LEGISLATIVE COUNCIL.

Wednesday, October 7, 1964.

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

BULK HANDLING OF GRAIN ACT: FEES.

Order of the Day No. 2: The Hon. F. J. Potter to move:

That the regulations under the Bulk Handling of Grain Act in respect of fees, made on April 2, 1964, and laid on the table of this Council on June 10, 1964, be disallowed.

The Hon F. J. POTTER (Central No. 2) moved:

That this Order of the Day be discharged.

Order of the Day discharged.

STATUTES AMENDMENT (STAMP DUTIES AND MOTOR VEHICLES) BILL.

(Second reading debate adjourned on October 6. Page 1211.)

Bill read a second time.

In Committee.

Clauses 1 to 3 passed.

Clause 4—"Interpretation."

The Hon. A. J. SHARD: I objected yesterday to this provision for an increase in the registration fee of 1 per cent of the purchase price of a car when first registered. I oppose this clause and hope the Committee will reject it.

The Committee divided on the clause:

Ayes (13).—The Hons. Jessie Cooper, M. B. Dawkins, R. C. DeGaris, G. J. Gilfillan, N. L. Jude, H. K. Kemp, Sir Lyell McEwin (teller), Sir Frank Perry, F. J. Potter, W. W. Robinson, Sir Arthur Rymill, C. R. Story, and R. R. Wilson.

Noes (3).—The Hons. S. C. Bevan, A. F. Knebone, and A. J. Shard (teller).

Majority of 10 for the Ayes.

Clause thus passed.

Clauses 5 to 7 passed.

Clause 8—"Liability for duty."

The Hon. A. J. SHARD: For the reasons I gave during the second reading debate, I oppose this clause.

The Hon. Sir LYELL McEWIN (Chief Secretary): It is apparent that the Leader is not prepared to go into detail because in the second reading debate he got into deep water regarding this slight increase in taxation. He has committed himself to uniform taxation. He said he believed there should be equality—I think he used that word many times—of taxation, but he did not explain what he meant by that remark. I take it that he meant to imply that something was being done to the prejudice of some people, yet he was prepared to accept equality in relation to Commonwealth taxation. Like the honourable member, I shall not repeat what I said during the second reading debate, but if the honourable member wants equality this is somewhere near it. He spoke glibly about whether this State should remain a pauper or mendicant State, and said we had lost through becoming a non-claimant State. The honourable member is usually more intelligent than to make a remark like that. I know something about the conditions that prevailed when we were subject to aid from the Grants Commission, and often we were penalized because our taxation was not of the same standard as that of other States. As a result, we were debited. Despite the frugality and good administration in this State, we were getting less than the standard. The honourable member wants to bask in the reflected glory of the administration of this Government. It was only when we reached a position when it was not necessary to rely on the Grants Commission that we were free from it.

If the honourable member wants equality, he should not object to some of our taxes coming into proximity with those of the other States that have never been claimant States. We have come into proximity with them at a time when they are talking about imposing State income taxation. What I have said points out the inconsistency of the honourable member's remarks. I think he was talking with his tongue in his cheek. Probably he cannot always choose what he wants to say, and I think he made the best of his instructions. However, as it appears that he will divide the Committee on some clauses, I could not let the opportunity pass without making the comments I have made. Despite his attitude, he represents a Party that supports any claim for increased benefits. The sooner we realize how these claims are met the better. We must face up to the responsibility of collecting this money, as that is the responsibility of this Chamber.

The Hon. S. C. BEVAN: I oppose the clause. I listened intently to the Chief Secretary's remarks about taxation in other States. Every honourable member knows that what the Premier of another State did was a three-card trick to get more from the Commonwealth than he had been able to get previously. That Premier was politically dishonest in doing this sort of thing. Drivers' licences in Victoria have cost 10s. for many years, but they have

cost twice that amount in South Australia. That is only one example of how our taxes are higher. This Bill increases taxation in this State. The Chief Secretary has said that because of the economic and industrial strides we are making it is necessary to increase taxation from year to year. For many years we have budgeted for a deficit but have always finished the year with a surplus.

The Hon. Sir Lyell McEwin: Do you object to surpluses?

The Hon. S. C. BEVAN: No, I do not. However, if the returns from the present taxation are such that we can have Budget surpluses each year, why should additional taxation be necessary? This year the Auditor-General was most caustic about the Government's action in getting rid of money at the end of a financial year so that it would not be there at the commencement of the next financial year. Although it has been said that this taxation will affect all sections, it will affect only one section—the people who, not being in a privileged class, are forced to use hire-purchase transactions. Very few people who are not in the working class use hire-purchase, which is the poor man's overdraft. Even though the Bill provides that the charge shall not be passed on to the borrower, we know that it will be passed on. Members have only to examine hire-purchase legislation and to consider what goes on in relation to hire-purchase agreements to know that that is so. We have been told that our taxation is lower than that in other States, but that will not stand up to analysis on a per capita basis as between the States. I said yesterday by way of interjection that this State is one of the highest taxed States in the Commonwealth, and that is so. If we keep going as we are now, within the next few years this will be the highest taxed State in the Commonwealth.

The Hon. Sir Lyell McEwin: What is the source of obtaining this higher taxation per capita? Let us be a little explicit.

The Hon. S. C. BEVAN: If we look at taxation generally, it is levied—

The Hon. Sir Lyell McEwin: You are speaking of taxation levied generally. You are talking of the prosperity of the State.

The Hon. S. C. BEVAN: I think the Chief Secretary understands what I mean when I speak of the taxation levied in this State. Comparing it with that in the other States, we are one of the highest taxed States in the Commonwealth. The Chief Secretary knows well what I am talking about. This particular clause will hit only one section of the community. The people concerned will have to pay this additional impost, despite the phraseology of the clause, which indicates that it cannot be passed on.

The Hon. F. J. Potter: Do you think it will have to be passed on?

The Hon. S. C. BEVAN: It will be passed on and the honourable member knows that. We see refrigerators marked at a price of 280 guineas with £100 allowed off the price for a trade-in. There are three-card tricks going on all along the line.

The Hon. F. J. Potter: I suppose you don't think the basic wage rise should be passed on.

The Hon. S. C. BEVAN: When the workers are granted a share in the results of their labours honourable members say that that is wrong, that it should not be. These claims by the workers are investigated by competent courts and those courts only bring the basic wages operating in the various States into line with the cost of living. However, it is said that the workers should not be granted anything like that, but when it comes to paying increased charges, that is all right. This taxation is sectional. It will affect those people with hire-purchase contracts by subjecting them to the necessity to pay additional stamp duty, and I oppose the clause.

The Hon. Sir LYELL McEWIN: I know that the honourable member is doing his best to state a case in general terms. He talked about the amount of taxation collected. That is a different thing from the amount of tax which is assessed. The more prosperous people are, the more they contribute in taxation. The honourable member was hoping to show that this State would become the highest taxed State in the Commonwealth. It is not very often that I get disturbed, but I do like to think that things are put in their proper perspective. In the second reading explanation of the Bill I pointed out that our taxes were no higher than those of other States. However, because the honourable member suggested that I submitted untruths to the Council, perhaps I had better give him the statement again and see if he can prove it to be wrong.

The Hon. S. C. Bevan: I did not mean to imply that you told untruths.

The Hon. Sir LYELL McEWIN: Despite what the honourable member is saying now, he talks about surpluses as though it was a great sin to have them. He says that money

is being tucked away but I am glad that there is a little tucked away, because, otherwise, things would have been much worse. When the Treasurer is faced with increased costs all the time and yet has the money to meet the situation, honourable members ask where that money is to come from. The Hon. Mr. Bevan says there is no need to increase taxation, but where does he think that the amount of £2,500,000, which was the cost incurred over the adjustment of the basic wage, is to come from? This Government has never opposed arbitration. It believes in it and supports it. We do not strike against arbitration awards; we pay them. The increase in taxation is the only way in which the additional costs can be met. More money has to be found somewhere.

The honourable member mentioned hire-purchase agreements. I repeat what I said when introducing the Bill:

The fourth proposal is to increase the stamp duty on mortgages and comparable documents from 2s. 6d. per cent to 5s. per cent on the amount secured.

I pause here to say that the honourable member talks about mortgages as though they only affect a certain section of the community. I am one in the privileged class that enjoys mortgages! I do know a lot about them. I went through the depression with mortgages and they cost me quite a lot, but I did not discharge them by squealing about them. It meant a lot of hard work, with sleeves rolled up. I return to the statement which I made in the introductory stage:

At the present time Queensland and Tasmania stamp mortgages at 2s. 6d. for every £50 secured, South Australia and Western Australia at 2s. 6d. for every £100 secured and Victoria and New South Wales do not levy stamp duty on this type of document at all. But all of the States except Western Australia impose a higher rate of stamp duty on conveyances of property than does South Australia, so that the net effect of the proposed increase will be that in relation to property transfers involving mortgage finance the total stamp duty payable in South Australia will be less than in New South Wales and Victoria because the higher rate of duty on the transfer in those States, based on full value, will more than offset the duty on the mortgage document which relates only to portion of the value. It will be materially less than in Queensland and Tasmania and slightly greater than in Western Australia only. This amendment is expected to yield £225,000 additional revenue in a full year and about £160,000 in the present financial year.

The honourable member talks glibly about taxation, but let us keep to the line with which we are dealing. The explanation is the same in all cases—it is ridiculous to criticize the Government for having surpluses. If we did not have surpluses we would be in a much worse position. We are able to keep taxation at a reasonable level by prudent administration and are able to maintain a high rate of prosperity and employment. That is why we have the measure that is before us today.

The Hon. R. C. DeGARIS: I disagree with the Hon. Mr. Bevan in his statements regarding taxation in South Australia. In that connection, I should like to quote from the report of the Commonwealth Grants Commission of 1963, which deals specifically with the incidence of State taxation in Australia. I think we all realize that the States are limited in their field of taxation in financing their Budgets. We have seen what Victoria is trying to do to overcome this particular problem. I propose to quote from the Grants Commission's report on the question of the incidence of State taxation. In the year 1961-62 motor registrations in New South Wales realized £4 14s. 3d. per head of population; Victoria £5 0s. 11d.; Queensland £5 12s. 11d.; South Australia £4 14s. 7d.; Western Australia £4 7s. 9d. and Tasmania £4 6s. 4d. Probate and succession duties realized in New South Wales £4 0s. 4d.; Victoria £4 4s. 9d.; Queensland £2 17s. 4d.; South Australia £2 6s. 9d.; Western Australia £2 1s. 1d. and Tasmania £2 15s. 2d.

The Hon. Sir Lyell McEwin: The figures are boosted by the high percentage of motor car ownership in this State.

The Hon. R. C. DeGARIS: Yes. We have more vehicles per head of population than any other State.

The Hon. N. L. Jude: Prosperity!

The Hon. R. C. DeGARIS: That is so. The figures for other stamp duties were New South Wales £3 14s. 6d; Victoria £4 1s. 1d.; Queensland £3 2s.; South Australia £2 2s. 2d.; Western Australia £2 16s. 1d. and Tasmania £2 10s. 6d. Going through all avenues of State taxation the figure for South Australia was lower than any other State. The figures for total revenue from State taxation, excluding lottery revenue, were, New South Wales £17 1s. 7d.; Victoria £18 9s. 4d.; Queensland £15 13s. 7d.; South Australia £13 4s. 3d.; Western Australia £13 13s. 6d. and Tasmania £13 9s. 5d. These figures were for the year 1961-62 but I have seen figures for subsequent years and they are in proportion to those I have given.

The Hon. F. J. Potter: That makes us the lowest taxed State.

The Hon. R. C. DeGARIS: Yes. I point this out to the Hon. Mr. Bevan, who claimed that South Australia is the highest taxed State. His statement was not correct.

The Committee divided on the clause:

Ayes (13).—The Hons. Jessie M. Cooper, M. B. Dawkins, R. C. DeGaris, G. J. Gilfillan, N. L. Jude, H. K. Kemp, Sir Lyell McEwin (teller), Sir Frank Perry, F. J. Potter, W. W. Robinson, Sir Arthur Rymill, C. R. Story and R. R. Wilson.

Noes (3).—The Hons. S. C. Bevan, A. F. Kneebone, and A. J. Shard (teller).

Majority of 10 for the Ayes.

Clause thus passed.

Clause 9 passed.

Clause 10—"Short title and citation."

The Hon. Sir ARTHUR RYMILL: I do not oppose this Part, but some years ago when practising as a lawyer I always found difficulty in tracing Acts that had been amended by one Act. This Part relates to an entirely different Act. The short title of the Bill is "Statutes Amendment (Stamp Duties and Motor Vehicles) Act". I hope that when the Statute volume for the year is printed there will be suitable cross indices, so that both the Acts amended by the Bill will be referred to, and there will be no danger of people practising law missing the amendments. Both the Hon. Mr. Potter and the Attorney-General know what I am speaking about. I would prefer to have two measures covering the amendments.

The Hon. A. J. Shard: I must have been right once, because I suggested that yesterday.

The Hon. Sir ARTHUR RYMILL: I thank the Hon. Mr. Shard for his implied compliment. If I am saying the same thing as he has said, then he must be right. That is the type of suggestion that I like. As the Government has seen fit to introduce only one Bill to amend these two Acts, I hope it will pass on an instruction to include indices that clearly indicate that the Bill applies to both Acts. If it is indexed only under its title, the amendments may not clearly get into the Stamp Duties Act or the Motor Vehicles Act.

The Hon. Sir LYELL McEWIN: I am not trying to jump on to the band waggon of popularity. The Leader of the Opposition has had one win but I have not heard anybody argue against him. I think we all agree that his is a desirable suggestion. In the past many of these things have been corrected when the Statutes have been reprinted and consolidated. This matter can be put right. In the meantime, I am sure it can be simplified and that in the Statutes the appropriate references will be made clear. This has often been done previously in the reprinting and consolidation of Statutes: these things have been brought together and tidied up. It is suggested that something like this be done on this occasion. It was last done in 1936 and we are probably nearing the stage when it should be done again.

Clause passed.

Remaining clauses (11 to 21) and title passed.

Bill reported without amendment; Committee's report adopted.

The Hon. Sir LYELL McEWIN (Chief Secretary) moved:

That this Bill be now read a third time.

The Hon. A. J. SHARD (Leader of the Opposition): I take the unusual step of opposing the third reading of the Bill. I do not want to restate my reasons; I formally oppose the third reading.

On a division being called for:

The PRESIDENT: I heard only one call.

The Hon. S. C. BEVAN: I indicate that I personally called for a division and I heard another honourable member call for a division.

The PRESIDENT: Ring the bells!

The Council divided on the third reading:

Ayes (13).—The Hons. Jessie Cooper, M. B. Dawkins, R. C. DeGaris, G. J. Gilfillan, N. L. Jude, H. K. Kemp, Sir Lyell McEwin (teller), Sir Frank Perry, F. J. Potter, W. W. Robinson, Sir Arthur Rymill, C. R. Story, and R. R. Wilson.

Noes (3).—The Hons. S. C. Bevan, A. F. Kneebone, and A. J. Shard (teller).

Majority of 10 for the Ayes.

Third reading thus carried.

Bill passed.

APPROPRIATION BILL (No. 2).

Adjourned debate on second reading.

(Continued from October 6. Page 1206.)

The Hon. A. F. KNEEBONE (Central No. 1): Having listened to the Minister's explanation when he introduced these Estimates and having read the Financial Statement issued by the Treasurer in connection with them, I should like to comment on one or two aspects of the Estimates. As a result of the year's operations, the State's finances finished better than was expected. Apparently the Government was not able to spend the money it intended to spend on capital works,

and, because of the good season and improved production in industry and commerce, revenue receipts were higher than expected. Because of the winding-up of the uranium treatment plant, another large sum of money became available. This was fortunate for all South Australians, because otherwise stamp duty and other forms of taxation dealt with in another measure would have been higher.

The Chief Secretary has said that all these things happened as a result of the Government's actions, and he has implied that this has been to the credit of the Government. I say that these things happened because of fortuitous circumstances and that it is wrong for the Government to claim credit. After reading what the Treasurer said, I think the evil day has only been postponed. The Treasurer said that unless the Commonwealth Government changed its financial attitude towards South Australia the 1965-66 Budget would be a very difficult one. I take this to mean that he is warning the people of this State that they should be prepared for even higher taxation and charges if he is re-elected next year. However, I think the preparation and presentation of the Budget will be out of his hands next year.

The Hon. Sir Lyell McEwin: Then we shall have amendments!

The Hon. A. F. KNEEBONE: Then, instead of our saying that the "haves" are not being affected as much as the "have-nots", members opposite will be saying that the "haves" have been hit too much.

The Hon. F. J. Potter: Who are the "haves" and who are the "have-nots"?

The Hon. A. F. KNEEBONE: I did not coin that expression; it was coined by an honourable member opposite.

The Hon. C. R. Story: The Hon. Mr. Shard did that.

The Hon. A. F. KNEEBONE: No, I think the Hon. Mr. Story did.

The PRESIDENT: Order!

The Hon. A. F. KNEEBONE: This statement and others, made soon after the announcement of Commonwealth financial policy, have a familiar ring. The Treasurer referred to the necessity to avoid those unwarranted pressures upon resources that could develop into an inflationary situation. The Commonwealth Government, as part of its financial policy, has withdrawn the employment-creating grants that have been paid to the States in the last three years. It has also cancelled the 5 per cent income tax rebate. Apart from these things, the Reserve Bank of Australia, no doubt carrying out Government policy, yesterday announced a new call-up of £22,000,000 from the major trading bank and asked them to follow a tighter lending policy. The Chairman of the Australian Bankers' Association, Mr. H. E. Clarke, is reported as having said last night:

This latest call by the Reserve Bank will bring the total of frozen statutory reserve deposits to about £349,000,000. For some considerable time the trading banks, in response to Reserve Bank directions, have been following a restrictive lending policy. The latest action by the Reserve Bank will require the trading banks to tighten their lending policies even further so that much smaller amounts will be available for new lending.

Last year I warned that this action was contemplated, but I was looked upon as a calamity howler. I hoped then that I was wrong. However, the result of the new credit squeeze and the increased charges on the automobile industry could easily snowball into just such a recession as we went through so recently. These statements and actions are similar to those that preceded the drastic financial policy adopted by the Commonwealth Government that brought about the recession from which we have recently emerged. Possibly it has been only because of the Senate and various State elections that there has been a delay by the Commonwealth Government in taking more drastic action, but it will probably come later. The year 1964 is another year that will not easily be forgotten by the working people.

The Hon. C. R. Story: Is it raining outside, too?

The Hon. A. F. KNEEBONE: It is, but that does not disappoint the honourable member, because rain is a thing that this State needs.

The Hon. C. R. Story: I thought it was gloomy in here!

The Hon. A. F. KNEEBONE: I think it will be more gloomy when the Government's policy takes effect. This year the working people have received an increase of £1 in the basic wage. This was inadequate when it was granted, and it proved to be an illusory increase. Nearly everything necessary for a decent standard of living increased in price almost immediately the basic wage increase was announced. The State Government joined in the spree of price rises by increasing railway fares and hospital charges. The Municipal Tramways Trust, a semi-government undertaking, also increased fares.

The Hon. Sir Lyell McEwin: Not as much as in New South Wales.

The Hon. A. F. KNEEBONE: I do not know what happened in New South Wales; I am speaking about South Australia. In the Estimates, duties have been increased. Much publicity has been given lately to the actions of the Prices Department in reducing the prices of aerated waters, pies, funerals, and haircuts. It has been implied that the Government can take much credit for this. A reduction of 1d. in the price of pies and a bottle of aerated water has not much effect on the normal family, especially as the prices of bread, butter, and shoe repairs were increased at about the same time as the ineffectual reductions I have mentioned.

The Hon. Sir Lyell McEwin: You do not support those reductions?

The Hon. A. F. KNEEBONE: I do, but the point I am leading up to is that the Prices Department should investigate other prices that need investigating more. These reductions will have little effect on the normal family. It has been said that the price of hair cuts has been reduced to 6s., but I have never paid more than 6s.

The Hon. Sir Lyell McEwin: I think the price was raised to 6s., wasn't it?

The Hon. A. F. KNEEBONE: Yes, it was increased from 5s. 6d. to 6s. Some hairdressers charge more than 6s. for styling and shaping, but I have not reached the stage where my hair needs styling and shaping. I do not know how they pay 7s. for a haircut to be styled like one of the Beatles.

The Hon. Sir Arthur Rymill: Your hair is naturally very well styled.

The Hon. A. F. KNEEBONE: Flattery will not get the honourable member anywhere. There are many other items which affect the cost of living and need to be investigated. I only wish to speak on one line of the Estimates. That is in relation to the increase in the amount allowed for the Department of Labour and Industry. The payments during the year 1963-64 totalled £165,936. The proposed amount for the year 1964-65 is £178,916, an increase of £12,980. The major portion of this increase is in the line referring to the salaries of inspectors of factories, boilers, inflammable liquids, lifts, scaffolding, and also referring to the salaries of industrial inspectors. In his report for the year ended December 31, 1963, the Secretary of the Department of Labour and Industry stated that the staff of the Inspectorial Branch under the direction of the Chief Inspector of Boilers consisted of 38 inspectors (including senior inspectors), five safety officers (including a senior safety officer) and three engineering assistants.

The increase proposed this year in the salaries of officers of the Inspectorial Branch is evidently intended to cover the salaries of additional inspectors appointed towards the end of last year. The report to which I have referred said that every effort had been made to inspect all factories once a year and that some factories had been visited many times during the year. I can well understand this as, in a few cases, breaches of Acts and awards would occur almost at any time if somebody was not present to enforce the conditions laid down. Happily, this is not the case in the majority of factories. However, I am of the opinion that once a year is not often enough for such inspections to take place, and in support of this opinion, I quote from the report of the Secretary of the Department of Labour and Industry, to which I have already referred. That officer said:

There was a substantial increase in the number of complaints received, both verbally and in writing, alleging breaches of awards and determinations. This increase occurred in country districts as well as in the metropolitan area. Many of these complaints were lodged by or on behalf of migrants, often against migrant employers engaged in the building industry, or as proprietors of cafes or restaurants. In a number of these cases when underpayment or nonpayment of wages was detected, arrears could not be recovered because the employer had been declared bankrupt, or because of financial difficulties had ceased to carry on his business.

At page 9 of his report, the Secretary went on:

The working conditions maintained in factories vary considerably. In some cases conditions generally are very good, in others no apparent effort appears to have been made between visits of inspectors to even maintain reasonable conditions of "housekeeping."

Again, at page 13, he stated:

Regular inspections have continued to be made under both the Inflammable Oils Act (until September 30, 1963) and the Inflammable Liquids Act. During the year 425 breaches of the Act were detected and orders for the rectification of these breaches made by inspectors. In several areas where there are many drum depots, inspections had not been made for a number of years, while in some cases inspections had never previously been made. The great majority of these breaches concerned the failure of the occupier of the depot to keep a 10ft. space around his drum depot clear of all inflammable material, failure to exhibit the required "No Smoking" notice, or the failure to have ventilators properly installed.

That supports my view that we need more inspectors, otherwise some of these premises will not be inspected. An increase in the number of inspectors is a move in the right direction, as it may assist the department to achieve its objective of annual inspections. The safety precautions of all Acts should cover the whole of the State automatically instead of having the system whereby a proclamation is required under some industrial Acts. If that action was taken, the present inspectorial staff of the department would need to be further increased, and I see nothing wrong with this. If we believe in safety in industry we should also believe in the adequate policing of the safety provisions in industrial awards and legislation. I support the Bill.

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

LOCAL GOVERNMENT ACT AMENDMENT BILL.

In Committee.

(Continued from October 6. Page 1217.)

Clause 6—"Proceedings on day of election" —to which the Hon. Mr. DeGaris had moved the following amendment:

In paragraph (*a*) before "by" second occurring to insert "indicating the name of each candidate for whom he intends to vote".

The Hon. R. C. DeGARIS: I thank the Minister for the consideration he has given to my amendment. I believe the Municipal Association is not completely happy with my proposal for preferential voting at local government elections. I understand that the President of that association has already contacted the Minister regarding the matter. I am prepared to withdraw the amendment in order that opinions on the proposal be obtained from local government organizations. I do not mean the opinions of the two major associations, but of local government generally. I seek leave to withdraw the amendment.

Leave granted; amendment withdrawn.

The Hon. N. L. JUDE (Minister of Local Government): The facts are as stated by the honourable member. The President of the Municipal Association spoke to me for some time this morning on this matter, and he expressed the opinion that it had not been properly discussed by local government bodies, of which we have about 150. Under the circumstances, and in view of the Government's general policy of not interfering with local government more than is necessary, I think the suggestion made by the Hon. Mr. DeGaris for this matter to receive further consideration before coming to Parliament again is worth while. I ask the Committee to oppose the clause.

Clause negatived.

Clause 7—"Count of voting papers by Deputy Returning Officer."

The Hon. S. C. BEVAN: As clause 6 has been deleted from the Bill, I think this clause and clause 8 are redundant and should be deleted.

The Hon. N. L. JUDE: The Hon. Mr. Bevan is correct. I omitted to mention that the two clauses should be deleted because they refer to the voting methods.

Clause negatived.

Clause 8 negatived.

Clause 9 passed.

Clause 10—"Expenditure of revenue."

The Hon. S. C. BEVAN: I oppose the clause. Yesterday I gave the reasons for my opposition. The clause deals with section 287 which allows a council to make a contribution from general revenue to an organization having an interest in its district. The provision in the clause has been requested because of approaches made from the South-East. I understand that one council in that area, after committing itself to an organization, found that it had made a mistake and thought that this would be a good way to get out of its difficulties. There is nothing in the Act that forces a council to contribute to an organization, but it may make a contribution if it desires to do so. If it is foolish enough to make a contribution it should put up with the consequences. I do not think any council would commit itself to subscribing to an organization unless it gave the matter proper consideration.

This clause will affect the Murray Valley Development Association and the councils associated with it, despite assurances given to me in this Chamber and personally by the Minister that that would not be the case. The association does not have for its principal object the development of any part of the State. It seeks the development of all the Murray Valley, which includes all council areas along the River Murray in South Australia, and perhaps Victoria and New South Wales. I repeat there is nothing to prevent a council or municipality from contributing funds from its general revenue to an organization if it desires to do so. If a council wants to do that, should we enact legislation to prevent it? The clause does that, so I oppose it.

The Hon. N. L. JUDE: I am satisfied, after careful inquiry with the Parliamentary Draftsman, that the verbiage is correct. A point was raised in respect of the Murray Valley Development League. For instance, Renmark is not particularly interested in the development of facilities at Mildura. It is suggested that the ratepayers of this State are subsidizing some local interests in another State. We do not believe that that is so in the case of the Murray Valley Development League: we think the States are interested in it.

We support the portion of the river area in our own State while the Mildura people support the river area in their State. Mildura should not support our river area. When it comes to supporting the Portland Hinterland Association I find myself in disagreement with the honourable member. Why should taxpayers of another State subsidize something that is purely local? A minor debating point can be made that, indirectly, the development of the city bridge in Melbourne is advantageous to the traffic in South Australia when it uses it, but do honourable members think that the ratepayers of a small district council should be asked to contribute to something in another State in respect of which they will have, in some cases, to rely upon Government funds to replenish the funds they spend elsewhere? With all respect to the Committee and the honourable member's considered opinion, I suggest we accept the clause as it stands.

The Committee divided on the clause:

Ayes (12).—The Hons. Jessie Cooper, M. B. Dawkins, R. C. DeGaris, G. J. Gilfillan, N. L. Jude (teller), H. K. Kemp, Sir Lyell McEwin, Sir Frank Perry, F. J. Potter, W. W. Robinson, Sir Arthur Rymill, and R. R. Wilson.

Noes (4).—The Hons. S. C. Bevan (teller), A. F. Kneebone, A. J. Shard, and C. R. Story.

Majority of 8 for the Ayes.

Clause thus passed.

Clause 11—"Power to subsidize development by Housing Trust."

The Hon. S. C. BEVAN: I have already expounded at length on this clause. It is confined to municipal councils within the metropolitan area. We have already had this afternoon an illustration of there not being sufficient time in which to inquire from other interested municipalities about the effect of amending legislation. This is an important provision to be written into the principal Act. It has far-reaching effects in respect of a council desiring to adopt a certain line of development of land held by the Housing Trust. But it goes further than that. I referred yesterday to the phraseology used, particularly the words:

may expend revenue in paying to the South Australian Housing Trust such portion as the Minister shall approve of the purchase price of any land within the area of the council purchased or to be purchased . . .

I object to the word "purchased". I cannot see how the Minister can have any jurisdiction over land already purchased. It may have been purchased two or three years previously. I cannot see how he would have any jurisdiction over that purchase price; it would be impossible. I think this clause can be linked with clause 6. I suggest it be withdrawn for the purpose of a full investigation being made into its ramifications as a vast amount of house building is going on. Surely this clause would be of great benefit to the Housing Trust and the Government, as the trust will be subsidized by councils for improvements in their areas. Ratepayers will be subsidizing the Government for a responsibility that is the Government's. This clause should be withdrawn and an investigation should be held so that the opinions of all councils could be obtained.

The Hon. N. L. JUDE: I listened with some interest to the comments of honourable members on this clause, particularly during the second reading debate, and I obtained the following report from the Chairman of the Housing Trust:

As the Premier is aware, the Walkerville corporation will pay to the Housing Trust 45 per cent of the purchase price of a flat site at Park Terrace, Gilberton.

That is the specific provision for this case. There is no such thing as a usual percentage.

The Hon. A. J. Shard: It could be higher.

The Hon. N. L. JUDE: Or lower. The report continues:

The Walkerville corporation has asked me to submit a request that the Local Government Act be amended to give councils clear and unequivocal power to do what the Walkerville corporation proposes to do. I would suggest that such a power—

that is, giving a power to local government—

is desirable. I would suggest that a council should have power to pay to the Housing Trust a part of the purchase price of land purchased by the trust for re-use as a flat site or for redevelopment as a residential area. A council should make such a payment only—

I draw honourable members' attention to this—

when it is satisfied that the area purchased is underdeveloped and that its development will so increase the rating capacity of the land

as to recoup over a period of years the outlay by the council and ultimately to improve its financial position. The borrowing power of the council should be extended to enable it to borrow the amount of any such payment. I suggest that any amendment be limited to land purchases by the Housing Trust, which can have no personal financial interest in the matter.

I think honourable members will agree that we should get away from land development charges, and so on. The report continues:

If, however, it is thought that the amendment should apply to development by private developers, it is obvious that suitable restrictive conditions to be observed by the developer should be incorporated in the amendment.

Honourable members will notice that that has not been provided for in the amendment, which specifically refers to the Housing Trust only. The report continues:

On the general issue as to whether a subsidy by a council for housing development is necessary or desirable, I would point out that in other parts of the world it has been found that redevelopment of run-down or underdeveloped areas near the heart of a city is invariably uneconomic and that this form of development needs to be subsidized. On the other hand, a council subsidy, as in the case of the East Terrace land, to which the Adelaide City Council is contributing, and the Gilberton land, can be in the long term a paying proposition to the council. Consequently, it is proper for the body that will benefit to provide the subsidy. It is likely that an amendment such as is proposed could result in other councils putting propositions to the trust. However, the degree to which the trust could accept these propositions would principally depend upon two factors; first, the rate at which flats should be built should be related to the reasonable demands which can be expected for flats; and secondly, the trust can apply only a limited part of its funds to flat building, and the trust would not regard as justified the expenditure of unduly large amounts for this purpose, and would not expect its loan funds to be expended for such a purpose. The trust would therefore, of necessity, be circumspect in dealing with propositions by councils, but I would point out that flat development in the areas appropriate for council subsidy would take place where flats should be built, that is, near the centre of things and on land which is underdeveloped or occupied by old or inferior buildings.

I think honourable members will agree that that is a clear expression of opinion, and I ask them to accept the clause as printed.

The Hon. Sir ARTHUR RYMILL: The Minister has referred to the comparatively recent transaction between the Adelaide City Council and the Housing Trust. As I was a member of the council at that stage, I know a little about the transaction. The reason that actuated the council in making the agreement it did with the Housing Trust was, first, that it wanted to encourage flat development within the city, and, secondly, that it could see that, if it spent a certain amount of money and got the Housing Trust to develop land for that purpose in the city over a period of years, the additional rates that would accrue to it would compensate it for its outlay *in toto*. The clause is drafted in relation to that concept. It provides that the council may expend its revenue in paying to the Housing Trust such portion as the Minister shall approve (which is a safeguard) of the purchase price, and then there is a proviso that no payment shall be made under the section unless the Minister is of the opinion that the land purchased or to be purchased is underdeveloped or insufficiently developed and that the development or redevelopment of it will substantially increase the revenue from rates for the council. That lines up with the concepts I have mentioned. However, new section 287a (2) provides that any such council may, in addition to its other borrowing powers, borrow money for the purpose of making any payment under subsection (1) of the section.

The Hon. S. C. Bevan: Unlimited!

The Hon. Sir ARTHUR RYMILL: That is a query I was about to raise. I am not sure about the construction of the clause or about what it means precisely. We know that when a council sets out to borrow money, if ratepayers call for a poll, they are entitled to say "yea" or "nay" to the borrowing, but it appears to me that this verbiage could mean that in those circumstances a council could borrow money without having to undergo this oversight from the ratepayers. I think this would be a bad thing. I think that where a large sum of money is concerned in a borrowing the ratepayers should always have a say. Will the Minister elucidate this point, and say whether the intention of this clause is to make the council subject to the poll requirement or to free it from that requirement?

The Hon. N. L. JUDE: It appears that there is some doubt about whether a poll is necessary. I have consulted the Parliamentary Draftsman, who says that new subsection (2) means that a poll would not be necessary. In other words, if the honourable member thinks that a poll should be necessary, that would require the deletion of new subsection (2). I draw your attention, Mr. Chairman, to a drafting amendment. I move:

In new section 287a (1) to strike out "municipal or district".

This is merely a technical amendment which is necessary because the definition of "metropolitan" is already included in the Act.

Amendment carried.

The Hon. Sir ARTHUR RYMILL: I thank the Minister for his reply to my question, which confirms my fears, and I can see no reason why this borrowing should not be subject to the poll requirements in the same way as are other borrowings, except that possibly the whole of a transaction of this nature has to be approved by the Minister. That is some protection, but the Minister could very well be embarrassed rather than assisted by the lack of a poll requirement, because he is Minister of Local Government on the one hand and, on the other, a member of the Government of which the Housing Trust is an instrumentality. Accordingly, he could find himself in a rather difficult position if he has the total right of veto. If the poll requirement is retained, there would be protection for the Minister as well as for the ratepayers. At a hasty glance, I do not think we can overcome the difficulty by cutting out subclause (2). A lot of us who are experienced in local government matters realize that a transaction of this nature would normally involve loan moneys rather than revenue.

Subclause (1) authorizes a council to expend its revenue in a certain way. Councils could not do that without it being overlooked by the ratepayers. If the second provision were taken out, it might mean that the council could not borrow for this purpose at all, because the powers of a council are strictly limited by the Local Government Act, and that limitation would frustrate the council. I would like to see an amendment to subclause (2) so drafted as to make it clear that the borrowing power is subject to the normal provisions as to a poll. I respectfully suggest that the Minister either ask that progress be reported or defer further consideration of this clause so that we may have an opportunity of drafting an amendment. I would not care to improvise: it should be drafted properly.

The Hon. N. L. JUDE: I thank the honourable member for his suggestion that the burden should not fall upon my shoulders. Under section 435 of the Local Government Act the Minister has to approve of undertakings or schemes submitted by councils and an amendment to the Act was moved in this House in 1957, whereby we struck out the necessity for polls where the Minister approved a scheme as being one likely to be of a permanent character, one which would substantially benefit the area and which proved to be reproductive or revenue-earning. I suggest that flats would be of a permanent character, that they would substantially benefit a depressed area and that they would prove to be reproductive or revenue-earning. They would certainly be revenue-earning by virtue of the rates that they would bring in. In section 435 we already have a similar provision which does away with the poll and leaves the matter in the hands of the Minister.

The Hon. A. J. SHARD: I do not like this clause as it stands. I take it that the reference to revenue in the first part means rates. I am informed that one council in the north-eastern suburbs has been affected and that neighbouring councils, as well as the ratepayers are fearful of the consequences of this clause. The council and ratepayers believe that if portion of their rates is paid to the Government or to the Housing Trust to enable the building of flats, the revenue received therefrom will enhance the value of properties and, therefore, will increase the rates that have to be paid. I think that the ratepayers should be permitted to say whether they approve of the contribution of revenue from rates towards the building of flats. If this provision is inserted in the Local Government Act, the Housing Trust may—and I say "may" advisedly—only build flats where it receives money from councils to assist it with the purchase of the land upon which the flats are to be built. This may not be in the best interests of the metropolitan area or of the community at large. It could be that the councils with the most money to invest will have the greater number of flats built in their areas, and this could possibly react to the detriment of the community as a whole. I suggest that the Minister report progress on this clause.

In connection with subclause (2), I think that that should not be passed until the question of the poll is cleared up. This is a new departure from ordinary council business. I say with the greatest respect that very few ratepayers in the metropolitan area know anything about it. If certain proposals regarding the building of flats did not concern the area in which I reside I would not know anything about this matter. It is a complete departure from recognized municipal ventures in South Australia.

The Hon. Sir Frank Perry: Do you think this means that the land is being subsidized for the benefit of the Housing Trust and that the council loses all control?

The Hon. A. J. SHARD: Yes, though the council may get the money back in rates. I am only speaking from what I have been told. I understand that the money contributed by the Walkerville council will be recovered in 10 years. I do not know whether the ratepayers of Walkerville are consenting to this, or even know of it. I would say that a number of them know nothing about it.

The Hon. F. J. Potter: Would the ratepayers suffer for 10 years?

The Hon. A. J. SHARD: We do not know. They may not agree to it. If the clause is passed every council will have the right to do it without holding a poll of ratepayers. Yesterday our Party moved for a Select Committee to consider this important matter, because it affects the ratepayers, many of whom know nothing about it. It is not a good move to agree to something that is a departure from usual custom without first letting the ratepayers know about it. If the matter were referred to a Select Committee they could give evidence, and if there were no response to an advertisement it would be in order, but I am sure that if they knew about it many letters of protest would be received. If the Minister intends to persist with the amendment I suggest that we report progress so as to further consider the matter. If he will not do that I suggest that he agree to a ratepayers' poll, and then see what happens. I know what has gone on in Walkerville, and I understand that they have commenced the work. It is not proper to pass a provision of this nature without giving it further consideration. I suggest the Minister withdraw this clause as he did with clause 6. This is a serious amendment to the Act and it should not be agreed to without prior publicity being given to it.

The Hon. Sir ARTHUR RYMILL: I do not go as far as my friend, because I think this clause could give a desirable power in many cases. For instance, what was done by the Adelaide City Council was a forward move. I am confident of that, and I would like this power to be more general in its application, but with proper safeguards. It appears that the safeguards in the clause as at present drawn are insufficient in relation to borrowing powers. The Minister said that under section 435 councils already have power to borrow money without holding a poll to obtain the consent of the ratepayers, but, with great respect, I do not think that is correct. There was a clause making a poll of ratepayers compulsory; it was not a poll demanded by the ratepayers. In 1959 there was, apparently, a second thought, because the words "without observing the provisions of sections 425 and 426" were deleted. In 1957, when deleting the compulsory poll requirement, the voluntary poll requirement was also deleted. Section 427 states:

> Within one month after the last publication of the notice required in the *Government Gazette* in section 426 and in newspapers circulating in the neighbourhood the ratepayers can demand a poll.

In other words, the power to which the Minister referred, although apparently unfettered for two years, did not require a poll of ratepayers, but provided for ratepayers asking for a poll. That is the qualification I desire to have in this clause. I would not like to see the clause abandoned altogether, but there should be a protective power for the ratepayers.

The Hon. N. L. JUDE: I am alive to suggestions made by the two honourable members. I agree that the provision relating to borrowing powers should be made clear. I thank Sir Arthur Rymill for reminding me of what I told him about the powers under section 435. It is still permissible for ratepayers to demand a poll, but it does not mean that a poll is compulsory. What Sir Arthur Rymill said is correct. I am aware that I read a letter from the Chairman of the Housing Trust regarding one council, and the Hon. Mr. Shard was correct when he said that not much publicity had been given to this matter. It appears that there is considerable divergence of opinion amongst people who support the Government and those who do not. Under the circumstances, and in view of the lateness of the session, I do not intend to ask the Committee to report progress. If the matter is to be looked into, let it be looked into properly. I could easily come back tomorrow with another suggestion. Under the circumstances I ask members to oppose the clause.

Clause 11 negatived.

Clause 12—"Additional power for expenditure of revenue by municipal councils."

The Hon. N. L. JUDE: I move:

In paragraph (*g*) to strike out "luncheon" and insert "mid-day or evening meal".

The clause provides for payment for meals when the council adjourns and resumes normal proceedings after the adjournment. In some councils the adjournment is as late as 4 p.m., where perhaps harvesting operations have to be considered. The hours vary considerably. I do not think the amendment is unreasonable. The cost of meals for members of councils should be provided.

The Hon. S. C. BEVAN: After hearing the explanation by the Minister I do not oppose the amendment. I understand the Minister has similar amendments to the next clause. Sometimes members of country councils have to travel long distances to attend council meetings. A council may meet at 10 a.m. and, because of the amount of business it has to deal with, it may adjourn for luncheon and for dinner before it can dispose of it. If we use the present phrascology, the council members will be entitled to payment for one meal only, and I do not think that that is the intention of the clause. I suggest we use the words "and/or", which would allow the council to pay for both meals if necessary. It is intended that a council shall pay for meals while it is in session.

The Hon. N. L. Jude: We propose "mid-day or evening meals".

The Hon. S. C. BEVAN: I suggest we use the words "and/or" which will enable a council, if it has a long session, to pay for both meals.

The Hon. N. L. Jude: Why not leave it to the council?

The Hon. S. C. BEVAN: If the council has the power to do that, I am happy about it, but, under the present phraseology, I think it can pay for only one meal.

The Hon. N. L. Jude: It is in the plural—"meals".

Amendment carried.

The Hon. N. L. JUDE moved:

To strike out "luncheon" and insert "meal".

Amendment carried; clause as amended passed.

Clause 13—"Additional powers for expenditure of revenue by district councils."

The Hon. N. L. JUDE moved:

To strike out "luncheon" first occurring and insert "mid-day or evening meals" and to strike out "luncheon" second occurring and insert "meal".

Amendment carried; clause as amended passed.

Clause 14—"Grant to council of City of Adelaide."

The Hon. N. L. JUDE: I move:

That it be a suggestion to the House of Assembly that clause 14 be included in the Bill.

As I explained fully in the second reading debate, this clause increases the annual grant to the Adelaide City Council for work on the main roads around the park lands from £15,000 to £20,000. The amount is probably still far short of what the council desires and what it may feel it is entitled to. The Government believes that some gesture should be made in this respect.

Motion carried.

Clause 15—"Submission of scheme."

The Hon. N. L. JUDE: I move:

After "any" second occurring to insert "other".

As I explained in the second reading debate, there has been some doubt about Part XIX of the Local Government Act regarding works and undertakings carried out jointly by councils. Recently, discussions arose on Eyre Peninsula between several councils that decided to embark upon a weed eradication scheme as a combined effort, presumably with the same staff. This clause is inserted in the Bill to clarify the situation.

Amendment carried; clause as amended passed.

Clauses 16 and 17 passed.

Clause 18—"Amendment of principal Act, section 425."

The Hon. C. R. STORY: This is a simple matter. I thank the Minister for inserting this provision because some councils have over the last 12 months been in difficulties as a result of some misunderstanding that arose last year when one section of the Act was rescinded and certain parts were redrafted. The Loxton council will be relieved to see that its wishes have been met by this amendment.

Clause passed.

Clauses 19 to 26 passed.

Clause 27—"Amendment of principal Act, section 449c."

The Hon. G. J. GILFILLAN: During the second reading debate I asked the Minister for an explanation of this clause. As drafted, it enables councils to borrow money from a bank and repay that loan by instalments for the purpose of buying houses. There are three requirements which this clause and the preceding clause are expected to cover: that a council may purchase houses and repay the money by instalments; that it may borrow money from a bank and repay that loan by instalments; and both these transactions should not come under that part of the Local Government Act which places a limitation on the borrowing powers of councils. Is the Minister certain that the Local Government Act, as amended by this clause, will cover these cases?

The Hon. N L. JUDE: The principal Act deals with cases in which houses have been purchased by instalments; this clause deals with houses purchased by loan.

Clause passed.

Clause 28 passed.

New clause 28a.

The Hon. N. L. JUDE: I move to insert the following new clause:

28a. Paragraph (47) of section 667 of the principal Act is amended by inserting therein after subdivision x thereof the following subdivision:—

xa. For requiring drivers of vehicles upon which logs or sawn timber are or is carried or to be carried to secure and fasten such logs or sawn timber to such vehicles and for regulating and specifying the manner in which and the materials or types of materials with which such logs or sawn timber shall be so secured and fastened and for prohibiting the driving along streets and roads of vehicles upon which logs or sawn timber are or is carried unless such logs or sawn timber are or is secured and fastened in the manner and with the materials prescribed.

Although this amendment does what I wish it to do, it is rather lengthy, but the Parliamentary Draftsman has assured me that this wording is necessary to give this power. Councils in the South-East are keen to have this provision. A by-law relating to this matter was recommended for disallowance by the Joint Committee on Subordinate Legislation, it being regarded as unwieldy in relation to the city. I have no doubt that councils will get together and draw up a suitable by-law. The Hon. Mr. Kemp suggested a slightly different amendment, but I must say that it is a very general one. I do not think such words as load spilling and so on would be acceptable to the draftsman. I ask honourable members to accept the new clause.

The Hon. C. R. STORY: I was a member of the Subordinate Legislation Committee when it recommended the disallowance of the regulation, which was all-embracing and most inconvenient to people in some council areas. Although this new clause is very wordy, I welcome it. I would have thought that if we had a general provision the regulation could take up the balance. Surely this would be much better than this new clause, and I should like the Minister to have another look at it.

New clause inserted.

Clauses 29 to 32 passed.

Clause 33—''Amendment of principal Act, Fifth Schedule.''

The Hon. N. L. JUDE: I move:

That this clause be struck out.

I do so because this clause is associated with the voting provisions.

P3

Clause negatived.

Clause 34—''Insertion of the Twenty-third Schedule into the principal Act.''

The Hon. N. L. JUDE: I move:

That this clause be struck out.

My reason for moving this is the same as in relation to the previous clause.

Clause negatived.

Title passed.

Bill reported with amendments.

Bill recommitted.

Clause 34—''Insertion of the Twenty-third Schedule into the principal Act''—reconsidered.

The Hon. N. L. JUDE: I apologize to members for perhaps misleading the Committee. I had in my notes that this matter was associated with clause 6 and clause 30. There was some doubt expressed about the actual wording in regard to how people would vote and make their declarations, and clause 34 was inserted in order to clear the matter up. I move:

To reinsert clause 34.

Motion carried; clause 34 reinserted.

Bill read a third time and passed.

ROAD AND RAILWAY TRANSPORT ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 6. Page 1223.)

The Hon. C. R. STORY (Midland): I support the second reading of this Bill. I think that this Bill has probably been canvassed outside the Parliament more than any other Bill I can remember in my time here. It has been canvassed for various reasons and I will not deal with all of them, but it certainly has created a good deal of controversy. Much of that controversy may have been justified but a lot of it has been completely unjustified. Many aspects of this over-all tax have not been understood very well by the public generally. Indeed, I believe that even some honourable members in this place do not understand the measure, because if they did they would not have made the statements which they made. Yesterday the Hon. Mr. Shard had much to say about this legislation and he plumped very heavily for a monopoly for the railways. I think that the railways play an important part in this State and that they have always done so, but I also think that road transport plays a part; indeed, road transport played a very important part up to the time of the formation of the Transport Control Board.

I remember when operators with fairly large trucks delivered goods from the metropolitan area to the River Murray areas, but they were put off the road with the passing of the Road and Railway Transport Act, although they were compensated. From that time on, the people of my district have been at a great disadvantage in obtaining permits to transport goods which could be carried on the railways. The economics of putting goods on the railways and the convenience of doing so are two significant factors that operate often to the disadvantage of the producer. People ought to have the right to transport goods—particularly those of a perishable or fragile nature—by the best method they can find.

It has been suggested by one honourable member that the railways should only have competition if the people are not receiving an adequate service and, in this connection, there are lots of districts where people are not receiving such a service. To quote an example, the distance by rail from Adelaide to Barmera is 230 miles, against a distance by road of 130 miles. The costs involved in transporting goods that 230 miles are much higher than are the costs of road haulage over a distance of 130 miles. Of course, the railway traffic must run on the rails. There are certainly commodities which the railways cannot handle at all. What is the use of moving cement by rail? It has to be carted to the railway, loaded, taken off rail transport at the destination and put on to a siding before being picked up. That is unnecessary when it can be transported economically by road. In the case of fibrolite piping and things of that nature the breakage rate is high, because it is fragile material. When the railways realize that they cannot do a good job they should make it easy for people to obtain permits for road transport. A bone of contention is the difficulty experienced in obtaining permits for road transport in what I consider are perfectly legitimate cases.

It appeared yesterday that the Hon. Mr. Shard seemed to think that members of my Party were not very interested in the finances of the State and of the Railways Department, that we were only interested in keeping private enterprise operating on the roads, in competition with the railways. Nothing could be further from the truth. Why should we want to penalize individuals by making them pay more for the benefit of having a railway service? I am sorry that the honourable gentleman is not here at the moment because I want to recall an occasion in this Chamber not long ago when we had a proposal before us to close down a railway. At that time, there was a very impassioned plea by the members of the Labor Party to keep that railway open, but the suggestion was that the railway be kept open for only two days in the year, at Easter to take people from Adelaide to the Oakbank race meeting. How anybody can say that he has the interests of the railways at heart when he wants to keep a line operating for such a short period, I do not know. If the Labor Party is genuine about this matter the correct way to approach it is to cut out some of the dead wood and let road hauliers operate if they are more capable of doing the job than the railways. We should not retain a line in an area where it can neither provide a service nor operate economically. Yesterday Mr. Shard said:

> Under this measure, anyone who wants a permit to deliver cargo from one place to another must be granted the permit unless someone already has a permit to carry goods over that route. I understand that some parts of the State have controlled routes and others have not and that people in those parts which have no controlled routes, after this legislation is passed, must be granted a permit forthwith if an application is made to the board.

I do not think he studied the matter closely, and I do not think he was correct in his statement. It is on this matter that my vote hinges.

The Hon. A. J. Shard: Where is it wrong?

The Hon. C. R. STORY: New section 40 (1) states:

> Notwithstanding any provision of this Act any person may operate a vehicle for the carriage of goods for hire on any road in any part of the State:

That, apparently, means that the State at the moment is free and that a person can carry any goods anywhere in the State.

The Hon. A. J. Shard: And we agree with that.

The Hon. C. R. STORY: Subsection (2) says that in a town where there is a licenced carrier goods must not be put down or picked up without a permit.

The Hon. A. J. Shard: And that is right.

The Hon. C. R. STORY: That means that much of the State, as from the passing of this measure, will be free from control, as large areas have no licensed carrier. In that case no permit will be needed.

The Hon. A. J. Shard: Subsection (2) says they must get a permit.

The Hon. C. R. STORY: No. The Minister is smiling about this, but before I support the clause I want a solemn undertaking from him that what I am saying now is correct;

otherwise I shall oppose it. The last time that I voted on this matter I thought I was voting for freedom for road hauliers except in those places where a licence had been issued. Then the Transport Control Board demanded a permit system. As I understand it, a permit will not be needed to go from Adelaide to Murray Bridge, provided the haulier does not stop to put down or pick up goods. If he wanted to do that he would have to get a permit. I hope I have made my point clear.

Mr. Shard left the impression that it would be necessary for a haulier to obtain a permit if he travelled through an area on a controlled route. I do not favour his having to obtain a permit, as getting a permit is an extremely irksome business. I want licensed carriers to be properly protected. I agree a carrier must have a permit to put down or pick up goods in the area worked by a licensed carrier, but he should not have to obtain a permit otherwise. That is not the spirit of the amendment as I understand it.

The Hon. N. L. Jude: What makes you think Mr. Shard wants him to have a permit?

The Hon. C. R. STORY: Mr. Shard yesterday said that it would be necessary for him to get a permit.

The Hon. A. J. Shard: What has subsection (2) to do with it?

The Hon. C. R. STORY: My understanding is that a permit is not required. I want to be clear on this point as on a previous occasion I cheerfully voted for it without having a full knowledge of the matter, and I do not want to be taken in again.

The Hon. A. J. Shard: You had better be sure you are not taken for a ride this time!

The Hon. C. R. STORY: I want to be sure that I am not taken in again. We set out to protect those people who have their licences so that other people do not come in and "pirate" on them. At the same time we want absolute freedom of movement for carriers going through a controlled area.

That is not asking much. The Hon. Mr. Shard yesterday gave us a long spiel about the railways and what they had done. I do not understand why his Party has adopted the attitude it has, because I did not think that my friend's heart was in his words. I thought he had much sympathy with what had happened over the years and with the difficulties we had encountered with the Transport Control Board and its attitude.

The Hon. A. J. Shard: In certain sections of the State.

The Hon. C. R. STORY: Yes, and I think it is significant that in those sections of the State the Labor members of another place for those areas did not rise to their feet and speak, either defending or rejecting this measure. I cannot understand that attitude. I should have thought that a member representing a district like mine, with my difficulties, would be up on his hind legs welcoming this legislation.

The Hon. N. L. Jude: What do you mean by "up on his hind legs"?

The Hon. C. R. STORY: I mean on his feet—but there has been not a sound from those members from the river districts, Mount Gambier and Millicent—three places where this issue was red-hot, My friend here was not sincere; I think he would have liked to be with us.

The Hon. A. J. Shard: You are wide of the mark this time.

The Hon. C. R. STORY: I don't think so. This is a good Bill which does what we thought would be done when we passed a certain Bill through this Council last year. I am sure I am right this time. I commend the Bill to honourable members. I am sorry we shall not have three more voters on this side when it goes to a vote.

The Hon. G. J. GILFILLAN (Northern): I support this measure. It has been long-awaited throughout the wide areas that I represent in the northern part of the State. Development there has, to some extent, been hindered by transport restrictions in the past. For a long time pressure has been exerted to have this transport measure introduced. The Hon. Mr. Story has said much about the objects of the Bill. I join with him in my strong support of it if it means what we are told it means. After a careful reading of it, I believe it does do what is intended, but I assure the Minister that we do not want the position where the Transport Control Board can obtain an opinion from the Crown Law Office that may uphold the present system.

I refer now to one or two arguments put up in opposition to this Bill. Those putting forward those arguments do not truly understand the position as it affects transport throughout the State. When the Hon. Mr. Shard spoke yesterday in support of the railways, he said "I believe this instrumentality should be protected up to the hilt."

The Hon. A. J. Shard: That's right! That is our policy. We are rather proud of that.

The Hon. G. J. GILFILLAN: That is one thing I find hard to understand. I agree that many of our instrumentalities are there to provide services to the people but I do not think we should ever put the interests of those instrumentalities before the interests of the people. The railways are in a position to compete in many classes of cargo, and particularly over long hauls, whereas of course on the shorter hauls road transport is much more efficient because it loads at the departure point and delivers to the receiver. Under those conditions the railways are at a disadvantage but, generally, on long haulage the railways should have all the advantages, particularly now that road transport is paying for the use of the roads.

I still do not understand this attitude that we should protect the instrumentalities at all costs at the expense of the general public, because I have no doubt that healthy competition will bring about a different pattern of transport, and that the railways and road transport will each find their own position in this pattern; and healthy competition will tend to reduce costs to the consumer. Reduced freight costs are most important to the development of this State as freights are one of the large cost factors in Australia which is an exporting and importing country where many goods have to travel long distances. The resolving of the best and most competitive freight system will be an advantage to this State.

Many road operators are small men. This is not a case of promoting big business. I should have thought the Opposition would support the rights of the small man to operate and make a living on our highways. It has been suggested as an alternative to open competition that we have a co-ordinated road and rail service. That has not been explained in detail but I fear that the thought behind this proposal for co-ordinating of road and rail services is a move to have even tighter control than we have now, because a co-ordinated road and rail service is unlikely to work economically unless people are forced to use it. A person under present conditions has the freedom of the roads to carry his own goods in his own vehicle in South Australia. However, in some other States the producer is restricted in the carrying of his own products in his own vehicle. He has to take his goods to a railway siding. I, like the Hon. Mr. Story, can remember the day before we had the present transport control and there was competition between the railways and road transport. Admittedly, road transports were not as large or efficient as they are now, but I can well remember representatives of the railways, sometimes the stationmasters, going out in country districts, approaching landowners, and making agreements with them to carry their wool and other produce direct from the farm to the point of delivery. There was an understanding with a local carrier that he would carry wool at a flat rate and put it on railway trucks, after which it was taken by rail to the wool stores. There was very keen competition, and the Railways Department got a large proportion of this business because of the competitive spirit it showed and the service it was prepared to give. This Bill will materially help in relation to transport costs, assist the development of our country areas, and be an aid to decentralization and to the future progress of this State. I support the second reading.

The Hon. R. C. DeGARIS (Southern): I support the Bill. This is the first time since I have been a member of this Council that any measure has been before us that illustrates with absolute clarity the fundamental differences between the thinking of the Labor Party and the thinking of the Liberal and Country League. Yesterday the Hon. Mr. Shard, in leading his Party's opposition to this particular legislation—

The Hon. S. C. Bevan: I thought there were no Parties in this Chamber.

The Hon. R. C. DeGARIS: We seem to have them. If the honourable member looks at *Hansard* he will see many references to the Opposition. There is even a door in this building with "Opposition" on it. This expression has been used by other members of this Council. No doubt Mr. Shard was leading his Party's thoughts in the matter, and he made it abundantly clear to every member here that the policy of the Labor Party in this matter was control.

The Hon. Sir Arthur Rymill: He was leading?

The Hon. R. C. DeGARIS: Yes, he was leading, as he was the first speaker. He made his Party's thinking abundantly clear to us. His Party wants not only a system of control of transport in this State but a control to the general exclusion of the spirit of competition in the economic life of this State. Yesterday the honourable member mentioned the goose that laid the golden egg.

The Hon. A. J. Shard: Not in connection with this Bill; I was referring to a tax on the motorist.

The Hon. R. C. DeGARIS: If, by any policy, competition and free enterprise are restricted, the goose that lays the golden egg is being effectively removed from the economy.

The Hon. A. F. Kneebone: Competition is disappearing, though. Business undertakings are becoming monopolies.

The Hon. R. C. DeGARIS: That was mentioned yesterday. Perhaps I should quote some remarks made by Mr. Shard yesterday.

The Hon. A. J. Shard: They were very good remarks. They were very sound.

The Hon. R. C. DeGARIS: The honourable member said:

I think the Government has taken the wrong action. The correct action would be to retain the board and tell it to be more considerate in issuing permits in areas where the railway service did not meet the needs of those areas.

The Hon. A. J. Shard: What is wrong with that?

The Hon. R. C. DeGARIS: Nothing.

The Hon. A. J. Shard: That is very sound.

The Hon. R. C. DeGARIS: From your point of view.

The Hon. A. J. Shard: And yours, too.

The Hon. R. C. DeGARIS: Later, the honcurable member said that in the South-East nobody could complain about the railway service. Let us take those two points together. The only inference I can draw is that in his opinion road transport should not be given the right to operate in the South-East.

The Hon. A. J. Shard: Not where the railways are giving good service.

The Hon. R. C. DeGARIS: The honourable member admitted that the railways were giving a service in the South-East.

The Hon. A. J. Shard: And a very good one. The Minister agrees with that.

The Hon. N. L. Jude: But the member for Mount Gambier does not!

The Hon. R. C. DeGARIS: The honourable member would agree with me that he said that road transport should not operate in the South-East.

The Hon. A. J. Shard: That is correct.

The Hon. R. C. DeGARIS: He completely overlooked the fact that a large portion of the South-East business goes to Melbourne.

The Hon. A. J. Shard: That will continue even if the hauliers have free use of the roads.

The Hon. R. C. DeGARIS: It will continue until efficient road transport starts to move some of the business back to South Australia.

The Hon. A. J. Shard: This will be done if this Bill goes through.

The Hon. R. C. DeGARIS: The reason why this business goes to Melbourne is that a very efficient road service exists between the South-East and Melbourne. I know that many people who use the road service would like to use the railways, but, because that road transport is so much more efficient, they are forced to use it. Much business is lost to this State for this reason. Mr. Shard also said:

Where the railways are giving a service that meets the needs of the community they should have a sole right of cartage.

The Chief Secretary had interjected earlier, saying:

I thought you were opposed to monopolies.

In reply, Mr. Shard said:

I am not opposed to State instrumentalities. I believe there should be more of them.

The Hon. S. C. Bevan: I thought you believed in making the railways pay.

The Hon. R. C. DeGARIS: I am coming to that. I am certain that if we can get a spirit of competition, or allow road transport to compete with the railways and make some contribution under the ton-mile tax, there will be greater efficiency in the railways. I am certain that if this comes about there will be a better service and probably the railways will not lose any more money than now.

The Hon. A. J. Shard: Oh, now!

The Hon. R. C. DeGARIS: I am certain that is so. Railways are competing effectively with road transport elsewhere in the world, particularly in America. If one wants to reach a stage of complete inefficiency, one should have State instrumentalities with no competition.

The Hon. A. J. Shard: You would not say that about the forests in the South-East, would you?

The Hon. R. C. DeGARIS: Of course not, but that is an entirely different thing.

The Hon. A. J. Shard: It is a State instrumentality that shows a huge profit.

The Hon. R. C. DeGARIS: Quite so. Do you know how much the forests make?

The Hon. A. J. Shard: Yes, because no competition is allowed.

The Hon. R. C. DeGARIS: Do you know much they make?

The Hon. A. J. Shard: Quite a big amount.

The Hon. R. C. DeGARIS: Would they be able to pay 8 per cent on a capital of £27,000,000?

The Hon. A. J. Shard: Yes, they are the best paying State instrumentality in the State, and possibly in Australia.

The Hon. R. C. DeGARIS: I entirely agree with that.

The Hon. F. J. Potter: The forests are not a public utility.

The PRESIDENT: Honourable members will address the Chair.

The Hon. R. C. DeGARIS: I join with the Hon. Mr. Story and the Hon. Mr. Gilfillan in hoping that this amendment does completely free the roads for the movement of goods by road transport, with the exception, of course, of provision to cover the areas where there is an unexpired permit in existence. The road hauliers will be paying a share of the road maintenance by virtue of this ton-mile tax.

The Hon. A. J. Shard: You mean that any customers will be.

The Hon. R. C. DeGARIS: They will all be paying it. At least, road and rail transport will be on a competitive basis and the road haulier will be paying his fair share of the costs of road maintenance in this State. I hope that this amendment does completely free the roads and, like the Hon. Mr. Story and the Hon. Mr. Gilfillan, I shall be intently listening to the remarks of the Minister in the Committee stages. I feel that the Bill does exactly what it seeks to do and have pleasure in supporting it.

The Hon. M. B. DAWKINS (Midland): Last year in this place I said that primary producers generally would appreciate action taken which would result in the saving of much valuable time in their operations. I also said that the incidence of livestock being bruised while being transported to be slaughtered would be lessened by reason of less handling. I pointed out that there would be less delay in getting stock to the abattoirs and I said that I was of the opinion that the action taken to ease restrictions was as much as we could hope to have at that time. Some of my honourable friends have expressed the same opinion. However, it was unfortunate that the roads were not freed to anything like the degree that was intended.

The Hon. Mr. Story referred to clause 3 of this Bill, and it has been mentioned by several honourable members. I do not intend to read it in full but I believe that the two new subsections to be inserted as section 40 in the principal Act will really do what we want them to do—free the roads in the way that is desirable. However, I shall join with the Hon. Mr. Story, the Hon. Mr. Gilfillan and the Hon. Mr. DeGaris in listening to what the Minister has to say in Committee and I shall seek an assurance that this Bill will, in fact, do what it sets out to do.

I agree with Mr. Gilfillan's statement that instrumentalities should be preserved and I agree that such preservation should not come before the interests of the people of South Australia as a whole. In other words, we should not preserve instrumentalities when by so doing we are jeopardising the interests of any section of the community.

I do not propose to refer in detail to the arguments advanced by members of the Labor Party yesterday. Nevertheless, I remind honourable members that the Leader had given a clear insight into the Party's thinking and then this afternoon, when Mr. DeGaris referred to the "general exclusion of competition in the economic life of the State," Mr. Shard said, "Hear, Hear", and I felt that if ever the Leader gave us a clear indication of the thinking of the Labor Party on these matters, he certainly underlined it. Many points have been covered by my colleagues and I support the second reading.

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

LIBRARIES AND INSTITUTES ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 1. Page 1179.)

The Hon. A. F. KNEEBONE (Central No. 1): The provisions of this amending Bill are all designed to assist in the administration of institutes. Many of us have come in contact with the work of institutes either in this State or in other States during some part of our lifetime. The institutes themselves and the libraries associated with them have had a considerable influence on the cultural and social life of the people of this country. This influence has been considerable in most country districts. Anything that can be done to ensure that this influence shall continue in a more efficient manner, if that is possible, is deserving of support. I believe that this Bill should be supported for that reason. The annual report of the Institutes Association of South Australia for the year ended June 30, 1964, contains some very interesting figures which indicate the support which is given to institutes in South Australia. The report informs us that there are 20 institutes in this State with members aggregating 23,453. There were 761,761 books in libraries associated with those institutes. Books issued during the year amounted to 1,967,099. With reference to the amendments proposed by this Bill, the report had this to say:

Recommendations for amendments to the Libraries and Institutes Act submitted to the Hon. the Minister of Education from time to time have been approved and a draft Bill prepared. These suggested amendments, which are intended principally to clarify several sections, bring some requirements into conformity with others. Others are intended to deal more effectively with the dissolution of institutes. All are the result of administrative experience over a number of years. It is hoped that they will be passed by Parliament in the form submitted.

In view of the Institutes Association's comments on the Bill I shall content myself with making reference to only two clauses. Clause 3 repeals and re-enacts section 65 of the principal Act in a way which enables any member of the council of the Institutes Association, the Secretary of the association, or any officer authorized by the council, to enter and inspect any institute. In addition, any of these persons may examine papers, books and records and remove and retain them for a period not exceeding three months. These provisions will add to the efficiency of institutes and will enable a more thorough examination to be made of the position of any institute at any given time.

The amendments provided in clause 7 will prevent institutes from being wound up hastily. Had these provisions been included in the principal Act from the inception I feel sure that some institutes which have been wound up may still have been with us. It is provided that any notice calling a general meeting of the institute to consider a resolution that the institute be dissolved shall be signed by not less than one-sixth of the existing members. The resolution will not be effective unless carried by a majority of not less than three-quarters of the members present at the meeting and then confirmed by a majority of the members present at a subsequent general meeting of the institute called for that purpose and held not less than seven days nor more than one month after the passing of the first-mentioned resolution. The amendment is a good one, and I support it. The other clause appears to be satisfactory and improves the Act. The fact that the Institutes Association has approved the amendments confirms my support for the Bill.

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

TRAVELLING STOCK RESERVE: HUNDREDS OF FISHER AND RIDLEY.

The House of Assembly transmitted the following resolution in which it requested the concurrence of the Legislative Council:

That the resumption of those portions of the travelling stock reserve in the hundreds of Fisher and Ridley in terms of section 136 of the Pastoral Act, 1936-1960, and shown on the plan laid before Parliament on June 10, 1964, be approved.

BRANDING OF PIGS BILL.

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

METROPOLITAN AND EXPORT ABATTOIRS ACT AMENDMENT BILL.

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

FAUNA CONSERVATION BILL.

Adjourned debate on second reading.

(Continued from October 6. Page 1220.)

The Hon. A. J. SHARD (Leader of the Opposition): I rise with pleasure to support the Bill, with the exception of one or two clauses. It repeals the present legislation in respect of animal and bird protection and is designed to give more effective protection to the fauna of South Australia. I do not intend to belabour the question at length because it has been discussed in another place. It contains 78 clauses, and I have read most of the debate in another place. I expect that all the clauses, except one, will be accepted in this Chamber. Later I shall refer to clause 42, and in the Committee stage bring the matter forward.

The Bill seeks to bring the position to a standard that is desired by the community, especially people interested in the preservation of fauna in South Australia. From my reading and from what I have been told, the legislation appears to be similar to that operating successfully in Victoria. Recently I had the pleasure of discussing the matter with the Director of Fisheries and Wild Life of Victoria and with the President of the Victorian Field and Game Council. To my surprise and pleasure officers of the Department of Fisheries and Wild Life and members of the Field and Game Council (commonly known as the gun club) work in close co-operation. The discussion resulted in valuable information being obtained on various matters and in correcting an impression I had formed. I thought the object of gun shooters was to shoot ducks and not worry about anything else, but that has been dispelled in no uncertain manner.

During the last 12 months the gun club in Victoria has provided over 1,500 boxes to be

used as nesting places for ducks. It works hand in hand with the Department of Fisheries and Wild Life. Their joint desire is to preserve the fauna of Victoria so that it will be there not only for the shooters but for other interested people, such as birdwatchers. The various reserves and parks in Victoria are conducted on a high plane, according to the information received, and on Monday week I shall have the pleasure of inspecting such a reserve at Warrnambool. The record of the discussion with these two officers will be available to members of the Council shortly, and I hope that all who are interested will read the reports of a certain committee.

Clause 14 deals with the powers of inspectors and wardens, and subclause (1) (*c*) states that a warden or inspector may:

enter and search any land, building, structure, vessel, boat, vehicle, receptacle, place, or thing in which he suspects, on reasonable grounds, that there is any animal, bird, carcass, skin, device, record or other thing which is likely to afford evidence of an offence against this Act, or which it is necessary to inspect and examine in order to ascertain whether this Act is being complied with:

It gives an inspector or warden without possessing a warrant, merely on suspicion, the right to enter any person's house if that is considered reasonable. Provision has not been made for an authority to say what may be deemed reasonable. Amendments are on members' files, and in Committee I shall move to strike out the words "building", "structure", and "place".

The Hon. Sir Lyell McEwin: Is that different from the present law?

The Hon. A. J. SHARD: Whether or not that is so, we do not want those words included. I understand that the provision goes further than the present law, but I am not sure; we do not want them included in an Act being brought up to date. It is wrong that a person should have the right to enter another person's home without a warrant. Therefore, I shall move to delete the words "building, structure" and "place". If an inspector thinks that a person has taken some game to which he is not entitled, we do not feel he has the right to enter a building, structure or place—which, generally, is the person's home. If the Council agrees to those words being deleted, I should like to move the following new paragraph (*c*1) which gives a warden power to:

enter and search any building, structure or place on the authority of a warrant so to do which may be granted to the said inspector by a justice of the peace who has been satisfied by evidence on oath that the said inspector suspects on reasonable grounds that there is in the place to be searched any animal, bird, carcass, skin, device, record or other thing which is likely to afford evidence of an offence against this Act or which it is necessary to inspect and examine in order to ascertain whether this Act is being complied with;

We all know the reasons behind this proposed amendment. It has been held and accepted in Australia, if not everywhere in the British Commonwealth, that nobody has the right to enter a person's home without permission or a warrant.

It is not often that I am able to quote from the *Advertiser* in support of my statements but I now quote from this leading article in the *Advertiser* of October 2, 1964, headed "Searching without a warrant". This is good advice coming from the Government's main supporter.

The Hon. Sir Lyell McEwin: You would accept this advice, then?

The Hon. A. J. SHARD: Yes. I do not often accept what this paper states, but on this occasion I am happy to do so. The article states:

The Government should re-examine the clause in the Fauna Conservation Bill dealing with the power of inspectors to search a house without a warrant. This clause threatens the violation of a principle which has long been cherished in this country—indeed, in all countries where British ideals of justice still prevail. Virtually all South Australians would certainly resent a move to permit officials, without the consent of some independent authority, to enter and search homes. If this power were granted to inspectors under the present Bill, would any home in this State remain for very long either private or sacrosanct?

The plan to conserve fauna and flora and to create more wild life reserves in this State is a good one and is widely supported. Naturally, some powers to ensure that the reserves are adequately protected against trespass are essential. Inspectors are accordingly being given authority to request names and addresses, and even, in some circumstances, to make arrests. But there is far too much latitude in the clause which states that for the purpose of enforcing the Act, an inspector may "enter and search any land, building, structure, vessel, boat, vehicle, receptacle, place or thing in which he suspects, on reasonable grounds, that there is any animal, bird, carcass, skin, device, record or other thing which is likely to afford evidence of an offence against this Act. . . ."

The possibilities of abuse of such powers is obvious. On the other hand, if an inspector has reasonable grounds for suspecting that an offence has been committed and there is evidence of it in a house, he should have no difficulty in convincing a justice of the peace or similar authority that a search warrant should be issued. With perhaps a few exceptions, wild life reserves will not be so remote as to involve inspectors in undue delays and

difficulties in obtaining warrants. In the present case, the powers sought are out of all proportion to the purposes of the Bill.

It has never before been my pleasure to say that I agree 100 per cent with an article appearing in the *Advertiser*.

The Hon. Sir Lyell McEwin: Did you draft that amendment as a result of reading that article?

The Hon. A. J. SHARD: No. Two amendments were proposed by my Party in another place, and this amendment is an exact replica of one of them. The other was, wisely, accepted by the Government. I hope the Council will be wise enough to accept my other amendment. I want the Minister's attention on this because a member of our Party in another place raised this point. Clause 42 reads:

(1) Notwithstanding any other provision of this Act, it shall be lawful for any person, without any permit or other authority granted under this Act to take any Australian Magpie which has caused or appears likely to cause injury to any person.

(2) A person shall not sell an Australian Magpie taken pursuant to this section.

Penalty: Twenty pounds.

If there is a magpie about and it looks like endangering anybody, the present position, as I understand it, is that the police are requested to destroy it. Clause 42 gives any person the right to shoot or take any magpie that appears likely to cause injury to a person. My colleague in another place thinks that goes too far. He was prepared to move an amendment to it but, according to my information, the Minister of Agriculture agreed that he would have a look—

The PRESIDENT: The honourable member must not quote from another place.

The Hon. A. J. SHARD: I am sorry. The Minister in another place agreed that he would have a look—

The PRESIDENT: The honourable member must not quote the report of the debate.

The Hon. A. J. SHARD: I read in the newspaper about this magpie.

The Hon. R. C. DeGaris: In black and white!

The Hon. A. J. SHARD: Yes—that he would consider this request and, if need be, he would suggest an amendment in another place. That is how I understand the position. Will the Minister here be good enough to look at that and tell me what the exact position is? I reserve the right to further consider clause 42 in Committee. I compliment the Government on bringing in this Bill. I understand a similar provision applies in Victoria. It will be to the advantage of all concerned. I support the second reading with the reservations that I shall move amendments to clause 14 and come back again on clause 42.

The Hon. JESSIE COOPER secured the adjournment of the debate.

PRICES 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.

In asking this Council to agree to an extension of the Prices Act for another 12 months, the Government recognizes the need for a public authority to watch price movements that may occur over this period and to take action where warranted in the interest of the community. Until recently there has been a period of about three years of general price stability, but internal pressures in the economy are now building up which will herald a general upward trend in prices unless the machinery to contain unjustified price increases is retained.

The Government's reasons for wishing to extend this legislation include the following. First, the introduction of decimal currency is planned for February, 1966. Already the business community is preparing and planning for the changeover. Unless watched carefully, a minority of traders could use the advent of decimal currency to their own advantage. It is not generally realised that the danger of loss to the public will occur not only on conversion but also as a result of preliminary moves over the next eighteen months. Secondly, the increase of £1 a week in the basic wage following in the wake of a number of earlier awards has created a number of problems of concern to my Government. Some industries where labour costs represent a large proportion of total costs are unable to absorb wage increases to this extent. However, a number of industries can and will be expected to absorb the additional cost or part thereof according to circumstances and, without the machinery available to require some restraint, prices could quite easily get out of hand.

Thirdly, the policy of my Government has always been to watch the interests of the primary producer and to render assistance wherever possible. In this respect, and particularly under present circumstances, some of the benefits which primary producers are enjoying would not be possible without the

extension of the Prices Act. Fourthly, the Government's policy has also been to ensure that the consumer gets a fair deal. In numerous instances current trading conditions have become so complex and so involved that many consumers including persons on fixed incomes find it difficult to make ends meet without some assistance and guidance. The department has rendered an invaluable service to many of these people in the past, and it is most desirable at this juncture that they continue to be afforded the opportunity to approach the Prices Department, which not only looks after their interests but is constantly rendering them assistance in an extensive range of ways.

Fifthly, apart from pricing, the department is covering a rather wide field of activities, which include special investigations for the Government. The outcome of these investigations has been of considerable benefit to sections of industry, primary producers, and consumers, and it is in the interests of the community that these activities also be continued. Sixthly, on comparable home building costs this State can build a 12-square home of five rooms for at least £750 cheaper than any other State. If the Prices Act is not extended, this most favourable differential could be considerably whittled down. Seventhly, the new legislation on unfair trading practices introduced by the Government in the last session of Parliament has since its inception proved itself to be working particularly well. A number of undesirable practices have been stopped since the legislation was incorporated in the Prices Act. It is most desirable that the new legislation, which has proved extremely popular with a large cross-section of the business community and the public in general, be continued, and in fact it is proposed to add two amendments to this particular legislation, which will further improve the situation and which are outlined as follows:

Section 33a has been redrafted (clause 3 of the Bill) to strengthen the provision relating to "no limits on purchases". This with the consent of the Council will be done by (*a*) requiring a trader who has offered goods for sale to supply such number or quantity of goods demanded, irrespective of whether the buyer requires the goods for resale or for his own use (subsection (2) of section 33a); and (*b*) restricting the defence of "short supply" to those cases where the goods in question are not readily available at the wholesale level (subsection (3) (*c*)).

Clauses 4 and 5 effect minor drafting amendments to sections 33c and 33d of the principal Act. A new section 33e, inserted by clause 6, requires more informative ticketing on either declared or undeclared goods where a ticket is exhibited. The ticket, label, placard, or notice must clearly show the full cash price in lettering no less in size than the largest size of lettering appearing elsewhere on the tickets, etc. This provision is designed to enable the potential buyer to compare the cash price with any other information which might be given, such as weekly payments or other terms, and conditions including trade-in allowances, which can often be misleading although not always intentionally so. Clause 7 is in the usual form, extending the life of the Act for a further 12 months.

The argument put forward by some sectional interests that price control is harmful to the State's economy is not borne out by the following facts. Proof of the State's commercial growth is given by the following percentage increases for 12 months over the previous 12 months for retail sales of goods (excluding motor vehicles, parts, petrol, etc.) as obtained from the Commonwealth Statistician:

	Percentage increases for 12 months ending March over previous 12 months.	
	1963	1964
	%	%
South Australia	4.1	7.4
New South Wales	3.7	2.9
Victoria	3.1	5.5
Queensland	3.6	7.2
Western Australia	3.3	5.5
Tasmania	3.6	3.6

This shows that South Australia was leading in 1963, and that in 1964 it made a much greater increase than any other State.

The Hon. A. J. Shard: It has not made as much increase as Queensland.

The Hon. Sir LYELL McEWIN: This State is 0.2 per cent ahead of Queensland. The figures are 7.4 per cent compared with 7.2 per cent.

The Hon. A. J. Shard: South Australia increased by 3.3 per cent and Queensland by 3.6 per cent.

The Hon. Sir LYELL McEWIN: Queensland still has to catch up on South Australia. This is like an earlier argument I heard from the honourable member, who cannot bear to admit that South Australia is more prosperous than are other States. Does he think he is doing a service to people in this State by suggesting that it is not as prosperous as others? If he wants to babble on, let him look at New South Wales and see how that State got

on. Since the 1961 census, when South Australia was shown to be one of the best housed States in the Commonwealth, this State has improved its position still further. The following figures compiled by the Commonwealth Statistician illustrate the number of new houses and flats completed for the year to June 30, 1964, for each 10,000 head of population:

South Australia	112
Western Australia	109
Victoria	88
New South Wales	82
Tasmania	71
Queensland	69

For the reasons given above and bearing in mind the small annual cost at which the department is run, together with the savings it obtains for the community every year (which incidentally runs into many times the cost of administration) I ask the Council to vote for an extension of the Prices Act until the end of December, 1965, together with the amendments for the new legislation incorporated in that Act which I have put forward.

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

BULK HANDLING OF GRAIN ACT AMENDMENT BILL.

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

FESTIVAL HALL (CITY OF ADELAIDE) BILL.

Second reading.

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

That this Bill be now read a second time.

Its object is to enable the council of the Corporation of the City of Adelaide to construct a festival hall within the city with Government assistance. The Bill consists only of three operative clauses. Of these, clause 3 expressly enables the council to construct a festival hall together with ancillary buildings and to furnish and equip the hall. This express power is considered to be necessary as the council probably has no power to expend its funds or to borrow money for such a purpose. Accordingly, subclause (1) empowers the council to build the hall, subclause (4) to expend its revenue in contributing towards the cost of construction, provision and maintenance of the hall and subclause (5) enables the council to borrow money for the purpose of enabling it to contribute towards the cost of construction and provision of the hall. Subclause (2) of clause 3 provides that the hall shall be deemed to be a permanent work or undertaking for the purposes of the Local Government Act.

Various sections of the Local Government Act refer to permanent works and undertakings. For example, section 287 empowers any council to expend its revenue in maintaining premises, works and undertakings. Section 383 empowers the council for the purpose of a permanent work or undertaking to purchase or otherwise acquire land or materials and to improve, maintain and operate permanent works and undertakings. Section 407 empowers the compulsory acquisition for the purposes of any work or undertaking authorized by the Local Government Act or any other Act. The council has requested the inclusion of subclause (2) of clause 3 of the Bill to ensure that there should be no doubt as to its general powers in respect of construction, provision and maintenance of the hall.

Clause 4 provides that the hall shall remain vested in the council which is to have the care, control and management thereof, a provision which I believe is reasonable. Clause 5 is the clause which especially concerns the Parliament, since it deals with the question of financial assistance to the council by the Government. The effect of clause 5 is that the Government may pay to the council an amount not exceeding £100,000 towards the purchase or acquisition of a site for the hall, the amount to be paid so soon after the council has come to a decision as to the site as the Treasurer approves. This amount will be by way of outright grant. With regard to construction and provision of equipment, the Government will contribute up to an amount of £400,000 by way of outright grant and another £400,000 by way of loan on the basis of a total expenditure of £1,000,000. If the cost of the hall exceeds that sum the council will meet the whole of the excess. On the other hand, if the total cost is less than £1,000,000, the Government contributions will be proportionately reduced.

The whole of the sum of £800,000 will be paid by the Government from time to time according to progress, one half of it being repayable after the work is completed, with interest on the capital indebtedness, from the date when such indebtedness accrued, at 4½ per cent per annum over a period of 30 years. Honourable members will observe that clause 5 follows closely the pattern of the corresponding section in the Morphett Street Bridge Act which was passed earlier this year where a similar plan of grant and loan was provided. The only difference between the two schemes is that the interest in this case is at a fixed rate of 4½ per cent.

I refer lastly to subclause (3) of clause 3, which provides that the hall is to be constructed in accordance with designs approved by the Treasurer. It seems to be not unreasonable that if the Government is contributing so much financial assistance to the project it should be entitled to see the basic designs. It would not be the Government's intention to require great detail, but rather to see what was proposed before any moneys were paid over This Bill, relating as it does specifically to the Adelaide City Council, was referred to a Select Committee in another place in accordance with Joint Standing Orders. The committee fully investigated the matter and recommended its passage in its present form.

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

ADJOURNMENT.

At 6.2 p.m. the Council adjourned until Thursday, October 8, at 2.15 p.m.