

**LEGISLATIVE COUNCIL**

Thursday, January 27, 1966.

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

**PETITION: ROAD TRANSPORT.**

The Hon. C. R. STORY presented a petition signed by 162 electors and residents of the House of Assembly Districts of Light and Gouger in the Midland District of the Legislative Council. It stated that any further restrictions on the use of road transport by taxation legislation or otherwise would be detrimental to the interests of the State and that the cost of any such legislation or control would add to the cost of living in country areas and discriminate against the residents of those areas. The petition contained the respectful prayer that no legislation to effect any such control, restriction or discrimination be passed by the Legislative Council.

Received and read.

**QUESTIONS****UNDERGROUND WATER.**

The Hon. M. B. DAWKINS: I ask leave to make a statement prior to asking a question.

Leave granted.

The Hon. M. B. DAWKINS: Yesterday I asked a question of the Minister of Mines with reference to underground water and effluent and today I also wish to ask a question regarding underground water, but for a different reason. Honourable members will remember that I have previously referred to the extension of supplies of reticulated water in the southern parts of Yorke Peninsula, and that engineers of the Engineering and Water Supply Department have told us that, unless at some future stage they can build large numbers of storage tanks, the present capacity of the mains in the area has been reached. Some investigation into underground water has been going on, with the idea of extending reticulated supplies in what is known as the foot of the Peninsula. Can the Minister report any further progress in this matter? I am aware that, when I asked a previous question some months ago, he said he would have a look at the matter and see whether there had been any progress.

The Hon. S. C. BEVAN: I can inform the honourable member that investigations are still being carried out by the Mines Department relative to obtaining an adequate supply of

water in the area mentioned. I will get an up-to-date report from the department on the matter and report to the honourable member at a later date.

**LOCAL GOVERNMENT.**

The Hon. R. A. GEDDES: I ask leave to make a statement prior to asking a question.

Leave granted.

The Hon. R. A. GEDDES: Recently Mr. W. H. Richards, Town Clerk of the City of Port Augusta, compiled a comprehensive report after a local government study tour of Victoria and New South Wales. In his report, he has made several interesting recommendations for the possible betterment of local government affairs in this State. Will the Minister of Local Government give consideration to the appointment of a director of local government to be directly responsible for the administration of the Local Government Act in this State?

The Hon. S. C. BEVAN: At the present time the Local Government Act in this State provides for the appointment of a director of local government. That provision has obtained for a considerable number of years. At the moment we have a Director of Local Government who, under the Act, would be responsible to the Minister, whoever he may be. As for investigating the question I can only advise the honourable member that these conditions are already obtaining in South Australia and have done so for many years.

**BLANCHETOWN-WAIKERIE ROAD.**

The Hon. C. R. STORY: My question is directed to the Minister of Roads, who will recall that I asked several questions last year with regard to the removal of cover in the form of natural trees and shrubs on the road between Blanchetown and Waikerie. I notice that a good deal of soil erosion is taking place as a result of the removal of cover. Can the Minister say whether, when he is making an inspection of the area, which I hope he will be doing shortly, he will ask me to accompany him so that we may inspect this particular area and see whether it is possible to get adjoining landholders to plant some form of cover to arrest soil erosion in this area?

The Hon. S. C. BEVAN: I will be only too happy to inform the honourable member as to when I will be inspecting the area so that he may have an opportunity to accompany me, and so that these matters may be attended to on the spot.

## BURRA COPPER.

The Hon. G. J. GILFILLAN: Has the Minister of Mines an answer to my question of last Tuesday with reference to copper mining at Burra?

The Hon. S. C. BEVAN: I hope that the answer I have will fully meet the desires of the honourable member. I have awarded exploration and development rights over the Burra mine and the surrounding area to Mines Exploration Pty. Ltd. on behalf of Broken Hill South Ltd., North Broken Hill Ltd., Electrolytic Zinc Co. of Australasia Ltd., and McPhar Geophysics Ltd. Extensive work by the Department of Mines has shown that the redevelopment of the low-grade oxidized ore remnants of the old mine and also the exploration for primary ore near the old workings were possibly economic propositions. Applications had been invited from all the major exploration groups in Australia and the response had been very gratifying.

Mines Exploration Pty. Ltd. represented a dominantly Australian group, and a major exploration programme had been submitted by the company and accepted. The company would expend a large sum of money in further testing the low-grade oxidized ore, and also the deep ore prospects, and would, within 12 months, be in a position to make a decision on the economics of establishing a mining and treatment project for the oxidized ore. The Government proposed to transfer its rights over the area to the company in return for an undertaking to carry out the programme submitted.

In addition, while it would not be proper to release details of the accepted offer, I could say that the proposal accepted from Mines Exploration Pty. Ltd. on behalf of the companies was a very satisfactory one. It involved two separate phases—first, the expenditure of a substantial sum on further testing the low-grade oxidized leavings to see if it was an economic proposition to recover copper from these.

This would entail drilling, sampling and considerable metallurgical work, and it was hoped to have an answer within 12 months; and, secondly, to explore for possible new copper lodes in the Burra district. This would entail geology, geophysics, and probably deep drilling, and it would take a longer period to reach any firm conclusions on this phase which, if successful, could rejuvenate the mining industry in Burra. I understand the first drill was moving in this week, and full-scale exploration would be under way within a few

weeks. The Mines Exploration Pty. Ltd. company had established an excellent reputation in South Australia as a competent and vigorous exploration group. I wish it every success in its activities at Burra. I hope that answers the honourable member's question.

## HOME HELP SERVICE.

The Hon. R. A. GEDDES: I ask leave to make a statement prior to asking a question.

Leave granted.

The Hon. R. A. GEDDES: I direct my question to the Minister representing the Minister of Social Welfare. In Victoria, local government, with financial assistance from the State Government, conducts a home help service to provide help in the home for the mother of a young family who is unable to attend to her family's needs and where help is needed for the aged and infirm where certain household tasks are beyond their strength. I understand that this home help service is very efficient and popular. Will the Minister investigate the possibility of the establishment of a home help service in South Australia similar to the scheme now operating in Victoria?

The Hon. A. J. SHARD: I am not sure of the exact details of it but I believe that some sort of scheme is in operation here at present, though perhaps not so fully as the honourable member is suggesting. However, I will refer the honourable member's question to my colleague the Minister of Social Welfare and bring down a detailed reply, perhaps next week.

## MEDICAL PRACTITIONERS.

The Hon. F. J. POTTER: Is the Chief Secretary prepared to lay on the table of this Council a copy of the report of the special committee set up last year to examine the future needs of this State as regards medical practitioners and the possibilities of training further medical practitioners at the university?

The Hon. A. J. SHARD: Yes. The report of the special committee set up to investigate the history of where our doctors are situated in South Australia, where they have come from and where they are practising, has been completed. I have written to the members of the committee thanking them for doing such a good job. The report is lengthy. Only this morning I sent a copy of it to the Registrar of the university and the Australian Medical Association. We do not expect to have it printed but have decided that for the benefit of honourable members it will be laid on the table of each House of Parliament next week for honourable members to peruse.

## LEIGH CREEK HOSTEL.

The Hon. Sir LYELL McEWIN: I ask leave to make a statement prior to asking a question.

Leave granted.

The Hon. Sir LYELL McEWIN: My question is directed to the Minister representing the Minister of Education. I asked a question on this matter yesterday, and I do not wish the Minister to think that I am impatient, but I did not have the opportunity earlier today to see if he had an answer. However, I have had another telephone call this morning from one of the parents concerned. In view of the fact that school is starting again within a short time, it is necessary for parents to make arrangements for their children. What is the Government's intention regarding a hostel for children at Leigh Creek? If possible, I would appreciate an early reply.

The Hon. A. F. KNEEBONE: I know that this matter has been before Cabinet and that it has been returned to the Minister of Education for further report. The matter has not come back to Cabinet as yet, but in view of the honourable member's statement today I will impress upon the Minister of Education the urgency of the matter and bring down a reply as soon as possible.

ROAD AND RAILWAY TRANSPORT ACT  
AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from January 26. Page 3535.)

The Hon. Sir NORMAN JUDE (Southern): I suppose that the Minister could be congratulated on the somewhat belated attempt to sugar the cake, or should I say to ice it. As I have said before, the second reading explanation as I see it is an attempt to impress the people of various districts, commercial carriers, and owners of various and sundry ancillary vehicles to have no fear: "All will be well—you will probably be exempt or you will get special treatment". I suggest that after the words "special treatment" we should put a question mark, in brackets. What is the basis of this Bill? As honourable members well know, it is to derive revenue from the road hauliers, both professional and ancillary, to bolster up railway finances. It is not my intention in this reply to deal with detail as my colleagues will doubtless do that, but I can assure the Government that in the most

unlikely circumstance of this Bill being dealt with in Committee I shall have considerably more to say.

Reference was made in the Minister's speech to the other States, and here I refer to the Government's general and, if I may say so, unfortunate approach to this taxing measure. On several occasions this session various members with greater experience—and I say this with respect—than those opposite have referred to the regrettable tendency of the present Government to increase taxes, using the excuse that the rates in this State are below those applying in the rest of the Commonwealth, or at least below the average of the other States. I put it not only to honourable members but to the people in this State: is it a matter for pride that we should be taxed up to the standard of every other State, or should we be pleased to be paying less taxation per capita and having more pounds per head in the savings bank, rather than putting an incubus on one of the most rapidly developing States in the Commonwealth that has got thereby a progressive community led by a stable Government?

I noted the statement comparing the percentages of the State railway earnings, which are falling. They are the lowest of all States, and if this is a precursor to other similar statements made this session I can assure honourable members—my colleagues and others—that we shall see rail freights increased very soon after competition is removed. The argument that we, the lowest taxed State, can well be brought into line with all other States is an attitude of mind entirely repugnant to me, and one about which the Government should feel ashamed and not proud. It is claimed that the money to be collected from road tax will be a mere £200,000 but the expected increase to be diverted to the Railways Department will be about £1,000,000 in the first year, and it has been mentioned that half of that will be clear profit. Where will it come from? I shall endeavour to tell honourable members.

If charges are reasonable, it will be on all the double, treble and even quadruple handling, mostly at the expense of primary producers and country dwellers. The Minister stated in his second reading explanation that the Chairman of the Transport Control Board claimed that in seven and a half years railway revenue benefited by traffic diverted from the roads to the extent of £1,125,000, or £150,000 a year. There were no highways then. No sealed roads passed Meningie on

the Princes Highway. None passed Tailern Bend on the Dukes Highway and there were certainly none to Renmark, Port Pirie or Pinnaroo and, despite some changed money values this was all the amount they effected, with virtually no competition. Today we have a road transport system with millions of pounds involved in it.

I draw attention to the fact that the railways are not the only people with capital assets, and these millions of pounds are to be grossly controlled and taxed (I think "controlled" is the worst aspect) to bolster up railway finance, if possible. Transportation studies throughout Australia in recent years show that the transport content of the general economy is about 28 per cent to 30 per cent of the total cost structure, and this alone means that the inefficiency of double and treble handling by whatever method, whether by road, railway, air or anything else, must be removed.

We are told next in the Minister's explanation that we will have an "open system", with officers here, there, and everywhere, or that the work possibly will be added to the police system or that Public Service officers will be appointed in suitable centres. Well, we get the same old business again. What are suitable centres? Everybody expects to have the same facility to obtain permits rapidly and not to have to wait overnight on an urgent matter dealing with livestock or some other emergency. Who will collect the tax and where and when will it be collected? I am not referring to the fees; I am referring to the amount of tax.

Who will compute mixed loads at different rates on partially-controlled roads? Imagine the chaotic bookkeeping for a simple-minded carrier with one or two trucks who is already involved in one taxation measure that he has accepted as being reasonable and just! The handling of this involved method of taxation has already been seen in this State and in the past 10 years honourable members of both Parties have spoken strongly against it. The former Government realized that it was time that these controls came off and proceeded to take them off as rapidly as possible, but here we are about to be put back into an infinitely worse position. At least only few of the roads were controlled, as far south, say, as Tailern Bend. Now they are to be controlled virtually over the whole of the State, with exemptions from payment outside a radius of 150 miles, or about 175 road miles. I suggest that the computing of mixed loads on different roads will require the use of computers.

My remarks are, in the main, confined to the overall weaknesses in the structure of this Bill. The fantastic anomalies, the unexplained and un-named exemptions or "chargeables" are, like the proverbial jumble sale, too numerous to mention. For example, I note that bitumen carries a 2c rate. Is it no longer to be used for road purposes and exempted or is it to be reserved to tar and feather the politicians who have devised this Bill? I am not in the least impressed by the Minister's attempt to gild the lily. If roads have to be controlled, then all of them should be.

Let us never forget the age-old argument between road and rail transport that the road user does not pay for his track maintenance. We know that it was so but today he is paying for it by a direct road maintenance tax and, despite the high labour costs and the high depreciation in that industry, the road haulier has met the obligations. Furthermore, the State has imposed this reasonable charge on all heavy vehicle users, including the interstate haulier.

The Hon. A. F. Kneebone: What about the people who dodge the tax and those figures I referred to yesterday?

The Hon. Sir NORMAN JUDE: The Minister can reply. The interstate haulier now contributes approximately one-third of the total tax collected. In my regime, it was certainly spent on the roads, and I trust that it still is so spent. The Bill does not specify intentions regarding some of the largest items to be handled, namely, petroleum products, grain, fertilizers, etc., and this also is quite unacceptable to me, apart from any explanation that may be given on the fact that they are not in the Bill.

We now come to the extraordinary references to carrying stock or produce from Mount Gambier to Port Augusta or Ceduna, dodging the 25-mile area. In other words, if one goes further around on more tortuous roads, he need not pay, but if he nips across to Woodside and on to the Gawler by-pass he does pay. Is this a serious suggestion? Let honourable members consider it as a piece of legislation. What about the O'Halloran Hill and Meadows graziers who buy and sell livestock all over the State? They pay because they live in the 25-mile zone, but the Smithfield farmer can send livestock to Noarlunga free of any charges.

Let us consider cattle and sheep sent from the Meningie and Narrung districts to the abattoirs. Here, double handling and the time factor are of paramount importance. What

will be the practical outcome? I ask honourable members to consider the matter. The farmer will still send them by road. The carrier will pay the road maintenance tax and, for some quite immoral reasons, will also pay a gratuity to the South Australian Railways for a service that it could not satisfactorily give because of treble handling and loss of time. Of course, the carrier will pass some of the gratuity fee on to the farmer.

He is paying for his track maintenance now and contributes in many other ways by petrol tax and registration towards road capital outlay. Why on earth should he be asked to help the South Australian Railways any more than the business man living within the 25-mile radius is asked to do so? Again, why should all of Eyre Peninsula be exempted? If the Government imagines that primary producers can be divided by handouts, it is sorely mistaken. There is a railway to Port Lincoln that is suitable for carrying wheat, fertilizers and petroleum products. What sort of justice is this that suggests that a farmer at Lock is different in thought or rights from one at Lameroo?

There are so many exemptions that I feel strongly that the continual harassing of heavy commercial vehicle owners by an army of assessors, and the further necessity for them to fill in a multitude of forms, all add up to an ill-conceived arrangement that, in the long run, will wreck itself, without conferring any overall benefit on the State.

The Hon. D. H. L. Banfield: You can move to have the exemptions removed.

The Hon. Sir NORMAN JUDE: Honourable members can use their discretion as to whether to remove them or not. I feel I should draw the attention of members to at least one of the glaring discriminations shown on the map exhibited in this Chamber. A person at Kingston in the South-East may travel a short distance before paying taxes, but a person from Mount Gambier, with an infinitely better rail service, will pay on only 175 miles out of 300 miles, giving him 40 per cent free travel, compared with 7 per cent free travel from Kingston. That is, the charge from Kingston will be the same as from Mount Gambier over a much shorter journey, and I would remind honourable members that, in addition, Mount Gambier has adequate interstate facilities to compete with us.

The Hon. C. R. Story: Do you think competition for the seat of Mount Gambier will be more contentious?

The Hon. Sir NORMAN JUDE: I have no doubt that that will be looked after in due course. This forlorn attempt to draw an arc at 175 miles from the city centre as an arbitrary distance throws open the east-of-the-river traffic and, more particularly, the lower South-East traffic directly to interstate hauliers who will use the recent Queensland High Court judgment to ruin our local carriers or, alternatively, the latter will be forced to adopt devious means at the border to avoid the provisions of this Bill.

New companies will be formed, thousands of pounds in registration fees will be lost and a new work force of inspectors will come into being overnight. I suppose this might, of course, be described as a measure of decentralization, but the right word is discrimination, not decentralization, and it is against our own State hauliers. Every member is aware of the contents of this hastily conceived and ill-drawn piece of legislation; if they were not aware of it originally I am quite certain that the people of this State have left no doubt in members' minds of their attitude to this Bill and its implications and, what is more, it is a consistent attitude throughout the State. These numerous petitions, of which honourable members in both Houses are well aware, were certainly not canvassed by honourable members.

The Hon. A. J. Shard: I beg your pardon!

The Hon. Sir NORMAN JUDE: They were not canvassed by members of Parliament.

The Hon. A. J. Shard: Rubbish.

The Hon. Sir NORMAN JUDE: Does the honourable member suggest that I canvassed for them?

The Hon. A. J. Shard: You said they were not canvassed. What do you think we are—green turnips?

The Hon. Sir NORMAN JUDE: You can put your appellation on yourself. These numerous petitions, as I pointed out, were certainly not organized, in the main, by honourable members; rather, honourable members have been asked to attend and address public meetings where these petitions have originated, and Government members in most cases were invited to attend, but declined.

The Hon. A. F. Kneebone: I asked people who had asked me to attend a meeting to send a deputation, but not one even replied to my letter.

The Hon. Sir NORMAN JUDE: I accept the Minister's remarks, but that does not let out the members in other districts who did not

attend these meetings. I believe one honourable member in another place accepted an invitation to attend, but I am fully aware that others declined, and in one case the member concerned gave me the reason. Shall I suggest that those members were debarred from attending by some outside body? What I want to tell the Minister is this: had they decided to attend they would have learned many months ago that this type of legislation is entirely unsupported, not only by those who, generally speaking, disagree with their policy, but even more strongly by many of their own supporters. I have previously indulged Ministers opposite and even sympathized with the amount of indigestible legislation which they have been asked to promulgate or support during this session—I recall the Town Planning Act and Railway Commissioner's Act Amendment Bill, among others, but now a Minister may be inundated *ad nauseam* by pressure groups: he may alter controls, rates and regulations from day to day or he may direct the Transport Control Board at the instigation of Cabinet, Caucus, or the Trades Hall. What an invidious position to be in!

I feel he should still have my personal sympathy; after all, we need not have personalities here. In criticizing this Bill trenchantly, I offer no apologies and pull no punches and, while not wishing to deliver a knock-out blow before my colleagues have a few "chops", I can assure the members of the Government that my conscience as a representative of an important part of the State and as an individual, leaves me no alternative but to oppose the Bill and, in particular, the most objectionable principles embodied therein. In conclusion, I suggest that if the Government is in any doubt as to the merits of the legislation I advise it to go to the country and find out.

The Hon. D. H. L. BANFIELD secured the adjournment of the debate.

#### EDUCATION ACT AMENDMENT BILL (SERVICE).

Adjourned debate on second reading.

(Continued from January 26. Page 3535.)

The Hon. JESSIE COOPER (Central No. 2): I rise to support this Bill, which is a simple and straight-forward amendment to the Education Act. Simple though it is, it is a matter of importance to the people concerned. By this Bill, which is retrospective in its intention, a per-

son employed as a teacher by the South Australian Institute of Technology, the South Australian School of Mines or Townsend House will not lose his or her long service benefits when transferring to the Education Department. This will help the department as well as the individual concerned. The same principle will apply to employees of the Commonwealth or any other State under section 5 (b). This section seems rather wide in its implication; however, I consider that honourable members may support this Bill with confidence, and I do not intend speaking any further on it.

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

#### SUCCESSION DUTIES ACT AMENDMENT BILL (RATES).

Adjourned debate on second reading.

(Continued from January 26. Page 3539.)

The Hon. D. H. L. BANFIELD (Central No. 1): The words "fraudulent" and "crook" have been bandied about in this Chamber in the course of debate on this Bill. If there is anything fraudulent or crook about this matter, it is the way in which the Opposition has attempted to misrepresent the true position. Typical of this was the statement of the Hon. Mr. Dawkins yesterday that the Government said that a primary producing property of £5,000 was a property with a living area. Then the Hon. Mr. DeGaris attempted to put over the same misleading impression when he said that £5,000 was a completely unrealistic figure when applied to the property of a primary producer. The Government has at no time said that a property valued at £5,000 was a living area for primary production. What the Government does under the Bill is to give an exemption of a further £5,000 to the people engaged in primary production. It is not saying that a property valued at £5,000 is a living area: it is giving an extra £5,000 to people engaged on primary production.

The Hon. G. J. Gilfillan: Further to what?

The Hon. D. H. L. BANFIELD: What honourable members opposite said was deliberately misleading. Either it was meant deliberately to mislead the public or they know nothing about the Bill. I do not believe the latter for one moment, that they know nothing about the Bill: I think they know sufficient about it to realize that concessions are made to those who under the present Act are penalized to a greater extent than those who

are in a better financial position, and that the Bill provides for an equitable means of paying succession duties.

The Hon. R. C. DeGaris: If what you say is true, why is the primary producer paying 43 per cent more under the Bill?

The Hon. D. H. L. BANFIELD: He has got an extra £5,000 exemption.

The Hon. G. J. Gilfillan: Extra on what?

The Hon. D. H. L. BANFIELD: On the present value. The Opposition knows these things and is resorting to the tactics of telling half-truths and using completely misleading statements. Honourable members of the Opposition do this in the hope that it will be the means of saving their wealthy friends from making the extra payment coming in under aggregation. We make no secret about that. The Bill increases the present exemption for widows and descendants as regards certain primary producing property. These things are in line with our policy speech made prior to last March, and we are putting them into operation today.

We all know that the Succession Duties Act is purely a revenue-raising Act and, as such, is one of the first Acts to be looked at when it becomes necessary for a Government to raise extra money. The Bill increases the rates of duty upon the higher amounts of succession, and I can see nothing wrong with that. The accumulation of property during a person's lifetime is not purely a result of his own efforts.

The Hon. C. R. Story: But it has a very good effect on his efforts.

The Hon. D. H. L. BANFIELD: I admit that he has to have initiative and he has to put some effort into it, but, no matter whether he has all the initiative and effort in the world, he cannot accumulate property by himself. He still looks to the State for the protection of that private property, and the State has to pay for that protection in the form of, for instance, police services. He expects that protection and gets it as a result of payment by the Government. Without that protection his property would be taken from him faster than you people opposite have ever taken it from him.

The Hon. C. R. Story: But has he not to pay tax upon his income and property every year?

The Hon. D. H. L. BANFIELD: He would pay a greater amount of annual income tax if these succession duties were not in operation. There are various ways of extracting tax. One way is to take it in one lump sum, where a person pays it in one sum. Under

the present set-up we take a piece called the sales tax, then a bit more called income tax, then a fair amount from succession duties from those who cannot afford to pay them, a little bit more from those who can afford to pay them—and so we go on. The business man could not succeed if the Government did not direct or control the economy, if it failed to administer law and order or did not provide public services.

Even members opposite would agree with that—and not often do they agree with anything that we say. The professional man is also assisted by facilities for education and research made available at great cost by the Government out of taxation and succession duty moneys, in addition to other forms of taxation. We have introduced no form of new taxation at all, so taxes are being paid out of forms of taxation that have been in operation for years. Probably the one who receives the greatest assistance from the Government in the accumulation of his property is the man on the land.

The Hon. M. B. Dawkins: Ha, ha!

The Hon. D. H. L. BANFIELD: Honourable members may laugh, but that is correct. A huge amount of public money is provided for public utilities, including the railways, which we want to keep and which the man on the land could not do without.

The Hon. A. F. Kneebone: The Opposition does not want the railways.

The Hon. D. H. L. BANFIELD: Public money is also spent on research, besides railways, electricity and so forth. How many primary producers have had a few extra pounds put into their pockets as a result of research done at the Government's expense, and at the taxpayer's expense, including tax paid by the politicians, not only by those engaged on primary production?

The Hon. C. R. Story: They can well afford to pay.

The Hon. D. H. L. BANFIELD: Of course they can. We are not even complaining about that.

The Hon. M. B. Dawkins: I thought you were complaining about that.

The Hon. D. H. L. BANFIELD: No. Public money is being used for research. It has been the means of increasing production and establishing orderly marketing. Let us look at the citrus industry, for example, in respect of which we set up an inquiry in an attempt to put it on its feet, at Government expense.

The Hon. C. R. Story: It will not cost the taxpayer anything.

The Hon. D. H. L. BANFIELD: The primary producer also receives taxation concessions on considerable portions of his income to encourage him to make a greater productive effort. So he gets a big crack of the whip.

The Hon. A. F. Kneebone: He gets his motor car cheaply as well.

The Hon. D. H. L. BANFIELD: Yes.

The PRESIDENT: Order! Honourable members must not interject while the Hon. Mr. Banfield is speaking.

The Hon. A. J. Shard: Opposition members have not let him alone since he got up to speak.

The Hon. D. H. L. BANFIELD: The concessions have played a big part in the accumulation of profits. As I said before, the fact is that despite the concessions and facilities available these people still must have the initiative to want to accumulate money. To a person with initiative plenty of facilities are provided, which makes the accumulation of property far easier for him than if the facilities were not available.

The Hon. Sir Lyell McEwin: The honourable member has given the best explanation yet why the Government does not want to hand on those benefits.

The Hon. D. H. L. BANFIELD: It would not be good if the honourable member's arithmetic were used, even though he had the use of experts. I would suggest that those experts be changed. Surely it is reasonable that some portion of the accumulation made with the assistance of public expenditure should eventually be returned to the Government to enable the Government to continue with its expenditure so that other people may share in the system if they wish to take advantage of it. It would assist everybody to accumulate some property and the Government would get some succession duties back from them. It is to their advantage to split up their estate. If we agree with the principle of raising money by way of succession duties—and I assume we do—even though people have said in the course of the debate that it is a bad way of doing it, there has been no attempt that I know of in the last 70 years made to wipe out that form of taxation. Even though honourable members may not believe in it, at least they appear to be happy to take part in it, because no attempt has been made to get rid of that form of taxation. All political Parties have used this method of taxation for the purpose of raising money, and it must be agreed that if we continue with

it we do not want it to be unfair in any way.

We want it to be fair and equitable in its application, and this Bill sets out to do that exactly. The Opposition is perturbed about the fact that the Bill provides for the aggregation of all benefits to an individual beneficiary to determine the exemption and the tax rate. Honourable members say that because certain people have taken advantage of loopholes in the interpretation of the Act they should be allowed to go along their merry way and not be expected to pay as much as the person who has not taken advantage of the existing loopholes. How many members opposite have not had a hand in correcting loopholes, whether by way of Act of Parliament or in their own business or by other means? They have seen that someone has not been doing the right thing and I believe all honourable members have been parties to correcting loopholes. They have taken the opportunity to get rid of loopholes, and that is the intention of the Government here.

The Hon. F. J. Potter: Can the honourable member tell us of one loophole?

The Hon. D. H. L. BANFIELD: The honourable member has been operating under them long enough and should know of them. Section 7 of the principal Act says:

The said duties shall be assessed upon the total of the net present value of all property derived, or deemed to be derived, by any person from any deceased person, and shall be assessed at the rate appropriate for the said total.

That is plain enough in anybody's language, even in the language of the Parliamentary Draftsman, and we can all understand it. However, apparently we cannot all interpret it the same way.

The Hon. Sir Lyell McEwin: We have noticed that.

The Hon. D. H. L. BANFIELD: We have noticed it also and tried to get it equitable for everybody. From reading section 7 it would appear that the amount of duty should be assessed upon the total of the net value of all the property. The Act says that. They are not my words. It says:

Shall be assessed upon the total of the net present value of all property derived . . . from any deceased person.

Apparently the interpretation of that clause has been held to be restricted to property derived by way of the will of a deceased person, with separate assessments to apply to settlements taking effect upon death, and



another assessment for increases in benefit arising out of joint ownerships and insurance policies paid for by the deceased in favour of the beneficiary.

The Hon. F. J. Potter: What is wrong with that?

The Hon. D. H. L. BANFIELD: Nothing at all. I am not saying a person should not take out these policies, but I think it is wrong when people who are unable to do this are paying a greater tax than people who are in a position to do it.

The Hon. F. J. Potter: I meant what is wrong with the separate assessments?

The Hon. D. H. L. BANFIELD: Nothing at all, if a person is able to make use of the loophole. But it is wrong if somebody else cannot have the same benefit because that person is not able to take advantage of the same loophole. Members have spoken about how difficult it has been to make a living on the land.

The Hon. Sir Arthur Rymill: When the honourable member says that somebody else has to pay the extra tax apparently he is worrying about the wealthy people, because they will have to pay it.

The Hon. D. H. L. BANFIELD: Wealthy people do not worry me nor do they come running to make hand-outs to me, but even if they did it would be an embarrassment to me.

The Hon. Sir Arthur Rymill: Why should the honourable member worry about them?

The Hon. D. H. L. BANFIELD: I am not worrying about them, but I have to worry about people who are unable to take advantage of these loopholes. I can only assume that at the time of the passing of the Act the escape provisions were never intended but were later discovered and exploited by the wealthy, because it was only the wealthy class who were able to take advantage of the situation. No action has previously been taken to get rid of the loopholes.

The main outcry against the Bill has been from those people who have been in the know about the loopholes and who have been financially able to exploit the situation to the fullest. This outcry has been added to by the insurance companies who have aided and abetted this exploitation, with the result that they were able to benefit from it. The Opposition is saying that the provisions of the Bill are not in accordance with the policy speech made by the Premier earlier this year. This, of course, is not correct, because the Premier made it clear in the policy speech, and he has repeated it in the Budget speech, that he intended to give concessions to widows

and children of those in the lower income groups. This has been done. In the case of a widow, the Government proposes to raise the present exemption from £4,500 to £6,000, giving a further exemption of £1,500. Can the Opposition deny that this is an exemption to widows? Where the widow receives an interest in the home, a further exemption of up to £3,000 can be received.

The Hon. S. C. Bevan: And that applies to all people.

The Hon. D. H. L. BANFIELD: It applies to rich and poor alike. It means that a widow may receive up to £9,000 before paying any duty at all, which does not apply under the present Act.

The Hon. Jessie Cooper: Yes, up to £17,000 it does.

The Hon. D. H. L. BANFIELD: That is with children. The honourable member should state her case. I am talking about the widow who can receive £9,000. The figures as far as children are concerned will be given later. We indicated in our policy speech that we would give exemptions to widows and the Bill does that. It gives exemptions up to £9,000.

The exemption for children under 21 years of age has been increased from £4,500 to £6,000, another increase of £1,500 in the exemption. An estate with a net value of £18,000 divided among three children under 21 years of age would attract no duty at all, whereas, under the present Act, duty of £675 would be payable. That is not a bad exemption! We want to give that tax back to them, in accordance with our policy. The exemption for sons and daughters over 21 years of age has been increased from £2,000 to £3,000. This means that an estate with a net value of £15,000 left to three descendants over the age of 21 years, with a life interest of £6,000 to the widow, would attract no duty at all.

What would be paid in such circumstances under the present Act? The amount payable would be £600, so that is not a bad exemption, yet honourable members say that the Bill is not doing anything for the people for whom we said we would do something. Members opposite, who shed crocodile tears on behalf of the poor widows and children, ought to have another look at the Bill. If they do, they will see that widows and children under the age of 21 years who derive property from their deceased husbands and fathers pay duty at present on a property with a net value of £19,000. My wife and family will never be

sharing an estate worth £19,000, so I do not have to worry about that.

The Hon. G. J. Gilfillan: Does this comparison include life assurance?

The Hon. D. H. L. BANFIELD: I am talking about what section 7 provides in regard to the total amount derived from the estate of a deceased person and am saying that that is how we ask that the legislation be interpreted. Honourable members opposite could have told us more about the primary producers, the boys for whom tears have been shed. I agree with them wholeheartedly, but let me cite two instances. Let us assume that a primary producer has struggled all his life to pay for a property, and that he eventually acquires, free of mortgage, a property that has a net value of £50,000. Assume then that he drops dead and leaves the property, by will, to his widow. Under the existing Act, someone has to pay £7,575 in succession duties. Some people say that a property worth £50,000 is the minimum required for a living area for a primary producer, and I could possibly agree with that. However, I am using the figure to show how much sympathy there is for the man who is really struggling.

Compare this man's case with that of another man who has owned a property of the same value for a much longer period and has been able to make provision for his family in other ways. He has been able to arrange his affairs so as to dispose of the property by leaving £20,000 to the widow by will, £15,000 by way of settlement and £15,000 by way of survivorship. Because one man died a little earlier a duty of £7,575 has to be paid. The other man cleared his mortgage in good time, which enabled him to arrange his affairs in a different manner.

The estate of the man who was better off would attract a duty of £5,475, compared with £7,575 payable in respect of the other estate. The second widow, who was not struggling to the same extent as the first, would pay £2,000 less than the struggling widow, and I assume that the Opposition thinks that is a fair way of handling the matter.

The Hon. C. R. Story: How much gift duty did he pay?

The Hon. D. H. L. BANFIELD: That comes under a different Act again. The honourable member will be asking directly how much the executors charged. I do not know how much they charge and nothing has been brought before the Council to limit their charges, so we cannot consider it. I am talking about the succession duties payable.

The Hon. A. J. Shard: Don't let them side-track you.

The Hon. D. H. L. BANFIELD: They are not side-tracking me. Extravagant words have been used about an advertisement in the daily press that gave the facts. Sir Arthur Rymill has said that the advertisement is more than misleading, and that it is not true at all.

The Hon. Sir Arthur Rymill: I do not think that is correct. Read what I did say.

The Hon. D. H. L. BANFIELD: I quote from *Hansard*:

It is more than misleading; it is not true at all.

The Hon. Sir Arthur Rymill: Read what goes before that.

The Hon. A. J. Shard: That is what your press said.

The Hon. Sir Arthur Rymill: You are trying to take it out of its context.

The Hon. D. H. L. BANFIELD: I shall read what the Hon. Mr. DeGaris said and I shall then read the interjection, as reported by *Hansard*. The Hon. Mr. DeGaris said:

The article goes on to say, "Because under the same Playford legislation the wealthy in this State not only pay a much lower rate of tax than interstate but are provided with special loopholes, only useful to the rich, allowing them to pass on estates of £50,000 without duty, while ordinary citizens including widows must pay over £300 on inheriting £7,000." Once again this statement is blatantly misleading; it does not give the true picture whatsoever.

Sir Arthur Rymill says it is more than misleading; he says it is not true at all. Let us have a look at it.

The Hon. Sir Arthur Rymill: Just be fair. I was talking about the £50,000, and you cannot get away from that.

The Hon. D. H. L. BANFIELD: Sir Arthur Rymill says he was talking about the £50,000. The fact remains that the Hon. Mr. DeGaris was talking about the advertisement. Sir Arthur Rymill did not say, "It is not true in part"; he did not say, "It is only partly true"; he said, "It is not true at all." Those are the words that are printed. If Sir Arthur Rymill is prepared to say that that statement is not correct, I will accept. It is reported in *Hansard*.

The Hon. A. J. Shard: And that is what was printed in the *Advertiser*.

The Hon. Sir Arthur Rymill: I am saying that what you are saying is a deliberate attempt to misinterpret what I said.

The Hon. D. H. L. BANFIELD: I am not talking about the extract from a newspaper that we know does not boost our side up,

though we accept the newspaper report. However, I am not even quoting from the paper but from *Hansard*, and I have not been told of any approach that has been made to *Hansard* to have that statement corrected. I can only accept it in the form in which it appears in *Hansard*.

The Hon. A. J. Shard: It is not a question of interpretation; it is facts.

The Hon. M. B. Dawkins: It is only your interpretation of the interjection.

The Hon. D. H. L. BANFIELD: Can anybody interpret the words, "It is not true at all" in any other way. They are there in black and white. Let us have a look at the advertisement of January 13, which Sir Arthur Rymill says "is not true at all". Can Sir Arthur Rymill deny that he said that?

The Hon. Sir Arthur Rymill: You are deliberately trying to falsify what I said.

The Hon. D. H. L. BANFIELD: If there has been any misleading done in this matter, the Opposition has done it, with the backing of the press and the insurance companies in putting those misleading statements over. I am not attempting to mislead the Opposition. I am only quoting what is in *Hansard*. There are only six words to consider: "It is not true at all." Can the honourable member deny that the advertisement sets out the table of all the benefits to be given to these people? Can he deny that under the present Act a widow or a child under 21 years of age who inherits an amount by way of will of over £4,500 but less than £6,000 will have to pay some duty? Can he deny that under the present Act a widow who receives £7,000 by way of will has to pay £345 whereas under this Bill she would only pay £150? Can he deny any of these tables? Is the advertisement untrue in any way? Of course he cannot deny those things.

That is not a false advertisement. I believe I am getting under the skin of the Opposition. It got under our skin when we had to pay for an advertisement of this size, whereas the daily press gives all the advertising in the world to the Opposition for their misleading statements that the Bill is crook and a fraud. That is given in big black headlines on the second page of the newspaper, and on another page there is a six or seven column article by the Chamber of Manufactures damning this particular Bill, whereas there is one two-inch column of less than nine inches in length by the Premier explaining the Bill. Is it any wonder that it gets under our skin that we had to pay for this advertisement

so that the people would know what they were getting under this Bill? Of course it gets under our skin, and it is getting under the skin of the Opposition because the people know the true position now. We are doing what we said we would do in our policy speech; we are attempting to close any loophole.

The Hon. C. R. Story: You don't give us any space in the *Herald*.

The Hon. D. H. L. BANFIELD: The Opposition has had plenty of mention in the *Herald*, and what has been mentioned in the *Herald* has been truthfully reported—more than can be said about the daily press. We have been to the people and we have a mandate for this Bill and we are putting it into operation. In reply to an interjection I made the other day asking if the Opposition intended to throw the Bill out, I was informed that, as I could count the number of members who had spoken in opposition to the Bill, it would be obvious what was going to happen to the Bill. I suggest to members opposite that before they throw the Bill out they give consideration to the fact that they will be depriving more than 70 per cent of inheritors of benefits.

The Hon. Sir Arthur Rymill: Rubbish.

The Hon. D. H. L. BANFIELD: Seventy per cent of all inheritors are going to benefit by the Bill, so it is not rubbish.

The Hon. S. C. Bevan: They want only three per cent to benefit.

The Hon. D. H. L. BANFIELD: That three per cent have been benefiting all along, and members opposite want them to continue to benefit in a way that is not fair and equitable, and that is why there has been such an outcry now that the wealthy are being asked to pay on a fair and equitable basis. That is why the Opposition opposes the Bill; they don't care two hoots about the poor widow and children they were crying about yesterday.

The PRESIDENT: I ask honourable members not to become abusive.

The Hon. A. J. Shard: That is the joke of the year.

The Hon. D. H. L. BANFIELD: I was only saying that it is clear to me that they want to deprive these widows of the benefits which this Bill provides.

The Hon. G. J. Gilfillan: That is not true.

The Hon. D. H. L. BANFIELD: The honourable member says that is not true. If it is not true we are going to get a terrific surprise when the voting comes because up to now not one of the Opposition has spoken in favour of giving these benefits to the widow or children. All honourable members, with the

exception of the Minister who gave the second reading explanation, have opposed these concessions, and have said they are against the Bill.

The Hon. Sir Norman Jude: Did Sir Lyell McEwin oppose it? That's a lie!

The Hon. Sir Lyell McEwin: That's a lie!

The Hon. A. J. Shard: You opposed the Bill.

The PRESIDENT: Order!

The Hon. D. H. L. BANFIELD: It is not a lie. There is not one member opposite who has supported the Bill. Every speaker up to now has opposed it. What does the opposing of the Bill mean? It means that these widows and children will be deprived of the benefits.

The Hon. M. B. Dawkins: Nonsense!

The Hon. D. H. L. BANFIELD: Can honourable members opposite tell me how the widows and children will get any benefits if this Bill is thrown out? If it is thrown out they claim that the benefits will still be there. That is nonsense. The benefits will be there only if the Bill is passed. If it is thrown out, the benefits cannot be granted. Honourable members opposite are attempting to throw out the Bill but they have made no proposal about suggested amendments to this Bill. They have the right to do so, but I have nothing on my file about any suggested amendment that the Opposition proposes to make to the Bill.

The Hon. Sir Norman Jude: You were not in the Chamber during the whole of the debate.

The Hon. D. H. L. BANFIELD: There is no suggested amendment on my file. I know the messengers would do their job thoroughly and that they would not leave me out. Not only have I no suggested amendment on my file, neither has any other honourable member of this Council.

The Hon. Sir Lyell McEwin: You got the draft Bill.

The Hon. D. H. L. BANFIELD: Members opposite all oppose the Bill. By doing that they oppose the benefits contained in it, and honourable members cannot deny that. The defeat of the Bill will not only deprive people of benefits but also deprive the Government of additional revenue needed for the running of the State. This, in turn, will act adversely on each and every one of us. It will not only deprive these people and the Government of some benefit but will allow the wealthy to get through the loophole and continue to evade a tax forced upon other people.

In conclusion, I must pay a tribute to the sense of humour of our public servants. They do not often get credit for what they do but

on this occasion I feel that their sense of humour should be officially recognized. We find that for the purpose of succession duty we have to fill in three forms. The first has the letter "A" on it, and this form requires information about who is to receive any property. Form 2 has a "B" on it. This form requires us to set out the amounts to be disposed of under the will. Then there is another form not with the letter "C" but with the letter "U" on it. This form is a form giving the "let-out", so I assume that someone in the Public Service realized the position when he came to number these forms. He realized that if you have got it you are "U" and if you have not got it you are "non-U". If that was not the reason, he realized it was a straight-out recognition of the fact that the Form "U" was used for the under-payment of succession duties, and that is possibly how Form "U" came into being. I support not only the second reading but all stages of the Bill.

The Hon. R. A. GEDDES (Northern): In rising to speak to this Bill, after the Hon. Mr. Banfield's excellent tirade and the rather enlightening information that he has given us, I am reminded of the words that we hear when we go to a funeral and the solemn moment arrives when the clergyman says, "Oh death, where is thy sting?" As I see it, the sting is very much tied up with the problems associated with this Bill. At the outset let me deal with Mr. Banfield's reference to the Opposition's objections to the Bill and his assertion that not one of us has any sympathy for the widow and children in respect of which the Bill is principally designed. I feel sure I am right in saying that the Leader of the Opposition said that he felt that this Bill should be withdrawn by the Government and resubmitted.

The Hon. D. H. L. Banfield: Who said that?

The Hon. R. A. GEDDES: The Hon. Sir Lyell McEwin.

The Hon. D. H. L. Banfield: But he made no suggested amendment.

The Hon. R. A. GEDDES: The honourable member will find that Sir Lyell McEwin used words to this effect, that this was a money Bill and amendments would not be in order: only suggested amendments would be. He also referred to the services of the Parliamentary Draftsman.

The Hon. D. H. L. Banfield: He has not been slow in making suggestions on other Bills.

The Hon. R. A. GEDDES: I make it clear that the Opposition is not opposing this Bill

to deprive widows in the lower income bracket of any help that can possibly and sensibly come to them.

The Hon. D. H. L. Banfield: What is the effect of the throwing out of the Bill?

The Hon. R. A. GEDDES: This Bill not only aims at helping a bracket at one end of the scale; it also intends to increase the revenue from certain other brackets by some £750,000. It is difficult for the Treasurer to give with one hand and to take away equitably with the other.

The Hon. D. H. L. Banfield: It has been in reverse all this time.

The Hon. R. A. GEDDES: This is the problem as we see it—trying to put the question of succession duties to the people in a fair and reasonable way.

The Hon. S. C. Bevan: Oh yeah!

The Hon. R. A. GEDDES: The Minister says, "Oh yeah!" I think we have tried—particularly the Hon. Mr. DeGaris, the Hon. Mr. Gilfillan and the Hon. Sir Lyell McEwin—not by destructive but by constructive criticism to do something about it. I may be wrong in my interpretation of what members opposite have said, but that is as I see it. In this Chamber at the beginning of this week reference was made to the great work of the late Sir Richard Butler. He was credited with helping to initiate secondary industries in this State. Sir Lyell McEwin said it was he who reduced the company tax, as Sir Richard saw it would assist industry to come into the State because the primary producing revenue of the State was not reliable enough, owing to seasonal variations that plague the primary producing industry, to produce a steady, reliable and sufficient income for the State to progress and expand. It was given to the late Sir Richard to do these things, and it cannot be denied that the Government to follow put forward an equally progressive policy, which has led this State to a degree of stability unknown before.

The people who work for the secondary industries of this State or for any firm with any reputation are blessed with a superannuation scheme that gives them the benefit of superannuation or a sum of money each week (usually it is on a weekly basis) better than the old age pensions. On his death it is possible for his widow to receive a proportion of this superannuation. Superannuation comes from a man contributing so much to a fund and the employer contributing also to the fund, usually in a proportionate ratio, to give a

benefit when the time arrives. Should the widow receive from her husband's superannuation fund the sum of approximately £10 a week it would represent an investment at 5 per cent of not less than £10,000. This is laudable and superannuation is a wonderful thing, but it does not come in for consideration under the Succession Duties Act. This man's estate would be free from duty. To me this is an anomaly and is not quite fair in relation to the other side of the picture. We have on the other side of the picture in this State many thousands of self-employed people, grocers, butchers, garage men and those servants who populate every town and city providing services and, in many instances, keeping towns alive in these troubled times.

The Hon. D. H. L. Banfield: They are the very people the Bill will benefit.

The Hon. R. A. GEDDES: No. These people, in order to progress in the community in which they live, must advance with the times; they must sell another pound of butter not merely to make ends meet but to improve their position. What do they want? They want their own homes, and to educate their children better than they themselves were educated. They certainly want to hand on to their children something that they themselves did not have, and many thousands of those people live in this State. Those on superannuation receive benefit not only from the State but from their sources of employment. The self-employed people in the suburbs and even in King William Street do not receive such benefits. It is the desire of such people to want their businesses to progress after they have died, and to provide for the maintenance of their family in a ratio proportionate to that to which they were accustomed whilst alive, and the one avenue open to them is life assurance. I was interested to hear the Hon. Mr. Banfield say that the Opposition was opposed to assurance companies.

The Hon. D. H. L. Banfield: No. I said the assurance companies were supporting the Opposition; don't get that mixed up.

The Hon. R. A. GEDDES: These people want to leave something so that the next of kin may enjoy it. Some people say there is a loophole when these people can take out a life assurance policy, and that it should not be done. That is where a difference of opinion exists at the moment. If a man takes out life assurance and assigns it to his next of kin—

The Hon. D. H. L. Banfield: He pays no tax on it—I mean on the premiums.

The Hon. R. A. GEDDES: The payment of premiums up to approximately £300 is exempt from taxation.

The Hon. D. H. L. Banfield: That is exactly what I said, because only a certain number of people can possibly afford to pay that amount.

The Hon. R. A. GEDDES: The idea is that something should be available for the people who are left, and they should not have to go out to work. Surely these people, who are not wealthy, but who have built up a business and tried to make it better than it was before, are entitled to do that? This is the aim of all—to do better, to climb the ladder, and in doing so they think of the future. Under the proposed amendment to the Act, because of aggregation and other restrictions it will not be so easy.

The Hon. D. H. L. Banfield: We know that, and that is where we are trying to help.

The Hon. R. A. GEDDES: It is a matter of commonsense. This is where the difference of opinion exists, and it will continue to exist, because surely the self-employed man who has no possible chance of having the benefits of superannuation should have some privileges in these things? I understand that in Victoria the Government has recognized the virtues and needs of life assurance. Under the Act a man may take out a life assurance policy expressly for the benefit of his wife or children at his death. The principle is that death duties, with the exception of the previous three years' premiums prior to death, are included in the deceaseds' estates, because they are considered to be gifts.

The Hon. D. H. L. Banfield: They are worse off than people in South Australia.

The Hon. R. A. GEDDES: Mention of the other man we have heard about, the primary producer, brings to mind a correction I would like the Hon. Mr. Banfield to make because he said that the primary producer will receive an additional £5,000 exemption under the Bill. Under the Succession Duties Act clause 55f deals with exemptions in relation to primary production derived from a deceased person's estate. Clause 30 provides:

Section 55f of the principal Act is repealed and re-enacted as follows:

I understand that "repealed" means that section 55f is no longer in existence. Clause 30 provides that the Commissioner shall deduct from the value of the aggregate amount of property that any beneficiary derives from a deceased person the sum of £5,000 if the value of the beneficial interest in such land so derived by the beneficiary is equal to or exceeds

£5,000. We do not deny that widows and children in the lower income group should receive some benefit. However, we get a little worried when it is estimated that £750,000 extra revenue is to be found and that this must come from some other section of the community. It has been said that only 3 per cent of the people will contribute the £750,000.

The Hon. A. J. Shard: I think the 3 per cent may have been a mistake; what the honourable member said was that 70 per cent would benefit. I think he left the "0" off the "3". He did not actually say "3 per cent"; he said that 70 per cent would benefit. I think it was a mistake.

The Hon. R. A. GEDDES: I will not quibble about that reply. However, a section of the community will have to pay a large sum of money in every year, whether it be 3 per cent or 30 per cent. Are we not entitled, without being labelled as unfair to widows and children, not necessarily to stick up for but to point out the problems in relation to another section of the community?

The Hon. A. J. Shard: This Chamber has been doing that for years.

The Hon. R. A. GEDDES: The community is one big group of people. The wealth of this State is not in the hands of one section.

The Hon. R. C. DeGaris: And 70 per cent will not benefit under this Bill.

The Hon. R. A. GEDDES: As the Hon. Mr. DeGaris has pointed out (and nobody has disputed the figures) about 45 per cent of this increase will be met by primary producers. He carefully showed how the middle section would receive some benefits and the lower section would pay less, but pointed out that primary producers would experience the bulk of the hardship. The agricultural section of this State 30 or 40 years ago could not maintain the State and it was necessary to get something else here to give stability to the whole. Agriculture cannot maintain the State now. I say without fear of correction that the average return on capital on primary-producing land in this State is between 2 per cent and 3 per cent, which is a very small return. A farming property of about 850 acres (which would be a fairly reasonable living area in the northern part of the State) valued at £35 an acre, which would be a conservative figure, would be worth about £30,000. Adding to this the value of stock, plant and all the things necessary to carry out primary production could mean that the land would be valued for succession duties at £50,000.

I know that that seems a large sum, and it is, but it is tied up in broad acres, fences, water supply, and intangible things that people in agriculture for generation after generation have been glad to call their own, but seldom is very much of the amount in pounds, shillings and pence. Under the Bill, succession duties on this property would exceed £13,000, and possibly with administration costs the total charges would amount to £15,000. If a widow had some young children, how could she meet this unless some provision had been made by her husband during his lifetime to have some money in other than the teapot on the mantel-piece or in the bread-crock? If the husband took out life assurance on the advice of an expert to the value of £15,000, and that policy grew through bonuses to £20,000, the duty on the estate under the Bill could be £22,000. In making a provision for succession duties, an additional payment of about £10,000 could have to be made.

There is good and there is bad in this Bill. I am not speaking on behalf of the wealthy, but I am not trying to be a Robin Hood. Let us have some justice, which I think can be given. Surely if the Government needs extra money—and I do not deny that the need may be there—and if it must get succession duties from both large and small estates, it should at least give the property owner or the self-employed man the chance to provide for succession duties without being taxed in full on such provisions. I oppose the Bill.

The Hon. Sir ARTHUR RYMILL (Central No. 2): I am conscious of the fact that I have said many times during this session that I will not oppose the money bills of the Government unless I have good and substantial reasons for doing so. As I intend to oppose this piece of legislation, I consider it incumbent upon me to give my reasons and the first is that I believe the public do not want the Bill. That has become particularly clear to me since the advertisement was published by the Labor Party in the *News*. At the end of it, in large print, it tells all the people of the State who take that particular paper, and that is a substantial number, that the Liberals in the Legislative Council are determined to protect their wealthy supporters.

The Hon. A. J. Shard: The honourable member is exhibiting the paper. I was called to order for having done exactly the same thing as you are doing. It is completely out of order and, what is more, you all know it.

The Hon. Sir ARTHUR RYMILL: The Leader of the Government in this Chamber has interjected that what I am doing is com-

pletely out of order and that we all know it, which includes me. I assure the Council that I do not know, and that if I did know I would not be doing it.

The Hon. A. J. Shard: I was called to order for having done the very same thing.

The Hon. Sir ARTHUR RYMILL: Mr. President, you have not called me to order.

The PRESIDENT: May I explain that honourable members must not have exhibits in the Council and when someone holds up an exhibit and calls it such that is out of order. I think that, during this debate, most honourable members have read from parts of the advertisement.

The Hon. Sir ARTHUR RYMILL: Mr. President, I thank you for clarifying the situation. I merely held it up to read from it.

The Hon. A. J. Shard: You held it up as I held something up and it was challenged.

The Hon. Sir ARTHUR RYMILL: It is my way of using the notes that I have for my speech.

The Hon. A. J. Shard: As long as we are all treated in the same way.

The Hon. Sir ARTHUR RYMILL: I am sure we are all treated in the same way. I think that, having received this interruption, I must repeat myself. I said that the first reason I had for opposing this Bill was that the public of this State did not want it. This large Labor Party advertisement appeared, saying "The Liberals in the Legislative Council, determined to protect their wealthy supporters, have announced they will defeat the Bill."

That in itself is untrue, because no announcement was made by the Liberals. One or two members might have said it, but not the Liberal authorities. The advertisement says in large type: "Protest to your Legislative Council members. Don't let the Liberals go on robbing you." I make the statement that the public do not want this Bill because, since this advertisement appeared in the press in large form, I have not had one protest and I cannot find any members of this Council (I have not asked all but have asked most) who have received a protest as a result of the advertisement. What can that mean? It can mean only that the public either wants the Bill thrown out or does not care what happens to it. That is all it can mean when we do not get anyone in the whole State making a protest in response to the advertisement. Let them think of protests that are being received daily about another Bill.

The Hon. A. J. Shard: Not even canvassed, either!

The Hon. Sir ARTHUR RYMILL: I know of no canvassing. Certainly, the honourable member has not canvassed his own supporters to approach us. I do not know of anyone who has canvassed.

The Hon. D. H. L. Banfield: Let the Bills go through on their merits, without canvassing.

The Hon. Sir ARTHUR RYMILL: I do not think there is a member of this Council who received a protest.

The Hon. A. J. Shard: I do not think members of the Government in this House have had a protest.

The Hon. Sir ARTHUR RYMILL: I think they might have interjected if they had, because they have been interjecting freely this afternoon, just as members of my Party have been.

The Hon. A. J. Shard: You want to have a look at who started the interjections today.

The Hon. Sir ARTHUR RYMILL: I am not criticizing interjections. As a matter of fact, I think we have had a lively afternoon. Interjections are good, because they bring that about. I think that the right to interject, within reason, is a good thing, because people will see the things that the Hon. Mr. Banfield has been saying this afternoon and one should at once correct them.

The Hon. D. H. L. Banfield: Are you going to correct *Hansard*?

The Hon. Sir ARTHUR RYMILL: No, the *Hansard* report is perfectly correct. I approved it myself. Although all honourable members do not get *Hansard* proofs of interjections, I have asked that they be given to me, because I think it is important that they should be in the correct form. This one is precisely what I said, as I remember it.

The Hon. D. H. L. Banfield: That is what I quoted.

The Hon. Sir ARTHUR RYMILL: That is what the honourable member quoted but, first, he quoted it out of context and then he twisted the verbiage in *Hansard*. I shall refer to that and hope that he will stay in the Chamber and listen to me.

The Hon. D. H. L. Banfield: That is why I came back.

The Hon. Sir ARTHUR RYMILL: I am glad that the honourable member was courteous, if in nothing else, in doing that. I have invited members of the Labor Party to say whether they have had any protests in response to this advertisement, but they seem to be singularly silent.

The Hon. S. C. Bevan: Whom did you ask?

The Hon. Sir ARTHUR RYMILL: As I say, I have asked almost every member of our Party.

The Hon. S. C. Bevan: Have members opposite been personally canvassing opposition against it outside?

The Hon. Sir ARTHUR RYMILL: It is strange that if most of the people want this Bill, as the Government would have us think, not one person has been sufficiently interested to respond to a large advertisement like that.

The Hon. D. H. L. Banfield: It is a Government advertisement and the people expect the Bill to go through.

The Hon. Sir ARTHUR RYMILL: I hope I am not holding this debate up. As I have said, it appears that no protest has been made.

The Hon. A. J. Shard: You know me better than that. When I bark, I bark correctly.

The Hon. Sir ARTHUR RYMILL: I would not dispute that statement for one second. I have never challenged the honourable member's integrity in any way.

The Hon. A. J. Shard: All I want is everyone to be treated in the same way.

The Hon. Sir ARTHUR RYMILL: I am sure that, when the Chief Secretary takes an objection, he takes it with the fullest sincerity. I want to speak now about a mandate, which is a flexible thing. In my opinion, a mandate is an interpretation of what the people want, and what the people permanently want, as a distinguished Labor member, the Hon. Mr. Kingston, said in this Chamber many years ago. Permanence has to be involved in a mandate.

A Government cannot have any greater mandate, on the most liberal interpretation of what a mandate is, than the things they ask for themselves. So, I propose to read from the Premier's policy speech. I considered it my duty as soon as possible after Labor won the election to get a copy of the policy speech so that I could examine in detail what the policy was, and thereby be guided to a large extent as to what my duty ought to be in this Chamber. I think the Chief Secretary will agree that that has been my principle throughout the session. The policy in relation to succession duties (and this is verbatim from the Premier's policy speech) is this:

Our policy on succession duties provides an exemption of £6,000 for the estate inherited by widows and children. It also provides that a primary producer will be able to inherit a living area without the payment of any succession duties—



I emphasize the words "without the payment of any succession duties". It continues:

but a much greater rate of tax—

I emphasize "rate"—

will be imposed on the very large estates. This will be more in keeping with that which is in operation in other States.

That was the totality of the Premier's speech on succession duties.

Let us examine that in relation to this Bill. The Government says it will provide "an exemption of £6,000 for the estate inherited by widows and children". I think that is precisely one of the things that this Bill sets out to do. Secondly, the Government states that the "primary producer will be able to inherit a living area without the payment of any succession duties". The Bill cannot in any sense of interpretation of the words "living areas" be said to do that. It certainly does not carry out that at all, because the amount provided as a concession to the primary producer is only a fraction of the cost of a living area. Thirdly "a much greater rate of tax will be imposed on the very large estates." This can be taken in two parts. "A much greater rate of tax" is to be imposed if this Bill goes through. That is one of its objects. But it goes considerably further than that, because the whole incidence of the tax on anything but small estates is altered. It is to do not with rates but with the design of the Act so that the rates can be applied over an aggregated area instead of various segregations. There is not one vestige of interpretation of the policy speech that justifies that. As Sir Lyell McEwin said, we are faced with difficult technical problems here. Sir Lyell McEwin said in his speech:

If the Government wishes to honour its promises to the electors of South Australia, let it bring down a Bill which does those things generally and I will support it.

I agree with that. I would prefer to try to amend this Bill, to try and make it accord with the mandate that the Government has, because I am in complete support of Sir Lyell. I, too, will support a Bill that complies with the mandate.

The Hon. F. J. Potter: To do that you will have to redraft the whole Bill.

The Hon. Sir ARTHUR RYMILL: I am coming to that. Then there are the greater rates of tax that this Bill sets out to achieve. I am not quarrelling with the rates of tax, although I think they are fairly severe. I think the Government is entitled to impose the higher rates. That is what I meant when

I said I would support money Bills, but this Bill goes infinitely further than that. I should like to answer the Hon. Mr. Potter's interjection, for that is the line I was proposing to follow. We have the practical difficulty here of how we could possibly amend this Bill. We cannot get draftsmen, we have no draftsmen of our own, and the amendments we should have to make would be so substantial a portion of the Bill that it would mean amending practically the whole Bill.

The Hon. D. H. L. Banfield: You have got over the obstacle before.

The Hon. Sir ARTHUR RYMILL: We have not. The Leader on this side feels, no doubt as a practical matter, that the best way of handling this situation is to do what he has suggested: that we vote against this Bill but that we invite the Government to bring up another Bill with the aid of all their five draftsmen, or any one of them—for they are accessible to the Government all the time. The new Bill can be easily drafted by one of them and then, provided it accords with what we regard as the mandate—

The Hon. D. H. L. Banfield: That is where the difference may come in—"what we regard as the mandate".

The Hon. Sir ARTHUR RYMILL: I do not know whether the honourable member understood what I said previously when I stated that mandates were not easy to define and one had to have one's own assessment of them.

The Hon. D. H. L. Banfield: But our interpretation is different from yours.

The Hon. Sir ARTHUR RYMILL: The honourable member's interpretation of my interjection confirms that.

The Hon. D. H. L. Banfield: The words are in *Hansard*: "it is not true at all".

The Hon. Sir ARTHUR RYMILL: I will deal later with the honourable member's misinterpretation of my interjection, for it warrants a reply. It is there in *Hansard* and it is clear what I meant.

The Hon. D. H. L. Banfield: I understood it all right.

The Hon. Sir ARTHUR RYMILL: I do not claim to be able to make the honourable member understand anything.

The Hon. D. H. L. Banfield: You tried to put something over in the way of propaganda and it backfired.

The Hon. Sir ARTHUR RYMILL: I will do my best to make the honourable member understand; that is all I can do. I have given two reasons (and I think they are substantial reasons) for opposing this Bill. I have a

number of others that I propose to pursue presently. One of my greatest fears is that it is in the back of one or more persons' mind to turn this succession duty into an estate duty, and that this is the first step towards it. By saying it is in the back of one or more persons' mind I am not suggesting that Cabinet necessarily has this in mind itself or that it is any part—

The Hon. S. C. Bevan: The Bill does not say that.

The Hon. Sir ARTHUR RYMILL: I will explain what I am saying—or that it is any part of a deep-laid scheme on the part of the Government; but I do believe it is a scheme on someone's part.

The Hon. S. C. Bevan: It may be on Mr. DeGaris's part.

The Hon. Sir ARTHUR RYMILL: But what this Bill sets out to do by these aggregation provisions is to give this Succession Duties Act of ours all the complexion of an Estate Duties Act: in other words, still retaining it as a Succession Duties Act, that is, taxing the succession of each individual living person, not the testator's estate. This Bill alters the Succession Duties Act so that it is virtually an Estate Duties Act, but it has not yet become an estate Duties Act. If my experience is correct, that will be the next step. I have no doubt in my mind that someone is planning that, and that I think is an extremely substantial reason for opposing the Bill. The increases in this Bill will certainly affect the amount of duty that many people will have to pay, but not to such an extent that the burden becomes too heavy. If we let this step go and do not nip it in the bud, the next step, in my opinion, will be that we will have an Estate Duty Bill and that is a Bill that will hurt everybody.

I am one of those people who believe that dead people are dead, and the living are living, and we must think of the living and not of the dead. The estate duty taxes the whole of the estate of a deceased person before it goes to the beneficiary; a succession duty taxes the individual who benefits from the inheritance. Which is the fair way of doing it? There is only one way of answering it, and that is the method of succession duty now in use because there are so many anomalies that arise under an estate duty. If, under our Succession Duties Act at present, a person being an only child were fortunate enough to inherit £100,000, that child would have to pay State succession duty at the moment of £17,250 but under the Bill the

amount would be £25,800. If the same amount were left to 10 children the amount they would pay would be only £1,000 or £1,050 each.

Under an estate duty, whether it be one child inheriting or 10 children, the estate would bear the full amount, assuming that these were the rates of £17,250 and £25,800 respectively. In other words, if the new Bill were applicable, each child would pay State estate duty (if it were so estate duty) and would be paying one-quarter of the whole estate whereas while it is a succession duty each child pays only one-tenth of the estate. Put it another way: if there is a single child in the family and that child, under an estate duty inherited £10,000, taking the present rates as being applicable, that child would pay £1,000, but if 10 children inherited £10,000 each they would pay £17,750 between them. In other words, an estate duty is completely unfair to large families; the larger the family the greater the impact on that family.

The Hon. D. H. L. Banfield: If the testator had 10 children he would never have an estate of £100,000.

The Hon. Sir ARTHUR RYMILL: No, but somebody might get an estate of £10,000. I am merely illustrating the difference between succession duty and estate duty. I understand that according to the Labor Party all men are equal, and this applies to the living as well as to the dead, I suppose. Well, there is nothing equal in estate duties, and I believe if we let this go through that will be the next step.

One thing that has not had much attention in this debate is the fact that this field of taxing estates is a Commonwealth as well as a State one. I will not dwell unnecessarily on this, but this is an arena of taxation entered by both taxation authorities, and to get a proper impression of it it is necessary to examine both the State duty and that of the Commonwealth. Thus there is a practical limit to the amount of the difference that the State Government can tax after the Commonwealth people have levied their amounts.

The Hon. S. C. Bevan: There is nothing wrong with getting the Commonwealth to reduce their taxation.

The Hon. Sir ARTHUR RYMILL: I do not think that is the position because it so happens that the State succession duty, if they are both considered as a duty, applies more heavily to the smaller estates than does the Commonwealth estate duty. It is surprising, but it is so, up to a certain point. I do not

wish to go into detail on that, but honourable members who are interested may examine the matter for themselves. Of course, in assessing the virtues or otherwise of the Bill regard must be given to the fact that it is a Commonwealth as well as a State duty.

Our State succession duty rates have already been vastly increased as a result of the loss of value of money. We have sliding scale rates and unless the scales are liberalized and lowered when money drops to about one-quarter of its former value, obviously the effect will be higher taxation and that applies to succession duty as well as to those under other Acts. I went into this matter of sliding scales at length when discussing the State Land Tax Amendment Bill last year and I do not propose to weary members by discussing it again, but it is true that this has happened.

The effect of the aggregations under this Bill will be to add considerably to the revenue and thus to the amount a lot of people have to pay. As other honourable members have pointed out, this applies not only to people with large estates but also to people in the comparatively moderate and even smaller estates. I am not talking of the very small estates, but the kind of estate that honourable members on both sides of the Chamber think will be affected by this Bill as well as the large estates. I would like to say that this has no application to me personally. It may be assumed that I am one of the people this might affect, but I have never attempted to take any advantage of these provisions, nor do I propose to do so.

The Hon. D. H. L. Banfield: The honourable member may not have known about them.

The Hon. Sir ARTHUR RYMILL: I knew about them 35 years ago when I was practising law and I have pointed them out to one or two people who have asked me how to arrange their affairs to incur the least incidence of succession duty, and that is any person's right. That has not been widespread. I can remember doing it twice for clients in all my years of practice and I had a fair amount of work in this field. Most people do not make use of those provisions. I think one of the most important aspects in this matter is that of life assurance, and that has been mentioned by other honourable members. The virtue of a probate policy (or a life assurance policy designed to help pay duty of this nature) is that the person who wants his family to inherit money tries to arrange before his death to help them pay the duty on it as well. I think this is virtuous, and it is a good thing that people

should be able to do that. I think when they do try to provide for finance for such duty it is something the Government should help with. This is what has happened in the past, because those life assurance benefits are not aggregated at the moment. They can be assessed separately and thus they bear their own separate tax.

That seems to me to be eminently fair, but the effect of the aggregation is to put that life assurance policy for probate purposes in exactly the same category as the whole of the rest of the estate. In other words, duty must be paid on the amount put aside to help successors to pay duties as well as on the rest of the estate. I think it is perfectly fair and legitimate that there should be some method, within reason, whereby people can plan for this in advance. We have such a method at the moment, but it will be destroyed under this Bill.

The Hon. D. H. L. Banfield: You said "fair and legitimate"; what about "fair and equitable"?

The Hon. Sir ARTHUR RYMILL: When I am referring to these things I think I shall have to get a dictionary to assist the honourable member.

The Hon. A. J. Shard: Under the Bill assurance can still be used without being aggregated, if it is done properly.

The Hon. C. R. Story: Do you have to have a college education to take advantage of it?

The Hon. Sir ARTHUR RYMILL: It seems that honourable members are having a conversation among themselves.

The Hon. A. J. Shard: I thought you might have known that. You are taking a case where the deceased has paid the premiums, but that is not usually done.

The Hon. Sir ARTHUR RYMILL: I should like to get on with my speech, Mr. President, and I know the Minister wants me to. I take it that the Minister, although he says the Bill closes some loopholes, is trying to find another.

The Hon. A. J. Shard: But what you are suggesting is not usually done, as I understand it.

The Hon. Sir ARTHUR RYMILL: I understand otherwise, and I am not unfamiliar with this matter.

The Hon. A. J. Shard: I am not very familiar with it, but my idea is quite different.

The Hon. Sir ARTHUR RYMILL: For the benefit of the Minister of Local Government and the Chief Secretary, I will come to this point immediately. The Chief Secretary

has been big in heart and mind in pointing out another loophole.

The Hon. A. J. Shard: No, I have pointed out what is the sensible and correct procedure.

The Hon. Sir ARTHUR RYMILL: I understand, and I think I am correct, that if a policy is taken out on A's life by B, who may be his wife, and B pays the premium out of her own money, which is not supplied for the purpose by A—and there's the rub—that is in a different category even under this Bill.

The Hon. A. J. Shard: To my knowledge most of them are done that way.

The Hon. Sir ARTHUR RYMILL: To my knowledge they are not.

The Hon. A. J. Shard: We must meet with a different group of people.

The Hon. Sir ARTHUR RYMILL: I think it is obvious from his interjection that the Chief Secretary's company of friends is wealthier than mine, because it is the wealthier people who can do that.

The Hon. A. J. Shard: We are not wealthy, but my wife does that.

The Hon. Sir ARTHUR RYMILL: Your wife is obviously a wealthy woman in that case, because she obviously must have money of her own to do this.

The Hon. A. J. Shard: She gets her corner, the same as any other wife does.

The Hon. Sir ARTHUR RYMILL: A cannot feed B with money for this purpose.

The Hon. A. J. Shard: Then we have been guilty all our lives.

The Hon. Sir ARTHUR RYMILL: There is nothing wrong with it, but later on (and I hope the time is a long way off), the Commissioner of Succession Duties may have a look at it. The only thing the Minister may have done wrong is not avoiding duty when he has thought that he has been avoiding it. Of course, that is not doing anything wrong.

The Hon. A. J. Shard: Our advice is that it is legal and legitimate, and what should be done.

The Hon. Sir ARTHUR RYMILL: It is perfectly legal and legitimate. It is what can be done, but if the Minister thinks that that practice will not attract succession duties he may be wrong. I will go further and say that he will be wrong if it can be shown in any way that that money was passed over for that particular purpose. This is all set out in the Act, although I do not know whether I can put my finger on it right away.

The Hon. F. J. Potter: It is in section 32 (a).

The Hon. Sir ARTHUR RYMILL: Yes, that section refers to what is taxable, and provides:

. . . where the policy was wholly kept up by him for the benefit of the donee, whether nominee or assignee, or a part of the said money, in proportion to the premium paid by him, where the policy was partially kept up by him for the benefit of the donee as aforesaid:

There are legal decisions on this matter, and I understand that the words "kept up" do not apply just to a direct payment to the insurance company of the premium itself but they certainly apply to a gift to the other person for the purpose of paying the premium.

The Hon. S. C. Bevan: The Commissioner would have a job proving it, wouldn't he?

The Hon. Sir ARTHUR RYMILL: I think if the Commissioner could prove that the person paying the premium had no income other than the money given by the testator that would be sufficient proof.

The Hon. F. J. Potter: The onus of proof is on the administrator of the estate.

The Hon. Sir ARTHUR RYMILL: That is right, so it is not quite as easy as some may think. I should like now to say one or two words about the advertisement in the newspaper by the Labor Party, because it is unprecedented in my memory. It may have happened before.

The Hon. A. J. Shard: It has on numerous occasions.

The Hon. Sir ARTHUR RYMILL: It certainly has not happened for many years that the Party supporting the Government in power has published an advertisement to try to popularize its policy.

The Hon. A. J. Shard: I may be wrong; I thought you were referring to the Government.

The Hon. Sir ARTHUR RYMILL: I do not know of the Party supporting the Party in power putting advertisements in the press to try to popularize its policy. Naturally, this course is available to a Party, as there is nothing wrong in its paying for an advertisement, but it is an unusual course.

The Hon. S. C. Bevan: What is unusual—paying for it?

The Hon. Sir ARTHUR RYMILL: The whole operation. Therefore, one examines this advertisement to see what motives may have been behind it. One wonders whether there is some little panic within the Party about what is going on and whether the Party outside Parliament considers that it must intervene because something is going wrong inside Parliament with its members. That is something one might think about.

The Hon. A. J. Shard: It is a good point from your point of view, but we want to tell the public the truth.

The Hon. Sir ARTHUR RYMILL: I am not being offensive in saying this, and am not trying to be offensive, but the suggestion to me is that, when the Party takes over from its elected members in Parliament, the Party thinks that the members are not handling the matter well themselves and are not saying the right thing.

The Hon. A. J. Shard: No. When we get a biased twist through the press, we try to answer it. That is the true position. Take that back and tell your board of directors.

The Hon. S. C. Bevan: If the Parliamentary Party had made a request that the advertisement appear, do you think that would have had any effect? Could you have said then that this was the policy of the faceless men in this Chamber?

The Hon. Sir ARTHUR RYMILL: That is a hypothetical case.

The Hon. A. F. Kneebone: So are many things you have put up this afternoon.

The Hon. Sir ARTHUR RYMILL: If the Minister cares to reveal some of these things when he speaks, we shall be glad to hear them.

The Hon. A. J. Shard: Take my word that it was fair and above ground.

The Hon. Sir ARTHUR RYMILL: We should all like to hear what was said.

The Hon. D. H. L. Banfield: We have given the facts.

The Hon. Sir ARTHUR RYMILL: There have been rumours that certain people outside the Government have done a little vetting of the Government's policy, and we know that the Government is pledged to carry out the policy dictated.

The Hon. S. C. Bevan: You are not saying that the Liberal Party is not dictated to?

The Hon. Sir ARTHUR RYMILL: Yes, I am. Does this mean that the outside people are going one step further and dictating the policy direct, not just to the Government, but to the people?

The Hon. A. F. Kneebone: This wasn't directing. This was after the introduction of the Bill.

The Hon. Sir ARTHUR RYMILL: Yes, that is perfectly correct. However, I am told that I am rather gullible, so I do not think I can be regarded as being extremely politically suspicious, but one wonders when an unusual event like this occurs. It makes people think, or try to think in my case.

The Hon. A. F. Kneebone: We see this occasionally in the *Sunday Mail*, the weekend paper.

The Hon. Sir ARTHUR RYMILL: There is no doubt that there is more than one untrue statement in the advertisement. If honourable members want details of that they can look at the report in the *Advertiser* of what the Chamber of Commerce has said, and then look at the advertisement and see for themselves. There are things that are untrue. For anyone to say that the whole of the advertisement is untrue is ridiculous.

The Hon. A. J. Shard: Will they put that in big black type tomorrow?

The Hon. Sir ARTHUR RYMILL: And to suggest that anybody, even the biggest fool on earth, ever said such a thing is ridiculous. It could never have been said deliberately. It could only be a deliberate attempt to falsify the words used and the things said.

The Hon. A. J. Shard: The newspaper said it.

The Hon. Sir ARTHUR RYMILL: I do not care what the newspaper said. The question is what I said, and what I said is as *Hansard* reported.

The Hon. D. H. L. Banfield: And what I repeated.

The Hon. Sir ARTHUR RYMILL: And what the honourable member tried to twist.

The Hon. D. H. L. Banfield: I did not twist; I read the exact words.

The Hon. Sir ARTHUR RYMILL: I shall read them again, if the honourable member wants that done. The honourable Mr. DeGaris said:

The article goes on to say, "Because under the same Playford legislation the wealthy in this State not only pay a much lower rate of tax than interstate but are provided with special loopholes, only useful to the rich, allowing them to pass on estate of £50,000 without duty, . . .".

That is one of the untruths. The Hon. Mr. DeGaris continued:

" . . . while ordinary citizens including widows must pay over £300 on inheriting £7,000." Once again this statement—

referring to what has been just said—  
—is blatantly misleading; it does not give the true picture whatsoever.

I said, "It is more than misleading; it is not true at all."

The Hon. D. H. L. Banfield: That is exactly what I read.

The Hon. Sir ARTHUR RYMILL: It is perfectly clear that I was referring to the statement about £50,000, and it can have no other reference.

The Hon. A. J. Shard: Your newspaper never took it that way.

The Hon. Sir ARTHUR RYMILL: I do not care what anyone else says when they use words different from the ones I used.

The Hon. A. J. Shard: I agree in regard to what you have said now, but the newspaper and the public did not take it that way.

The Hon. Sir ARTHUR RYMILL: I thought that the Chief Secretary would agree, because he is an honourable man and never tries to twist things, but the honourable member who made this accusation against me still will not say what his own Leader is now saying.

The Hon. A. J. Shard: The damage has been done. The world believes that you said what the newspaper said you said, and that is why we had to insert a public advertisement.

The Hon. Sir ARTHUR RYMILL: What the newspaper said was not substantially what I said, but if one tried to cross the t's and dot the i's in every newspaper report one would be doing it all the time. A reporter, however capable (and I am sure that our reporters are capable) cannot say in one or two words all that honourable members have been talking about in an afternoon.

The Hon. A. J. Shard: I am not blaming the reporter at all, because he took down actually what was said.

The Hon. Sir ARTHUR RYMILL: No, *Hansard* used the exact words that I said.

The Hon. A. J. Shard: And your newspaper put the same interpretation on them as the honourable member gave them.

The Hon. Sir ARTHUR RYMILL: No, that is not correct. I read the particular report carefully, and although it did go further than the words I used, I think I could have used the words that the newspaper used. However, it did not refer to the whole statement, which the Hon. Mr. Banfield is trying to twist. I think the report used the words "certain items (or something like that) are untrue." As the Chief Secretary knows, I was referring to only one statement in the advertisement when I made that interjection. If I remember correctly, the newspaper took me to mean, as the Hon. Mr. Banfield is trying to say—

The Hon. A. J. Shard: He has not tried to say it; he has said it.

The Hon. Sir ARTHUR RYMILL: —not the whole statement but more than one item in the statement. It was not what I said; but what the newspaper reported was not, in my opinion, untrue. I can point to at least three things in the advertisement that are untrue and I think

that, probably, there are more. If honourable members care to examine the statement by the Chamber of Commerce, which I consider a good one, they will see that the chamber points out the things that are not correct in the advertisement. If honourable members want any more detail, they can go to that. If they want any more detail from me, I am prepared to give it.

The Hon. R. C. DeGaris: Did you realize that the tables themselves were not exactly accurate?

The Hon. Sir ARTHUR RYMILL: I did not realize that, but I did not analyse them.

The Hon. F. J. Potter: You are not surprised?

The Hon. Sir ARTHUR RYMILL: Not in the least. I think I have corrected what the Hon. Mr. Banfield said. As other honourable members have pointed out what is untrue in the advertisement, I do not think I need labour the matter, except to say that, whatever the advertisement said, it was a complete and dismal failure, because not one protest has arisen from it. The Hon. Mr. Banfield went a long way this afternoon. I have been here 10 years but in all that time I have never heard a speech from any honourable member like the one he made today. He tried again to mislead us about what the Hon. Sir Lyell McEwin said, and Sir Lyell retorted in no uncertain manner about that. He said that the benefits to widows and children would not occur if the Bill were thrown out, and that Sir Lyell would be a party to it.

The Hon. A. J. Shard: Sir Lyell did say that he would vote against the Bill. If he votes the Bill out, they cannot benefit. Let us be fair.

The PRESIDENT: I must call honourable members to order. We must have fewer interjections.

The Hon. Sir ARTHUR RYMILL: I am grateful to Sir Lyell for reminding me of the exact words. The honourable member said that Sir Lyell was denying benefits to widows and children.

The Hon. D. H. L. Banfield: I said the Opposition was. Why not wait until *Hansard* comes out and get it correctly?

The Hon. Sir ARTHUR RYMILL: Sir Lyell McEwin has said much the same as I have said, that this Bill is almost technically incapable of being amended, with all its complications and ramifications, without the assistance of a draftsman, whose services we do not have. What Sir Lyell McEwin did say was

that he invited the Government to introduce another Bill that substantiated its election promises. He then said, unequivocally, "and I will support it." If that is a denial of these concessions to widows and children, I do not know what a denial is.

The Hon. S. C. Bevan: He said he would vote against the second reading of this Bill.

The Hon. Sir ARTHUR RYMILL: Yes, he said that, and he invited the Government to introduce a Bill in accordance with its election promises, which he would support. He is not denying widows and children these concessions at all. He said, "If the Government will bring along a Bill doing that and the other things promised".

The Hon. A. F. Kneebone: But this Bill that you suggest you would support would have to be according to your interpretation of the mandate.

The Hon. Sir ARTHUR RYMILL: One has not been in this Parliament for 10 years without learning that one does not make absolute promises to support anything that someone else may put up. The mandate is in general terms, not in particular terms, and it would be impossible for the Minister who interjected, or for myself to make any interpretation of the mandate that could possibly be made without drawing on our imagination, because where, for instance, the mandate says "a much greater amount of tax will be imposed on the very large estates" it does not say how much. How could I possibly say that I would support any Bill if it was in accordance with the mandate? The mandate itself is not specific; it is merely in general terms, and that is why I say that someone has to make an interpretation of the mandate. The best person to do that as far as my vote is concerned is I myself. The best person to make an interpretation of the mandate as far as the Minister's vote is concerned is the Minister himself. This is why I said that. The Government obviously has a mandate to impose a much greater rate of tax on the very large estates, but what "a much greater rate of tax" is and what "a very large estate" is we do not know.

The Hon. A. J. Shard: Do you think we could ever get together on that one? I do not think we could.

The Hon. Sir ARTHUR RYMILL: I am prepared to go a step further and say that if the Government (I more or less said it before but I say it unequivocally now) brought along the new rates in this Bill and imposed them without any of these other things for which I consider it has no mandate, I would support

that interpretation of what those rates should be, and I would support the interpretation of "a very large estate". I cannot go much further than that.

The Hon. A. J. Shard: We may convert you one day!

The Hon. Sir ARTHUR RYMILL: This is completely consistent with the attitude that I have taken ever since the Labor Party formed a Government. I have said that I will go along with its money Bills and that if I have a substantial reason for opposing them I will give it. I have given my reasons this afternoon. I think they are substantial.

As regards the actual money part, the new rates proposed, and what the Government defines as "large estates", if those definitions alone were in the Bill I would not oppose it; I would support it in accordance with the policy I have adopted throughout the session. I think Sir Lyell went almost further than I did. He said, "If the Government wishes to honour its promises, let it bring down a Bill which does those things genuinely and I will support it." He has not been quite so detailed in talking about the rates, but I feel that that is what he had in mind. It is only a question of definition of these things. The Hon. Mr. Banfield said one or two other things to which I could reply, but I do not think they are worth replying to.

The Hon. D. H. L. Banfield: You do not think they will get a headline.

The Hon. Sir ARTHUR RYMILL: All I can say in reply to that is that I do not think he deserves a headline, but whether he will get one or not I do not know.

The Hon. D. H. L. Banfield: You can bet on it.

The Hon. Sir ARTHUR RYMILL: This, of course, is a capital tax. I have already expressed my views about capital taxation. I do not like it. I agree with what other honourable members have said about undermining effort, thrift and so on. I know that one member of the Government Party said something to the effect that if someone left him £100,000 he wouldn't mind much what he paid in taxation. Actually, a stranger in blood getting £100,000 pays a combined Commonwealth and State duty on it of £58,150.

The Hon. A. J. Shard: That would do me; I would still have £42,000 left.

The Hon. Sir ARTHUR RYMILL: That is right. He pays a substantial amount on that. This, of course, is under the new rates. Even a widow getting £100,000 is taxed to the extent of £47,800. A brother would pay £50,650.

These are fairly substantial taxes. I quote this large figure because people sometimes win such a sum in a lottery, so if the Minister wishes—

The Hon. A. J. Shard: I would not quarrel with that, either, because the more income tax I pay the more I have got.

The Hon. Sir ARTHUR RYMILL: I understand that the Minister favours lotteries and he may even buy a ticket in one and win. How would he feel if he were paid £100,000 and somebody said, "As a stranger in blood you must pay back to the Government £58,150"? I do not think he would like that.

The Hon. S. C. Bevan: If there were no further encumbrances on it, that would not be so bad, either.

The Hon. Sir ARTHUR RYMILL: Perhaps so.

The Hon. A. J. Shard: I have never grizzled about paying taxation. The more taxation paid, the more the person must have.

The Hon. Sir ARTHUR RYMILL: I have spoken at great length but I would like to finish by saying that if this Bill were allowed to pass in its present form tens of thousands of people in this State would have to re-arrange the whole of their affairs.

The Hon. S. C. Bevan: Tens of thousands?

The Hon. Sir ARTHUR RYMILL: I would say so. The Minister apparently thinks that is an extravagant statement, but I can tell him of one life assurance agent who told me that if this Bill goes through he, as one agent, will have to re-arrange the affairs of 1,000

people. If one man has to do that, it can be imagined how many people will have to re-arrange their affairs. These people have arranged their affairs in a lawful and legitimate way, just as the Chief Secretary has been doing. They have observed the law as it stands and as it has stood for 70 years, and have said, "This is the law and I must arrange my affairs in a legitimate and logical way". Then, without any announcement, without any reference to the people and without any mandate, even a mention of it on the hustings, the Government says, "That law has stood for 70 years, but we are going to alter it and you can re-arrange your affairs". Is that a good thing? I don't think it is.

I have given at least 12 specific reasons why I oppose this Bill, any one of which would justify me in the course I am taking. I have been perfectly straightforward with the Government to the extent of committing myself to a future course of action about rates, which is about the limit to which any honourable member can be expected to go.

With the Hon. Sir Lyell McEwin I invite the Government to bring down a Bill about the rates, which is what it said it would do, and then I will support it. I will not support this Bill.

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

#### ADJOURNMENT.

At 5.11 p.m. the Council adjourned until Tuesday, February 1, at 2.15 p.m.