—It has made a great difference in the ease of traffic flow.

The Hon. A. C. HOOKINGS—Yes, and much noise in the city has been obviated by the silent running of the buses. From whatever angle members look at this practice it is a forward step and I congratulate the trust because in other parts of Australia trams have been reinstated with much resultant criticism from many people.

The Hon. S. C. Bevan—I did not complain about the sleepers being stacked on the ground. I asked what was to become of the ground.

The Hon. A. C. HOOKINGS—It is to be vested in the Highways Department and the sleepers will eventually be removed. The land is a very narrow section and the sleepers will be removed in a comparatively short time and not allowed to remain there indefinitely. I do not know what the Highways Department plans to do with the narrow strip of land. It is not a great area and I have sufficient faith in the department to believe that it will not allow the land to become a rubbish dump.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—"Amendment to principal Act, Section 2."

The Hon. S. C. BEVAN—I desire some information from the Minister in reply to the criticism I made in my second reading speech about this land. Although I did not complain of the stacking of the sleepers, I said the land was used to stack sleepers. I knew the facts because I checked them with the trust. There is a piece of land, not very wide, on which a house could not be built. It is not covered in the original Act or plan. I am concerned about it because the position is not clear and

we do not know what is to become of it. It should not become a sort of "No man's land" under nobody's jurisdiction and used as a rubbish dump. I do not think the Attorney-General is fully aware of the position because inquiries are still going on about this land. Will it come under the jurisdiction of the Thebarton Corporation or of the Commissioner of Highways? Will the Attorney-General at this stage ask that progress be reported and examine the matter to see if it can be tidied up?

The Hon. C. D. ROWE (Attorney-General)—I understand the small piece of land to which the honourable member refers is on the south-western side of the bridge. The question is whether that is included in this new subsection (4) and whether it will vest in the Thebarton Corporation. Clause 3 provides that all the land referred to in subsection (3) of the original section 2 shall vest in "the town of Thebarton as portion of a public street". I think the honourable member's point is whether this small part of the south-western portion is included in this reference. I have not had an opportunity of checking on that. I think I should do so before we proceed further. Consequently, I ask that progress be reported and the Committee have leave to sit again.

Progress reported; Committee to sit again.

ADJOURNMENT.

At 4.33 p.m. the Council adjourned until Wednesday, September 7, at 2.15 p.m.