LEGISLATIVE COUNCIL.

Thursday, October 8, 1964.

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

ASSENT TO BILLS.

His Excellency the Governor, by message, intimated his assent to the following Bills:

Honey Marketing Act Revival and Amendment,

Pulp and Paper Mill (Hundreds of Mayurra and Hindmarsh).

QUESTIONS.

ISLINGTON WORKSHOPS.

The Hon. A. J. SHARD: I ask leave to make a statement prior to asking a question.

Leave granted.

The Hon. A. J. SHARD: Over recent years, to the credit of everybody concerned, including the Department of Labour and Industry, there has been a great awakening to the need of safety within industry. The employees at the Islington workshops, in particular, asked the trade union movement to approach the Railways Commissioner with a request that a full-time safety officer be employed at those workshops. I understand that the Railways Commissioner replied to the United Trades and Labor Council but the employees concerned considered that the reply was not satisfactory. Will the Minister of Railways, possibly in conjunction with the Railways Commissioner, consider this matter with a view to ascertaining whether the Commissioner thinks a full-time safety officer at the Islington workshops is necessary, and, if he does, whether such an officer will be provided?

The Hon. N. L. JUDE: I shall take up the matter with the Railways Commissioner and get a report for the honourable member.

LAND SETTLEMENT RENTALS.

The Hon. R. C. DeGARIS: I ask leave to make a statement prior to asking a question.

Leave granted.

The Hon. R. C. DeGARIS: The Minister of Lands and the Director of Lands have been in consultation with the Commonwealth Government on proposals submitted by the State Government and tentatively turned down by the Commonwealth Government in relation to war service land settlement rentals in what has become known as Zone 5. The Lands Department, I believe, has accepted the tentative refusal as a basis for further negotiations, which I believe have brought some results. The department is hopeful that further results will be achieved from information submitted on the various points in this dispute. Those of us who have been closely concerned with this matter realize that the negotiations have been rather protracted. Some time ago the Minister of Lands informed me that he thought there was some hope of a just agreement, but in the final analysis the idea of what constitutes justice may differ from the idea of some of the settlers. Can the Attorney-General, representing the Minister of Lands, say whether the State and Commonwealth Governments have finally reached an agreement in relation to the rentals of settlers in Zone 5?

The Hon. C. D. ROWE: This matter is being handled by my colleague, the Minister of Lands, but I know that considerable negotiation has gone on. Rather than give a reply at this stage, I think I should get exact details from my colleague, which I shall do. I shall let the honourable member have a reply as soon as possible.

PRICES: PIES AND PASTIES.

The Hon. L. R. HART: I ask leave to make a statement prior to asking a question.

Leave granted.

The Hon. L. R. HART: The Prices Commissioner recently made an order bringing the sales of pies and pasties, both wholesale and retail, under price control. Previously retail prices have been controlled, but this is the first time wholesale prices have been controlled. The present controlled price for both pies and pasties is 8s. a dozen wholesale, and the retail price is 1s. each. Under the present order these prices are uniform throughout the State. Country manufacturers have to meet considerable freight charges on the ingredients used in the manufacture of pies and pasties, and it would seem that under the uniform price they would be at a distinct disadvantage in relation to prices, compared with manufacturers in the city. Will the Minister representing the Premier, under whose control the Prices Department operates, ask the Premier if he will request the Prices Commissioner to review the prices of pies and pasties with a view to allowing country manufacturers an increase to cover freight and other charges incurred by them but not by Adelaide manufacturers?

The Hon. Sir LYELL McEWIN: In reply to the honourable member, I am quite happy to refer the question to the Premier but I would qualify my reply by saying that the adjustment in prices is fixed by the Prices

Commissioner on the conditions prevailing and one would expect that all factors would be considered and that any decision would be based on the conditions, not on a request.

METROPOLITAN AND EXPORT ABATTOIRS ACT AMENDMENT BILL.

Second reading.

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

That this Bill be now read a second time.

Its object is to enable arrangements to be made with the Commonwealth for the transfer to the Commonwealth of meat inspectors employed by the Abattoirs Board and by the State Department of Agriculture, such officers to continue to perform on behalf of the board and of the State respectively meat inspection functions under the State Metropolitan and Export Abattoirs Act. The necessity for the legislation arises from the fact that in connection with the export of meat from Australia, particularly to the United States of America, it is desirable that all inspections of meat for export should be made by officers of and directly under the control of the Commonwealth Government which of course represents the whole of Australia in international affairs.

Accordingly, the Commonwealth Government is proposing to enact legislation which will enable it to take over the present State and Abattoirs Board inspectors who would thus become members of the Commonwealth Public Service and as such perform their functions in accordance with Commonwealth law. In particular, they would act as inspectors of meat for export purposes. However, as is obvious, not all South Australian meat is exported out of the country and it will still be necessary for meat inspections required for domestic purposes under the State Act to be carried out. The Commonwealth legislation and this Bill will enable arrangements to be made between the board and the Commonwealth for the taking over of the board's inspectors and the performance by those inspectors of inspections on behalf of the board, the board paying to the Commonwealth an agreed contribution towards their remuneration in accordance with the amount of work done on the board's behalf. Clause 4 so provides. Clause 3 makes a necessary amendment to the interpretation section of the principal Act by extending the definition of "inspectors" to include Commonwealth inspectors.

Clause 5 makes similar provisions in relation to meat inspectors in the employ of the Department of Agriculture, the only difference being that the necessary arrangements in this connection will be between State and Commonwealth Governments since these officers are not employees of the Abattoirs Board. The Bill merely authorizes the necessary arrangements to be made and discussions are now proceeding as to the terms and conditions of those arrangements. As I have said, the Commonwealth proposes to enact complementary legislation on the subject.

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

PRICES ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 7. Page 1291.)

The Hon. A. F. KNEEBONE (Central No. 1): I rise to support this Bill for the reason that I have always supported the control of prices. Recently we have had an exhibition of the necessity for the control of prices in that, following an increase in the basic wage, we had prices rising in a flood. We then had items brought back under control and the purpose of this Bill is vindicated by the necessity to resume control over certain items. I was surprised to hear that, when pies and pasties were brought back under control, the wholesale price of a pasty was eightpence and the retail price was one shilling. This shows a 50 per cent profit margin on pies and pasties.

The Hon. L. R. Hart: That is the controlled price.

The Hon. A. F. KNEEBONE: Yes, but the price was higher than that before the items were brought back under control by the Prices Commissioner. Surely a 50 per cent margin of profit is sufficient! We find that many other items were also brought under control. For the reasons which I have stated, I support price control and feel that that is the only way people who receive increases in margins and in the basic wage can be adequately protected and not have the advantage of the increases taken away immediately.

In the course of another debate in this Council I remarked that the increases in wages are only of an illusory nature, anyway, because no benefit is derived from them for any length of time when many of the items that should be under price control are not controlled. I feel that price control should be permanent, instead of being extended temporarily, as is the case with this Bill. Price control has been effective and I, therefore, support the second reading of this Bill.

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

LIBRARIES AND INSTITUTES ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 7. Page 1287.)

The Hon. R. C. DeGARIS (Southern): In speaking to this Bill, I should like to express my appreciation of the part played in the past by institutes in the community life of many of the rural towns in this State. I particularly express my appreciation of the work done in the past by the libraries attached to country institutes. I commend the people who have served, and who are serving, voluntarily on various institute committees and am aware that they spend much time and effort to ensure that their communities possess facilities for cultural activities. It has always been the policy of this Government to assist people who are prepared to help themselves and over the years subsidies have been paid to the Institutes Association for assistance to institutes.

In this year's Budget the sum of £24,000 was made available for this work. The payment of the subsidy acts as an encouragement to country institutes and to the people who voluntarily serve on institute committees. However, a rapid change is taking place in many country towns. They are facing the impact of the motor vehicle, fast moving transport, television, free public lending libraries, and the need for a concept of town hall amenities as opposed to that of institute libraries. All these changes have to be considered and the Libraries and Institutes Act must be able to cope with them in our various developing towns. It is annoying when the aspirations of a community in relation to institute amenities and facilities are frustrated by the provisions of the Act, or perhaps I should say the legal opinions expressed when a council desires to erect a civic centre and virtually takes over the role played by the institute in the community. It is also interesting to note the increasing number of public libraries that are being established under the Libraries (Subsidies) Act. The development is to be applauded. It reflects credit on the country councils that avail themselves of the subsidy and establish free lending libraries. However, the public library concept cannot fully replace that of the institute library.

Towns with public libraries should make every effort to merge both libraries, if they are operating in one town. At the moment possibly each could be said to serve a different purpose. Often the term "public library" is used when referring to a reference library, and the institute library is regarded as one catering for recreational reading. While this may be so it does not make for sensible administration, particularly in a country town where, with a limited population, an attempt is made to run two separate libraries—a subscribers' library and a free lending library. Each would have its own staff and operate in separate buildings.

Both types of library are necessary, but I cannot see that it is reasonable to try to run two separate libraries in many country towns. I cannot delve deeply into the matter now, but I would like to see a greater degree of co-operation between the two library systems. Obviously there is room for both types, but towns with both a public library and an institute library should merge them and have only one control. Where a public library and an institute library in a country town do merge it could become a distribution centre for the smaller institutes in surrounding areas. This would not only improve the standard of the books available but would reduce administrative costs. One may wonder why this co-operation cannot be achieved, but it appears that there is a lack of co-operation at the top level of the two systems. I do not know whether this impression is correct or not, but it is possible that there could be difficulties in this regard, and that the lack of co-operation at top level filters down until there is a lack of co-operation in the country towns where the two library systems exist. Dr. A. Grenfell Price investigated the library system in this State and in a report on a survey taken by Messrs. Munn and Pitt he stated:

> The Carnegie Report deals hardly with institutes, and severely criticizes the whole system, both in Australia and in this State. The surveyors consider that the Australian institutes are survivals of the British system of subscription libraries, which were founded for self-improvement in the early and middle decades of the nineteenth century. In Britain these libraries have either died or have been merged in free municipal libraries, but in Australia they have survived from pioneer times, and in many centres provide the only lending library services.

Further on he said:—

> In the country districts of Victoria, South Australia, Queensland and Western Australia, the surveyors would retain the institutes, but would hand to the State-municipal library board the "control of the Government subsidy to the country libraries and institutes." They also recommend that the State-municipal library should establish country services centred in a separate department and safeguarded by a separate budgetary allotment.

The suggestion I make for merged libraries pin-points one of the real problems under the Libraries and Institutes Act. Many country institutes satisfy the need for both hall accommodation and the library, but in some of the more rapidly growing towns the aspirations of the community cannot be catered for adequately by the institute committee, and I say that not with the intention of being critical of institute committees. I appreciate the work of many of them but it is completely beyond their resources to cater for the aspirations of many growing communities. This is high-lighted where the institute committee, the council and the general public realize that the institute cannot adequately cater for their interests and decide that they would like a new civic centre. The obvious way to do this is for the local council to take over the institute property. This has occurred in my own home town of Millicent. Over a period of at least 10 years at various times in the negotiations between the council organization and the institute committee complete agreement has been reached and always when something desirable was about to happen the negotiations have broken down. The institute committee was anxious to be relieved of the responsibility of catering for the hall requirements of the town.

The local council was anxious to shoulder the responsibilities for that town hall and was happy to allow the institute to continue with its library. To any casual observer, this would seem an easy matter when there was complete agreement between the parties concerned. In the case of my home town, negotiations were begun many years ago. The first negotiation began under section 109 of the Libraries and Institutes Act. Everyone was happy until a legal opinion was obtained which stated that, even if the council took over the institute property, the trusts of that property would still apply and the council would virtually become only an institute committee.

The legal opinion informed us that, if the council wished to take over the institute property and develop it as a civic centre, it should act under section 98 of the Libraries and Institutes Act. Several meetings were held between the district council and the institute committee and on many occasions we reached complete agreement. Perhaps I may quote from several newspaper cuttings that I have on this matter. According to *The South-Eastern Times* of Friday, June 7, 1957, the council decided to seek a Queen's Counsel's opinion on the question of the council taking over the institute property. This cutting states that the institute's letter from the committee's President (Mr. Arthur Davy) said:

In reply to a deputation from the Millicent District Council *re* transfer of the trusts of the institute to the council, the requirements of the institute committee are to have a room the same or similar to the present room for library purposes; and for the council to pay the librarian's wages at present paid from general revenue.

Both the committee and the council had reached complete agreement on this scheme, but it broke down on the legal opinion that the trusts of the institute could not be removed. Further to that, we come to 1959, when the district council made an offer to the institute to purchase the institute property for a price of £8,000, the purchase to be made under section 98 of the Act, as that legal opinion advised the council to negotiate under section 98 of the Libraries and Institutes Act, the council to provide room or rooms for library purposes. The room for library purposes need not necessarily be the one at present in use. The library may be situated elsewhere in the present building.

My point is that once again we had reached complete agreement upon the takeover of the institute by the district council. I should now like to read a letter that I received when Chairman of the district council from the chairman of the institute committee:

In reference to the discussion *re* the future of the institute in relation to plans for future development of the town, your plan to incorporate the library in the proposed civic centre has received the full support of the institute committee. As you are aware, the present building is inadequate both in size and in position, and the site limits any economical expansion. The committee feels that the outright sale of the present building and the incorporation of the proceeds into a community centre, with guaranteed library facilities, would be extremely beneficial to the institute, the civic centre and the town and district.

It looked as though at last we had solved this problem, until in the *South-Eastern Times* of October 23, 1959, the Secretary of the South Australian Institutes Association (Mr. H. J. Emslie) is reported to have told the institute: that the proposal for transfer of the institute to the Millicent District Council cannot be carried out under Section 98 of the Act. The institute had agreed to sell its property to the council for £8,000 providing the council assured an equivalent space for library purposes and made an annual grant of £100 for library running costs. It was proposed to effect the transfer under Section 98 of the Institutes Act.

In a letter to the institute, Mr. Emslie has said, "Not long ago, a similar sale was proposed by an institute and the Crown Solicitor

advised the association council 'where an institute proposes to sell portion only of its real property to a council, it may do so under section 98. Section 109 applies in the case of a sale by an institute of all its real and personal property in the council area.' ''

Once again certain doubts were raised on the legal position, this time by the Secretary of the Institutes Association, and from this point once again all negotiations broke down. I do not wish to weary the House with the complete history of these negotiations, but this brief outline will enable honourable members to understand the difficulties.

To complete this story, according to a newspaper cutting dated Friday, February 17, 1961, Mr. Brideson (Chief Librarian) went down to Millicent and told the local institute committee that the only way in which the council could take over that property and develop it as a civic centre was for the institute to dissolve. The institutes committee has not been prepared to do this. To bring the position up to date, I may say that recently a fire burnt down the institute hall in Millicent and the institute committee will receive a sum of money from the insurance company for the damage done by this fire. A meeting of subscribers was held recently, which 30 subscribers attended. They agreed to sell the whole of the institute site under section 98 to a private buyer for a considerable sum of money. What concerns me is that by this sale an amenity—a hall that has been used by the people of Millicent for many years—could be completely removed from them. Virtually, there is no public hall in Millicent. These 30 subscribers have decided to sell, as they had a legal right to under the Libraries and Institutes Act, and the committee could devote the money received to the continuation of a subscribers' library, and a subscribers' library only, in the town of Millicent.

I have illustrated to honourable members how the Libraries and Institutes Act at present can be a complete frustration to the aspirations of people in a community and their desires to have better amenities and facilities for their cultural activities. Also, I have given reasonable grounds for illustrating that there is at the top level in this State of our library administration a lack of co-operation, which is reflected down through the whole of our community. I believe that this division of opinion and the difficulty we have experienced have been an extension of this lack of co-operation and liaison at the top level. This lack of co-operation and liaison is the reason why in this State we have this dual system of libraries, and I think some better system should control them.

The Hon. Sir Frank Perry: Are the two departments under the same Minister?

The Hon. R. C. DeGARIS: Yes. The present position in Millicent is that the institute property has been offered for sale and if sold there is now under the Act only one way for the council to be able to build a civic centre—that is, a complete dissolution of the institute in Millicent, the funds obtained from the sale of the building to be paid to the Millicent District Council for public library purposes. This would merge the two libraries in this town into one. The people of Millicent have an opportunity to give a lead to this State in relation to library facilities and in the way this State administers libraries. I realize that dissolving an institute that has been in operation 70 or 80 years is a tremendous step for these people to take. It is difficult to bridge the division of public opinion in the town. There is a need to close the ranks and try to overcome the difficulties and divergences of opinion caused purely by the difficulties presented by the Act.

I have been dealing with two matters, one dealt with in clause 10 and the other in clause 7 of this Bill. Clause 7 strengthens the principal Act in that it makes it more difficult for an institute to be dissolved. The only way in which the town of Millicent can overcome its present difficulties is by dissolution of the institute, and clause 7 makes that process more difficult. Clause 10 adds to section 116 new subsection (3), which provides:

Where any real property of an institute has been sold, conveyed or transferred to a council pursuant to this Division and the council holds the same upon trust to permit the same or a sufficient part thereof to be used for the purposes of the institute, the council may, with the Minister's approval, set apart and make available for use for the purposes of the institute some other premises of the council approved by the Minister in lieu of that real property or part thereof, and, upon the issue by the Minister of a certificate to that effect, that real property or that part thereof, as the case may be, shall cease to be subject to that trust and those other premises shall thereupon become subject to that trust.

This means that a council will be able to take over an institute and rebuild a civic centre, and the trust under the Act can apply to a particular part of the civic centre that has been rebuilt. I believe this has been included at the express desire of the people of Millicent to overcome their particular problem but the present position is beyond this section being applied. I point out, however, that the trust of the institute would apply to a portion of a new

civic centre, and I can see that some difficulty may arise in the future if a council wishes to do anything with that building. For example, if the trust applies to any part of that building, the council would be in the same position as if it had taken over the original building. It could not be a free agent. Although this may be of some assistance, it presents some difficulties. With some doubts and reservations, I support the second reading of this Bill. I believe that we must make some attempt to merge our two library systems so as to give an adequate library service to the people of this State, and I hope the people of Millicent can give a lead to South Australia in this matter.

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

FESTIVAL HALL (CITY OF ADELAIDE) BILL.

Adjourned debate on second reading.

(Continued from October 7. Page 1292.)

The Hon. A. J. SHARD (Leader of the Opposition): I support the Bill. I have shown an interest in this matter since a festival hall was first suggested, and I suggested that the Government could come to the party. The Bill was referred to a Select Committee in another place, but before dealing with that I wish to make one or two comments. In his second reading speech, the Minister said:

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.

I have no complaint about that, as I think it is a very good gesture. The Minister continued:

The amount is 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.

That sounds a little like having a double-headed penny in a two-up school. I regret that the Government and particularly the Treasurer have been so dogmatic that this will be the maximum sum. It was thought that possibly the hall could be completed and in use by 1968, but because of an unfortunate happening that I shall not mention I doubt whether this will be possible. Costs may increase in the next few years, and I think the Government's direction that the grant will not exceed £400,000 is a little arbitrary. However, these things can be considered again in the future, and possibly Parliament will be master of its own destiny and, if it thinks fit, alter this provision.

I appreciate that the Government does not want people to think they can go on *ad lib* and spend any sum of money they wish. The expenditure must be within reason, but I think the Government has gone too far in saying that, irrespective of what happens, not one penny more will be granted. I heard the opinion expressed outside that this Bill is too mandatory. I think time might soften that approach and I hope that what was said outside is not the last word and that the Government has not determined that it will not budge from its point of view. I have said before that I like to see progress. I think Adelaide needs this festival hall and I hope that the hall becomes a reality. I know that everyone will not agree with what I am saying, but they are my personal views. I have had the advantage of sitting in some of the festival halls in other parts of the world.

I think that the site for the festival hall could be debated. Many sites could be looked at. Irrespective of my personal views on that matter and the views of anyone else, whatever site is chosen will not be satisfactory to everyone. I think an ideal site would be at Carclew, on the top of Montefiore Hill. It is not my intention to debate this Bill at large because when one believes in something, and wants to see the legislation passed, he does not talk too long on the matter, but rather allows it to go through.

In another place, the Bill was referred to a Select Committee, which met on nine occasions, made an inspection of a number of sites (including the site on Montefiore Hill) and heard evidence from 15 witnesses. The witnesses called were important people in the community. They included Dr. W. A. Wynes (Parliamentary Draftsman), Mr. J. C. Irwin (Lord Mayor of the City of Adelaide and President of the Adelaide Festival of Arts), Mr. W. C. D. Veale (Town Clerk of the City of Adelaide), Professor John Bishop (Director of Elder Conservatorium of Music and Artistic Director of the Adelaide Festival of Arts), and Mr. E. R. Dawes, Vice-Chairman of the

Australian Broadcasting Commission. The witnesses were all people who are interested in cultural activities in this State. They have played an important part in the festivals we have had over the last few years and they would know what they were talking about. The report of the Select Committee bears reading. I think the kernel of the report is in this passage:

All witnesses were unanimous as to the need for the establishment of a festival hall. However, there were divergent views as to its location. The Lord Mayor, Town Clerk and Professor Bishop were strongly in favour of the "Carclew" site, which the Lord Mayor's Cultural Committee considered to be excellent, because it was felt that the City of Adelaide, including North Adelaide, should itself be regarded as a "Cultural Centre," which meant that one centre concentrated within the city was unnecessary and that suitable units should be placed in areas throughout the city. They were also adamant that the hall should not be on parklands but should be adjacent thereto. However, the Town Planner expressed the view that in considering the siting of the hall regard should be had to the following factors:

> North Terrace has become the principal focus of learning and culture within the City of Adelaide, and the hall should be located as nearly as possible to the existing cultural buildings. By siting the hall within a reasonable distance of North Terrace, the existing character of a cultural centre would be enhanced. Access to the site should be safe and convenient for all and well served by both bus and rail transport. Provision for car parking is essential on or immediately adjoining the site.

In clause 6 of the report, the committee went on to say that some other witnesses expressed views similar to those of the Town Planner. Clause 8 is very important. It is as follows:

The Committee considers that the Lord Mayor's Cultural Committee should continue in operation, with the inclusion of two Members of the House of Assembly, one representing the Government Party and one representing the Opposition Party, to advise the Adelaide City Council concerning the location, construction and administration of the hall.

I think that is a very wise safeguard because Parliament would have two members on the Lord Mayor's Cultural Committee to look after the interests of Parliament and of the people of the State in the expenditure of the money involved. The committee recommended that subclause (5) of clause 3 should be deleted from the Bill and that the Bill should be passed with a new subclause (5) in the following terms:

(5) Notwithstanding any provisions of the Local Government Act, 1934-1963, to the contrary, the council is by this Act authorized to borrow such amounts of money as may be necessary to enable it to contribute towards the cost of the construction and provision of the Festival Hall in accordance with the provisions of this Act.

I think it is very wise that, when making such a move as this, the Adelaide City Council should be given the right to borrow money without conducting a ratepayers' poll. After all, Parliament is the guardian of the people's money, and if Parliament thinks that the Adelaide City Council should have this right, I raise no objection.

When the Bill was returned to another place by the committee, it was passed without objection from any member. I must say that one or two questions were raised. One country member thought that the Government had been too kind to the Adelaide City Council and he requested that similar consideration be given in relation to halls in the country. However, there was no real opposition to the measure in another place. I am quite happy with the Bill and I support it, because it is a step forward. A festival hall is something which the city of Adelaide needs in order that entertainment may be conducted there in the future and I have in mind particularly the attraction of tourists to our city, something which we very much favour.

The Hon. M. B. DAWKINS (Midland): I wish to commend the Government for bringing down this Bill for the erection of a festival hall. I have said previously that such a hall is urgently needed in South Australia. We have, in the city of Adelaide, a beautiful town hall, which is excellent acoustically and highly suitable for many functions, but it is now much too small for large-scale presentations. At an earlier time I said that what was needed was a festival hall with a concert platform that would be entirely suitable for and designed for the presentation of large-scale concerts.

I am very pleased indeed to know that the Government is bringing in this measure to provide this facility. Speaking as a country member, I feel that the amount that will be provided by the Government is satisfactory (the amount that will come from the country is not out of proportion) and the hall will be of value to the State as a whole. My honourable friend, Mr. Shard, said that it was something which the city of Adelaide needed; I say that this festival hall is something which South Australia needs. It will be a facility not merely for the city of Adelaide, but for the State as a whole. I believe that the Festival of Arts embraces a series of functions which

really puts South Australia on the map in certain parts of the world. I believe it is essential that we should have a hall such as the building now envisaged and one that is entirely suitable for the presentation of the main functions held in a festival. I am very much in favour of this Bill. I have noted comments by the Director of the Elder Conservatorium (Professor Bishop) on this matter, and he was reported as saying:

> We do not need a great luxurious building, but we do need one which is adequate and which meets the needs of normal concert-going.

I agree with that statement. The professor went on to say:

> The largest theatre in Adelaide could seat only about 1,100, but a festival hall would need a capacity of 2,200 to 2,600 to make it an economic proposition for big-scale performances.

He said that he would like to see a hall with a capacity of about 2,500. That would be necessary from the point of view of a concert hall because concerts are put on only once or twice; whereas a theatre—if it holds only 1,000 or 1,200—does not matter because usually theatrical performances are presented on several occasions. I believe that the professor's comments are correct, because it would not be an economic proposition to bring first-grade orchestras or first-grade artists to this State to perform if we did not have a hall adequate to seat the large number of people who would go to hear such performances. My honourable friend, Mr. Shard, referred to the proposed site of the new hall and I agree with him in that I believe the suggested site at the top of Montefiore Hill is the most suitable site. I further believe that if the hall is eventually built on that site it will be something of which the whole State will be proud, and that it will be possible for adequate parking facilities to be provided. I do not wish to speak at length, but there is another matter on which I would like to comment. Clause 2 gives the following interpretation of the term "Festival Hall":

> "the Festival Hall" means the Festival Hall, buildings, furniture, fittings and equipment, works and conveniences authorized by this Act to be constructed and provided.

I doubt whether that provision would enable the Adelaide City Council to provide in the building a first-class grand organ in due course. I believe that such an organ is necessary in such a building. I had it suggested to me only at lunch time today that a grand organ would be necessary only for the annual choral performances, but that is not so as such an organ would be used in an organ concerto with a symphony orchestra, or as an instrument in the orchestra, as some orchestral compositions make use of an organ within the orchestra.

The Hon. Sir Arthur Rymill: What is a grand organ?

The Hon. M. B. DAWKINS: It is a large pipe organ. I am trying to draw a distinction between it and a smaller pipe organ that might be suitable for church purposes.

The Hon. Sir Arthur Rymill: Or an electronic organ, I suppose.

The Hon. M. B. DAWKINS: Yes. I thank Sir Arthur Rymill for that interjection. I think the worst thing that could happen would be to have to use an electronic organ with orchestras or choirs in the new hall. I do not know whether the city council in its wisdom would try to re-locate the present Town Hall organ in the hall, or whether it would be an economic proposition to do so. I am aware that the Town Hall organ is a beautiful instrument with an exceedingly mellow tone, despite its antiquated action, and that when it is reconstructed it will be one of the finest organs in Australia. Whether it would be a wise move to re-locate it in the festival hall, I do not know.

The Hon. Sir Arthur Rymill: I think it is well worth considering.

The Hon. M. B. DAWKINS: I thank the honourable member for that comment. Possibly there could be an addition to this Bill that would enable the city council to do something about placing a proper and adequate organ in the festival hall at the first possible opportunity. I support the Bill and hope that when the time arrives for the hall to be built the site that has been suggested at Carclew will be available.

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

FAUNA CONSERVATION BILL.

Adjourned debate on second reading.

(Continued from October 7. Page 1289.)

The Hon. JESSIE COOPER (Central No. 2): I do not suppose that there is anyone keener than I on protecting Australia's rare and lovely creatures, and I congratulate the Government on its expressed aim to do just that. However, one of the greatest menaces to the safety and preservation of our native creatures is still not being covered by this Bill. I refer to the use, or misuse, of speed

boats on our rivers. I hope that the Government will look into this matter at some future time. At the present time all professional fishing boats have to be licensed and numbered, whereas an occupant of a speedboat can perform any unauthorized act and be away before being apprehended. An inspector in a Government boat would have no chance of catching him. There is no registration and no number to help.

I have studied the Bill meticulously and can only request the Government to make amendments to it on the grounds firstly, that some of the provisions are unreasonable; secondly, that at least one of the penalties provided is excessive; and, thirdly, that the rights of the people as individuals and the rights of privacy have been ignored. Of these points, my third is the most important and I will speak about it first. I am aware that this is not a new section and that it has been in the Act since 1912, as far as I can trace. All I can suppose is that the people of today are regulated more severely, almost to the point that they are told when to stand up, sit down, read or not read, and value their freedom more than it was valued in 1912. I have had a number of approaches from constituents on this very point. Parliament's primary duty is to protect the people and their rights and privileges. In protecting birds and animals let us not lose the protection of the individual. In clause 14 inspectors just for the purpose of looking after a few birds or beasts have been given complete powers of search without holding a warrant. The paragraph states:

> An inspector may for the purpose of the administration and enforcement of this Act . . . (*c*) enter and search any land, building, structure, vessel . . . on reasonable grounds . . . .

A little further down we see:

> or which it is necessary to inspect and examine in order to ascertain whether this Act is being complied with.

In other words, this verbiage can mean that an inspector can take it upon himself to insist on inspecting any land, etc., solely for the purpose of satisfying himself that no offence has been committed—and that without any reasonable ground for suspicion. Whether or not this is correct, the whole clause cannot fail to cause considerable friction and antagonism in country areas between the law and the people. It is obvious that normally country properties are the ones that exist in the vicinity of any type of game reserve. Nobody imagines that many metropolitan properties will be searched, but it could be a frequent occurrence in the country.

I further suggest that, if it is not good enough for a police officer to enter any house he sees fit to without a warrant to ascertain whether a serious offence has been committed under any Act, it is certainly not good enough for an inspector to be given the right to do so on suspicion or even without suspicion, as the latter part of paragraph (*c*) suggests, merely for the preservation of fauna. I again emphasize that it is Parliament's responsibility to ensure that the rights and liberties of the people should not be whittled away and sacrificed unnecessarily purely for the purpose of facilitating the duties of some minor Government department.

Returning now to my first point, that some of the provisions are unreasonable, clause 27 (1) states:

> The Director or any person authorized by him may cause to be erected at suitable places within, or on the boundaries of, or near any prohibited area, fauna reserve, fauna sanctuary or game reserve, notices indicating that the land is a prohibited area, fauna reserve, fauna sanctuary or game reserve.

Whether notices are provided or not, people trespassing, in a wide sense, on a prohibited area will have no defence against a charge. This seems to me an unnecessary and irritating provision. If an area has been declared, it should be compulsory for the Director to provide notices giving warning and demarcation of that area. If severe provisions are made for members of the public, there is no reason that I can see why those entrusted with the administration of an Act should not be equally disciplined. The use of the word "may" rather than the word "must" is unfair. It is all very well to say that lack of knowledge of the law is no defence. The people of the State cannot be expected to know what area is proclaimed if there is not even a map published in the press. If so many rules are made about what the public should do, then the Director himself must also be subject to a few rules.

Another unreasonable, and indeed ludicrous, provision appears in clause 51, which states:

> A person shall not cause or permit a dog to kill, injure or molest a protected animal or bird. Penalty: Fifty pounds.

This also comes under my second point, that some penalties are excessive. Does this clause really mean that any person's dog which happens to chase a bird or an animal native to South Australia will be liable to a penalty of £50? I find great difficulty in knowing what

a bird or animal "native to South Australia" means, so how will a dog know? Every time a dog gets off a leash, the owner will face the possibility of heavy penalties. One cannot control dogs everywhere. This clause would virtually mean the end of the gun dog. A well-trained dog knows its duties, but one can visualize circumstances where a gun dog will suddenly flush a ground bird and chase it. Is it contemplated that the Government will set up a school for training dogs to recognize protected creatures, to get to know where they are and so refrain from chasing them? As for the penalty, the dog that chases and molests a protected bird or animal brings its owner into court for a fine of £50 but, if that same dog chases and molests a child, the maximum penalty is £5. So it is obvious to me that dogs will have to be trained to be very careful. It will be much better for them to chase children on the beaches and bite them than to chase a seagull, for I assume that a seagull is native to South Australia and indigenous. So the penalty under clause 51 is ridiculous.

I now draw honourable members' attention to other heavy penalties mentioned in clauses 19 and 20, which refer to the citizens' duty to carry and produce licences or permits. Clause 19 states:

A person holding a licence or permit shall carry that licence or permit with him while he is taking or attempting to take birds or animals or eggs, or is shooting at birds or animals pursuant to the licence or permit. Penalty: Twenty-five pounds.

In a word, if one has obtained a gun licence, which costs only £1 or so, and then inadvertently leaves it in a coat pocket at home, he will be up for a fine of £25. Don't tell me that no honourable member here has not at some time or other through forgetfulness left a valuable paper at home! And if one has forgotten to renew the licence (and, with the best of intentions, that is not impossible because no notice of expiry is sent to the licence-holder), a £25 fine will be the result. Clause 20 states:

When an inspector or warden—

(*a*) requests a person holding a licence or permit to produce that licence or permit; and

(*b*) shows his identity card to that person; that person shall either produce his licence or permit to the warden or inspector forthwith or produce it within twenty-four hours at a police station or office indicated by the inspector or warden.

This involves great difficulty, if one gives any thought to it. If a person has not his driving licence with him and he is apprehended, he is given 48 hours in which to produce it at a police station of his nomination—and that is usually his local police station.

But this is completely different. In this case, a person has only 24 hours in which to produce the licence, and he may be 300 miles from his home where he has left his licence. He has to return home and bring the licence back to a station nominated by the inspector or warden. In many cases, he cannot do it in 24 hours. This would be much simpler if the licence had to be produced at a station or office nominated by the person apprehended and if the time allowed were increased to 48 hours. To sum up, I request that the necessary alterations be made to preserve the rights of the individual. I sincerely hope that the Government will see its way clear to do so.

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

TRAVELLING STOCK RESERVE: HUNDREDS OF FISHER AND RIDLEY.

Consideration of the following resolution received from the House of Assembly:

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.

The Hon. C. D. ROWE (Attorney-General): The stock reserve in question is the only remaining portion, between Morgan and Murray Bridge, of a stock reserve which formerly extended from the north of the State to the South-East, although there is also a portion of it left between Morgan and Burra. The reserve extends from the northern boundary of the hundred of Fisher to the northern boundary of section 345, hundred of Ridley—that is, a distance of about 15½ miles in a southerly direction. An aboriginal reserve (section 112, hundred of Fisher) breaks the contiguity of this travelling stock reserve. The area of the stock reserve involved in the proposal is about 2,272 acres. The reserve varies in width from 35 chains to about 15 chains and abuts the western bank of the River Murray for a distance of about 95 chains. It is a considerable time since the reserve was used for travelling stock, and it does not appear that any good purpose is being served by retaining this remaining land as a travelling stock reserve. The District Councils of Marne and Sedan and the Stockowners' Association of South Australia all support the proposal. Because of this, I ask honourable members to agree to the resolution.

Resolution agreed to.

POLICE PENSIONS 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.

Its object, broadly stated, is to raise police pensions by about 17½ per cent with slightly less proportionate increases in contributions and certain additional increases in relation to the pensions and contributions applicable to the Commissioner, Deputy Commissioner, and Superintendents. The Bill is based upon a full report by the Public Actuary and, I may add, its terms have received the approval of the Secretary of the Police Association.

Clause 3 provides that the proposed increases shall come into force on a day to be proclaimed in order to enable the necessary arrangements for the changes to be made. This will be done as soon as practicable. Clause 4 amends section 11 of the principal Act, which makes provision for the contribution payable from Government revenue towards the cost of pensions payable from the fund each year. The only change is that the Government will in future pay for 70 per cent of the cost of pensions paid each year in respect of all such pensions that commenced before the commencement of this Act. The present provision is for a contribution of two-thirds and it is estimated that the additional cost for a full year will be £27,000.

Clause 5 provides that constables who become members of the force before the age of 21 will, in future, commence to contribute to the fund on attainment of 21 years, whereas at present they contribute as soon as they become members of the force. They will in future pay a special contribution appropriate to entry at age of 21, whereas at present they must pay the higher contribution appropriate to the age next birthday, 22. Clause 6 amends section 14 of the principal Act by providing the increased scale of contributions necessary to finance the increases in benefits now proposed. Subclause (1) sets out the contributions which will become payable in future by present members of the force. As I have said, special provision is made for present members who entered prior to the age of 21. The overall increase for present members is about 15 per cent, which is smaller than the percentage of increase in benefits. Subclause (2) sets out the contributions that will be payable by members who join the force after the commencement of the operation of the provisions of the Bill and also provides the percentage of increase in contributions to be paid by sergeants and commissioned officers corresponding to the increased benefits provided for them. Whereas present members who commenced to contribute at ages over 27 pay the same contribution, the scale for new members provides a graduated scale applicable to each age at entry over 27 and under 34. Dissatisfaction has been expressed by the Police Association about the admission of men over 27 on the same terms as men of 27. The present scale was enacted because of difficulties in recruiting men during the post-war period. In recent years very few older men have joined the force, and a return to the former system of graduated contributions over a greater range of entry ages is now considered desirable.

The percentage increase in the contributions payable by sergeants has been increased from 10 per cent to 15 per cent, for the Deputy Commissioner from seventeen-twentieths to eight-sevenths, and for the Commissioner from nine-tenths to ten-sevenths. These increases correspond to the increased benefits now proposed for these officers in clause 14 of the Bill. Subclause (3) makes the necessary changes in the maximum contributions payable by present members who were in the force on January 1, 1930. Clause 7 amends section 15 by providing fortnightly contributions in place of the present bi-monthly contributions. This is desirable for administrative reasons.

Clause 8 has been inserted at the request of the Police Association. It provides that members between the ages of 55 and 60 may elect to retire from the force before attaining the age of 60 provided that the Commissioner of Police gives his consent. The Commissioner's consent is considered necessary, particularly at times when recruiting is difficult. Reduced benefits for those members who elect under the provisions of this clause are provided in clause 9. Clause 9 makes many important changes in section 20 of the principal Act, which enacts the benefits for members on retirement at the age of 60.

Paragraph (*a*) provides that the cash sum payable will be £1,650 in place of the present provision of £1,500, an increase of 10 per cent, while paragraph (*b*) alters the present life pension of £480 per annum to £570 per annum, an increase of 19 per cent. It is believed that the wishes of the majority of members will be met by providing a greater percentage increase in the pension than in the cash sum provided. Paragraph (*c*) inserts two new subsections in section 20. New subsection (2) makes provision for the reduced

benefit payable to those members who elect to retire from the force before attaining the age of 60. The subsection provides a proportionate payment of the cash sum available at the age of 60 depending on the length of service of the member, and provides further that the reduced pension payable will be prescribed by regulation. The regulation will set out in tabular form the pension provided as a percentage of the amount of £570 payable for retirement at the age of 60. The percentage will depend on the member's age at entry into the force and his age attained at the date of electing to retire. The table will be calculated by the Public Actuary in such a manner that the combined benefit payable will be the actuarial equivalent of the benefit payable at age of 60. It is considered desirable to state this benefit by regulation in order to facilitate changes arising from changes in the rates of interest earned on the assets of the fund and changes in mortality.

New subsection (3) of section 20 is designed to meet the desire expressed by both the Police Association and the Commissioned Officers' Association to have available some alternative options in exchange for the cash sum of £1,650 and the life pension of £570. The cash sum may be exchanged for either a life pension or a pension payable only between the ages of 60 and 65, while not more than one-quarter of the life pension of £570 may be exchanged for a pension payable only between ages of 60 and 65. Because the police pension scheme is basically one to provide members who retire with a pension payable during their lifetime, it is considered that at least three-quarters of the life pension of £570 should be retained. The clause provides that the rate of exchange applicable to the options provided shall be prescribed by regulation. This is desirable for similar reasons to those explained by me previously.

Clause 10 enacts the necessary increases in the benefits payable to members who retire through invalidity occurring as a result of an injury received on duty. The increases provided correspond to those provided in respect of retirement at the age of 60. The present pension of £480 per annum will be replaced by one of £570, which is the same pension as that provided for retirement at the age of 60. The cash sum payable under the principal Act commences at £500 for retirement at ages less than 41, and increases by £50 for each complete year of age at the date of retirement in excess of 40, up to a maximum of £1,500. These provisions are now replaced by a cash sum of £600 increasing by £60 a year up to a maximum of £1,650.

Clause 11 amends the provisions of section 22 of the Act, which prescribes the benefit payable from the fund to a member who retires on the grounds of invalidity not due to an injury received on duty. At present, section 22 provides a pension, when the member has served for 10 years but less than 15 years, of £240 per annum. Paragraph (*a*) increases this amount to £300 per annum. For members who retire after serving more than 15 years in the force, the present pension is £240 per annum, increasing by £13 per year for each complete year of age at retirement in excess of 40 years subject to a maximum of £480. Paragraph (*c*) alters the present provision to £300 increasing by £15 a year the maximum pension, being £570 per annum, which is the same amount as that payable in respect of retirement at the age of 60.

The cash sum payable to members who retire on the grounds of invalidity is at present £500 plus £50 for each complete year of age at retirement in excess of 40. Paragraphs (*b*) and (*d*) alter these amounts to £600 plus £60 per annum for each complete year of age in excess of 40, and paragraph (*e*) alters the maximum amount payable from £1,500 to £1,650, which is the same amount as the cash sum payable in the event of retirement at the age of 60.

Clause 12 provides that a member over the age of 55 who resigns from the force shall be deemed to have elected to receive the reduced pension and benefit. If the Commissioner does not consent to the member's retirement on pension, the member will receive a refund of the contributions he has paid to the fund. Section 38 of the Superannuation Act contains a similar provision. The purpose of this new provision is to give a member who inadvertently resigns without realizing that he has a right to elect to retire on reduced pension an opportunity to make the election provided the Commissioner consents.

Clause 13 amends the provisions of section 29 of the Act. It enacts the pension and cash sums payable to widows of members who die after the commencement of the Bill and the pension payable to widows of deceased pensioners who die after the commencement. At present, the pension payable is one-half of the pension of £480 payable on retirement at the age of 60. In the South Australian Superannuation Fund the proportion of widows' pension to members' pension was recently increased from one-half to 60 per

cent. Clause 13 makes a similar change in respect of the Police Pensions Fund. The widows' pension now proposed is 60 per cent of the amount of £570 payable in respect of retirement at the age of 65, a pension of £342 per annum compared with the present £240, an increase of 42½ per cent.

The present cash allowance payable in the event of death of a married member of the force is £500 plus £50 for each complete year of the member's age at the date of his death in excess of 40, subject to a maximum of £1,500. These amounts are increased to £600 plus £60 per annum subject to a maximum of £1,650. Paragraph (*e*) of clause 13 provides that the pension payable on the death of a pensioner who retires on a reduced pension prior to attainment of the age of 60 shall be 60 per cent of the amount of the husband's pension.

Clause 14 inserts a new section 30ca in the principal Act setting out the proportionate increases payable to sergeants and commissioned officers who retire from the force or who die as members after the commencement of the Bill. These proportionate increases are based on the relation between the number of units which a member receiving the salary of senior constable could purchase from the South Australian Superannuation Fund and the number of units a member of the rank of sergeant and each commissioned officer could similarly purchase according to his salary.

A comparison of current salary and allowances has indicated three necessary changes, which are provided by this new section. First, the previous increase of 10 per cent appropriate to the rank of sergeant has now been altered to 15 per cent. The Deputy Commissioner's increase is eight-sevenths compared with the previous seventeen-twentieths, and that for the Commissioner is changed from nine-tenths to ten-sevenths. A special explanation of the last two increases is necessary. When the Police Pensions Act was last amended in 1960, the amount of pension that a public servant could purchase from the Superannuation Fund was limited to £1,638 for officers receiving over £3,275 per annum. The Superannuaton Act was amended in 1961 to provide increased pensions for such officers which are limited only by 50 per cent of salary. It is considered that the Deputy Commissioner and the Commissioner are entitled to corresponding increases. The remaining provisions of this clause are machinery measures made necessary by these amendments.

Clause 15 makes two necessary amendments to section 30d, which enables a member who is reduced in rank to elect to continue to pay contributions applicable to the rank for which he was contributing before his reduction in rank. As worded, the section could mean that such a contributor would become eligible for any increase in pensions while contributing at the old rates. Since both rates of pension and rates of contributions are being increased, it is clearly equitable that a member making an election should be in the same position regarding rates of contribution (which may be altered from time to time) as other members of the force who are required to pay at the rates in force from time to time.

Clause 16 provides for increases in all pensions payable at the date of commencement of the Bill. On previous occasions when the Act has been amended, pensions payable at the time of amendment have been increased according to changes in living costs that had arisen between the date of the last amendment and the date of the proposed amendment. A similar provision is now proposed. Since 1960, when the Police Pensions Act was last amended, the consumer price index for Adelaide has risen by only about 4½ per cent. After due consideration of the position of the fund, the Public Actuary recommended an increase of 7½ per cent in current pensions, which is greater than the increases justified by changes in living costs. Clause 16 makes provision for this increase in new section 32c (1). A special explanation is necessary in connection with the increase of 29 per cent provided by subsection (2). The previous widows' pension was at the rate of 50 per cent of the pension provided in respect of retirement at the age of 60. This provision is now increased to 60 per cent. Thus a pension of £240 per annum, being one-half of the husband's pension of £480, would become £288, being 60 per cent of the amount of £480. When the overall increase of 7½ per cent is added, the pension becomes £309 12s., the total increase over the previous £240 being 29 per cent. This general increase therefore is now proposed.

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

ROAD AND RAILWAY TRANSPORT ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 7. Page 1287.)

The Hon. N. L. JUDE (Minister of Railways): I take this opportunity to reply to some of the remarks made by previous speakers in

this debate, particularly those made by my friend, the Hon. Mr. Story. I was rather upset to hear him say that on one occasion he had been taken in, or taken for a ride, and that this time he wanted an explanation from me.

I agree with honourable members on both sides of the Chamber that in our railways we have a tremendous asset. Naturally they are heavily subsidized and that must continue to enable them to continue playing their part, as they have in the past, in helping the development of this sparsely populated State. Look at the way the railways moved the wheat on Eyre Peninsula last season and it was on lines concerning which we are not particularly proud. It was moved in record time. If given prior warning of movement of this kind the railways have proved themselves to be most efficient, especially since the use of diesel engines. They have kept on moving huge quantities, and they will continue to do so and increase in efficiency.

Honourable members will appreciate that in recent years the Auditor-General has referred to the ever-growing efficiency of the handling of railway accounts. True, in the case of short hauls, and where triple handling is concerned, the railways cannot compete with modern motor transport, provided that that transport is given decent roads on which to travel. Today we are making a charge on the heavy transport travelling on our roads, and in return for that charge we are improving the roads. Honourable members have made it clear that they think the time has come when competition should be on a wider and more open basis. In the process of bringing that about we found that a number of the existing licences would not expire for several years. Quite rightly the Government, as I see it, decided that licensees who put money into big trucks and plant for handling contracts should be protected, not forgetting, of course, that they will have to pay a tax in order to get better roads. It is a tax they did not have to pay previously.

The Transport Control Board was appointed following a strong vote in Parliament in 1931. It has had a most invidious task to perform and every honourable member must sympathize with it because of the difficulties confronting it. Sometimes people have to be pushed around and organized. People who are organized generally resent it strongly, apart from the few who might derive a special benefit over their neighbours by reason of better business ability, or something like that. However, times have changed and in those earlier days there were few roads capable of carrying the heavy loads that are carried today, and they could not be maintained at a reasonable standard, as they can now. Consequently, it was desirable to use co-ordination wherever possible. Competition in the sense of the sound competition now existing did not then exist, as honourable members with long memories, and able to go back far enough, will realize. Competition in those times was of an unsound nature and few carriers made money out of the work, which occupied exceedingly long hours. Now the time has come when the opinions of the representatives of the State are that they should be more free. I say "well done" to the Transport Control Board, despite criticism of it from time to time. It has had a difficult task to perform, and I have a tremendous amount of sympathy for it because of the abuse it has had to take from honourable members who become a little heated at times. I have even more sympathy for the new Chairman of the board. He accepted the position only a few months ago, not knowing that he was appointed at a time when many problems were ahead of the board.

I refer now to the permit system. The Hon. Mr. Story quite rightly expressed a keen desire to be clear about the matter of permits. Clause 3 was inserted to clarify the position and to do away with the necessity for thousands of permits to be issued almost superfluously from time to time, because the board shall not refuse a permit and shall grant it promptly, except in special circumstances to protect existing licensees. Clause 3 states:

(1) 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 is the governing point—"on any road in any part of the State". That is why it is inserted. True, as the Hon. Mr. Shard mentioned, subsection (2) says:

The board shall, upon application therefor, promptly issue to an applicant a permit authorizing the applicant to pick up or set down goods to be carried, or carried, for hire, on any road or within any township in respect of which a licence or permit is for the time being in force, except when the issue of any such permit would operate to the detriment of the holder of a licence or permit for the time being in force.

The Hon. S. C. Bevan: There is a proviso.

The Hon. N. L. JUDE: Yes. Permits must be issued to protect present licensees. No piece of paper (let us look at it in a practical way and refer to it in a practical way) need be carried to bring a load of timber from Mount Gambier to Adelaide, or to take a

load of galvanized iron to Mount Gambier, notwithstanding the fact that the vehicle would travel through the permit controlled area of Murray Bridge. If the carrier from Mount Gambier picked up or put down a load in the Murray Bridge area he would require a permit otherwise he would be breaching the law. He might ask for a permit to pick up a load of unusual goods, perhaps furniture (although I do not specifically refer to furniture). He might desire to load it at Murray Bridge, and the board in its wisdom might say to the Murray Bridge permit holder "Do you mind this chap picking this up? He is going back empty to Mount Gambier. Do you want to cart it?" and the Murray Bridge permit holder might say, "No, I do not object" Then a permit would be granted as the board would have no reason to refuse it, provided it did not inconvenience the carrier licensed in that area. The matter of carrying goods from Angaston to Rosewater was mentioned. No licensee would be involved here, and no permit would be necessary. I am hopeful that in the cartage of large quantities of bulk material the railways will be able to compete satisfactorily in areas where rail services are available.

I am not sure whether one honourable member referred in this Chamber or outside to the matter of carting cement from Angaston to Chowilla, but I assure him that in this instance no permit would be required. There are no licensees along the river above Berri. All one has to worry about is whether a man is paying his road tax, which he should pay to help maintain the roads.

I was pleased to observe that the Hon. Mr. DeGaris took a broad outlook on the question of freight to and from the South-East where, considering the population we are serving 300 miles away, the railway service is fast and good. After all, we are serving a comparative handful of people, for 12,000 to 15,000 people is a mere handful by world standards. Yet we run daily fast passenger and freight trains down there, with air-conditioning. Mount Gambier is served by a first-class road service from Victoria. If honourable members opposite want Mount Gambier to become more and more Victorian instead of leaning towards South Australia, they must say so, but only two honourable members opposite spoke on this Bill and no member of the Party opposite in another place said a word about it, but supported a railway monopoly by voting against the Bill. I hope the people of the South-East will take note of this. Their interests are being well protected in any case by an excellent rail service and they will also be given an opportunity of using a road service if they feel that it can compete with the railways. The Railways Department will do its best to compete with road transport. If there are any points still outstanding with which I have not dealt, I shall endeavour to answer them in Committee.

The Council divided on the second reading:

Ayes (13).—The Hons. M. B. Dawkins, R. C. DeGaris, G. J. Gilfillan, L. R. Hart, N. L. Jude (teller), H. K. Kemp, Sir Lyell McEwin, Sir Frank Perry, F. J. Potter, C. D. Rowe, 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.

Second reading thus carried.

In Committee.

Clauses 1 and 2 passed.

Clause 3—"Enactment of section 40 of principal Act."

The Hon. C. R. STORY: I thank the Minister for his explanation in closing the debate, and I am pleased that it appears that we shall have this absolute freedom of the roads in South Australia except in areas where a licence exists, where people will not be able to put down or pick up goods. This is good news, as it has taken a long time to get to this position. No doubt some permit holders are allowed to carry specific goods out of their areas. I should like to know from the Minister the particular commodities that Mr. Cawte, of Murray Bridge, has a permit to carry within a radius of 25 miles of that district. If sheep are sold at a stock sale at Loxton and a carrier is engaged by a person at Murray Bridge to cart that stock to Murray Bridge and put it down there, is there anything in Mr. Cawte's permit to state that he has an exclusive right over stock in that area? Could I pick up the sheep from the Loxton market, engage any carrier, and put down the sheep in Mr. Cawte's district without getting a permit?

The Hon. N. L. JUDE (Minister of Local Government): I find the point a little hard to answer offhand. I do not want to evade the issue, however. The permit refers to the cartage of flour around the hills area, and so on; I have no recollection of livestock being mentioned. The honourable member is probably aware that carriers bring livestock into the Murray Bridge sales every fortnight, and I do not think a permit would be required to cart from Loxton to Murray Bridge. However, I am not certain of that.

The Hon. A. J. SHARD: I thank the Minister for his reply, but I am still confused. I think the clause is difficult to understand. If what the Minister has said is correct, any person can carry anywhere in the State except where a permit is held. I oppose this clause, as it will mean open competition between the railways and carriers, which my Party opposes. Sometimes people are apt to exaggerate what has been said. Yesterday the Hon. Mr. Story said:

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.

It appears that the Government and its supporters are more concerned with private enterprise than with the railways. Every honourable member knows that railway finances, despite improved efficiency, are in a bad state. To give a service to the State, the railways are costing millions of pounds a year, and this sum will grow in future more quickly than I expected if free competition is permitted. Mr. Story also said:

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.

I think I am as good a seat warmer as is any other honourable member, but it is difficult to sit here for four hours without leaving the Council. As the official report will show, I was not absent for long. The honourable member continued:

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.

Let us look at what I said. On that occasion we were not debating the closing down of the railway; it had been closed down, and we were debating whether the line should be taken up.

The Hon. C. R. Story: What is the difference?

The Hon. A. J. SHARD: The difference is that we were not closing down the railway. There was no impassioned plea. On August 13, 1963, as reported on page 439 of 1963 *Hansard*, I said:

I rise to support the Bill because I have no alternative. The line had been closed. I continued:

The need for this Bill gives us much food for thought. In effect, it is introduced because of the closing of the Balhannah to Mount Pleasant railway line, which the Railways Commissioner had full authority to do, I believe, after referring the matter to the Public Works Committee.

Later, I said:

It is a pity that a railway must be discontinued because people will not use it because of the advent of motor vehicles, which are more convenient. Many people in the country buy their own vehicles and transport their stock or produce far more efficiently than can the railways. I think it is logical that this question will arise again in the future; we must take a definite view on it. The Transport Control Board has to take a realistic view of this situation and either allow road transport or compel a person to transport his produce by the railways.

There was nothing impassioned in that statement; I think it was a logical story. Yesterday, after the Minister had asked what Mr. Story meant by being up on his hind legs, he said:

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.

I then said:

You are wide of the mark this time.

I was never more sincere than I was when I said that my Party believed that State instrumentalities and services should be supported by the Government right up to the hilt. That is our policy. I said that, and I was proud of saying it. I never run away from my Party's policy. My Party believes that public utilities, which are for the benefit of the people as a whole, should be supported by the people. The people should be served in the cheapest possible way and to the best of the Government's ability.

The Hon. C. D. Rowe: You would stop trucks coming from Yorke Peninsula, would you?

The Hon. A. J. SHARD: If the Minister read my speech, he would see that I made myself clear. I believe there should be a co-ordinated road and rail service under the control of the railways. I said that where the railways are giving an efficient service that meets the needs of the community, they should not be faced with free competition from outsiders, but where they are not giving service and cannot do so, the Transport Control Board should grant permits to enable the carriers and hauliers to do that work.

The Hon. G. J. Gilfillan: Who is going to judge whether they are going to give a proper service?

The Hon. A. J. SHARD: I agree with the Minister when he said that in many parts of the State the railways are giving a good service, one that meets the needs of the community.

The Hon. G. J. Gilfillan: But who is going to judge whether they are or are not?

The Hon. A. J. SHARD: That could be the problem of the Transport Control Board. Many Government instrumentalities and undertakings are doing an excellent job for this State and are paying their way. Given coordination between rail and road transport, the railways could give service to the State as well as any other section. That is my argument and I do not want anyone to say I am not sincere in advancing it. It is the policy of our Party to support Government instrumentalities and undertakings, and I am proud of that policy. Although I cannot read balance sheets well enough to know the financial position of the Woods and Forests Department, I do know that that department is making very good profits and that it will continue to do so.

The Hon. R. C. DeGaris: Would you stop people from establishing forests?

The Hon. A. J. SHARD: Not if they want to. That is quite all right, but let us support our own undertaking, in the interests of the community. Let us look at the Electricity Trust, which is something else of which our Party is very proud. Would any Government member say that he would permit some organization to come out in open competition with that body? It has done a magnificent job over the years. Let me remind honourable members that the Electricity Trust would not be in the position which it enjoys today were it not for the support of the four Labor members of this Council at the relevant time. When Government members claim all the credit for the Electricity Trust, let me remind them that we are proud of the part we played in that particular episode.

No one can say that I am not sincere in my views. When I spoke on this measure on Tuesday, I was quite sincere. When I spoke on uniform taxation, if I might be permitted to mention that, I was told by one of the Ministers that I was speaking with my tongue in my cheek, which was far from the truth. The members of the Labor Party never run away from our policy; we go out and fight for it. If I did not believe in our policy, I would take what action I could to correct it.

I regret that this Bill is going to go through. As I said, time will tell and within a few years I am afraid that instead of helping the railways to the extent of £4,000,000, the Government will be contributing a much greater sum. I do not think that that is good for the community, the State or, above all, the people in the outlying districts. After all, it is the main function of the railways to look after the people in the outlying districts. Let us get together and give that department every opportunity and assistance to make it as near to a paying proposition as is possible. I oppose the clause.

The Hon. C. R. STORY: We heard all this yesterday, but one thing which the Hon. Mr. Shard seems to overlook is that the supporters of this Government are extremely conscious of the fact that all public utilities have to be financed. Nevertheless, we support them "to the hilt," as the honourable member put it. He continues to say that if a good service has not been provided by the railways in any particular area then an alternative method should be provided. However, he maintains that we should support the railways. From 1930 to the present the Transport Control Board has hampered the activities of many people. I do not blame the board, because it has had an Act to administer. However, the individual's costs which, after all, are also the State's costs have been forced up in many cases by the necessity to support a particular service. I mentioned yesterday that to cart goods by rail from Barmera to Adelaide, a distance of about 235 miles, it takes the best part of 24 hours including loading and unloading times. Transport by road necessitates travelling a distance of only 120 miles and is much cheaper. The honourable member cannot have it both ways. He said yesterday that the Labor Party believed only in rail transport.

The Hon. A. J. Shard: I did not say that.

The Hon. C. R. STORY: Does the labor Party believe that we should not have any other form of transport? Should we be forced to have only this one instrumentality? I do not believe we should, because people are entitled to a choice. If the railways are good enough to stand up to competition they will be used by the public. They will not close down overnight. After perhaps 12 months' trial of this legislation it may be found that the railways provide a better service than alternative methods, and they may be used far more extensively than they are now. Members on this side were far from pleased when Mr. Shard said

that Government members believed in free enterprise and did not care whether State instrumentalities paid or not. We are conscious of that situation and I think the Government has done everything within its power to make State instrumentalities pay. Finally, has the Minister a reply to the point I raised with regard to transporting stock from, say, Loxton to Murray Bridge?

The Hon. N. L. JUDE: Yes, the Secretary of the Transport Control Board informs me that he can see no reason why a permit should be necessary for carrying livestock from Loxton to Murray Bridge.

Clause passed.

Title passed.

Bill reported without amendment; Committee's report adopted.

The Hon. N. L. JUDE (Minister of Railways) moved:

That this Bill be now read a third time.

The Hon. A. J. SHARD (Leader of the Opposition): I oppose the third reading. I think most members will clearly understand my position and will realize why I take this unusual step.

The Council divided on the third reading:

Ayes (13).—The Hons. M. B. Dawkins, R. C. DeGaris, G. J. Gilfillan, L. R. Hart, N. L. Jude (teller), H. K. Kemp, Sir Lyell McEwin, Sir Frank Perry, F. J. Potter, C. D. Rowe, 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.

STATUTES AMENDMENT (PUBLIC SALARIES) 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.

The explanation of the Bill is almost covered in its description. It provides for increases in salaries of certain public officers whose salary is fixed by Statute. As honourable members will recall, since a similar Bill was passed last session, the basic wage has been increased by £1. The increase was effective from June 22 of this year and has been applied throughout the Public Service.

Clauses 2 to 7 (inclusive) will add £52 a year to the salaries of the Agent-General, Auditor-General, Commissioner of Police, Public Service Commissioner, President and Deputy President of the Industrial Court and Public Service Arbitrator. The salaries of the Auditor-General and Public Service Commissioner will be £5,202, of the President of the Industrial Court £5,052 (Deputy £4,302), of the Public Service Arbitrator and Commissioner of Police £4,852 and of the Agent-General £4,052. Under clause 8, the increases will be retrospective to June 22 of this year—that is, the date on which the basic wage increase became effective. Clause 9 (1) provides for payment of arrears of salary in a lump sum and clause 9 (2) provides for an appropriation of revenue.

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

PUBLIC SERVICE ARBITRATION 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.

Its principal object is to enable officers in the service of the Government, to whom the Public Service Act does not apply, to be brought by proclamation within the operation of the Public Service Arbitration Act. That Act defines the Public Service in terms of the Public Service Act, section 6 of which excludes certain officers and classes of officers from its operation, unless the Governor otherwise proclaims. This means, speaking generally, that only officers of the Public Service in the technical sense can avail themselves of the Public Service Arbitration Act. The Government has decided, in the light of experience, that it would be desirable to make it possible to bring other officers in the Government service within the purview of the Public Service Arbitration Act in cases where this course is warranted. Accordingly, clause 3 makes provision on lines substantially similar to those of section 6 of the Public Service Act whereby the Governor can, by proclamation, apply the Public Service Arbitration Act to persons, officers or classes of officers in the employ of the Government of the State or any State authority or instrumentality.

The new provision will not apply to persons or officers whose remuneration is at a fixed rate prescribed by Statute, for example, the

Public Service Commissioner and Auditor-General. What I have said covers the Bill's main purpose. At the same time the opportunity has been taken to make other amendments of an administrative or machinery nature. The first of these is made by clause 4, which amends section 4 of the principal Act. Subsection (1) of that section fixes the arbitrator's salary with the proviso that a person holding a Government appointment could, upon his appointment as arbitrator, continue to hold that appointment but receive a total remuneration not exceeding a fixed sum. That proviso was, of course made at a time when there was no arbitrator. Now, however, there is an arbitrator and the proviso in its present form limits his total remuneration to £4,800. Circumstances could arise in which the arbitrator for the time being might be appointed or promoted to another office or offices in the Government service carrying a higher remuneration than £4,800, in which event it would clearly be reasonable that he should not be denied that higher remuneration, in other words, an officer should not be required to lose money by holding the appointment of arbitrator.

Clause 4 accordingly strikes out the existing proviso and inserts a fresh one to the effect that the arbitrator may hold any other Government appointment as well as his office of arbitrator and receive the higher of the salaries attaching to the two respective appointments. A further proviso will make it possible for the arbitrator to hold a part-time appointment with any additional remuneration determined by the Governor. The present arbitrator holds also the office of Deputy President of the Industrial Court, and was recently appointed to the Teachers' Classification Board, a part-time appointment carrying a remuneration of £150. It is clearly desirable that he should continue to receive this remuneration for extra duties outside his normal full-time duties.

Clause 5 amends section 8 of the principal Act to enable the parties to a claim to negotiate with respect to the claim before its automatic reference to the arbitrator. As worded at present, the effect of subsections (2) and (3) of section 8 is that, unless a claim is accepted by either the Commissioner or the officer, organization or group, the matter must automatically go to the arbitrator. This leaves no room for negotiation. Accordingly, clause 5 amends both subsections (2) and (3), which contemplate and allow for negotiations between the parties in case they should be able to reach agreement between themselves. I do not go into details as to the precise form of the amendments, except to mention that paragraph (*h*) of clause 5 makes a drafting amendment to subsection 5 (*a*) of the principal Act. At present that paragraph makes provision for what is to happen if the arbitrator decides that an officer or officers do not constitute a group, but does not say what is to happen if the arbitrator decides that the officer or officers do constitute a group. It has seemed desirable to insert this provision for the sake of completeness.

The Hon. A. F. KNEEBONE secured the adjournment of the debate.

SECOND-HAND DEALERS ACT AMENDMENT BILL.

Returned from the House of Assembly without amendment.

MINES AND WORKS INSPECTION ACT AMENDMENT BILL.

Returned from the House of Assembly without amendment.

LEGAL PRACTITIONERS ACT AMENDMENT BILL.

Returned from the House of Assembly without amendment.

BRANDING OF PIGS BILL.

Second reading.

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

That this Bill be now read a second time.

Its purpose is to render compulsory the branding of pigs. It is introduced following a request of the South Australian Branch of the Australian Pig Association. The reason for the compulsory branding of pigs is that the Agriculture Department officers will be able to trace pigs suffering from disease by inspection of their carcasses. The brand will indicate the area from which the pig has come. It is considered that in this way the incidence of disease will be materially reduced.

Clause 1 contains the short title, and clause 2 definitions of terms used in the Bill. The principal provision of the Bill is clause 5 (1) which provides that on and after a day to be fixed by proclamation a person must not sell or offer for sale any pig unless it is branded, in accordance with the regulations, with the owner's registered brand. Under clause 5 (2), however, no branding is required if the pig was bought from and delivered by the previous

owner within the preceding seven days, and at the time of delivery was duly branded. Subclause (3) of this clause provides that an owner of three pigs or less may, upon obtaining a permit from the Chief Inspector of Stock, sell or offer for sale a pig that is not branded.

Clause 6 provides for the allotment and registration of pig brands, and under clause 3 the Registrar of Brands is constituted Registrar for the purposes of this Bill. Under clause 4 he is required to keep, and make entries in, a register in accordance with the regulations. Clause 7 provides for the transfer of registered brands by the proprietor thereof, and clause 8 enables the personal representatives of a deceased proprietor to use his brand. Clauses 9 (1) and 9 (2) provide for the cancellation of a registered brand upon notice by the proprietor or at the instance of the Registrar himself. Subclause (3) makes appropriate provision for the winding-up of companies which are the proprietors of brands. Clause 10 provides for registration to be restored.

Clause 11 (1) confers on the Registrar, his deputy, inspectors of stock and members of the Police Force certain powers of entry and inspection. Clause 11 (2) makes provision for penalties. Clause 12 contains the necessary regulation-making power and clause 13 is a procedural provision. I commend the Bill to honourable members.

The Hon. A. F. KNEEBONE secured the adjournment of the debate.

BULK HANDLING OF GRAIN ACT AMENDMENT BILL.

Second reading.

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

That this Bill be now read a second time.

It effects two amendments of substance to the principal Act. The first is contained in clause 4, which inserts into the principal Act a new section 4c authorizing the Treasurer to give a further guarantee to the Commonwealth Trading Bank of £500,000. The terms of the new section are identical with those of the existing sections 4, 4a and 4b. In connection with this amendment I should point out to honourable members that the bank approved in March of this year of a further advance of £1,000,000 to the company for the purpose of building bulk barley silos. The bank attached the usual condition to the advance, namely that the State Government should guarantee up to £500,000. The company has for some time been negotiating with the Australian Barley Board for a scheme for the bulk handling of barley in this State and such a scheme will be introduced; indeed, the other amendments of substance to the principal Act deal partly with this matter. Bulk barley storages have already been erected at Port Adelaide, Wallaroo and Port Lincoln and the company proposes to erect further silos in country barley and wheat centres.

The object of the remainder of the Bill can be summarized in a few words. It is to empower the company to receive, store, handle, transport and deliver not only wheat but also barley and oats. At the same time, the Bill will confer on the company sole rights in respect of barley as it now has in respect of wheat. It will not have sole rights in respect of oats, because this grain is not the subject of statutory schemes as the other two grains are.

What I have said indicates in brief terms the object of clauses 3 and 5 to 15 inclusive of the Bill. I shall not weary honourable members with an explanation of every clause, since most of the amendments are of a drafting and consequential nature as, for example, clauses 3, 6, 10, 12, 13 and 15. Clauses 5, 8 and 9 of the Bill repeal obsolete provisions. The principal amendments to the principal Act relating to its extension to barley and oats are made by clauses 7 and 14

Clause 7 amends section 12 of the principal Act, mainly subsection (1) of that section, which gives the company the sole right of receiving, storing, handling, transporting and delivering wheat in bulk within the State. After the word "wheat" in subsection (1) the words "and barley" are inserted. The remaining amendments made by clause 7 are of a consequential nature, having the effect of bringing in the necessary references to barley and the Barley Board, and making provision for maltsters to erect bulk handling facilities for barley to be used in the course of their business, the amendment being along similar lines to paragraph (*c*) of the present section 12 (2), which preserves the rights of millers in regard to wheat.

Clause 14 amends section 33 of the principal Act, which at present empowers the company to handle bagged wheat or any other grain in bulk. The section, as amended, will permit the company to handle bagged wheat or bagged barley or oats in bulk. Paragraph (*b*) of clause 14 will insert a new subsection at the end of section 33 along the same lines as subsection (2), but applying to bagged barley. The effect of subsections (2) and (3) will be that

the company will not be permitted to receive bagged wheat or bagged barley except at places where no licensed receivers or other wheat or barley merchants are carrying on the business of receiving wheat or barley.

The only other amendment to which I think it is necessary for me to refer is that made by clause 11, which amends section 21. That section requires the company to exhibit on its bulk handling facilities its handling charges but only where it handles wheat otherwise than as a licensed receiver. It is proposed that the company should exhibit its handling charges in respect of all grain. The remaining clauses of the Bill make amendments consequential upon the amendments to sections 12 and 33.

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

ADJOURNMENT.

At 4.59 p.m. the Council adjourned until Tuesday, October 13, at 2.15 p.m.