

LEGISLATIVE COUNCIL.

Thursday, February 27, 1964.

The PRESIDENT (Hon. L. H. Densley) took the Chair at 2.15 p.m. and read prayers.

QUESTIONS.**HOUSING TRUST FLATS.**

The Hon. K. E. J. BARDOLPH: I believe the Chief Secretary has a reply to the question I asked recently concerning Housing Trust flats to be built on the corner of East Terrace and Halifax Street, Adelaide.

The Hon. Sir LYELL McEWIN: The Treasurer has forwarded me a report from the Under Treasurer which states:

As far as I am aware there has been no suggestion for a reduction of council rates on the proposed multi-storey flat building on East Terrace. In fact, I am informed that under the Local Government Act a council may not impose differential rates on residential accommodation within the same ward.

HAMPSTEAD ROAD INTERSECTION.

The Hon. A. J. SHARD (on notice):

1. Has the trial period of six months for making portion of Brooke Street, Broadview, a one-way street elapsed?

2. If so, is it proposed that this portion of Brooke Street should be permanently declared to be a one-way street?

3. Is it the intention of the appropriate authorities to have traffic lights installed at the corner of Brooke Street, Hampstead Road and the North-East Road?

The Hon. N. L. JUDE: The trial period of six months for making portion of Brooke Street, Broadview, a one-way street, expires on May 7, 1964. Consideration will then be given to permanently declaring it a one-way street. The appropriate authorities have agreed to have traffic lights installed at the corner of Brooke Street, Hampstead Road, and the North-East Road, if necessary. In the interim, the traffic island lay-out will be kept under review and lights only installed if the accident record shows that these are, in fact, necessary.

TRADES HALL BILL.

Read a third time and passed.

PREVENTION OF POLLUTION OF WATERS BY OIL ACT AMENDMENT BILL.

Read a third time and passed.

SEMAPHORE COMMUNITY CENTRE TRUST DEED BILL.

Read a third time and passed.

UNIVERSITY OF ADELAIDE ACT AMENDMENT BILL.

Returned from the House of Assembly without amendment.

MORPHETT STREET BRIDGE BILL.

In Committee.

(Continued from February 26. Page 2119.)
Clause 9—"Financial provision."

The Hon. N. L. JUDE (Minister of Local Government): When we reported progress yesterday we were discussing, as the Hon. Mr. Bardolph put it, the rather broad terms upon which the Adelaide City Council could recoup its indebtedness. I have, in the meantime, examined the report of the Select Committee and learned that the paragraph under review was inserted by it. Upon further consideration the Government feels that there is some justification for ensuring that the provision applies only to the powers of borrowing, and in order to make the position clear I move:

In subclause (3) to strike out "take all steps" and insert "borrow such amounts of money as may be".

The provision will then read:

Notwithstanding any provisions of the Local Government Act 1934-1963 to the contrary, the council is by this Act authorized to borrow such amounts of money as may be necessary to enable it to discharge its indebtedness under this section.

The Hon. K. E. J. BARDOLPH: I thank the Minister for his consideration of this matter. I do not wish my remarks to be construed that I have no confidence in the City Council, because, like other members, I have confidence in it and I appreciate that it is charged with the responsibility of spending large sums of money on improving the city. Another matter emerges from the provision as it was drafted. It was broadening the Local Government Act. A precedent once having been set, there could be no opposition to other councils asking for the same consideration to be extended to them. It is laid down that the Local Government Act is waived only so far as a council is concerned to borrow money for this specific purpose. I support the amendment.

The Hon. C. R. STORY: The Hon. Mr. Bardolph made a good point yesterday. The Committee should support a move to clarify the situation. The Adelaide City Council will certainly benefit from this, and so will the citizens.

To make sure that the whole project is legal and quite clear to everybody before it commences and that the Railways Commissioner is not involved in this is a good thing. To get it clearly defined at this point will save much heartburn later. I support the amendment.

Amendment carried; clause as amended passed.

Schedule and title passed.

Bill read a third time and passed.

Later, the House of Assembly intimated that it had agreed to the Legislative Council's amendment.

POTATO MARKETING ACT AMENDMENT BILL.

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

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

That this Bill be now read a second time.

It is primarily designed to clarify and strengthen the position of the South Australian Potato Board to enable it more efficiently to regulate and control the sale and distribution of potatoes and to ensure the continuance of orderly marketing in the State. In a recent case decided by the Full Court of the Supreme Court in this State an order of the board prohibiting a grower from selling potatoes grown by him except to the South Australian Potato Distribution Centre Ltd., an agent of the board, was held to be invalid on the ground that it exceeded the power of the board to "regulate" and "control" the sale and delivery of potatoes. The Bill strengthens the board's powers to overcome this situation and to enable the board's orders to be more effectively policed. The Bill also contains provisions for the control and regulation of the washing of potatoes and the marketing of washed potatoes, which is now an integral part of the industry in this State. The amendments in the Bill, which have the support of the growers' organizations and the industry generally, have been recommended by the board on the advice of its legal advisers.

Clause 3 contains definitions which would assist the interpretation of its provisions. That clause also repeals subsection (2) of section 3 of the principal Act which provides as follows:

(2) This Act shall not apply to potatoes the subject of trade commerce or intercourse between States, or required or intended by the owners thereof for trade commerce or intercourse between States.

Although this subsection was intended to preserve the constitutional validity of the principal

Act, it has been found to go much further than originally intended and renders the policing of the Act extremely difficult. The constitutional validity of the Act is adequately taken care of by section 22a of the Acts Interpretation Act, and the repeal of the subsection would not affect the freedom of interstate trade guaranteed by section 92 of the Commonwealth Constitution.

Clause 4 merely makes a formal amendment to section 15 (3) of the principal Act. Section 16 of the principal Act, which deals with the general powers of the board, is repealed and re-enacted by clause 5 with amendments which confer on the board the additional powers of buying and selling potatoes and entering vehicles and premises for the purpose of policing the Act. Subsection (2) of section 19 of the principal Act provides for the licensing of wholesale potato merchants, but gives the board power to refuse an application for a licence with the Minister's consent if the applicant had not been a registered wholesale merchant under the National Security (Potatoes) Regulations, and the board is satisfied that in the public interest it is undesirable that the applicant should have a licence.

Clause 6 amends that subsection by eliminating the necessity for the Minister's approval for refusing a licence and the reference to the National Security Regulations, but the clause provides for a right of appeal to the Supreme Court against an arbitrary refusal of a licence. Subsection (3) of section 19 provides that a licence shall, unless surrendered or otherwise terminated, remain in operation for the term mentioned therein which implies that the duration of a licence depends on the board's discretion. Clause 6, however, prescribes that a licence, unless surrendered or otherwise terminated, is to remain in operation from the date of issue to the end of the year of issue. The clause also gives the board power to cancel a merchant's licence for a breach of the Act or of any order made under the Act.

Clause 7 enacts new section 19a, which requires potato washers to be licensed, but exempts from licensing any grower who washes the whole or any part of his crop, and any retailer who washes any potatoes held or offered for sale by him by retail. The board will have power to refuse a licence, but there would be a right of appeal to the Supreme Court against an arbitrary refusal of a licence.

Section 20 (1) of the principal Act, which deals with the control of the sale and delivery, and with the fixing of the price of potatoes

under the Act, is repealed and re-enacted by clause 8, which also strengthens the powers of the board in order to overcome difficulties arising out of the decision of the Full Court referred to by me earlier. The clause also gives the board power to prescribe conditions with which premises used for potato washing must comply, to fix maximum and minimum charges for washing potatoes, and to require merchants and potato washers to keep records relating to potatoes in their possession.

With regard to the provisions of the Bill relating to the control of potato washing, I would like to mention that the demand in this State for washed and packaged potatoes has steadily grown, and it has been estimated that one-third to one-half of South Australian grown potatoes are washed before retailing. The board considers that the cost of washing, which has become an important factor in the price structure of potatoes, should be controlled and not allowed to become a charge against the producer, but against those desiring the service. With the development of bulk harvesting, bulk deliveries of potatoes from farm to washing plants, if not controlled, could lead to irregularities in quality, weights, price, deliveries, distribution, etc. The separation of the functions of the merchant and washer for administrative purposes is essential for the board to assess the legitimate charges incurred for washing and marketing, as well as the fair retail margins. As the board fixes the wholesale and retail prices it must be prepared to deal with washed and unwashed potatoes. For these reasons it is considered that potato washers and washing must be brought within the scope of the board's authority as merchants and growers are at present.

Clause 9 increases the maximum penalty for offences against the Act from £100 to £200. This is supported by the fall in money values since the principal Act was passed in 1948. Clause 10 strengthens the regulation-making power to assist the board in policing the Act.

The Hon. A. F. KNEEBONE (Central No. 1): I support the second reading. When introducing the Bill the Minister used the words "to 'regulate' and 'control' the sale and delivery of potatoes". This is the second Bill within a few days in respect of which we have had the same sort of explanation because of the use of the words "regulate" and "control". Perhaps because of the evolution of the language or the changing meaning of words, we find we have to amend Bills as words do not mean what they were thought to mean

when they were introduced into the original legislation.

Glancing through the Bill, I find that type of wording still used. I refer in particular to clause 8 (c), which states:

regulate and control the sale and delivery of potatoes.

We may well find that this legislation will be back with us again at some future date because of the use of those words. They seem to have some bearing upon this matter, as in the case of the other Bill I have just mentioned. This Bill has as its purpose the amendment of an Act that was passed in 1948 and that, as far as I can see, has not been amended since. National Security Regulations provided for the orderly marketing of potatoes in this State. Our Act did not introduce orderly marketing but provided for its continuance.

When it was introduced into Parliament in 1948 it was apparent that the control of the production and sale of potatoes in South Australia under the National Security Regulations that operated during the war years was about to cease. Various organizations in the potato industry which were interested in the production and sale of potatoes then pressed for the enactment of legislation that would continue the organized orderly marketing. The fear was then expressed that without such a scheme the industry would be at the mercy of an unstable market. An orderly marketing scheme would benefit both the producer and the public; it would assist the producer by providing a reasonable profit for him and it would ensure for the public that it received an adequate supply at a reasonable price. Without such an orderly marketing scheme the industry would revert to periods of gluts and low prices, which would inevitably be followed by shortages in production and high prices. We found that orderly marketing obviated that sort of thing. Section 2 of the original Act provided that the Act should not be proclaimed until a poll of potato growers had been conducted and carried in the affirmative. This was done and, although the Bill was passed in late 1948, it was not until February of the following year that the result of the poll became known. I think that the Act was proclaimed and became law on February 24, 1949. It is interesting to note that section 25 of the Act provides that from 1951 onwards, at three-yearly periods, a poll of the growers in the potato industry can be instituted by a petition from growers for the discontinuance of the Act and, if carried, the Act will cease to operate.

I believe that one poll has been taken since 1951, although it may have been actually taken in 1951—I am not sure. However, I believe that the outcome of the poll was that the growers desired that the Act should continue because it was beneficial, although there might have been some provisions that did not meet with the growers' approval. Any orderly marketing scheme should not be continued unless it is desired by the majority of the growers and should be one in which the growers have the biggest say in its management. That is the case with this industry. The growers have five representatives on the Potato Marketing Board; two others are appointed by the Governor—one is the Chairman and the other, who is recommended by the Minister, represents the retail section of the industry. Two other members are nominated and elected by merchants. The growers, therefore, have a majority of members on the board. I consider that the consuming public should be represented on the board, but that is not a matter before us today.

The Bill contains a reference to potato washing, which has become a feature of potato sales today with the advent of supermarkets and potatoes being sold in plastic bags. It is necessary that this aspect should be covered by the Act, and indeed the Bill does this. It also gives the board power to buy and sell potatoes either by its servants or by any agent or agents appointed in writing under the seal of the board. I should like to see the board using this power to its fullest extent instead of delegating it to an outside body, which seems to be causing some concern within the industry at present. I should like to see the board doing the buying and selling itself. I support the Bill and when it reaches the Committee stage I intend to ask the Minister to look at the words "regulate and control" and decide whether they are correct, in view of our experience with this and another Bill recently.

The Hon. C. R. STORY (Midland): I rise to continue the debate on the second reading. As has been pointed out by the Hon. Mr. Kneebone, the history of this board has been fully covered. If we go back to the original Bill setting up the board we find that it was skeleton legislation: Parliament knew very little about what would happen when it entrusted powers to the board. This is the first occasion on which Parliament has looked at its handiwork of 1948 and it has been found to be a little tattered. I have always maintained that Parliament is responsible to see that legislation is explicit, but I do not think that was ever the case with this legislation. Certainly Parliament did not know when it passed the Bill

how the board would use the powers granted to it. Therefore, I think honourable members should peruse the Bill closely. I do not know whether the Act clearly specifies just what its effect should be upon the administration of the potato industry but I know that quite often one must give blank cheques, to some degree. However, when we deal with certain legislation we must be specific when doling out powers to any board—and I am not reflecting upon this board—because they are sometimes omnipotent powers in which Parliament has not much say once they are handed over to a board. It might be a good idea if the powers of some other boards were scrutinized. In the last four or five days honourable members in both Houses have been subjected to probably the heaviest lobbying—and certainly the heaviest lobbying since I have been a member of Parliament—that has ever occurred. This matter has been canvassed by various interests and in various ways. As a result, honourable members have been given much information, and in casting their votes today they will have to decide what is the best thing for the industry. Orderly marketing of primary commodities is the order of the day. Hardly any primary commodities can be satisfactorily marketed, particularly where there is some over-production, without it, and I believe everybody agrees that it is absolutely necessary. The question now is what sort of orderly marketing should be used. Honourable members will have varying views on this subject.

I have had some experience of the orderly marketing of other commodities and I know that the whole success of the schemes lies in the hands of the board, and boards are only as strong as the producers make them. When there are complaints about a board it is quite often not the fault of the board but because of insufficient support from the growers or because growers are not sending the right people to be their representatives on the board. Therefore, the board cannot always be blamed when things go wrong, particularly if it is not getting the support of those who are supposed to be its masters. If there were a weakness in the orderly marketing of potatoes I believe it could be traced back to the fact that the board had not received the full support of growers. The basis of the problem can be found in the case where Mr. Justice Mayo found certain technicalities existed with regard to the powers of the board and the way in which it had set up the distribution centre, which is an integral part of this form of marketing. In the case of *Atkins v. Golding*, judgment was delivered by the Full Court of South Australia consisting of the

Chief Justice (Sir Mellis Napier) and Justices Travers and Hogarth and this Bill is a result of that judgment. I have no doubt that the powers provided in the Bill, if granted to the board, will strengthen its hands. Honourable members must be sure that in strengthening the hands of the board the situation of the potato growers will be improved. This is the whole object of the Bill—it is not designed to strengthen the board's powers simply to make it more powerful. However, it has become perfectly apparent to many honourable members that certain people would tend to play with the board if these powers were not found to be perfectly legal, and this should be the point of discussion today.

The distribution centre, which has been mentioned frequently in this discussion, is perhaps unique, to say the least. The board, carrying on from the old system, decided to continue the operation of the distribution centre that had been previously set up and provided with certain powers at a time when the Commonwealth was completely under National Security Regulations. As honourable members know, during war time, when National Security Regulations applied, just about anything could be enforced. Perhaps some of the weaknesses that have occurred can be blamed on the expiration of those regulations. It is possible that the Act was not properly tidied up and that all the operations of the board were not thoroughly considered. The judgment of the Full Court indicates that the distribution centre is made up of the Wholesale Fruit Merchants of Adelaide Limited, whose members hold 9,991 shares (the shareholders being merchants of the Adelaide market) and its directors hold the other nine shares. This means that a private company is working as the agent of the board and is doing the work necessary to the functioning of the potato industry.

As has been canvassed by honourable members frequently, I think there is a strong tie-up between the board, the distribution centre and the merchants. The tie-up probably runs through a logical type of chain. The Secretary of the Potato Board is the manager of the distribution centre and is also connected with the Wholesale Fruit Merchants of Adelaide Limited. The chairman of the distribution centre is a member of the Potato Board, and one of the directors of the distribution centre is also a member of the board. In my opinion that is not a good thing. At first sight it may appear to look good but it is one of the aspects that creates suspicion in the minds of members of the industry. Every potato which is destined

for consumption in this State must go through the distribution centre, which provides all the services to the board. For these services the charge is 15s. a ton, with an additional 2s. 6d. a ton for an advertising and promotion levy.

The Hon. R. C. DeGaris: Is 17s. 6d. a ton all that is deducted from the grower?

The Hon. C. R. STORY: At this point, yes. One of the prime functions of the board is to fix the price of potatoes, and in doing so it no doubt has in mind that the levy of 17s. 6d. will have to be paid. It gets back to the point whether the grower actually pays the levy or whether it is shared between merchants and growers in the industry. If I know anything about the functioning of boards, I should think that this board probably starts at the top and works back in fixing prices. In other words, if the market could sustain a price of £18 a ton the 17s. 6d. levy would be taken from this price and the price to the grower is £17 2s. 6d.

The Hon. L. R. Hart: Who pays the growers?

The Hon. C. R. STORY: The board.

The Hon. L. R. Hart: With what?

The Hon. C. R. STORY: The money the distribution centre pays back.

The Hon. L. R. Hart: Who collects the money?

The Hon. C. R. STORY: The distribution centre. The board pays the money out to the growers. I believe the growers pay a levy of 15s. to the centre. About 30,000 tons of potatoes went through it last year, and if a small amount were deducted for normal charges there would be a considerable surplus left to the centre. This money belongs to the centre. The board has to be administered out of the funds raised from the levy of 17s. 6d. referred to earlier. Only a small amount is required for administrative purposes. It would be expected that into the funds of the centre would go perhaps £500 to £600 a week over a year. That would be on a quantity of about 1,100 tons of potatoes a week during the winter months and a smaller quantity in the warmer months, but I am not sure of this, and I do not know exactly how much is spent on distribution. I think that over the years the centre has been able to create a large pool from the levies collected. I suggest that much of it is employed by the distribution centre on the normal functions of the merchants.

If a train load of potatoes comes from another State the board is responsible for them, but the distribution centre would handle them. I think the centre would employ the surplus funds, built up over the years to a fairly

considerable figure. I would have thought, that, if a group of merchants got together, the money for the normal functioning of their business would be available as it would have been provided by them. I would not have expected the levy to have reached 15s. at this time. When the board started I think it was only 2s. 6d. I know there will come the question "What is the alternative?" If the board set up its own selling floor someone would have to provide the money for the functions carried out by the centre now. Therefore, the financing of the whole thing would have to be done with board funds, and it may be more or it may be less than at present. Not one of us has any idea what a distribution floor would cost to set up and maintain in the handling of potatoes.

The Hon. R. C. DeGaris: Does the distribution centre pay a dividend?

The Hon. C. R. STORY: The centre is somewhat mythical. I do not think it has published a balance sheet.

The Hon. Sir Frank Perry: It must lodge one under the Companies Act?

The Hon. C. R. STORY: I do not know about that, but one is certainly not available to the growers. I have been assured that it does not pay dividends. The money is retained in the centre to carry out its functions. I know that the centre is responsible if a load of potatoes goes off and cannot be sold, and that it must find the money to cover the loss. If a board selling floor were set up it would be the responsibility of the board to cover the loss. Let me take the position one step further. The distribution centre is a closely knit and tight organization. It is made up of a number of merchants in the market. However, other people, who are licensed merchants, are not in the ring. I wonder what would happen to the money, which is set aside out of the 15s. and which I believe to be a substantial amount, if 100 growers in the three-year period petitioned for a change in the method of handling potatoes. What would happen to the money in the fund? As far as I can see, it would go back to the merchants. Any new potato board set up would have to raise its own money. Parliament should know on what basis the 15s. is calculated, and whether it is a fair charge for the service provided by the centre.

We cannot do anything about this matter at present, but the board is on a four-year term. When the Act was first drafted four years seemed an exceedingly long time. I have served on a number of boards and the longest period I have had to serve before being

re-elected has been two years. With the Potato Board four years must elapse before a change can be made. That seems to be a long time if matters are not going well with the board. I have no personal animosity in this matter, but I think the secretary of the board should be divorced from distribution centre management. I know there are advantages to the board and to the centre if a man is an expert on potatoes, but I think it is too closely knit to appear decent, and I do like things to appear decent.

The other point I wish to raise is that there have been fairly violent fluctuations in potato prices over the years. These may have been necessary (I do not know) but there is always a suspicion among growers that, when there are price fluctuations and shipments of potatoes are coming into this State when we produce sufficient potatoes within the State (at present 57,000 tons), there can be a little "rigging". When everything is set up to appear as though it can be "rigged", it is hard to convince growers and the public, who are the consumers, that something funny is not going on. I am not casting any reflections on the personnel concerned, but Parliament passed this legislation and Parliament should look at what it did to make sure that everything is in order.

One of the main features of the Bill is this new provision for licensing potato washers. That is an important part of the Bill because this is a comparatively new phase in the marketing of potatoes. In fact, it is the marketing of washed potatoes that has brought this matter before Parliament now. A firm called Taillem Fruit Supply was not granted a licence as a merchant by the board and that firm decided it would buy direct from the growers, circumvent the distribution centre and not pay levies, but wash potatoes and distribute them to the public. By so doing it got around the powers of the board and so caused the first chink in any orderly marketing scheme.

It can be well argued that these people give a much more palatable commodity, that it is clean, that it is presented in a plastic bag and that the housewife will get it in nicer form, but there is nothing that stops this type of presentation under this legislation. All that happens is that these people have to buy their potatoes through orderly marketing channels; they cannot go out and buy them direct from the growers and so break down the powers of the board and the general scheme.

Claims, too, have been made by a very august body called the Housewives' Association, which has sent each honourable member a copy of a letter. These ladies are now trying at all times to make a pound go as far as a pound should go. We commend them for that. But they have made one claim in their letter, that the price of potatoes is kept high because the Potato Board functions as it does and that, if we could only unshackle the whole business, the consumer would get his potatoes more cheaply. That would be so for a short period but any time that we get a price war going, in any commodity, we get things a little more cheaply. The moment, however, we break down orderly marketing we create a panic within the industry whether at the grower, the merchant or the distribution level. The moment we create this panic, we find people cutting prices and getting the industry into complete chaos, with somebody finally cornering the market for himself. Then, when he has got it nicely cornered and has driven many growers out of business, he creates shortages or else imports fairly expensive potatoes from another State, having broken down this system of price fixation to the consumer. Then we find that the price of potatoes will rise and will continue to rise until it becomes sufficiently attractive for other people to come into the industry.

Whilst the Housewives' Association may for a short period while the industry is in chaos be satisfied, the moment the stranglehold is on again people will pay double for their potatoes, so the association's argument is not very valid. I do not blame it for putting it up because, on the surface, it is not bad but, if it casts its mind back to the various other perishable commodities that have been affected, it will realize that what I say is correct. Other honourable members will be speaking on this Bill.

The Hon. A. J. SHARD: Will the honourable member whip them up?

The Hon. C. R. STORY: In my Party we do not have to whip people up. Other members have told me that they want to make a speech today. Some of them will deal more specifically with one or two phases that affect them, their constituents and the public. For the moment I shall not foreshadow amendments but I think other honourable members will do so. I will leave it entirely to the Council to consider them on their merits. But there are one or two things about potato washing that we should watch closely. At some stage I should like an explanation of how this provision will work. A grower who decides to become a potato washer and a processor does not have to

be licensed by the board to carry out those functions but, if any other person decides to be a potato washer and a packager, he has to have a licence from the board. I wonder whether this is a little open so that the large chain store organizations can get organized with four or five growers on a share farming agreement and thus suddenly become growers.

If that happened, they would then be able to go through the whole process as if they were growers. I am not sure that the board could do very much about it. If it could do something about it, it would certainly get over the differential in price between the merchant and the wholesaler, which would be about £2 a ton for the merchant and another 15s.; also, they could get over the distribution centre levy of 15s., which would mean a handsome profit to start off with so that they could sell potatoes more cheaply in their supermarkets than perhaps their competitors could.

Whilst the Potato Board can control prices down to the wholesaler, the Prices Commissioner or somebody will have to be brought in to straighten that out. It is not a good thing if the Prices Commissioner has to be brought in for a staple commodity like potatoes. I want some explanation of that because it is a definite weakness in the legislation if it is as I see it. Generally speaking, I do not think anybody can say that the way the Potato Board in South Australia operates at present is anywhere near perfection, but it is an orderly marketing system that provides some protection for taking off the surplus of potatoes in this State and marketing them through orderly channels to the public. That causes the price to be fairly stable to the consumer. At the growers' end I do not think that it has worked out quite so well. However, it would be much worse if there were no boards for there would be absolute chaos, as was the case in the industry in pre-war years. I realize that we must have some organization to regulate the flow and distribution of potatoes. Therefore, I support the second reading of the Bill, but I intend to probe this matter a little further when it reaches the Committee stage.

The Hon. M. B. DAWKINS (Midland): I rise to support the Bill, which has been dealt with quite comprehensively in the Minister's second reading explanation and also by honourable members. As has been said, the Bill seeks to tighten up—and does in fact—what has been described as skeleton legislation that was enacted in the days when perhaps we did not know quite as much about running boards as we do now. I believe the legislation will

strengthen the hand of the Potato Marketing Board, and the growers support this move. In common with other honourable members I have been subjected to a considerable amount of lobbying in the past week and I have not met anybody who has urged the discontinuance of the board. Certainly, some interests are keen to alter certain arrangements under which the board functions. The board consists of five grower members, and two merchant and two Government appointees, one of whom is the chairman. Therefore it should be controlled by the growers, who have the opportunity to elect five members of the board.

I believe that growers have the opportunity, by a poll, to dissolve the board if they wish. Perhaps some of the practices that have been aired in the last few days have not been perfect, but at least to some extent the growers have the remedy in their own hands. If we appoint a board it must have certain powers and, of course, if the growers have the opportunity to elect the majority of members on that board they have a remedy for a number of matters in their own hands. Some of the growers have objected strongly to the fact that the Secretary of the Potato Board is also the Manager of the South Australian Distribution Centre Ltd. and also, I think, the General Manager of Wholesale Fruit Merchants Limited. This is, of course, a close tie-up to which they object. They consider the secretary of the board should be an independent person not connected in any way with the merchants. I think this attitude has considerable merit but there again the growers have the remedy in their own hands.

I agree that members of the board should be appointed for two years and not four years. The Hon. Sir Baden Pattinson, speaking as a backbencher and as a private member for Glenelg in 1948, contended that it was too long a period for a board to be in office and I entirely concur, for I believe that some of the incidents have occurred because board members have been appointed for too long a period. I also believe that members should retire in alternate years. This legislation has had a considerable airing: yesterday in another place there was an amendment passed providing:

A person whose application to be licensed as a potato merchant has been refused under this section may, within one month after receiving notice of the refusal, appeal to the Supreme Court against the refusal and the Court may refuse the appeal or if it is of the opinion that the application was refused

capriciously or without good and sufficient cause allow the appeal and order the board to grant him the licence.

I do not think we should necessarily limit the board's powers because of its performance in certain cases in the past. I am not in favour of this amendment, except in relation to the words that it may allow the appeal "if it is of the opinion that the application was refused capriciously or without good and sufficient cause . . .". That will limit the number of times that a person may go to the Supreme Court, which is a wise provision. Any appeal should be to the Minister and not necessarily to the Supreme Court.

I think it was my colleague who preceded me today who said that the set-up under this legislation was nowhere near perfect, and I agree, but I believe this legislation will improve matters considerably. I do not think there could be perfection until there was orderly marketing of this commodity with at least a three-State board. I agree with the Hon. Mr. Story that if we did not have this board as it is now constituted we could well have chaos in the potato industry. The Bill is a step in the right direction and I have pleasure in supporting the second reading.

The Hon. L. R. HART (Midland): I support the second reading and in doing so I pay a compliment to the Hon. Mr. Story on the fine contribution he made to the second reading debate. I do not wish to speak at length because I should like to further analyse the Bill in Committee but there are one or two aspects which I am concerned about at the moment. It is said that the board obtains its finances from the distribution centre, which in turn obtains its finances from a levy upon the growers. The mere fact that the board obtains its finances from the centre proves that the money collected by the centre from growers is, in effect, the board's property. If the services of the present distribution centre were terminated and superseded by another form of distribution centre, what would happen to the accumulated funds of the present centre? It seems that the board in its functions is dealing with the grower and his produce and the amount of levy collected from the growers should be the property of the board which, of course, would remain in force in perpetuity. However, the distribution centre is in force only at the pleasure of the board. Thus it appears that any accumulated funds of the distribution centre will become the property of the Wholesale Fruit Merchants of Adelaide

Ltd. who hold 9,991 shares in the distribution centre, its directors holding the other nine. Therefore, it is quite obvious that the money extracted from the growers becomes the property of the shareholders of the distribution centre. I do not think this is in sympathy with the idea of the Potato Marketing Act.

I am also concerned with the potato washer, who appears to be at the mercy of the distribution centre. Unless he is a grower as well he must obtain his supplies for washing through the centre. Therefore, he is entirely at the mercy of the centre. It is understood that the board will buy potatoes from the growers and channel them through the centre to the washer. But what happens to those potatoes after the washer is finished with them? He cannot trade in them because he is not allowed to have a licence.

The Hon. C. R. Story: What sort of licence—a licence to sell?

The Hon. L. R. HART: He cannot get a wholesaler's licence. The Hon. Mr. Story mentioned that he could well become a retailer and eliminate the wholesaler. There is nothing in the Bill to say that a retailer of potatoes needs a licence to wash them. A licence to wash potatoes will not be issued to a wholesaler, but in the Act it states that the licensing of potato washers does not apply to a grower of the whole or any part of his potatoes, or to a retail seller of potatoes held or offered by him for sale or re-sale. So it appears that the way out of this problem could well be for a person who wishes to become a washer to interest himself also as a grower and then as a retailer of potatoes.

The Hon. C. R. Story: He still has to get them through the board.

The Hon. L. R. HART: No, if he is registered as a grower he can also obtain a licence as a washer.

The Hon. C. R. Story: He does not have to have a licence.

The Hon. L. R. HART: Of course, he cannot become a retailer without a licence; it must still come back through the board. Therefore, I believe that a potato washer is entirely at the mercy, not so much of the board, but the distribution centre, which is composed of vested interests. As the Hon. Mr. Story pointed out, it is quite obvious that the distribution centre possibly finances the import of potatoes from other States. This may be necessary at certain times of the year but I do not think South Australia is concerned to any great extent with potatoes coming here except

through the medium of the merchants, and the merchants most likely to import potatoes are those concerned with the distribution centre. It is open to suspect that the finance of the centre which in fact is money provided by growers is used to import potatoes into South Australia to the detriment of the growers. I should prefer to make a further analysis of the Bill in Committee. I support the second reading.

Bill read a second time.

In Committee.

Clauses 1 to 4 passed.

Clause 5—"General powers of board."

The Hon. C. R. STORY: This clause is the teeth of the whole Bill, replacing section 16 of the Act. From this clause it is hoped that the board will derive some new strength. In another place it was attempted to remove from the distribution centre the job of distribution, thereby making it the service of the board. Then the board would handle all potatoes, including bringing them into South Australia and distributing them here. I am glad that the amendment was not carried and that a similar amendment has not been introduced in this Chamber because I think it would create a weakness. As it now stands, the clause will enable the board to decide whether it will alter the method of distribution in some way, and will give it stability. It may be that the board will decide to handle the distribution of portion of the potatoes. I think it would be wrong to tie the board's hands and have its employees dealing with all the functions of potato marketing.

Clause passed.

Clause 6—"Amendment of principal Act, section 19."

The Hon. F. J. POTTER: I move to insert the following new subsection (3c):

A person whose licence has been cancelled or suspended under this section may within one month after receiving notice of such cancellation or suspension, appeal to the Supreme Court against the cancellation or suspension and the Court may refuse the appeal or if it is of the opinion that the cancellation or suspension was capricious or without good and sufficient cause make such order reversing or varying the decision of the board as it considers just and proper.

Subsection (3b) provides for an appeal to the Supreme Court against the refusal of the board to grant a merchant a licence, which appeal may be lodged with the Supreme Court within one month. The court may refuse the appeal or, if it is of the opinion that the application was refused capriciously or without good and

sufficient cause, allow the appeal and order the board to grant the licence. A previous provision deals with the cancellation or suspension of a licence by the board, and in this case there is no right of appeal. It may be all right to say that the Minister can be approached on the matter, but the mainspring of this legislation has been the refusal of the board initially to grant an application for a merchant's licence.

The Hon. C. R. STORY: What do you want exactly?

The Hon. F. J. POTTER: I want to provide for the same right of appeal against the cancellation or suspension of a licence as is provided for the refusal of a licence. After getting a licence a person may invest a considerable sum of money in plant, only to find later that his licence has been cancelled, and he would lose more than the person who was refused a licence in the first place. It is logical that if we grant the right of appeal against an initial refusal there should be the right of appeal against cancellation or suspension. It could be that after the board had cancelled the licence the court considered only suspension was necessary, or it could be the other way around. I want the court to be able to reverse the decision of the board and make what it considers to be a just order in the circumstances. If we approach one case in one way we should approach the other case in the same way, and the other case may have more involved in it than the initial refusal.

The Hon. C. R. STORY: The honourable member spoke about suspension. I do not know that the board would suspend a licence, although it could be done pending an appeal to the Minister. There could be suspension while the man put his house in order, or in connection with some wrong practice that was going on. If the licence were cancelled the man should be finished with the distribution of potatoes. An appeal to the court should not enable him to continue operating, merely because he had the appeal before the court. I do not think a person should be allowed to continue operating until such time as his appeal has been heard by the court.

The Hon. F. J. POTTER: I thank the honourable member for his comments on the amendment. He made a good point in connection with suspension. I do not think suspension is a sufficiently serious matter to justify an appeal to the court. If the honourable member moves to delete from the amendment the reference to suspension I shall be happy. If the licence were cancelled the man could not operate until his appeal to the

court had been dealt with. Under the amendment the court's job is to make an order reversing or varying the decision of the board, if it considers that is necessary. In other words, the decision of the board stands and must stand until it is reversed or varied by the court. There is no question in those circumstances that there would be any right to operate in the interim. The point about the suspension of a licence is validly made and, on due reflection, I think there is no reason at all to provide for an appeal in that matter. However, serious consideration should be given to providing for an appeal against cancellation if provision is made for an appeal against refusal. In these circumstances, I ask leave to withdraw my amendment with a view to moving another.

Leave granted; amendment withdrawn.

The Hon. F. J. POTTER: I move to insert the following new subsection (3c):

A person whose licence has been cancelled under this section may within one month after receiving notice of such cancellation appeal to the Supreme Court against the cancellation and the court may refuse the appeal or, if it is of the opinion that the cancellation was capricious or without good and sufficient cause, make such order reversing or varying the decision of the board as it considers just and proper.

The Hon. L. R. HART: The deletion of the word "suspension", I fear, places a person at a distinct disadvantage, in that the suggested amendment says that the board may suspend a licence for such period as it thinks fit. It could suspend a licence for one year, two years or three years. In that case the person concerned would not know where he stood during the period of the suspension. He would have no right of appeal or redress and would not know whether the suspension would be confirmed or not. He would not know during the period of suspension whether his licence was likely to be cancelled or suspended for one year, two years, three years, or some indefinite period. If he is to have the right at all, suspension should be covered as well as cancellation.

The Hon. Sir LYELL McEWIN (Chief Secretary): I hope that the Committee will not accept the amendment. This clause adds further subsections. It was debated at considerable length in another place and goes as far as we desire it to go. I do not like the wording of either the original amendment or the amendment just moved by the Hon. Mr. Potter. The board is appointed to carry out the business of the

board and pursues a certain policy in handling the administration of the marketing of potatoes. We are now proposing to insert an amendment to the effect that something it does cannot be dealt with as something illegal or improper but can be varied by the court. If there is legal discussion, somebody will be influencing or deciding the policy of the board. It may be possible for somebody to go along and impinge on the policy of the board in its administration.

The Hon. K. E. J. Bardolph: If this amendment is carried it lays down rules of court for the judge to follow.

The Hon. Sir LYELL McEWIN: I hope the Committee will not accept it. To the extent that the board does anything capricious about licences, that is all right: the person concerned can appeal to the court. But I certainly ask the Committee not to accept anything that would put the court in a position to vary decisions of the board.

Amendment negatived; clause passed.

Clause 7—"Licensing of potato washers."

The Hon. K. E. J. BARDOLPH: I point out an anomaly in the principal Act and the amendment that was inserted into this Bill in another place.

The Hon. C. R. Story: Which section is it in the principal Act?

The Hon. K. E. J. BARDOLPH: Section 23. The members of the Labor Party wholeheartedly support orderly marketing. They also support the idea that all these boards and administrative bodies should be responsible to a Minister, who himself is responsible to Parliament. Of recent years too many academic amendments have been sought to be inserted in amending legislation, and in some instances they have caused much trouble in their actual interpretation after the measures have passed through Parliament. Section 23 of the Act states:

- (1) A person dissatisfied with a decision or action or proposed decision or action of the board, may in writing request the Minister to review that decision, or action, or proposed decision or action.
- (2) The Minister—
 - (a) shall give the person making the request, and the board, an opportunity to submit to him any information or arguments relevant to the matter of the request; and
 - (b) may give the board a direction relating to the matter of the request.
- (3) Any such decision shall be binding on the board.

What has been welded into clause 7 in another place causes a great deal of ambiguity and difficulty in interpretation of those provisions. I think the Minister in charge of the Bill should explain exactly where these people can go to right any wrong that may have been done—whether they take the first course and approach the Minister under the terms of the Act, or whether they follow the academic course and approach the Supreme Court, as mentioned by the Chief Secretary. I do not think the court would relish the responsibility of determining the board's policy. I suggest that what powers are necessary reside at present in the original Act because the board was created by Parliament. The Minister should be in charge of the board which, in turn, should be responsible to him. The Minister, of course, is responsible to Parliament. I mention these two points in the hope that I shall receive some information to clarify the position. What action should the people concerned take? Should they go to the Minister, or to the court?

The Hon. Sir LYELL McEWIN: They can please themselves, but the opportunity is there to use the machinery under section 23. They can go to the Minister and possibly get all the satisfaction they require but if they do not then there is the other alternative.

The Hon. C. R. STORY: Can a merchant become a potato washer or packager at this stage?

The Hon. Sir LYELL McEWIN: I have had no practical association with the administration of the Act and I can rely only on the second reading explanation.

The Hon. C. R. STORY: I do not see anything in the explanation dealing with this important point. If this power does not come under the board all that we have done here in the last few days will be lost. I am sure merchants will not stand by complacently and watch other people proceed to wash and sell potatoes while they are unable to do anything except watch their stock of potatoes mounting up. Can they become licensed potato washers as well as merchants? I do not think they can at present so this problem should be sorted out.

The Hon. Sir LYELL McEWIN: It would not be the board's policy to license a merchant as a potato washer.

The Hon. C. R. STORY: The word "not" is most important and is the purpose of the discussion. Merchants wanted to become potato washers and it was generally thought that this would be most detrimental to the potato industry. The problem is that if a merchant wants to become a potato washer

what method will he use to achieve that end? I am sure merchants will want to become washers and they may form a subsidiary company to do so. I cannot imagine them doing nothing if the person who buys from the wholesaler gets the potatoes for washing.

The Hon. Sir Lyell McEwin: Paragraph (c) deals with this problem.

The Hon. C. R. STORY: Paragraph (c) states:

... satisfies the board that he has suitable premises, facilities and equipment and that he is competent to carry on business as a potato washer.

That deals only with a person who is a potato washer and it does not answer my question. Clause 7 includes:

... shall be entitled to be licensed as a potato washer but the board may refuse the application if the board is satisfied that in the public interest it is undesirable that the applicant should be licensed as a potato washer.

If a man is a potato merchant he already has a licence from the board but he cannot sell dirty potatoes and he needs another licence to wash them. The difficulty is that the board thought it would be detrimental for a merchant to be a washer at the same time. I want to know whether a merchant can take some action to get this licence or whether if he does so it is once again left in the hands of the board to decide.

The Hon. F. J. POTTER: This is a most important point and the Minister should give considerable attention to it. The Hon. Mr. Story has made the point that there is nothing in the Bill to prevent a licence from being granted for a man to be both a merchant and a potato washer. The Chief Secretary referred Mr. Story to the provisions of the clause. I believe the Minister was saying in effect that it could be the policy of the board to refuse a merchant's application to be a potato washer if that were considered undesirable. Of course, this puts the matter on a pretty tenuous basis and one must not forget that there is provision deliberately inserted in the Bill for an appeal to the Supreme Court against the refusal of a licence for potato washing. It seems to me that the court might consider that the board had acted capriciously or without sufficient cause in refusing a licence for a merchant to be a potato washer, because he already held a licence as a merchant. I think that is the point the Hon. Mr. Story was trying to make. The real cause of the trouble would be if a potato merchant tried to get a licence as a washer, and the reverse could also apply. This

is an extremely important point and I ask the Chief Secretary to consider it.

The Hon. Sir LYELL McEWIN: The answer to this problem is that if the board decided not to license a merchant as a washer he could appeal to the court. Section 23 of the Act provides for an appeal to the Minister, who is responsible to Parliament. If, in the public interest, the board does something that is undesirable I am sure that the Minister will do what the powers enable him to do. I think that is the answer. In some cases honourable members want the Minister to have control and in others they will not accept his control. I have heard many times that a Minister is responsible to Parliament and everybody knows that this is so. He cannot defy the power of Parliament. I believe honourable members are safe in accepting the clause.

The Hon. F. J. POTTER: With due respect to the Minister, I think he has missed my point. I will always be prepared to trust the administration of a Minister, particularly in respect of policy. However, if the Chief Secretary will refer to the clause he will see that in this case there is a right of appeal to the Supreme Court. This has been inserted in another place. In other words, the Minister may never come into this matter. There is absolutely no compulsion to go to the Minister. I imagine most people would be prepared to go to the Minister initially on these matters, and perhaps in nine cases out of 10 would accept his decision.

The Hon. A. J. Shard: If a decision is ever obtained. That is the problem.

The Hon. F. J. POTTER: There is no need to go to the Minister. A person may go direct to the court. If a person goes to the Minister in the first place, and is dissatisfied, he may still go to the court under clause 7. My point is that if somebody does go to the court, either before or after seeing the Minister, sooner or later the court has to consider, in a judicial fashion, whether, in its opinion, the board refused capriciously or without good and sufficient cause to grant a licence for potato washing. The only reason the board may have for refusing this licence is that the applicant already had a potato merchant's licence and that is no bar.

The Hon. K. E. J. Bardolph: Are you trying to say that after going to the Minister the man cannot appeal to the Supreme Court?

The Hon. F. J. POTTER: No.

The Hon. A. J. Shard: He must go to the court within four weeks.

The Hon. F. J. POTTER: We are talking about possibilities, and it is possible that in this case the Minister will act expeditiously. A man need only file a notice of appeal to preserve his right of appeal. The court will hear anything that is properly before it, and if a notice of appeal is given against a board decision the court must sooner or later deal with the matter. This appeal to the court seems to be worrying the Hon. Mr. Story. If the circumstances arise it could be that the only reason the board could give for the refusal was that the man already had a merchant's licence, and the court may say that was not a good and sufficient reason for the refusal. I am labouring this matter because the Hon. Mr. Story thinks it is important. He says that in his opinion, and I do not know whether other members are supporting him, it would be detrimental for a potato merchant to get a licence to be a washer. If that is so, the matter should be considered.

The Hon. C. R. STORY: As I said earlier, I have gone all the way with the board. I am not thinking so much about the merchants; they know how to look after themselves. However, if the board were placed in a corner where it had some of the members controlling the distribution centre applying for licences to wash potatoes it would be faced with a difficult problem. This could happen if more people start potato washing. If an appeal went to the court, under the provision as at present worded, it would be difficult for the board if the judge noted the words "in the public interest". If the price of potatoes dropped to 4d. a lb. it would be in the public interest, but it would not help the potato industry, and that is the matter we are dealing with today. I move:

To strike out "public interest" in new subsection (3) and insert "interests of the potato industry".

If that is accepted the board and the court will have an entirely different approach to the matter. "Potato industry" covers all phases of the industry from the grower to the man who cuts potatoes into chips.

The Hon. Sir FRANK PERRY: I cannot be a party to striking out the reference to the public interest. In my view "public interest" must include the interests of the potato industry.

Amendment negatived; clause passed.

Remaining clauses (8 to 10) and title passed.

Bill read a third time and passed.

LAND AGENTS ACT AMENDMENT BILL.

Returned from the House of Assembly without amendment.

PROROGATION SPEECHES.

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

That the Council at its rising do adjourn until Tuesday, March 24, at 2.15 p.m.

The moving of this motion indicates that we have come to the conclusion of another session. It has been a fairly heavy session; it continued until the adjournment before Christmas and was resumed to enable us to clean up our Notice Paper. Much legislation was considered. I should like first to thank you, Sir, for the consideration you have shown at all times for honourable members and for the way in which you have been able to control the Council and enable it to get through much work with the maximum of goodwill. I should like, too, to express to the Leaders of the Liberal Party and the Labor Party appreciation of their consideration at all times. It can be expected that with the legislation that comes before us there will be differences of opinion when honourable members put forward cases in support of their arguments in the most deliberate form possible. That has been done but always with the maximum of goodwill. The usual friendly atmosphere has been fully maintained during the session. I thank both Leaders and honourable members for the consideration they have shown myself and my colleagues during the session.

We have of course again to acknowledge the faithful service rendered us by our Clerk and Black Rod. No problem arises where either of these officers cannot help us. I know of nobody who could give better service in that regard. I could refer to all the staff of Parliament House. The messengers in the Legislative Council are always anxious to please honourable members and look after them. I should like to thank them on behalf of this Council.

The *Hansard* staff succeeds in making our speeches look better and read better than they sometimes are. Generally, I think they do a good job. Personally, I have not much opportunity to look at anything reported in *Hansard* of what I say, and perhaps it is better that I do not. If I do wake up and find that something is not in accordance with what I thought

or meant, I hope that by then it will be too late for honourable members to use it against me.

Some honourable members may think that we deserve better mention in the press than we get, but it is not the fault of the press representatives here. Their reports go in and space and policy decide whether or how those reports are used.

Our Library staff is always available to us. The facilities there are used considerably by honourable members. Possibly, it is not fully appreciated to what extent members use the service provided and how well that service functions in their interests and those of the public.

I do not forget our Parliamentary Draftsman and his assistants. The Parliamentary Draftsman has a busy period during the session in the drafting of measures for submission to Parliament, followed by the drafting of amendments for honourable members. These services and those of his staff are continuously sought after, and we appreciate all they do.

I wish honourable members good health during the coming recess. We have been free from illness among members this session. I hope we shall re-assemble for the next session with the same members present.

The Hon. A. J. SHARD (Leader of the Opposition): I rise to support the motion. First, I should like to thank the Chief Secretary for his kind remarks about myself as Leader. One of our main objects is always to co-operate to get our work done well and expeditiously. I am particularly pleased to see you, Sir, in the Chair this year looking well and hearty, for at one time you were very ill. I join the Chief Secretary in expressing my thanks to you for your unfailing courtesy and the able manner in which you have carried out your duties.

I should like particularly to thank my colleagues on this occasion—more so than usual because for part of the session I was absent from the State. I express my personal thanks to the Hon. Mr. Bardolph and my two other colleagues for the work they did on my behalf during that time and the remainder of the session. There are only four members of our Party in the Council and when one is absent we are 25 per cent short in our effective membership.

This gives me an opportunity that I have not had previously of thanking Parliament for electing me as the South Australian delegate to the Ninth Commonwealth Parliamentary

Association Conference at Kuala Lumpur. It was an enjoyable and educational trip and, if I never did anything to the credit of South Australia, at least I did not do anything to its discredit.

I should like to thank the Clerk (Mr. Ball) and Black Rod (Mr. Drummond), and particularly Mr. Ball on this occasion for his very able and painstaking efforts on my behalf in connection with my trip abroad in making it so easy and comfortable. Everything went smoothly according to his plans. It was a magnificent effort and I express my personal thanks to him. Mr. Ball and Mr. Drummond are always helpful and do a magnificent job deserving of our everlasting thanks.

When I read my speeches and those of other members in *Hansard* I sometimes wonder whether they were delivered in that language and whether we made those particular points. Members of *Hansard* do a good job. One section of the staff in this building that is never far wrong is the *Hansard* staff. I want to thank them particularly on my own behalf.

I should not fail to mention the Parliamentary Draftsman, his assistants and the library staff. They are a wonderful band of workers who are always prepared to help when an honourable member needs information. To the messengers nothing is too much trouble and to the Head Messenger (Mr. Fletcher) and to Mr. Dawes and Mr. Young I express my sincere thanks. They are always ready to help, which makes the asking so much easier. We are fortunate, too, in having such a good catering staff which, despite recent changes, has continued to work efficiently. I am sure that the previous high standard will be maintained under the new manageress. I join with the Chief Secretary in saying how pleased I am that each and every one of us is here today. I express my best wishes to all honourable members and hope that they enjoy good health during the recess. When we re-assemble later in the year may we all be fit and well and able to take our places in this Chamber.

The Hon. C. R. STORY (Midland): I rise to say how pleased I am that we have had a trouble-free session compared with the last few sessions when there were several sad incidents. It is a pleasure indeed to meet on prorogation evening and find that the same faces are here as when the session commenced. I hope we shall all be here when Parliament meets again with one possible exception, because I am sure that one honourable member

in particular would not wish to be in this Chamber in South Australia then. On behalf of my colleagues I want to thank all the officers connected with Parliament; they have done their jobs well and, what is more, they have done more than their normal duties demanded.

The Chief Secretary has led this Chamber with the same distinction as in the past, ever since 1939. The Leader of the Opposition and members of his Party, although they may disagree with us at times, do not harbour any grudges and certainly do not resort to pettifoggery. To the members of my own Party, who have been extremely loyal and helpful throughout the year, I express my sincere appreciation. I give special thanks to you, Mr. President, for the way in which you have carried out your duties and maintained the high office of President in this Chamber. I sincerely thank our Clerks, Mr. Ball and Mr. Drummond, Mr. Mertin (Clerk of Papers) and, of course, Mr. Hill (Deputy Leader of *Hansard*) and his staff who, as Mr. Shard said, can make our speeches read well. I thank the Parliamentary Draftsman, the library and the catering staffs, too. We were sorry to lose Miss Bottomley and Miss Evelyn Stengert but they have been replaced by two ladies who, I am sure, will do a very good job. I wish every member the very best of health and good luck until we meet again.

The PRESIDENT: I should like to add a few words of tribute and thank all honourable members for the wonderful co-operation they

have given me during the session. I thank them, too, for their kind remarks. I sincerely appreciate the work of our Clerks; indeed, I sometimes wonder how even the Assembly members manage to cope without our very good Clerk in the Council, and I hope they will read this in *Hansard* because I think we find them in the Legislative Council Clerk's room nearly as often as members of the Council are there. I am sure Mr. Ball's work is appreciated by all members of Parliament. I thank all officers and employees for the way in which they have carried out their work. We have had nothing to complain about at all. Ministers have set a very good example which has been followed by all honourable members. We all regret the loss of the two members of the catering staff and I thank them for their services. I hope all honourable members will have enjoyable holidays. I know many will take holidays between now and when we re-assemble. I am sure honourable members will enjoy the visit to the Snowy Mountains. I again give thanks for the splendid way in which honourable members have supported me and I extend my best wishes to all.

Motion carried.

PROROGATION.

At 5.2 p.m. the Council adjourned until Tuesday, March 24, at 2.15 p.m.

Honourable members rose in their places and sang the first verse of the National Anthem.