LEGISLATIVE COUNCIL

Wednesday, February 16, 1966.

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

QUESTIONS

CAMBRAI-SEDAN WATER SUPPLY.

The Hon. C. R. STORY: On February 3 I asked the Minister representing the Minister of Works a question concerning the Cambrai-Sedan water supply. Has he a reply?

The Hon. S. C. BEVAN: My colleague, the Minister of Works, has furnished me with the following reply:

It is intended to ask the Public Works Standing Committee to investigate and report upon a proposal for a pipeline from the River Murray at Swan Reach to connect with the Warren system near Stockwell. When reported upon by the committee, the project will receive consideration by Cabinet. The proposed pipeline would have sufficient capacity to supply areas such as Cambrai and Sedan, but the department has not included any branch lines in the proposal at this stage. The Director and Engineer in Chief states that, if approved, the pipeline would be completed about September, 1969, and consideration will be given to the question of laying branch mains from the main pipeline as the work progresses. The main pipeline would pass through country situated about 5 miles north of Sedan.

COFFIN BAY WATER SUPPLY.

The Hon. C. C. D. OCTOMAN: On February 1 I asked the Minister representing the Minister of Works a question regarding the supply of water to the Coffin Bay area. Has he a reply?

The Hon. A. F. KNEEBONE: My colleague, the Minister of Works, has supplied me with the following report which he obtained from the Director and Engineer in Chief:

As far as can be ascertained, no request has been made by the B.H.P. Company for a water supply at or near Coffin Bay, and there are no departmental proposals for such a supply. The department has laid a main to supply the B.H.P. Company works at the Port Lincoln end of the Coffin Bay-Port Lincoln tramline, and it is possible that this has been the cause of some misunderstanding.

SANDY CREEK TO GAWLER MAIN.

The Hon. L. R. HART: On February 1 I asked a question of the Minister representing the Minister of Works regarding the Sandy Creek to Gawler main duplication. Has he obtained a reply to that question?

The Hon. A. F. KNEEBONE: My colleague the Minister of Works reports that a contract for the supply of the 27in. pipes for the Sandy Creek-Gawler main has been let, and it is expected that delivery will commence early in March, 1966. The by-pass around the Sandy Creek reducing tank has been completed and laying of the 27in. main will commence as soon as the pipes are received.

SCHOOL TRANSPORT.

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

Leave granted.

The Hon. L. R. HART: There appeared in this morning's paper an article stating that children from the Salisbury High School had to find their way home on an overcrowded bus. In fact, in one instance there were 96 children on the bus. In addition to that, 11 children were unable to get on the bus and were left without any means of getting home. Eventually, they had to find their own way home, a distance of some six miles. The bus service referred to is not a school bus route but is a normal route under the control of the Municipal Tramways Trust. I understand that this bus service is not always entirely satisfactory. Will the Minister representing the Minister of Education obtain from his colleague a report on the position of travelling facilities for students attending the Salisbury High School, particularly those from the Para Hills district, who have no other means of transport to get to the school?

The Hon. A. F. KNEEBONE: Yes. I shall convey the honourable member's question to my colleague and bring back a report as soon as I can.

GLENELG BY-LAW: FORESHORE CONTROL.

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

That by-law No. 1 of the Corporation of the Town of Glenelg in respect of regulating bathing and controlling the foreshore, made on June 8, 1965, and laid on the table of this Council on November 23, 1965, be disallowed.

This matter came before the Subordinate Legislation Committee and evidence was taken about the by-law. I ought to explain that it deals with the matter of bathing and controlling the foreshore, and in particular the control of animals, mainly horses, which walk on the northern section of the Glenelg foreshore between the Patawalonga haven outlet and the northern extremity of the council boundary.

At present, under the existing regulations, these animals are permitted to proceed at a walking pace on this section of the beach between the hours of midnight and 9 a.m. from May to September, and between midnight and 7.30 a.m. for the remainder of the year. The reasons given by the council for completely restricting this activity, and so preventing horses from being on the foreshore at any time, were that the area has become more residential and more popular for the general public, that certain complaints have been received from time to time regarding horses using the beach after the times allowed by the by-law, that horses have been allowed to gallop to the danger of the public, and that there has been some danger of contamination with horse manure.

It seemed to the committee that the main complaints that horses may have been proceeding at other than a walking pace, and that they have been on the beach outside the hours, were clearly matters that the council controlled under its existing by-laws. Therefore, the matter came down to the principal question of whether the horses should be totally prohibited from being on the foreshore during the restricted hours, merely because some contamination with manure may take place.

The committee took evidence on this matter from the President of the South Australian Trainers Association (Mr. Albert McDonald) and from Mr. J. B. Cummings (a well-known trainer). These gentlemen pointed out that the loss of this section of the foreshore would be a severe blow to the trainers of the horses. It was also pointed out that salt water was necessary for horses, which was the reason why this area had been selected in the first place. It was stated that this particular section of beach had unique advantages, that nowhere else in the world are there such facilities for the training of horses on the beach. The stretch of beach is about two miles in length and international jockeys have said that, if trainers in Europe had facilities similar to those available on this beach, they would use them to the utmost. Recently an international film unit made a film of horses working on this part of the beach.

The horses swim behind boats, which is beneficial for them. It was stated in evidence that the people concerned had not been aware that there had been any trouble about the question of manure, and they said that, in any case, they were prepared to see that the matter was given some attention. They undertook that, in future, any manure dropped on this section of the beach would be properly and rapidly cleaned up at the end of the daily period of exercise.

It seemed to the committee (and I think I can say that the committee decided with some hesitation) that this total restriction on horses in the area went too far, that the section of beach had unique advantages and that, merely because there might have been some small quantity of manure dropped from time to time, there was no need for the total prohibition. This is an important question and something that will have to be watched in the future. Indeed, should any problem develop in connection with the disposal of this manure, the committee might say that it justified action by the council.

I think the committee decided that, as there was no evidence (and it took evidence from the Town Clerk and the Mayor of the Corporation of Glenelg) of any accidents occurring as a result of the use of this portion of the beach by horses and trainers, the by-law was unnecessarily restrictive and should be disallowed, as it trespassed on rights already enjoyed by law. The committee thought that this might be a matter on which honourable members have differing views, but that it should be brought before the Council for consideration. The members of the committee voted unanimously in support of the motion for the disallowance of the by-law.

Motion carried.

THE FLINDERS UNIVERSITY OF SOUTH AUSTRALIA BILL.

The House of Assembly intimated that it had agreed to the Legislative Council's amendments Nos. 1 to 12 and to amendment No. 13 with an amendment.

Consideration in Committee.

The Hon. A. F. KNEEBONE (Minister of Labour and Industry): I move:

That the amendment of the House of Assembly to amendment No. 13 of the Legislative Council be agreed to.

The amendment that came from another place is a matter of deleting four words and they are: "of the Flinders university". As I understand it, these words are not necessary. They do not alter the meaning of the amendment that was forwarded from this Council to another place and therefore I suggest that the House of Assembly's amendment be agreed to.

The Hon. JESSIE COOPER: The Minister's explanation is in order as this is purely

a drafting change. I advise honourable members to accept the House of Assembly's amendment.

Amendment agreed to.

STATUTES AMENDMENT (FRIENDLY SOCIETIES AND BUILDING SOCIETIES) BILL.

(Second reading debate adjourned on February 15. Page 4022.)

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

ELECTRICAL WORKERS AND CONTRACTORS LICENSING BILL.

Adjourned debate on second reading.

(Continued from February 15. Page 4021.)

The Hon. Sir NORMAN JUDE (Southern): This Bill could be described as an interesting exercise in electrostatics, which could be interpreted as making for the static or status quo of any person with an electrical problem. Actually, this is another bout of this restrictomania that we have seen so much of during this session; this attempt in all directions to limit and restrict the everyday people of this State. No measure can go far enough to give somebody a little petty authority over somebody else who does not require it or need it! We have not exempted a person from taking strychnine because it is distasteful, but we allow people to buy it. It is a wonder that we have not a provision in some Bill for an exemption for that kind of thing! Roget realized this problem and found some 300 words to describe "restriction", but I will not weary honourable members with that.

One of the unfortunate facets of this Bill has been the suggestion put out in several directions and places that the safety factor is the important one as far as this matter is concerned. Let me say immediately that I regard that as a misleading statement of a very unworthy type. Admittedly, safety factors come into anything to do with machinery and are highly desirable, but the amazing thing is that the people who live in the country are to be exempt. Apparently safety does not matter as far as country people are concerned; they are expendable, probably because most of them vote Liberal.

The Hon. D. H. L. Banfield: There are not very many of them that do.

The Hon. A. F. Kneebone: Their spouses do not.

The Hon. C. R. Story: They would if given the opportunity.

The Hon. Sir NORMAN JUDE: Of recent months we have had outbursts throughout the State of very strong public reaction over a Bill dealing with transport. I want to tell the Ministers opposite that when the contents of this Bill now before the Council become known to the general public—and they know perfectly well that the facts are not well known at present—and when the local papers start to print what this Bill will mean to the competent housewife and handyman about the home when he has to wait from Saturday until Monday to get a qualified tape winder to put a little bit of insulation tape round his lawn mower cord on Monday (if he can get a man then who is not busy doing more important work) the Government will find an even greater outcry than there was over the Transport Bill. It will not be a case of "joy uncontrolled", but a case of "rage uncontrolled". If honourable members of the other Party think I am wrong in this, let them ask the next 10 men in the street what they think about not being able to replace a cord, or repair an electric iron—let them ask, because I have asked, and such men would say, "That would not be in any Bill, surely?" They are just amazed at such foolishness, and yet we in this Council have to put up with this sort of thing and waste time debating the Bill instead of throwing it straight out of the window before being asked to discuss it. Let me make this quite clear to honourable members: I have no objection to the licensing of qualified electricians if electricians who are qualified wish to have some status, some plate that they can put up, some letters after their name, something to boost their ego. I have no objection to that. That is the only merit that the Bill has. If they want it, I have no objection to their having it, but that is nothing to do with restricting the ordinary individual from doing the normal menial tasks around the home. I suppose there will be a few husbands who will be glad of this restriction as it will enable them to go to the races instead of mowing the lawn as they will be unable to see to the cord on the mower if it goes wrong.

This is not a money-earning Bill but a money-expending Bill. I should imagine it is rather wasteful. This will put the incubus on the Electricity Trust to make arrangements for testing people and to make regulations for all these things. I expect the Minister can exempt people but I wonder whether it has occurred to the Government that a university professor will have to get a licence before he can demonstrate the workings of electricity?

The Hon. A. F. Kneebone: That has been provided for.

The Hon. Sir NORMAN JUDE: I have been unable to find it—unless by regulation. I am not disputing that. But what about the experts on long-range weapons and all such people who are not qualified electricians? What about computer specialists and the people working in the Postmaster-General's Department? I have no doubt they will get an exemption, but what about the man who is fairly confident that he can wire his own house—will he get an exemption?

The Hon. A. F. Kneebone: Provided he passes a test.

The Hon. Sir NORMAN JUDE: Yes, but he will not get an exemption unless he is in the union.

The Hon. A. F. Kneebone: Oh!

The Hon. Sir NORMAN JUDE: Because the men in the union will object. They will go to the Minister and say, "How did this fellow get a permit? He has got to get a licence." Somebody yesterday interjected, "You can get a licence." Can I get a licence on Christmas Eve if I want to wire up a caravan for the holidays? Someone may want to do a job suddenly.

The Hon. D. H. L. Banfield: Never act on impulse!

The Hon. Sir NORMAN JUDE: But there are hundreds and hundreds of things that people have to do, not on impulse but because of sheer necessity. For instance, the lights may go out at dinner time. Does a man go up the street and buy candles or does he fix the thing himself with a spare switch? It seems rather foolish, in a sense, to allow shops to sell electrical fittings, because apparently only licensed electricians can use them.

The Hon. A. F. Kneebone: No; that is not provided for in the Bill. Anybody can go and buy them.

The Hon. Sir NORMAN JUDE: I know they can, but they cannot do anything with them.

The Hon. S. C. Bevan: You said they cannot buy them.

The Hon. Sir NORMAN JUDE: I say it may be advisable that they cannot buy them if we are to follow this Bill to its logical conclusion. If we can buy a switch but cannot use it, what is the point of it? There will be objections by thousands of people who will not observe this law, if this Bill becomes law. Does anybody in this Chamber suggest for a moment that people will not do these minor repairs? We shall be bringing in a law that cannot be policed. Let us take this fantastic provision that we are allowed to replace a fuse. A man may be having a little trouble with the overloading of lights for a Christmas party. There is nothing in this Bill to stop him putting in a heavier fuse, quite illegally, and fixing it himself. He can do that but when his radiator coil blows he cannot buy a new one and put it in the radiator—a simple job that a child could do. A man cannot put a coil in a water jug but he can put a fuse in his main fuse box as thick as he likes, for it is legal to replace a fuse. I mention this point about people who might be in danger and those who might not.

The Hon. A. F. Kneebone: You admit it is dangerous to put in a thicker fuse than is needed?

The Hon. Sir NORMAN JUDE: It could be. On the other hand, it might not be; it depends on the power load used. Has the Minister ever put a thicker fuse in?

The Hon. A. F. Kneebone: No.

The Hon. Sir NORMAN JUDE: Let us look at some more foolish and impractical implications of this ill-considered measure. I said that a man could not put coils in radiators or jugs. A man cannot even put a rubber belt on a washing machine.

The Hon. A. F. Kneebone: Oh!

The Hon. Sir NORMAN JUDE: It is an electrical installation, is it not?

The Hon. A. F. Kneebone: But there is a provision that one can operate the machine.

The Hon. Sir NORMAN JUDE: I said that one cannot repair it; one cannot put a new rubber belt on it.

The Hon. A. F. Kneebone: I do not know about that.

The Hon. A. J. Shard: You just put it on.

The Hon. Sir NORMAN JUDE: I read the Bill and heard the Minister explain how it could be done. Honourable members opposite are struggling in the dark in this matter. They are not quite certain what can be done. What I am certain of is that people will regard this as a foolish Bill and as a bad piece of legislation, as members of both Parties know perfectly well.

I could go on and take up more time mentioning the 101 impracticabilities in the Bill, but I remind honourable members that this Bill was asked for by competent and qualified electricians. I have no objection to that, but by the public it was not asked for. Let us be

quite clear about that. I challenge any honourable member opposite to say that it was asked for by the general public. Therefore, I register my extreme disapprobation. Unless this Bill is either withdrawn or amended to permit people to do their own simple work on their own equipment in their own homes, I shall be forced to vote against the third reading.

The Hon. JESSIE COOPER (Central No. 2): I rise to oppose this Bill in its present form. The only good thing about it is the way in which it has been able to inspire speakers in this Chamber. It is a glaring example of something that has been rushed through, produced under rushed conditions. It is very loosely worded and does not sufficiently express the really dangerous points in the handling of electricity; and then, in order to cover up its weaknesses in details, it has been given too many overriding and all-inclusive clauses to cover everything imaginable. I listened to the Minister's long list of fatalities, but they are of a kind that happens everywhere, and statistics show that South Australia is no worse than other States in this matter.

The Bill, when closely read, produces the farcical absurdity that nobody may connect any device to the electrical power unless he has permission to do so from the Electricity Trust —and, when I say "any device", I mean even such simple things as an electric clock, the toaster or the television set. Apparently, every time I wish to use an electrical kitchen appliance, I must write a letter to the Electricity Trust to get its permission to insert a plug into the wall socket. I will read the appropriate clause here. Clause 7 (2) states:

Ne person shall, except with the consent of an Electricity Supply undertaking (*a*) make any connection with wires or by other means between an electrical installation and a source of electrical energy generated or supplied by that undertaking.

Honourable members may think that an electrical installation means the wiring of a factory or house, or something of that nature, and in most States of Australia it means just that. However, this was not sufficient for the designer of the Bill. Let me refer honourable members to the definition of "electrical installation", as follows:

"electrical installation" means the whole or part of any appliance, wire, system of wiring, conduit pipe, switch, fittings, equipment, motor, apparatus or device wherever situated . . .

So, here I am, a housewife, such as Sir Norman has just mentioned.

The Hon. Sir Norman Jude: And a very competent one.

The Hon. JESSIE COOPER: I did not actually say that. I am a housewife, at least occasionally, and I am beset by a problem. In my house I have the following electrical installations: one tape recorder, two loud speakers, one electric gramophone, one fan, one TV set, three radios, one radiator, one fish aquarium (aerated), two convection heaters, two electric shavers, one electric incubator, two electric soldering irons, one photographic enlarger, two electric clocks, one vacuum cleaner, two coffee percolators, one electric toaster, one electric fryer, one waffle iron, one liquid heater, one hot water jug, one electric mixer, one electric ironer, and one washing machine, not to mention five standard lamps. That is a modest list, I believe, for any modern home. To connect any of these to the plug in the wall, I would require permission from the trust, or else I would have to employ a permanent resident electrician, something I doubt that my husband would permit, even one without any sporting proclivities.

The absurdities of the Bill, when closely examined in respect of the rights of the ordinary unlicensed person, skilled or unskilled and no matter how highly educated, produce the following ridiculous situations:

1. No school physics class will be allowed to use any of its appliances or to make up any rigs for experimental or teaching purposes unless a licensed electrical worker is present;
2. No longer may the hundreds of radio operators licensed by the Commonwealth continue to work at their hobby; and
3. No longer may our sons work at the widely-accepted hobby of making up radio sets and equipment.

Honourable members will be able to think of many other absurdities. Many instances have been cited in letters to the press. The Bill provides for the exemption of various classes of work and people from its supervisory requirements, but laws made on this basis rarely work well. They are not understood and only produce chaotic conditions. It appears that, in general, the purpose of this Bill is more to force work into the hands of electrical contractors and electrical workers than to protect the public from faulty workmanship. Actually, the Electricity Trust already has sufficient power to inspect and to permit or prohibit the use of electricity in any installation connected to its service.

In addition, the trust watches extremely carefully over the quality and workmanship

of electrical equipment sold or hired to the general public. I draw the attention of honourable members to clause 9 (3), which the Hon. Sir Norman has mentioned. It is interesting to note that a person may kill himself with impunity if he lives in the country. The people who handle electricity in, on or over the land (whatever that fascinating phrase may mean) apparently are not subject to the physical laws that make electricity dangerous.

I turn now to clause 10, which establishes the Electrical Workers and Contractors Licensing Advisory Committee. Honourable members will note that the committee is to be chaired by a representative of the trust and that the other members are to be a representative of the Minister, who shall be the deputy chairman, a representative of the Electrical Trades Union of Australia (South Australian Branch), a representative of the Electrical Contractors Association of South Australia Incorporated under the Associations Incorporation Act, 1956-1957, and a representative of the Minister of Education. Presumably, the representative of the Electricity Trust will be a man with technical and academic qualifications, the trust being a well-run and experienced organization, but for the rest of the members of the committee no qualifications are specified.

They are all referred to as representatives of various organizations. They may well be the secretaries of organizations and may have no technical qualifications at all. I consider that there should be provision for members of this committee to be highly qualified people rather than people interested in forcing work into certain channels. The right to make regulations appears in clause 12 in a perhaps even wider and more pernicious form than we have seen before. It will be noted that the clause provides that "The Governor may make any regulations, not inconsistent with this Act, which may be necessary or convenient". One could hardly get anything wider than that. The Government, having given the Electricity Trust the responsibility of administering this Act and, having wisely given the trust a wide range of rights, has hidden in the last few lines of this Bill the right to make regulations and has prescribed the manner in which the trust must carry out its powers.

In fact, the regulations could be worded so as to make the trust quite helpless in carrying out the work entrusted to it by an Act of Parliament. I have mentioned many things that I consider to be incorrect in this Bill and will have no alternative but to vote against it, as it stands.

The Hon. R. A. GEDDES (Northern): I support the second reading of this Bill. It is interesting to note that the most important aspect is that lightning will still be free and uncontrolled. There will be no control over that, but just about every other phase of the life of the State will have some restriction placed on it in meeting future problems regarding electricity. My chief worry is how this Bill can be administered for the betterment of the people and for the genuine purpose of providing a safety measure in the use of electricity, the wiring of it and the use of electrical appliances. I believe that bad laws are treated with contempt by the people, which, in turn, brings contempt on Parliament, but at the same time I agree that it is necessary to govern public behaviour and to make laws for the public good, so long as they are considered constructively and are made as constructive laws.

I am aware of the problems that we have under the Road Traffic Act; many rules are made for motorists but, unfortunately, they are not carried out. If they were carried out, the safety of the road would be something of which we could all be proud, and there would be few road problems. Licences are issued for a purpose, and I think that there should be something in this Bill in the way of a purpose, but I hope we can get a practical measure, and one easy to administer and one that will give reasonable freedom to the people who use electricity. I refer particularly to the housewife and the home owners. They should not be charged with breaking the law. Clause 3 of the Bill (1), states:

> The Governor may by proclamation exempt from all or any of the provisions of this Act any electrical installation if he is of the opinion—
>
> (*a*) that in that part of the State in which the electrical installation is situated a sufficient number of licensed electrical workers is not normally available.

This, as I read it, is reasonable. The problem I see is that in the country there are many large centres where electrical workers and electrical contractors operate, but it is sometimes difficult to get them to move out into nearby small towns to do electrical repair work. This is not fiction; it is fact. These repair people have sufficient work without moving out to other areas, but when they do go out on a repair job it is only natural that there should be an extra charge. I consider it would be wise to define the boundaries of towns as proclaimed by the Governor so that outside

those areas relaxation of this Bill can be permitted.

There is another problem in those parts of the State where there is an insufficient number of licensed electrical workers. I refer to the unscrupulous or the itinerant unlicensed man who enters a town or rural district and goes from door to door saying "I am here to do some electrical repair work for you if you want it done". Clause 6 (1) (*a*) of the Bill states:

An electrical worker's licence or any class or type thereof shall not entitle the holder thereof to do any act or thing for which a person is required to be licensed as an electrical contractor under this Act.

Clause 6 (1) (*b*) states:

An electrical contractor's licence or any class or type thereof shall not entitle the holder thereof to do any act or thing for which a person is required to be licensed as an electrical worker under this Act.

In his second reading explanation the Minister said:

The main criterion for the issue of a worker's licence is that the applicant has the ability and knowledge to do reliable, safe, work. The main criterion for the issue of a contractor's licence is to ensure that the applicant employs only licensed workers, and that he accepts responsibility for the work they do. The clause provides that the holder of a worker's licence is not authorized to work as an electrical contractor, and conversely the holding of a contractor's licence does not authorize him to work as an electrical worker. Subclause (2) provides that a person may hold both licences at the same time.

Clause 9 (6) states:

For an electrical worker to carry on business or advertise or otherwise hold himself out as an electrical contractor or to perform or carry out any electrical work for profit or reward or to offer or undertake to perform or carry on that work, if:

Subclause (6) (*c*) states:

That electrical worker does not employ or otherwise engage any other electrical worker for the purposes of his business or for the performance of any electrical work.

I can see the reason for this, but if an electrician advertises himself as an electrical worker and holds the necessary licence he cannot employ any other electrical worker. That makes the position difficult.

The Hon. A. F. Kneebone: I don't think that is the meaning.

The Hon. R. A. GEDDES: It refers in clause 9 (6) (*d*) to the electrical worker personally performing and carrying out electrical work. That would preclude him from having a boy to help him on the job.

The Hon. A. F. Kneebone: You have overlooked the words "it shall not be unlawful".

The Hon. R. A. GEDDES: As the demand for his services grew the electrical worker would find it difficult to do all the work himself and he would want to engage employees. If he put on another licensed worker he would have to be licensed as a contractor. If he put on a boy to learn the trade (and I am not bringing in the question of apprentices, but referring to the problem in the country being greater than in the city) there would be special problems for the employer who is trying to achieve something in life for himself. Clause 9 (8) (*a*) states:

Notwithstanding any other provisions of this Act, but subject to any other Act or law, it shall not be unlawful—

for a person who carries on the trade or business of a retailer or wholesaler of electrical installations—

(*a*) to repair, rebuild, reconstruct or recondition any used electrical installation for the purpose of resale in the course of his trade or business; or

(*b*) to cause for the purposes of subparagraph (*a*) of this paragraph electrical work to be performed or carried out by his employees, whether or not those employees are licensed as electrical workers if that electrical work is performed and carried out—

(i) in a workshop on the premises of that retailer or wholesaler and wholly controlled by him; and

(ii) under the direction or supervision of an electrical worker licensed in respect of that electrical work and that electrical worker personally checks and approves every electrical installation before it is offered for re-sale;

First, we have electrical workers, and secondly, electrical contractors, but worker and contractor can be as one; both can hold licences at the same time. Then we have the problem of the electrical worker by himself and, as I understand the Bill, he must personally carry out all electrical work. Then there is the person reconstructing a washing machine, television set or wireless set. Shops in Rundle Street and other places in the city are full of these items. In many cases it is reconditioned equipment, and there need be only a foreman supervising the work. There could be a number of men employed in repairing secondhand equipment of this type but there need be only one man supervising it. I consider that under this Bill there would be a great chance of accidents occurring under this type of supervision, or the lack of personal supervision, especially in connection with

the wiring or rewiring of secondhand equipment. I turn now to clause 7 (2) (*a*) which reads:

No person shall, except with the consent of an Electricity Supply Undertaking—

(*a*) make any connection with wires or by other means between an electrical installation and a source of electrical energy generated or supplied by that undertaking.

In the South Australian Electric Light and Motive Power Company's Act, 1897, section 23 reads:

No person shall fit up any apparatus or fittings whereby electricity shall be obtained from any main, service, line, or wire, or circuit of the company, without the consent in writing of the Secretary or other officer first obtained for that purpose.

I cannot find where this section has been taken from the Statute Book and it makes me wonder what is the reason for this particular section of the Bill where we have the same argument that no person shall make any connection with wires to any electrical installation from an electricity supply undertaking. Clause 9 (1) reads:

Notwithstanding any other provisions of this Act, subject to any other Act or law, it shall not be unlawful—

(1) for a person to attend, operate, or be in charge of any electrically operated appliance, machinery or plant.

In spite of other members' interpretations, I think this gives the individual the right to plug his *Mixmaster* into the socket or do the normal things within the household with his mobile electrical equipment. However, in clause 9 (2) we find:

For a person to replace any lamp or fuse not being any lamp or fuse belonging to an Electricity Supply Undertaking;

That is, I think, the kernel of the problem as the Opposition sees this Bill, for it puts so much restriction on the individual as to become too difficult to make the operation of the Bill sensible. At the same time, I can see the problem the Minister has had, because to add the word "element" to this section would open up to too great an extent the repairing of electrical appliances within the home. Subclause (3) of clause 9 reads:

For a person to perform or carry out electrical work on an electrical installation in, on, or over any land which is situated outside the area of a municipality or a township as defined in the Local Government Act, 1934-1964, as amended if the electrical installation is used, in connection with the carrying on of the business of primary production.

This makes me wonder how far the meaning is extended. In my home and in hundreds of other farm houses, the daily employees or shearers are fed inside the house. These people are doing agricultural work and the modern practice in the inside country is not to isolate these people but to feed them in the house. In one sense it could be taken that any electrical repairs could be carried out by a farmer. If the Minister disagrees with that argument, then it could be that a person could move an electric jug or radiator from the house to the woolshed or cowshed and carry out necessary repair work there. I am fairly sure that the Electricity Trust has a special meter rate when power is supplied for essential rural work such as a woolshed or cowshed as distinct from electricity supplied to a house. I suggest that consideration be given in this clause to providing that repairs can only be made when connected with special primary production meters, or some provision of that type. As it stands at present it could, perhaps, be misconstrued, but that is my interpretation of this clause.

The Hon. A. F. Kneebone: That was put in because the primary producers asked for it in order to cover a shearing machine breaking down or something of that nature.

The Hon. R. A. GEDDES: I understand the argument used was that if the electric milking machine broke down some consideration should be given because of the urgency of the matter.

The Hon. A. F. Kneebone: It was not because we thought primary producers were expendable!

The Hon. R. A. GEDDES: I realize that, and that the Minister is not worrying about the rural vote to the extent of getting rid of them by these means. However, I suggest that the subclause could be examined and possibly tightened up because, as I read it, a farmer whose homestead is legitimately used for primary production could say "This is what I am doing", and then wire his house, which is not what the Minister wants in the Bill at all. Clause 9, subclause (10), reads:

For a person, other than an electrical worker, whose trade or occupation normally includes the performance of work on any appliance, plant or machinery driven, or operated by, or incorporating any electrical installation, to perform or carry out that work in the normal course of his trade or occupation or for purposes incidental thereto, so long as he does not perform or carry out work on any part or circuit which is, or may be, connected to a source of electricity supply.

This conjures up again many problems. How does a boy whose hobby is making radio sets get on? He cannot get a licence for he would not have the necessary technical knowledge to

be licensed. But he likes to make radios, to get an old set and make up something from the old chassis. How does the person who likes to make hi-fi sets get on? I know the cry will be, "This will be covered by regulation." However, at the moment I am debating the Bill, and not the regulations, because I do not know what is in them. The wording is:

so long as he does not perform or carry out work on any part or circuit which is, or may be, connected to a source of electricity supply.

These are some of the pinpricks within this Bill, which, if viewed constructively, could assist the administration of the Bill for the benefit of the whole. I ask the Minister about the problem of the motion picture operator who, under the Public Entertainment Act, must pass a fairly difficult test before he can operate a cinematograph machine at the pictures on Saturday nights. It is already a fact that these men have to pass tests before they can officially operate these projectors. Will it be necessary for them to be further licensed? As I understand one of the arguments put forward by the Government, this Bill is introduced because it is common practice for electricians to be licensed in other States. Will a licensed electrician from another State be automatically entitled to operate in this State, and, *vice versa*, will a South Australian electrician or electrical worker who is licensed be able to work in another State?

The Hon. A. F. Kneebone: There is nothing in the Statutes in other States accepting our legislation or in ours accepting theirs.

The Hon. R. A. GEDDES: Then what about section 92? An electrical worker may cross the border in coming to this State to do some work.

The Hon. S. C. Bevan: It is not section 92.

The Hon. A. F. Kneebone: He does not get licensed here.

The Hon. Sir Arthur Rymill: What about electrical contractors in another State tendering for jobs over here?

The Hon. R. A. GEDDES: In conclusion, I saw a statement in the *Advertiser* two days ago, which reads:

Advertisement in a French newspaper: "Major scientific firm requires researchers, maximum age 36, to work on machines connected with nuclear reaction, fissionable materials, photo-synthesisers, uranium substances. No experience required."

If this is good enough for Mr. de Gaulle, then surely it would be all right for us not to worry about this Bill at this stage. I support the second reading but reserve further opinion until we get into Committee.

The Hon. Sir ARTHUR RYMILL (Central No. 2): I do not want to say much about this Bill and I hope I will not trespass on my intentions in that respect because I find myself in substantial agreement with most of what has been said by other honourable members.

The Hon. A. J. Shard: On the Government side?

The Hon. Sir ARTHUR RYMILL: I think the Government side would be just as concerned with the aspects of the Bill as I am. I am concerned with two things: first, the impact of the Bill on technicians other than those defined as electrical workers in the Bill and, secondly, the "do-it-yourself" man. I propose to deal with the Bill in those two sections.

First of all, as far as technicians other than ordinary electrical wiring workers are concerned, I think the Hon. Sir Lyell McEwin dealt with this fairly effectively last night; he pointed out the impact that this would have on television and radio engineers who are obviously not intended to be concerned with this licensing and, indeed, probably possess techniques and skills far higher than those people this Bill is intended to license. There are plenty of others, such as weapons research people, university people and so on.

The other category that I mentioned is the "do-it-yourself" worker, and I am particularly concerned with him. I recalled this evening that I had something to say about this in my maiden speech in this House almost exactly 10 years ago. It was on May 17, 1956, (I had been dealing with the question of automation, which was a newly-coined word 10 years ago) and this is what I said:

I mentioned another trend which is running concurrently with automation, and that is "do-it-yourself". Those two things are apparent paradoxes but, as I have said, when you analyse them they seem to be perfectly logical in the light of present-day conditions.

This applies to the present Bill. I went on to say:

With the rise of real wages in relation to machinery, we have found, for instance, that hand-made goods and repairs are infinitely more expensive than they use to be compared with one's income. Many people are finding that they have to be self-dependent in those things.

This is exactly what this Bill is going to extract from the public; it is going to stop the man from doing it himself. The Hon. Sir Norman Jude last night refered to an instance where someone had to replace an electrical switch.

Curiously enough, that happened to me only a fortnight ago. We were having a family party for my sister, who has just come out from England, and we found late in the afternoon that the switch in the dining room had given out. We were able to get a new switch quickly. I put it in, and I could have done it in two or three minutes if it had not been for the fact that the qualified electrician who put in the previous one had done it incorrectly. It took me about a quarter of an hour to do it, because I had to find the screw that he had put in the wrong place to make up for the defective screw he put in wrongly in another place.

I do not claim any more than the Hon. Mrs. Cooper does to be the greatest handyman or handywoman respectively, or *vice versa*, in the universe, but we have been doing these things for many years. Electricity is not a new thing. Let me point that out to the Chief Secretary, if he happens to be listening—

The Hon. A. J. Shard: I am always listening when the honourable member speaks.

The Hon. Sir ARTHUR RYMILL: I think the first Adelaide Electric Supply Company Act was passed in 1897; we have been living with electricity ever since then and are much more used to it now. Also, electricity is much safer because in those days they had direct current, a most dangerous thing, and they altered it to alternating current. They have altered the voltages and pressures and all sorts of things to make it safer. People now are much more sophisticated, because when electricity first came in no one knew anything about it. I am sure that many of the people did not completely comprehend the danger. I cannot imagine that there is anyone living today (of a reasonable age, anyhow) who does not know that electricity is dangerous and that one must turn off the main switch before one starts putting in new switches or plugs.

This Bill, however, has not been found necessary in this State until 1966, although electricity has been used here since 1897. This strikes me as curious. One wonders exactly what are the motives behind this Bill when in 1965 and 1966, after about 70 years of electricity and with a growing sophistication in that respect, someone suddenly discovers it is dangerous and we have to license people to do for us jobs that we have been doing all these years. I remember the Minister of Labour and Industry last night suggesting (and I wrote it down when he said it), "Someone might put in a double fuse." Curiously enough, that is about the only thing permitted under this Bill. That is what beats me.

The Hon. A. F. Kneebone: That would make appliances more dangerous.

The Hon. Sir ARTHUR RYMILL: That is a most dangerous thing, but that is one of the only two things exacted from the legislation—not putting in a double fuse but the putting in of a fuse by people alleged to be incapable of dealing with technical things.

The Hon. A. F. Kneebone: But we want to protect people from the effect of putting in a double fuse by saying that the appliances would be dangerous.

The Hon. SIR ARTHUR RYMILL: I realize that the Minister wants to protect people; so do I. But I also want to preserve for people their rights and liberties of doing what they ought to be doing. There are two aspects of this "do it yourself" business. The first is the aspect of convenience and urgency. In the cases I mentioned, it would take a long time to get an electrician in. The second aspect, and possibly even more important in a way, is the expense. If I can replace a switch for myself, it will cost me half a dollar but, if I have to get in a qualified electrician to do the job, it may cost me $4 or more.

The Hon. D. H. L. Banfield: But what would be the cost of a funeral if you make a mistake?

The Hon. Sir ARTHUR RYMILL: I do not think I would be bothered about that.

The Hon. D. H. L. Banfield: No, but somebody else would.

The Hon. Sir ARTHUR RYMILL: I would leave it to the Government to extract from my estate the succession duties it wanted. After that, my relatives would probably have very little left to pay for my unfortunate death.

The Hon. D. H. L. Banfield: You can always have a pauper's grave, if you like.

The Hon. Sir ARTHUR RYMILL: I am concerned about this interference with people's liberty to do things for themselves. I cannot comprehend that after all this period it suddenly becomes necessary to interfere in this field. The Hon. Sir Lyell McEwin gave a graphic illustration of this last night, saying that he would resent having to pay a licensed chiropodist to cut his toenails every time it was necessary. The Hon. Mr. Potter said that people could make wills for other people, as long as they did not charge for them. That may be almost as serious as the matter to which the Hon. Mr. Banfield referred because, if one makes a bad will, it is a devastating thing.

This Bill seems to be putting electricians on a higher plane than the more important professions of law or medicine. The Hon. Mr. Potter gave his instance about the law. As I understand it, if a man wants to try to take out his own appendix, he is entitled to do so.

The Hon. R. C. DeGaris: It has been done, too.

The Hon. Sir ARTHUR RYMILL: It has been done. Perhaps Government members will correct me if I am wrong but, if anyone wants to try to take out his appendix, he is entitled to do so.

The Hon. A. J. Shard: I wouldn't try it.

The Hon. Sir ARTHUR RYMILL: I wouldn't, either; in fact, I should hate the idea. But, if a man wants to try it, he is entitled to, and that is really tampering with his own life; whereas, if someone wants to put in a new switch, under this Bill he is not entitled to. The Chief Secretary just now was trying to say that some of us were inconsistent in our attitude to mandates. I suggest that the Government is inconsistent with regard to this business of "do it yourself", because earlier in the session we had an amendment to the Road Traffic Act (I do not know what is going to happen to it; I do not want to deal with it now as I do not think it has been finished with yet) that set out to oblige anyone to render assistance to an injured person on the road whether or not he knew anything about the injuries of the victim. Now the Government appears to be trying to deprive us of the right to render assistance to ourselves in something that most of us know something about. It is incongruous that that should occur.

I add one more thing about types of electrical work that people are or are not entitled to perform. I believe that the Dominion of New Zealand was one of the first places to license electricians. It licensed people in relation to what they called "electrical wiring". Apparently, that extended to the replacement of fuses and flexes in connection with various portable electrical equipment, and so on. That Act was passed in 1952. In 1960 the same Parliament found it necessary to make certain exemptions that we today are feeling we ought to make in this Bill. I should like to read briefly the following amendment that was made by Act No. 60 in 1960 in the Dominion of New Zealand to the Electricians Act, 1952:

Notwithstanding anything to the contrary in this Act, any person may, in accordance with this section, do all or any of the following types of electrical wiring work:

(*a*) Replace a fuse link:

I think that is similar to the exemption. Then:

(*b*) Affix a plug or an adaptor or a cord extension socket or an appliance connector to a flexible cord, not being a flexible cord forming part of or directly connected to the fixed wiring.

This is part of what some of us are hoping the Bill will be amended to provide in relation to its presentation at the moment. I know that accidents have happened in relation to electrical equipment, but we have been given no figures on how many of those accidents have occurred in relation to equipment interfered with by unskilled people. From my reading of the newspapers, I imagine that these cases would be few in number.

We hear of people cutting the cords of lawn mowers and electrocuting themselves by running over the wires and getting a short circuit that way, but that would happen however well equipped the lawn mower was. One hears of experts being electrocuted on poles, and so on, but how often does one hear of people who set out to do things for themselves in relation to electrical wiring being electrocuted? I suggest that the number is few and that, if it was not, we would have had statistics presented to us in this place.

I agree with the Hon. Mr. Potter's amendments and hope that they will be carried. I also agree with other honourable members that there is a good case for the licensing of electricians who are charging a fee or reward for their work. I see no reason for interfering with the practice of about 70 years standing whereby people can do their own odd jobs, and I am strongly opposed to any legislation that will prevent that, not only in relation to electrical work but also in relation to other work, because surely that is one of our fundamental rights.

It surprises me that members of the Labor Party, who always claim to stick up for the rights of individuals, even to the extent of one vote one value (a phrase that I do not understand), should be supporting a Bill of this nature. I propose to support the second reading of the Bill but shall not support it any further unless the sensible amendments are inserted to completely exempt superior technicians and, secondly, to permit the do-it-yourself man to do it for himself.

The Hon. D. H. L. BANFIELD (Central No. 1): The Minister said in his second reading explanation that this Bill was designed as a safety measure. If it means the saving of just one life, then it is well justified.

Despite the Bill, some people will continue to take risks, not only with their own lives, but with the lives of other people. It is also said that it will not be possible to police the legislation, but that applies to all the laws of the country.

Laws are made for specific purposes but they cannot be policed 100 per cent. For instance, how many people break the speed limit of 35 miles an hour? We all do that from time to time, but no-one can say that that law does not cause people to take safety precautions. Although we cannot say how many lives that law saves, we know that it is a deterrent and, consequently, it is in the best interests of the people to have such a law. Many people abide by a law because it exists and I think that the same will happen in this instance, even though it is claimed that everyone is a do-it-yourself man.

Electricity is something we cannot play around with unless we have sufficient knowledge. I consider that electricity is more danger in the hands of a man who knows little about it than it is in the hands of someone who knows nothing about it. The man who thinks he knows a little about it thinks that he can master it but finds that it masters him instead.

It has been stated that there have been 19 fatalities caused by electricity in South Australia since 1960 and the Opposition claims that this percentage is lower than the figure for any other State. That may be so, but the fact remains that there have been fatalities, and we should take what steps we can to prevent them. I think that it is only through high standards of efficiency of the inspection staff of the Electricity Trust of South Australia that the number of electrical accidents in this State is so small. Although trust officers make inspections and often condemn work, they have no power to prevent other work from being done by people not competent to do it.

If the work of a licensed contractor or worker is found to be faulty, his licence can be suspended and he will not be allowed to carry on. Until electrical workers are licensed, everyone can go on their merry way being a menace to other people. It is easy to say that the trust makes tests to ensure that wiring has been done properly, but what happens when the test has been made and power is connected? Once that has been done, anyone can tamper with the wiring or put additional leads in. At present, the trust is not required to inspect those installations.

It has been said that some of the 19 fatalities that have occurred since 1960 have been the fault of so-called competent men. If that is so, that is all the more reason why people who know little about it should be prevented from tampering with it. This is the only State that does not require electrical workers to be licensed. Surely this is not the only State that is right, and all the others are wrong! I understand that companies such as Sunbeam and Electrolux refuse to sell spare parts because they are not prepared to allow any Tom, Dick or Harry to tinker with their electrical appliances.

If they consider that damage can be done if someone else tampers with the appliances, we should take heed of that attitude. The Hon. Mr. Potter said that this Bill would apply to the motor mechanic. Of course, this runs true to the form of the Opposition, whose members say things that are misleading and far from the truth. This Bill does not apply where the electricity voltage is below 40, and the average car does not have more than 12 volts.

The Hon. R. C. DeGaris: What about the spark plugs?

The Hon. D. H. L. BANFIELD: The voltage is not there unless the engine is running, and a person does not tinker with the parts when the motor is running. The Hon. Sir Norman Jude said that, unless the applicant for a licence was a member of the union, he would not receive a licence. This, again, is another misleading statement. I point out to Sir Norman that, under the Bill, the trust issues licences, not the committee. Even if the committee were stacked by trade unionists, it would not have a say in whether a man received a licence. That is another statement of the type we are becoming accustomed to hearing in this Chamber.

The Hon. Mrs. Cooper has said that the trust makes inspections before they allow the service to be connected. I do not disagree with that, but once the connection has been made, there is nothing to prevent alterations being made, even though the trust might have made a complete inspection prior to that. During the last year the trust refused to grant approval in more than 800 cases after making tests. I wonder how many cases there would have been if it had known of all the extensions that have been made. I do not care which way the Hon. Sir Lyell McEwin rubs his knees, but I do object to allowing him to make a faulty repair to his lawnmower. I do not care

whether he cuts his lawn on Saturday or Sunday, but I hope he does it on Saturday because otherwise it may offend my religious beliefs. However, I like to allow a man to cut his lawn when he likes.

The Hon. Sir Lyell McEwin: What happens when the lawnmower is out of order?

The Hon. D. H. L. BANFIELD: Take it to a repair man. I object to the honourable member being allowed to make a faulty repair to his lawnmower. He may find that he has to go inside to rub his knee, and then his wife would have to finish cutting the lawn and be exposed to the danger he has caused. I do not want anything to happen to Sir Lyell. He makes a wonderful Leader of the Opposition, and I hope he remains in that position for many years. However, I do not want him to do anything that will cause danger to his wife when she is cutting the lawn.

The Hon. Sir Lyell McEwin: Perhaps it is the only thing at which I am competent.

The Hon. D. H. L. BANFIELD: I think the honourable member is more competent as Leader of the Opposition than he would be as an electrician. I agree with him that if a person wants to take a risk with his own life he should be able to do it, but he should not be allowed to risk the lives of others.

The Hon. A. F. Kneebone: If someone wanted to jump off the Gap, would you stop him?

The Hon. D. H. L. BANFIELD: A person has the right to jump, and I would let him do so as long as he did not pull me with him. I support the Bill, and I urge honourable members to take action in the interests of safety to all.

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

EXCESSIVE RENTS ACT AMENDMENT BILL.

The Hon. A. J. SHARD (Chief Secretary): I move:

That Standing Orders be so far suspended as to enable the sitting of the Council to be continued during the conference with the House of Assembly on the Excessive Rents Act Amendment Bill.

A gentlemen's agreement exists between members opposite and the Government to continue the sittings of the Council while the conference is in progress, provided no vote is taken on any matter on the Notice Paper during this period. I think everybody will see the wisdom of such a move and I hope the motion will be carried.

Motion carried.

At 3.55 p.m. the managers proceeded to the conference. They returned at 8.50 p.m.

The Hon. A. J. SHARD (Chief Secretary): I have to report that the managers have been to the conference on this Bill, which was managed on behalf of the House of Assembly by the Attorney-General and Messrs. Brookman, Freebairn, Hudson and Ryan, and they there received from the managers on behalf of the House of Assembly the Bill and the following resolution adopted by that House:

That the disagreement to the Legislative Council's amendments be insisted on.

and thereupon the managers for the two Houses conferred together, and it was agreed:

As to Amendment No. 1:

That the Legislative Council do not further insist on its amendment.

As to Amendment No. 2:

That the Legislative Council do not further insist on its amendment, but make the following amendment in lieu thereof:

Clause 4, page 2—line 14—Leave out "three" and insert "two" in lieu thereof.

and that the House of Assembly agree thereto.

As to Amendments Nos. 3 and 4:

That the Legislative Council do not further insist on its amendments, but make the following amendments in lieu thereof:

Clause 7, page 3—

Line 16—Leave out "the owner" and insert in lieu thereof "entitled to be registered as a proprietor in fee simple".

Line 18—After "may" insert "before the expiration of two years after the making of the agreement".

and that the House of Assembly agree thereto.

Consideration in Committee.

The Hon. A. J. SHARD (Chief Secretary): I move:

That the recommendations of the conference be agreed to.

Amendment No. 1 restores paragraph (*b*) in clause 3. It strikes out all words after "service" in the definition of "letting agreement". It was agreed at the conference that the Council do not insist on the paragraph being struck out.

Amendment No. 2 refers to new section 4a. Paragraph (*b*) refers to a period of three years, but as a compromise the conference agreed that the word "three" be deleted and the word "two" inserted. This means that any agreement up to a period of two years is under control.

Amendments Nos. 3 and 4 deal with clause 7 that relates to applications by purchasers of substandard houses. Conference agreed to

leave out the words "the owner" and insert in lieu thereof "entitled to be registered as a proprietor in fee simple". This means that new section 15a (2) will now read:

Where pursuant to an agreement in writing whereby a person has agreed to buy from the owner thereof a house declared to be sub-standard pursuant to a declaration in force under Part VII of the Housing Improvement Act, 1940-1961, such person has entered into and remained in such house but has not yet become entitled to be registered as the proprietor in fee simple thereof, such person or the South Australian Housing Trust acting on his behalf may, before the expiration of two years after the making of the agreement, apply to the local court for an order granting relief from his obligations under that agreement in accordance with this section. The South Australian Housing Trust shall have power to make any such application.

The conference met in a good atmosphere and the various points were argued at length. We commenced at 4 p.m. and went through to 6 p.m., when we adjourned. We recommenced at 7.30 p.m. and continued until about 8 p.m. We consider that this Chamber's points of view to a large extent have been adhered to. We think the compromise in respect of Amendment No. 2 and the making of the period two years is a reasonable one. The other place wanted a period of three years. We endeavoured to decide on a period that would be satisfactory to all people. The managers from another place were not quite happy with it, but at least a foundation has been laid. If it can be proved within the next 12 months or two years that it has not worked satisfactorily we can effect an alteration by a simple amendment, merely altering the period of two years to whatever is desired. I ask the Committee, in the interests of all people concerned to agree to the recommendations.

The Hon. F. J. POTTER: I support the motion that the recommendations of the conference be agreed to. Although this was a somewhat protracted conference, and much argument ensued on both sides, it was a most successful conference. The first amendment deals with the period of agreements. The reduction from three years to two years is nothing more than a compromise, because the existing law provides for rent control in relation to any agreement up to one year. The managers of the other place wanted a period of three years.

The second amendment deals with sub-standard houses and people who happened to enter into agreements for the sale and purchase of this type of house. The amendment shows that the managers from another place recognized that there was considerable merit in the amendment originally inserted by this place. As a result of the conference there is a recognition of the point the Council made in its original amendment. Although there is not a recognition in exactly the same terms, there is a recognition that there could be hardship if some limit in time were not placed on the period in which an application can be made to the court for relief from the provisions of these agreements. In the course of the conference it was mutually agreed that the word "owner" originally used in the subsection was not the appropriate word in the circumstances of that clause. Therefore, I am pleased to support the motion. I hope that the Committee will agree to the recommendations of the conference.

Motion carried.

CONSTITUTION ACT AMENDMENT BILL (ELECTORAL).

Adjourned debate on second reading.

(Continued from February 15. Page 4012.)

The Hon. JESSIE COOPER (Central No. 2): I rise to oppose this Bill. It is a most peculiar phenomenon that, always when a Labor Government assumes office, immediately there is an attempt to tamper with the Constitution, and this has been so both in the Commonwealth and in the State spheres. On this occasion, we have heard the word "mandate" *ad nauseam*. I have already spoken in this Council on my interpretation of the word "mandate". No Government is elected with a blanket mandate—that is, no Government has a mandate to do everything that has been included in its election promises. An elector has only one vote: he can vote "yes" or "no" on one question only at a time. No person of normal human intelligence can assume that with his or her own vote an elector has expressed approval of, for example, free school books, road transport control, increased duties on half-a-dozen items, including succession duties, and so on.

The necessity for retaining the Legislative Council has become increasingly evident as we have received a spate of Bills from the present Government. I do not propose at this stage to deal with its historic origins or the present necessity to retain it. Other honourable members have dealt with these matters. However, there is one point I wish to make on the proposed alteration in the suffrage for the Legislative Council—

The ACTING PRESIDENT (Hon. Sir Arthur Rymill): Order! There is too much talking going on.

The Hon. JESSIE COOPER: This must be considered in conjunction with the proposed increase of metropolitan seats. If this were carried, it would, as I said in my speech on the Address in Reply last May, "reduce the voice of the country people to an impotent whisper". But this is even more obvious when we read new section 80 (*a*) (iii), which states:

In dividing the State into electoral districts for the House of Assembly the commission shall have regard to the following criteria: . . . (iii) each electoral district which includes portion of a township in a country area shall, as far as possible, include the whole area of that township.

Five or six country towns are within the country but represent the non-primary producer. They have, in effect, a majority of voters who are not primary producers in practice or at heart: they are metropolitan types of people. Now we have been assured that rural representation will be ample and sufficient under this legislation, but, under this subclause, 35 of the 56 seats will definitely represent non-rural activities. This blasts the suggestion that country people will have a reasonable proportion of representation in the South Australian Parliament. This Bill lays the foundation, as we have been told, for the eventual abolition of the Legislative Council. I am perfectly convinced that the majority of people of South Australia do not wish to see the Legislative Council abolished, and that this matter is being promoted only by a power-hungry and rabid minority. When a similar proposition was put to the people of New South Wales in the form of a referendum, the people gave a decisive and resounding answer. It appears in the July, 1961, volume of the *Journal of Parliament of the Commonwealth* as a report on the referendum on the abolition of the Legislative Council in New South Wales. The final result was that there were 802,512 "Yes" votes and 1,089,193 "No" votes. I consider that the people of South Australia, faced with a similar proposition, would give an equally definite answer. I oppose the Bill.

The Hon. M. B. DAWKINS (Midland): Like other honourable members, I am completely opposed to the Bill. I consider that it would create the worst possible type of gerrymander ever envisaged in the free world. It would completely disfranchise many country areas in so far as being able to form a part of the Government is concerned. It may not disfranchise some of them from returning a member of their choice but, on the other hand, it will disfranchise many inner country areas, not only from being able to have a say in Government but from being able to have any chance of returning a member of their own choice.

This is because these areas will be tacked on to outer city areas if this Bill, by a great misfortune, becomes law. In other words, the Government is determined to be in a position to have a whole series of electoral districts similar to the District of Barossa; that is, a large country area swamped and virtually disfranchised by the overflowing city area that is at its base.

The Hon. S. C. Bevan: You complained about the metropolitan area not being large enough, and now you are complaining about a near country area being brought in.

The Hon. M. B. DAWKINS: The Government is seeking to include the expanding metropolitan area in these country seats. For instance, there is no community of interest between the people of Truro and those of Tea Tree Gully. This Bill would enable those areas and several others to be combined in one district, and I am not in favour of areas so dissimilar being combined in that way. The Government purports to be sincere in introducing this legislation, but its definition of city boundaries is both cynical and unreal. To use the 1954 boundaries and then blatantly to tell the people that all the rest is country, and that there will be 26 country seats provided in this new Bill, is completely incorrect, in my view.

The other day my honourable friend Mr. Banfield said quite sincerely (because I know he is a sincere believer in and supporter of the principles of his Party) that the Bill was brought forward with all the honesty in the world. I give him credit for having said that sincerely but I would say that he was never more wrong, for the simple reason that the Government, when it went to the people last March, said that the representation of the country would not be decreased in any way, and that there would be 26 districts in the country. We know perfectly well that there will be nothing like 26 country districts. We are all well aware that many of these districts will be in the overflowing city area.

According to the Bill, 30 House of Assembly districts are to be provided in the inner city and these districts will probably average 11,000 electors. In the rest of the State there will be 24 seats, each with about 8,000 voters, and two districts in the Far North with still fewer

electors. That is a long way from the Government's much vaunted one vote one value policy.

The Hon. S. C. Bevan: It is nothing like the two to one we have today.

The Hon. M. B. DAWKINS: We have the present situation because 10 years have elapsed since the last redistribution, and the only reason for that is that the two Parties were not able to agree on the type of redistribution reasonable for this State.

The Hon. A. J. Shard: Do you think they would ever agree?

The Hon. M. B. DAWKINS: I doubt whether they would.

The Hon. A. J. Shard: They are the truest words you have ever said.

The Hon. M. B. DAWKINS: The provisions of this Bill will have some peculiar effects. Frankly, I do not believe in one vote one value as an all-dominant principle, but I do think (and I think all honourable members would agree with this and some would want to go further) that districts in which voters have similar interests should have similar quotas. City districts should have similar numbers, having regard to the closeness of the boundaries. In relation to a country city district, the fact that it is a city and closely settled should be considered, as should the broad acres of a country district where the member has to travel many miles to serve it. In the terms of this Bill, we will have what are really city districts with different quotas.

In the District of Enfield the quota will be 11,000, and yet a few miles farther away, in the City of Salisbury, which is still in the greater city area, the electoral quota will be only 8,000. Other examples could be given to show, as a result of this Bill, the possibility of having different quotas for districts that are to all intents and purposes the same type of district. What of the 26 seats in the remainder of the State? At least eight of them, if my arithmetic is correct, will be largely contained in the outer city area, with some country areas attached, and the people in these areas will be largely disfranchised, as I have mentioned in the case of Barossa at present.

The Chief Secretary has admitted (perhaps it might be better to say that he stated earlier in the session) in connection with another matter that Tea Tree Gully was in the metropolitan area and that the next metropolitan hospital would be built there. However, we are now told that Tea Tree Gully is in the country.

The Hon. C. D. Rowe: The Chief Secretary said my guess was as good as his as to when it would be built.

The Hon. M. B. DAWKINS: That is true, and probably the Hon. Mr. Rowe's guess would be better. It is absolute nonsense to say that a town like Tea Tree Gully is in the country, because, as I said in my Address in Reply speech, the city of Adelaide must grow in a rather uneven manner and, because of the geography, it cannot grow east and west; it must grow north and south. Therefore, we have a city which has extended about 20 miles to the north and south, but which can only grow seven or eight miles east and west. We find that these areas are city areas, but the Government prefers to shut its eyes to this fact. I believe that in this area, which the Government refuses to recognize as part of the city at present, there will be seven or eight extra seats and, of course, in addition there will be at least four so-called country seats dominated by country cities. Therefore, at least 41 or 42 of the 56 seats will be in or controlled by city and/or industrial areas and only 14 or 15 seats will be in the country areas.

For the Legislative Council, the Bill provides that there shall be, until it is abolished, five districts, each returning four members, and four of these districts will comprise 11 Assembly seats and the fifth district will comprise 12 Assembly seats. This means, of course, that three of these districts will be completely controlled by the city districts, as there are 37 or 38 seats that will be almost entirely city. Only 33 of those seats will be needed to comprise three of the Legislative Council districts. Therefore, the rest of the State will be divided into two districts. I have never heard of anything so ridiculous or unworkable. Many other objectionable provisions are in the Bill. Perhaps the worst thing about the Bill is the Government's attitude towards the city versus country situation. The Government told the people that there would be 26 country seats and 30 city seats, but that is just not true. The Government has not brought the Bill forward in an honest manner.

The Hon. S. C. Bevan: Where is it not true?

The Hon. M. B. DAWKINS: The Tea Tree Gully, Elizabeth and Salisbury areas are part of the city today. They were country; they are not country now; they are not country and never will be again. The Government completely refuses to recognize the facts as they are at present.

The Hon. A. J. Shard: Your Government was in office long enough but it never altered the position.

The Hon. M. B. DAWKINS: We tried to alter it in 1963 but the move was defeated in another place. The Bill did not even go into Committee. I oppose this Bill because it is unworkable and because it is designed (as other speakers have said) to destroy this Council and the bicameral system that has served the State so well.

The Hon. S. C. Bevan: Hear, hear!

The Hon. M. B. DAWKINS: The Minister says "Hear, hear!" He would like to destroy the bicameral system. He believes a unicameral system is right. I believe he could never be more wrong. The Hon. Mr. Kemp, if my memory serves me correctly, said that the Bill was meant to be thrown out. I do not think there is any doubt about that. When this Government came in it wished to get the Bill thrown out, and so it had the Bill drawn as badly as possible.

The Hon. A. J. Shard: You have never been farther from the truth than when making that statement.

The Hon. M. B. DAWKINS: I repeat what I said. I do not believe in the principle of one vote one value as an all-dominant principle. I believe in some equality in seats of a certain type. I believe some attempt must be made to give some sort of equality in terms of service, as distinct from mere equality of numbers. I know it will never be achieved by the so-called one vote one value, but we would get nearer to it with a system of something like equal representation for country and city alike.

I do not oppose the Bill because I think a redistribution is unnecessary. I believe, as all other honourable members do, that one is necessary, and every thinking person in this State would agree that a redistribution is necessary and overdue. Everyone knows that the previous Government sponsored a Bill to redistribute the boundaries of both Houses, to widen the franchise of this Chamber, and to increase city representation in both Houses. It was defeated by the Labor Party, yet it was that Party's unanimous support 10 years ago that made possible the present boundaries that it now criticizes so much. The fact that the Party has only four members in this Chamber is entirely its own fault. The Bill that was rejected in 1963 in another place, without any attempt to take it into Committee and amend it if desired, would have increased city representation in both Houses and would have increased the Party's representation in this Chamber.

I believe that there should be a redistribution of seats based on approximately similar representation of members for country and city areas. I do not believe that 10,000 electors in one square mile should be treated in the same way as 10,000 electors in 100 square miles. I believe that a redistribution should be based on something like the Bill we brought forward in 1963, but not identical with it. I believe that improvements and adjustments could be made, but it would be a basis for a fair redistribution that would give adequate representation to all sections of the community.

The Labor Party's excuse for rejecting our Bill, which gave adequate and sensible representation in both Houses to both city and country, was that, in its view, it was a bad Bill. I cannot in any way subscribe to its attitude, but I emphasize that this is a bad Bill. It is iniquitous, dishonest and dangerous, and more than all that its enactment and implementation would be ruinous to South Australia and to the State's development. In these circumstances, I can do no other than oppose it as strongly as I possibly can.

The Hon. C. M. HILL (Central No. 2): It seems initially that one of the most objectionable features of this Bill is that it is a package deal into which so much has been crammed that it is difficult to follow; and it contains so much, from whichever angle one looks at it, that cannot be agreed to. But within the package deal there seem to be two very large parcels: one deals with the franchise and deadlock provisions, and the other in general terms with the distribution of boundaries. I shall deal with the franchise and deadlock provisions first. The Labor Party policy provides, of course, for the abolition of the Legislative Council. It stated in its policy speech:

An alteration to the voting franchise in the Legislative Council which will mean that every person who is entitled to a vote for the Lower House receives one also for the Upper House, pending its abolition.

That, of course, ties the machinery involved in this clause of the Bill to the statement that this machinery is to be commenced pending the abolition of this Chamber. We cannot vote for machinery or measures of this kind unless we have some knowledge of the will of the people upon that question. As I have listened to other speeches upon this matter, I have been convinced that, when we talk of this will, it must be a steady will, a permanent will

or an underlying will, whichever adjective one wishes to use.

There is the rather straightforward approach to it. I heard with great interest the Hon. Mrs. Cooper speak this afternoon. This approach is that everyone who votes for a Party does not necessarily believe in all points of that Party's policy. If the floating voters at the last election (I think we are agreed that the floating voters are that section of the electors that changes Governments) thought that the Legislative Council could or would have been abolished if they voted as they did, I do not think they would have swung at that election as they did and voted into the Treasury benches the Labor Party.

From that we see a quite startling point flowing. Instead of condemning this Chamber as the Labor Party does, if this Legislative Council was not in existence and could not be taken out of existence, probably the Labor Party would not be in power as it is today. So the members of that Party perhaps should be throwing their hats into the air and praising us rather than condemning us as a Chamber, as they do. Taking this question of the will of the people a little deeper, I was much impressed when I read earlier speeches in this Chamber, before I came here, on this same question. Particularly was I interested in an address by the Hon. Sir Arthur Rymill, who dealt at considerable length with this question of the "steady will", as he called it, or the "permanent will" of the people. He emphasized this aspect of the "permanent will". He gave an important quotation by the Hon. C. C. Kingston, the great Labor politician. Part of it was as follows:

That once the popular will had been permanently ascertained on a question, it was the duty of both Houses of Parliament to give expression to the popular sentiment and legislative effect.

So we are not the only Party that deals with this matter of the will of the people being permanently ascertained. It does not change, however, with one election: nor can it be ascertained as a result of one election. Surely it moves slowly. It moves like a strong and gentle current on the ocean bed whilst storms rage from time to time on the surface of the sea.

I move to the question of the common roll mentioned in the Bill. It is my view that the advancing of a belief that a common roll for the Legislative Council elections (the same roll as that used in the House of Assembly elections) is essential is nothing more than pursuing a theoretical political principle, and in practice, of course, politics stretch much further than theories. I was impressed by a quotation I found only two days ago on this same point, dealing with this question of political theory. It is from a review in the *Economist* dated January 1, 1966. The comments concern David Hume, who was a Scottish philosopher. The passage reads:

He treated politics as an art to be practised rather than as a science to be learnt. Like Bagehot he found the essence of political wisdom not in a knowledge of political principle but in a practical appreciation of what men are like, what they can be brought to accept and what they cannot be persuaded to do.

So I strongly oppose this clause of the Bill dealing with the franchise, and the other parts of the Bill going with it, including those dealing with the deadlock provisions.

Let me now turn to redistribution. It was a great pity that this part of the Bill did not come forward to us as a separate measure. I would have been interested to hear the addresses by experienced members of this Chamber on this question. I must mention that in the electoral district that sent me into this Chamber a short time ago the matter of redistribution of boundaries was one about which many people are talking and with which many people are dissatisfied. Although I have heard all members say that we want a change and that we do not want the present situation to go on, I think that if this had come forward as a separate Bill we would perhaps have been a little closer to an eventual solution of the problem, no matter how far distant the final result might have been. Some compromise is highly desirable and obviously necessary. The people in Central No. 2 District comment upon the fact that the the Burnside District has 33,660 voters and the Gumeracha District, which borders on Burnside, has 7,159 voters. That is a big discrepancy, and I hope that genuine endeavours will be pursued as much as possible in order to see whether some change can be brought about in the unfortunate state of affairs that has developed. I think that is the fairest way to put it. It has developed over the years and must be rectified. We should do all in our power to bring about some more reasonable change. I oppose the Bill.

The Hon. S. C. BEVAN (Minister of Local Government): I am supporting the Bill.

The Hon. C. R. Story: An old-fashioned boy!

The Hon. S. C. BEVAN: I know the honourable member would have been disappointed if

I said that I opposed the Bill. In my time, I have heard much hypocrisy, and a large amount of it has been in the debate in this Chamber on this Bill. It is nothing new. This Bill is precisely the same as the one introduced in another place by the Labor Party when it was in Opposition. Naturally, the Bill was defeated in the other place and did not see the light of day here. I have also heard much about a mandate since the last election and honourable members of this Council have said that where, in their opinion, the Government has a mandate from the people, they will support that mandate, or legislation in relation to it.

Then, I have heard them excusing their attitude. This is not the first debate in which that has been done. In the debates on previous measures we have heard honourable members say that, although the Bill represented the policy of the Labor Party at the last election, there were so many other things in it and people who supported the Party did not necessarily support a particular item. They say that, therefore, it cannot be said that the Party or the Government has a mandate to do a certain thing.

I submit that the matter covered by this Bill has been a burning question in South Australia for a long time. It certainly has been as far as the Labor Party is concerned, having regard to the present boundaries, and I do not have to remind honourable members of the many times that the word "gerrymander" has been used in relation to the electoral boundaries in this State, both in Parliamentary debates and before the public. The matter of the boundaries was a major plank in the Australian Labor Party policy at the last election.

The Hon. R. C. DeGaris: Is this one vote one value?

The Hon. S. C. BEVAN: Our policy that was put before the people embodied one vote one value, which was provided for in the Bill that was introduced in another place and to which I have referred. So much was this so that an item on the Liberal and Country League Party conference agenda dealt with the redistribution of electoral boundaries in South Australia, because of the unsatisfactory position. Naturally, I was not a member of that Party and was not at the conference. However, I understood that a resolution was carried providing for redistribution of boundaries. That was not a Labor Party conference, but another conference altogether.

It is said that the people do not want this sort of thing, that they are not making any demand for a redistribution of boundaries; that it is simply the Labor Party that has concocted this and brought it before Parliament. I have never heard anything so ridiculous.

The Hon. A. F. Kneebone: The Hon. Mr. Hill dealt with that.

The Hon. S. C. BEVAN: I give the Hon. Mr. Hill full credit for his statement tonight that in Central No. 2 District, which he has the honour to represent, this matter has been discussed by his constituents. In answer to the statement that this is only a minor plank of Labor Party policy, I repeat that this was a major plank of our policy at the last election.

Sir Norman Jude: No honourable member has disagreed with you in this debate about the need for a redistribution.

The Hon. S. C. BEVAN: No.

The Hon. Sir Norman Jude: Name them!

The Hon. S. C. BEVAN: I know that no honourable member has disagreed with me in relation to the fact but, as I interpret many remarks that have been made during this debate, some honourable members have said that there should not be any change.

The Hon. R. C. DeGaris: No.

The Hon. F. J. Potter: That is incorrect.

The Hon. C. D. Rowe: I do not think that is a fair comment.

The Hon. M. B. Dawkins: Everyone has agreed that a change is necessary.

The Hon. Sir Norman Jude: Of course. Every speaker did.

The Hon. S. C. BEVAN: Mr. President, if honourable members allow me to complete my statement, they can then jump in and I shall answer any of their criticisms.

The Hon. Sir Arthur Rymill: See that you do.

The Hon. S. C. BEVAN: What I was going to say was that I interpret the statements made in this Chamber as meaning that there should not be any change until a referendum of the people has been held.

The Hon. R. C. DeGaris: No.

The Hon. S. C. BEVAN: I shall come back to that as I develop my speech. We have heard much about country and metropolitan districts. At present, as is well known, we have 26 country districts and 13 metropolitan districts in the House of Assembly. Nothing in this Bill changes any of those 26 country districts, but a fear psychology is evident from the statement that we should extend the metropolitan area because of the development that has been taking place. Honourable members opposite are well aware that in not many years hence their Party will lose more seats because

of that development. They want to bring into the metropolitan area Tea Tree Gully, O'Halloran Hill and other places where there has been considerable development.

The Hon. Sir Norman Jude: You brought it in yourself in the Town Planning Bill.

The Hon. S. C. BEVAN: Honourable members want to take those areas out of the country districts so that the L.C.L. will then have an opportunity of winning back the seat that it lost at the last election. This fear psychology is created by such comments, and the Hon. Mr. Dawkins is no exception. He expressed the fear that, if we did not take out Elizabeth, Salisbury and Gawler and bring them into the metropolitan area, then his Party would be losing Midland seats as well.

The Hon. M. B. Dawkins: I never said any such thing, and I never used the word "fear".

The Hon. S. C. BEVAN: I am saying that that is your fear, that unless these districts are brought into the metropolitan area, the L.C.L. will lose seats in this Council. Again, this legislation is not something new. It was adequately demonstrated when the former Premier made representations regarding redistribution proposals in a Bill introduced in another place. The Labor Party has been accused of throwing out that Bill and of preventing a redistribution. It was said on the hustings that the Labor Party was taking away country representation, yet it was remarkable that the Bill introduced by the Liberal Government in another place, for which a Constitutional majority could not be obtained, would have reduced country representation from 26 to 20.

The Hon. G. J. Gilfillan: It was 50 per cent of the House.

The Hon. C. R. Story: They were genuine country seats.

The PRESIDENT: Order!

The Hon. S. C. BEVAN: I will go a little further. This fear psychology came into the question at that time, because the Bill provided that the metropolitan area would be extended to take in Gawler, Tea Tree Gully and nearby places in the north and Christies Beach and Noarlunga in the south so that a seat to the south of the city would be safe for the L.C.L. in the future, whereas it would not be safe with the existing boundaries.

The Hon. M. B. Dawkins: Would it be safe for Labor after this Government's record?

The Hon. S. C. BEVAN: Even more so. Because of the development going on there, the Party opposite will lose that seat in the same way as it has lost Barossa. Members opposite

are frightened of that, as was illustrated when a previous Bill for redistribution was introduced in another place. It has been said several times in this Council during this debate that the metropolitan area must be extended to give a redistribution of boundaries. Of course it must for the safety of the Liberal Party, because even under the present boundaries it will lose more seats at another election. Members opposite put up propaganda about our record, but we will see how far that goes at the next election. I will go further. It was suggested that the Labor Party was instrumental in stopping people from having a say in who would be their representatives in this Chamber because that Party refused an offer to allow the spouse of an elector to be placed on the roll, but the nigger in the woodpile was, and still is, the voluntary vote for this Chamber.

The Hon. R. C. DeGaris: Do you think that is undemocratic?

The Hon. S. C. BEVAN: I will answer the honourable member later. For almost 32 years his Party has been in control of both Houses in this State. If members opposite think that or the present franchise for this Chamber is democratic, they do not know the meaning of "democracy". I will develop that further later.

The Hon. R. C. DeGaris: I was talking about the voluntary vote.

The Hon. Sir Arthur Rymill: Why not answer the question?

The Hon. S. C. BEVAN: Another little sop to induce members of the Labor Party to support the proposition was the proposal that another Legislative Council district would be created by taking in Elizabeth, Modbury, and Tea Tree Gully and that the Labor Party would increase its representation here. What a great gesture! The Party opposite wanted to create a district from areas where all the development was going on because it knew that the vast majority of electors in those places were Labor voters. They said, in effect, "We will create a Council of 24 members instead of 20, give the Labor Party eight members, and we will have the rest, so we will be assured that we will not lose any seats. The danger will be for the Labor Party." This was the sop they offered as bait and thought we would fall for, but we did not. Members opposite have regretted it ever since and have said that the Labor Party turned the offer down. Of course it did. The previous Government was trying to perpetuate for another 20 or 30 years one of the greatest gerrymanders ever. What happened in Queensland, which has been mentioned

by members opposite, is infantile compared with what happened here. Despite this, some members opposite expected that the Labor Party would support a Bill to perpetuate this position for many years. In an early Parliament, when boundaries were being discussed by a previous Liberal Premier (if members want proof they can look back through *Hansard*), he said, "This will keep the Labor Party out of office for 20 years." How true those words were, for it was not merely 20 years but about 30 years. However, it has been proved that it is not possible to keep the Labor Party out of office any longer.

The Hon. C. R. Story: Who was the Premier?

The Hon. S. C. BEVAN: He has since died, so I do not want to mention his name.

The Hon. C. R. Story: What year was it?

The Hon. S. C. BEVAN: Very well, I will mention his name. It was the late Sir Richard Butler.

The Hon. C. R. Story: I find it hard to accept what you have said.

The Hon. C. D. Rowe: In view of what the Minister has said, I take it that the Government regards this as a vital Bill.

The Hon. S. C. BEVAN: When the Government considers a Bill is vital, the Government, not the honourable member, will announce it. I will deal now with the deadlock provisions and with a query raised by the Hon. Mr. DeGaris, who asked whether I considered these things to be democratic.

The Hon. R. C. DeGaris: I meant a voluntary vote.

The Hon. S. C. BEVAN: Great Britain has always been looked upon as the most democratic country in the world.

The Hon. M. B. Dawkins: With a nominated House!

The Hon. S. C. BEVAN: I am speaking about the deadlock provisions. I wonder if the honourable member will be so keen to interject when I tell him what happened there in relation to deadlock provisions. The vast powers previously possessed by the House of Lords were undemocratic, but they were altered so that that Chamber could not wield the big stick and defeat any legislation from the Commons that it desired to defeat. That is democratic, but honourable members want to deny this State the democracy that is practised in Great Britain now. This Council has vastly greater powers than has any other House in any other part of the world.

The Hon. R. C. DeGaris: No.

The Hon. S. C. BEVAN: Oh, yes, it has. This is not a House of Review and has never been one; it is a House of Initiation, and any member has the power to initiate a Bill provided it is not a money measure. From where do we get this talk of a House of Review? As I said, it is a House of Initiation and it has the power of veto on any matter at all. The only time there is any restriction on this Chamber is in relation to a money Bill, and even in those circumstances such a Bill may be defeated here. How, then, can it be said that this is only a House of Review when we have the powers that can be wielded by this House?

We have had ample demonstrations of this since last March. Some honourable members say "this is democracy; this is the way it should be." Many people of the State have never had the right—and I am speaking of the majority of the people—of saying who their representative shall be in this Chamber. Yet everything dealing with their everyday life can be affected, and in most instances is affected, by the action taken in this place, and yet such people have no say at all! We are always being told "This is democracy"! A person has to be 30 years of age before being able to nominate for a seat in the Legislative Council.

The Hon. R. C. DeGaris: It is 21 years in the other place.

The Hon. S. C. BEVAN: And then we hear it said, "Everything in the garden is lovely; the roses have no thorns on them at all."

The Hon. D. H. L. Banfield: They have the smell, but not a rose smell!

The Hon. S. C. BEVAN: When we come to the question of one electoral roll that honourable members have taken exception to and have said is wrong, they say, "Why should we have one roll? Why should we have compulsory enrolment, as that is what it would be with one roll"? I will tell members what has happened through not having one roll in other States—

The Hon. Sir Norman Jude: Is voting compulsory in Great Britain?

The Hon. S. C. BEVAN: —and where alterations have been made for one common roll.

The Hon. Sir Norman Jude: Is voting compulsory in Great Britain?

The Hon. S. C. BEVAN: It is pointed out that in the first election after the adoption of those things in another State (where it was anticipated, of course, that because of this the Labor Party would gain) rather remarkably in that State the Labor Party lost two Legislative

Council seats. Here is the answer to the arguments that have been put up. We go back to this, that unless the Government of the day in this State will accept a redistribution of boundaries as dictated by the majority in this Council we will not have any redistribution of boundaries, and we could not put it any more plainly than that. I know perfectly well, as do honourable members opposite, that when the motion that this Bill be read a second time is put the Bill will be defeated; that is quite obvious.

The Hon. Sir Norman Jude: Then we are wasting our time.

The Hon. S. C. BEVAN: We are wasting our time, and we have wasted it by debating the Bill in the first instance because on the first day this Bill was introduced in this Council it was easy to see that it would be defeated.

The Hon. Sir Norman Jude: The Minister heard me on that occasion.

The Hon. S. C. BEVAN: Oh yes, I heard the honourable member all right.

The Hon. Sir Norman Jude: But you did not hear me when I spoke about Great Britain.

The Hon. S. C. BEVAN: As I have said, this question will be resolved in the future, and in the not far distant future. I submit that it will be determined by the electors of this State. I venture to say that the electors, whether Liberal or Labor, have expressed the opinion that there must be a redistribution of boundaries because of the fact that the present boundaries are unjust and unfair. I welcome the fact that in the future they will have the opportunity to express their opinion more forcibly than they have been able to express it in the past and then, perhaps, it may be said by honourable members opposite, "We cannot do anything about it because it has been overwhelmingly voiced by the public and we are now forced to accept it". I believe that is the attitude that will take place in this Chamber, and not far hence.

This Bill is not something that has been plucked out of the air, it was introduced previously, defeated previously because of the attitude of the L.C.L. members, but it was a major issue at the last election and I say that the Labor Party has a mandate for this particular Bill because what was in the Bill was demonstrated forcibly as a major plank in the Labor Party's policy. As I have said, honourable members opposite have tried to evade the issue by saying, "We will support the Government's legislation if they have a mandate." On the other hand, when they find that we have a mandate they say, "One person will support the Party because of one part of their policy and another person because of some other part of their policy", and so on. They wriggle out of it in that way.

I consider the time has arrived when something must be done and the fear has been expressed in this House that if this Bill is carried the policy of the Labor Party can be given effect to. The policy is the eventual abolition of the Legislative Council. I do not deny that that is the policy of the Labor Party, and it has my wholehearted support because of the set-up in this State. I say that, in my opinion, the sooner the Legislative Council is abolished in this State the better it will be for the whole of the State.

The Hon. G. J. GILFILLAN (Northern): I rise to speak briefly to this Bill. I do not intend to reiterate many of the points that have been made so well by members on this side of the House. We have heard some strong words used, such words as "hypocrisy" and "fear psychology". They are words that could be interpreted in many ways; they could be interpreted to explain the Government's action in bringing in this Bill, a Bill that would be unacceptable to most right-thinking people. It would be unacceptable for several reasons, one being the method of determining boundaries. I think this is one of the most vital points because, as far as the question of boundaries is concerned, they are to be decided by a permanent commission.

I cast no reflection on the present holders of that office, but over a period of time the personnel of the commission could change. Even if we could always be sure of having unbiased officers in these positions, the final decision still would rest with the Government of the day as to whether the commission's recommendations should be put into operation if they were favourable, or whether they should be shelved if they were unfavourable. I consider that this first principle of by-passing Parliament alone is enough to condemn the Bill. Another word that has been used frequently is "democracy". It was used by the Chief Secretary in his second reading explanation and extensively by the Minister of Local Government. It is a word used in many countries of the world, each perhaps giving it a different meaning. Some of the newly emerged countries have what they call "guided democracies", but most of us who use the word believe that democracy is the type of government that we have in the great democracies of the world, which have the two-House, bicameral system of government, each House elected on a different franchise. Government

by democracy does not mean that the whim of most of the people that may be expressed at any particular moment should interfere with the rights of minorities. One of the great things of the bicameral system is that it preserves the rights of all sections of the people. It does not claim that most of the people should have their wish to the exclusion of the rights of others. One of the great values of this Legislative Council is that it maintains democracy in South Australia.

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

The Hon. G. J. GILFILLAN: The Chief Secretary has interrupted me. I have no doubt that he does it in a kindly spirit, but I point out that the Party he represents in this Council has a declared policy of Socialism, and this Council is probably the main bar or obstacle to that Party putting a full programme of socialization into effect. That is one reason why I believe this Council maintains democracy in this State, because I do not think that any person can claim that Socialism is true democracy. It does not recognize the rights of people. It recognizes the principle of State ownership and State guidance, but that to my way of thinking is not democracy.

Referring to the statement I have just made, it has been declared that the policy of the Australian Labor Party has been extensively made public. The abolition of the Legislative Council has received more prominence now than perhaps it did when the Labor Party was fighting the election.

The Hon. A. J. Shard: That is not true. It was stated in the policy speech.

The Hon. G. J. GILFILLAN: Yes, I agree; but as regards saying that the Labor Party has a mandate from the people for the Legislative Council's complete abolition, there is a booklet containing the platform of the Party, and certainly this is mentioned in it; but there are also many other things which people did not vote for because they were not aware of them when they voted the present Government into office at the last election.

The Hon. S. C. Bevan: They voted for the policy enunciated.

The Hon. G. J. GILFILLAN: Not only does the Labor Party stand for the abolition of the Legislative Council; it also stands for the abolition of the State Government. If this is democracy then it is a different interpretation of the word from mine. The Hon. Mr. Murray Hill made the point that if the people at the last election had not felt secure in knowing that any legislation would have the attention of both Houses of Parliament, I am sure they would have looked at some of these policies much more closely than they did.

The Hon. A. J. Shard: Tell us that after the next election!

The Hon. G. J. GILFILLAN: The next election should be most interesting, as regards a mandate for some of these issues. I say that even in the last election this mandate was not obvious throughout the northern part of the State, with which I am familiar. In most of the country electoral districts in the Northern Division the L.C.L. gained a larger majority and in those districts where it did not the difference was not very much; it was very close to the previous election.

The Hon. D. H. L. Banfield: But the Labor Party vote was higher than before.

The Hon. G. J. GILFILLAN: That may apply to the metropolitan and near-metropolitan areas. However, members on this side of the Council have conceded that there is a need to review boundaries. That has been conceded, but surely, if we are to review boundaries, it must be on a fair and realistic basis.

The Hon. D. H. L. Banfield: What is fairer than equal representation?

The Hon. G. J. GILFILLAN: First of all, we must consider metropolitan and country areas. There has been some hypocrisy in an attempt to persuade country electors that they will still have the same representation under the present proposals.

The Hon. M. B. Dawkins: Of course they will not.

The Hon. G. J. GILFILLAN: In a Bill submitted to the last Parliament, there was a proposal to give equal representation to the country districts and a realistic metropolitan area, but in this Bill—

The Hon. S. C. Bevan: Yes. You want us to take away six seats from those held by the Labor Party at present and absorb them into the country districts.

The Hon. G. J. GILFILLAN: I do not think that the Minister is serious in this statement.

The Hon. S. C. Bevan: You check it!

The Hon. G. J. GILFILLAN: There is a proposal at present in another place in the Town Planning Bill (mentioned by interjection today) that redraws the metropolitan area in a realistic way. The Municipal Tramways Trust is extending to these places. There is a general recognition in all quarters that the metropolitan area extends far outside the 10-mile limit from the General Post Office.

The Hon. D. H. L. Banfield: What do you reckon would be a fair number for the country compared with the metropolitan area?

The Hon. G. J. GILFILLAN: I am not here to put up a proposal for a redistribution; I merely say that we will look at a proposition that is fair to both country and city and realistic in its application as far as proper representation is concerned for our Parliament.

The Hon. D. H. L. Banfield: Can you give us some indication?

The Hon. G. J. GILFILLAN: I am sure that, if the honourable member had the energy and wish to go out to the country and propound his theory there, he would find that he would have reason to change his view about an overwhelming mandate.

The Hon. A. J. Shard: I have not, and I have done plenty of what you say.

The Hon. G. J. GILFILLAN: In what part of the country?

The Hon. A. J. Shard: The Northern District, and all over the country.

The Hon. G. J. GILFILLAN: There is a lot of it.

The Hon. A. J. Shard: I have done it. We got plenty of support for the abolition of the Legislative Council.

The Hon. G. J. GILFILLAN: I must be careful not to reiterate the excellent speeches made by members on this side of the Council. I am sure that the elector in this State, country and metropolitan, is far better informed about what is going on than he has ever been in the history of our Parliament. He shows a keen interest in what is proposed. The threat to the bicameral system and the threat to abolish the Legislative Council are causing much fear and concern to most people who have the interests of the State at heart. Recently we witnessed a strong representation made to the Legislative Council about Bills which have been introduced and which could seriously affect the freedom and welfare of the people, as well as the future of this State. Those people know very well that if this Bill is carried they will have no protection from a completely Socialist policy. I oppose the Bill.

The Hon. A. J. SHARD (Chief Secretary): For obvious reasons, it is not my intention to speak for very long tonight, but I desire to thank honourable members on both sides of the Chamber for the speeches they have made and for the time they devoted to the preparation of those speeches. I have often said that one does not have to agree with everything that someone says in order to appreciate the effort that has gone into the preparation of the speech and the way it has been delivered. Whether we agree with the views expressed or not, it must be agreed that much attention has been given to this Bill.

I desire to refer to one or two matters, but not at great length, because they have already been canvassed and we know what will be the fate of this measure. It has been said that the Labor Party was not sincere when it introduced the Bill and that it hoped it would be thrown out. Let me say candidly that we have never been more sincere in anything we have done. A Bill similar to this was introduced during the life of the previous Parliament, when we were in Opposition. It was a plank in our election policy three years before the last election, and the proposal for the final abolition of this place was included at the last election. To those who have said that we wanted the Bill thrown out, I say that there is nothing further from the truth.

For the benefit of honourable members who have not heard me say it before, I point out that I have never run away from the fact that I believe in the abolition of this place. I have expressed that view publicly and it appears in *Hansard* more than once. I honestly and sincerely believe that there is no room for two Parliaments within the State.

The Hon. R. C. DeGaris: One Parliament.

The Hon. A. J. SHARD: I mean two Houses in the one State.

The Hon. R. C. DeGaris: How about—

The Hon. A. J. SHARD: I do not think it is necessary to have two Houses of Parliament in the one State.

The Hon. C. R. Story: What about one State Parliament? Do you think that is of any use?

The Hon. A. J. SHARD: I have gone as far as I intend to go. The honourable member does not have the right bait. I have been in a good mood in the last few days.

The Hon. Sir Arthur Rymill: Be careful about the Party.

The Hon. A. J. SHARD: I do not give my Party any worry about where I stand. I have told Sir Arthur that, no matter how wrong the Party may appear, it is correct when it formulates policy.

The Hon. C. D. Rowe: You will get on the Federal executive.

The Hon. A. J. SHARD: For the honourable member's information, I have been on it and I got off it. I was on the Federal Conference and I was on the State Executive for a number of years and voluntarily retired.

The Hon. Sir Norman Jude: You got out at the right time.

The PRESIDENT: Order!

The Hon. A. J. SHARD: My record has no dents, scars or black marks on it, and I am proud of it. As my honourable friend has suggested, I got a few bruises from another section with which I did not agree. If honourable members look at the newspapers of about July, 1949, they will read all about it.

The Hon. R. C. DeGaris: Do you consider that the Council has been of no value so far on the legislation that has been passed?

The Hon. A. J. SHARD: I am sorry, but I never heard that. I have not a clue what the honourable member said.

The Hon. R. C. DeGaris: I am wondering whether—

The PRESIDENT: Order! The Hon. the Chief Secretary.

The Hon. A. J. SHARD: I have said before and repeat that, particularly when we were in Opposition, not much was done in this Council that could not have been done in another place. Do not ask me to go further on that.

The Hon. C. R. Story: You are awfully choosy tonight about what you say.

The Hon. A. J. SHARD: Yes. I have heard much about a mandate. The Minister of Local Government touched on that matter. I have seen logic, as I understand the word, stretched in many ways since March last. I refer to the Succession Duties Bill. Some of our friends opposite said, "If you withdraw this Bill and bring in one in accordance with the mandate and the policy speech, we will support it."

The Hon. R. C. DeGaris: It was done in the second reading debate.

The Hon. A. J. SHARD: Most honourable members have said that they will support anything for which we have a mandate. No-one in this Council can deny that we have a mandate for this Constitution Bill. It is vital policy.

The Hon. Sir Arthur Rymill: Why don't you go to the people?

The Hon. A. J. SHARD: I tell the honourable member to keep quiet. I am telling this story. If honourable members were sincere about the Succession Duties Bill, they must support the Bill before the Council.

The Hon. Sir Arthur Rymill: Did you think anyone took you seriously when you said you were going to abolish the Legislative Council?

The Hon. A. J. SHARD: Most people would be happy if we abolished it.

The Hon. Sir Norman Jude: Try it out tomorrow.

The Hon. A. J. SHARD: We used to ask honourable members about things when they were in Government, and they stood back and smiled at us. I am doing that tonight. We had a mandate, and we brought in this Bill. If honourable members are sincere, they will support it. I now desire to refer to some other things that were said during the debate. Honourable members said that they view things as individuals and do not have Party meetings.

The Hon. R. C. DeGaris: No, that is not true.

The Hon. A. J. SHARD: They also said that they do not have Caucus meetings.

The Hon. M. B. Dawkins: And that we are not bound. We voted for the Government last night.

The Hon. A. J. SHARD: Opposition members are not bound! I do not know who they are trying to fool. They have Party meetings regularly. They may not make records, but they are a factor when honourable members want them to be.

The Hon. Sir Norman Jude: Fair enough.

The Hon. A. J. SHARD: Yes, fair enough. Honourable members make matters public.

The Hon. Sir Norman Jude: You attend Caucus meetings with House of Assembly members, whereas we do not.

The Hon. A. J. SHARD: Members opposite go further and try to mislead the public that they do not have Party meetings and arrive at decisions.

The Hon. R. C. DeGaris: We don't arrive at decisions.

The Hon. A. J. SHARD: Don't tell me that.

The Hon. A. F. Kneebone: Why do you have meetings?

The Hon. A. J. SHARD: If honourable members arrive at a decision and do not toe the line, they are in trouble. Members opposite can laugh, but that is correct.

The Hon. Sir Lyell McEwin: Will you comment on a Leader being beaten by his own Party?

The PRESIDENT: Order!

The Hon. A. J. SHARD: If honourable members go back to what has happened in the past they will admit that after one of their Party meetings the decision of one of their members was altered. That is true, as every member opposite knows. The Legislative Council is doing its job very effectively for the benefit of the L.C.L. I can understand members opposite doing that, but let them not deny that they are doing it. Let it be clearly understood that when a Bill is introduced in another place that is not liked by the Liberal Party,

that Party says, "Let it go through, as we will get the boys up top to throw it out." It is foolish for members opposite to say they do not talk to members of the House of Assembly. The Road and Railway Transport Bill is an example—

The Hon. C. R. Story: But the Bill was crook! You cannot expect us to vote for everything you put up.

The Hon. A. J. SHARD: Sometimes members opposite allow a Bill to reach the Committee stage. I can understand this Chamber not agreeing with another place when there is a difference of opinion between the Parties, but I cannot understand it turning down a Bill such as the Inheritance (Family Provision) Bill when the measure was passed unanimously in another place by people elected at the will of all the people of the State.

The Hon. Sir Norman Jude: I object, Mr. President, to the Minister's referring to a Bill of this session.

The Hon. A. J. SHARD: Rubbish!

The PRESIDENT: Order! Honourable members know that we are dealing with the Constitution Act Amendment Bill and that they should not discuss other Bills.

The Hon. A. J. SHARD: I am not discussing another Bill; all I am saying is that this place has told the public that it will not do certain things, and I maintain that I have the right to reply to that. I am not discussing the Bill. I am merely saying what this Chamber has done. What is happening is not going down too well with the public. Let me tell the Hon. Mr. Gilfillan that I have done as much door-knocking in the country as many other members have done, and that has not been only in Labor districts. Once I did much door-knocking in a Liberal area, and as a result I know that many people are not too happy about the constitution of this Chamber. It will make very good reading for the people to learn that the unanimous decision of the House of Assembly on a measure for the benefit of the people was ignored by this Chamber, which caused the Bill to be laid aside.

The Hon. R. C. DeGaris: Doesn't that show independence?

The Hon. D. H. L. Banfield: It shows ignorance.

The Hon. A. J. SHARD: I could understand this attitude if the Bill were important.

The Hon. Sir Arthur Rymill: As I said last night, you are trying to make propaganda out of this.

The Hon. A. J. SHARD: We sure are, and it is good propaganda.

The Hon. G. J. Gilfillan: Aren't you confusing this with the Excessive Rents Act Amendment Bill?

The Hon. A. J. SHARD: I think that, if members opposite could put back the clock 48 hours, what happened yesterday would not have happened.

The Hon. G. J. Gilfillan: You are confusing this with the Excessive Rents Act Amendment Bill.

The Hon. A. J. SHARD: I think the knowledge gained yesterday helped a reasonably good decision to be arrived at today.

The Hon. G. J. Gilfillan: But it was not a unanimous decision in the other place on the other Bill.

The Hon. A. J. SHARD: It was.

The Hon. S. C. Bevan: There has been a lot of running around since!

The Hon. A. J. SHARD: If the Hon. Mr. Gilfillan can show I am wrong, I will withdraw.

The Hon. F. J. Potter: There was no division in the other place, was there?

The Hon. A. J. SHARD: There was no division on the Inheritance (Family Provision) Bill, but it was a unanimous decision. I could possibly go on for a long time, but I do not want to do so. This Bill is very important, but I know what its fate will be. I do not think we have heard the last of it, as we will be debating Bills of this nature in future. Sooner or later something will have to be done about the redistribution of districts.

The Hon. Sir Arthur Rymill: Bring along a genuine Bill and we will do something.

The Hon. A. J. SHARD: We had a mandate to bring in this Bill.

The Hon. Sir Norman Jude: You are spoiling your speech!

The Hon. A. J. SHARD: When the honourable member thinks I am spoiling it, it must be good! I thank honourable members for the time and effort they have put into this measure, and I sincerely hope that the second reading will be carried.

The PRESIDENT: As this Bill amends the Constitution of both Houses, it is necessary for the second reading to be carried by an absolute majority of the whole number of members of the Council. I have counted the Council as required by Standing Order 282 and, there being present an absolute majority, I put the question "That this Bill be now read a second time".

The Council divided on the second reading:

Ayes (4).—The Hons. D. H. L. Banfield, S. C. Bevan, A. F. Kneebone and A. J. Shard (teller).

Noes (14).—The Hons. Jessie Cooper, M. B. Dawkins, R. C. DeGaris, R. A. Geddes, G. J. Gilfillan, L. R. Hart, C. M. Hill, Sir Norman Jude, Sir Lyell McEwin (teller), C. C. D. Octoman, F. J. Potter, C. D. Rowe, Sir Arthur Rymill and C. R. Story.

Majority of 10 for the Noes.

Second reading thus negatived.

ELECTRICITY TRUST OF SOUTH AUSTRALIA ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from February 15. Page 4013.)

The Hon. C. D. ROWE (Midland): I support this Bill, but wish to point out one or two things that I think should be considered. I congratulate the Electricity Trust on the very satisfactory way it has operated since its inception, and I hope that the present management, which I do not think can be improved, will not be interfered with. When one considers the way the trust has always been able to meet heavily-increasing demands for electricity and extend its lines to a large portion of the State, while at the same time keeping electricity at a very low cost, one realizes that it is worthy of great commendation.

Apparently the trust is experiencing difficulty in acquiring land it needs to erect substations and transmission lines. The original Act gave it power to acquire easements for certain purposes, but it now finds that it has to acquire land for the purpose of erecting, installing and maintaining thereon substations or transmission lines, and other equipment incidental to the transmission of electricity that are required for the purposes of a substation. I can imagine that on occasions the trust may find it difficult to obtain the area of land most suitable for these purposes. This matter raises two problems: on the one hand, there is the requirement of the trust as a public undertaking, which requirement must be satisfied in the public interest, and on the other hand there is the important principle of the rights of the individual, who has been granted a freehold title, who believes the land will be his until he disposes of it, who has erected improvements, and who then finds that a portion is to be compulsorily acquired for public purposes. There are two conflicting opinions, and this applies in relation to the Electricity Trust, the Highways Department and numerous other public bodies.

The trust has had to resolve its difficulties by mutual arrangement and, if it has not been able to compromise with the person from whom it wishes to acquire, it has had to seek a site elsewhere (which is not always convenient) or pay an exorbitant price. In some cases I have thought that the public authority has been too demanding and has been inclined to rest, as some authorities can do, on statutory authority to acquire a site compulsorily, whereas, by further investigations, a site elsewhere equally as suitable may have been found. On some occasions I have thought the public authority has not been fair to the individual concerned.

The Hon. S. C. Bevan: Only on rare occasions.

The Hon. C. D. ROWE: Generally, the public authorities in this State have acted reasonably and tried not to upset or inconvenience people more than necessary. On the other hand, in some instances I have considered individuals to be completely unreasonable in refusing to dispose of land and in the price they have demanded for it. I remember an occasion when a public authority wanted to acquire a vacant block on which to erect a public utility, but the owner said she wanted to build a house on it so that she could live next to her son. I spoke to her daughter-in-law, who made it clear to me that she would rather have a public utility than her mother-in-law next to her.

No doubt the Government has considered the matters in the Bill as a result of representations made by the trust and has concluded that the trust has in some instances been held to ransom and therefore must be given power to acquire land compulsorily for the purposes set out in clause 4, which amends section 40 of the principal Act. If the Bill is passed, it will put the trust in a strong position. I do not say that it will be unreasonable or act high-handedly, but it will be able to tell an individual that, if he does not agree to sell, his land can be compulsorily acquired. This gives the trust the trump card, and we must consider whether that is going too far in the circumstances.

The trust has been criticized by people who have considered it has erected unsightly substations on main roads that should have been erected on other sites, and that these structures have detracted from the areas. On these occasions people have said, correctly or incorrectly, that by using ingenuity or making further investigations the trust could have secured other areas where the substations would not have been so unsightly. The trust has replied to these criticisms by saying that if it had to take its lines to side streets it would be more costly,

and that it wanted to keep the cost of electricity as low as possible in the interests of the State.

Sometimes councils have had a few things to say about the erection of transmission lines. I think members on both sides of this Chamber, and certainly the members of the Midland District, will remember the problem that arose in relation to a transmission line through the Salisbury-Elizabeth area. The council stated its case in no uncertain terms, but I think the trust was able to show that it would have been too expensive to divert the line or place it underground so as to avoid a reserve. I am not expressing any opinion now about the outcome of the matter: I cite it merely to show the real problems that can arise. That raises the question in my mind as to whether some thought should be given to allowing local government bodies the right to express an opinion and maybe go even further in regard to this matter. I do not propose to argue this point any further as I know that my colleague, the Hon. Mr. Hill, has placed an amendment on the file on this matter. As a member of the Adelaide City Council he probably has more experience than I have and he can state the case more clearly.

I consider it is necessary that the Electricity Trust have this power and I support the Bill. I can remember distinctly a few years ago that the Electricity Trust was extending its power lines to areas on Yorke Peninsula. The trust was making single wire earth return installations in that area and the connection was held up because of the difficulty somewhere on this side of the peninsula regarding a site for a substation for some other work. We were prevented in this important part of the State from having electricity in our homes because of the fact that this site could not be obtained. It may be a thing of the future, but we may have to wait for other persons to make installations for us, and there will be additional expense involved in mileage and so on, and whether we shall be able to manage that remains to be seen. Be that as it may, I think this power is something that should be granted to the Electricity Trust, subject to my comments with regard to the possibility of a local government body having some say in the matter. I support the Bill.

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

INDUSTRIAL CODE AMENDMENT BILL.

Second reading.

The Hon. A. F. KNEEBONE (Minister of Labour and Industry): I move:

That this Bill be now read a second time.

Although this is a long Bill it deals principally with industrial tribunals having jurisdiction to make industrial awards. The Government has decided to alter the constitution of the Industrial Court and to provide that the award-making tribunal will in future be constituted of a President and two commissioners instead of the President and up to two deputy presidents, as is now provided in the Industrial Code. A person cannot be appointed as President or Deputy President unless he is qualified to be appointed as a judge of the Supreme Court. The Bill provides for the establishment of an industrial commission which in general will have the same award-making jurisdiction as the Industrial Court now has. This jurisdiction will be exercised by either the President or a commissioner or a full bench. The Bill also makes provision for matters to be referred to the full commission for initial hearing and for rights of appeal against decisions of commissioners.

The present President of the Industrial Court will continue in that office and no alteration is being made to the requirement that the President must be a person eligible for appointment as a judge of the Supreme Court. As well as being President of the Industrial Commission, he will be the Judge of the Industrial Court with jurisdiction to deal with legal matters. The Government considers that there should be an industrial commission to deal with industrial matters separate from the Industrial Court becauses the word "court" has a legal connotation and it would not be proper for lay commissioners to be appointed to a court. It will not be necessary for the two commissioners to have legal qualifications.

The Bill also provides that the present industrial boards will be called conciliation committees and that the commissioners will be chairmen of these committees. The President will allot commissioners to the committees in each case for a period not exceeding three years. Within the ambits of their respective constitutions, the conciliation committees will be given the same jurisdiction as to industrial matters as the Industrial Commission. For the time being the area of operation of the conciliation committees will continue as at present, which, with the exception of Government and local government employees, is the metropolitan area of Adelaide. The Bill provides, however, for the full bench of the commission to recommend to the Minister the alteration of the geographical area of jurisdiction of any conciliation committee. It has been the practice for over 50 years for industrial boards to meet after working hours. Although the Bill does

not, in so many terms, refer to the times of sitting of the committees, it is proposed that they will in future meet during working hours. If the process of conciliation fails to result in agreement, the Bill provides that the chairman will sit as a commissioner to determine the unresolved matters. There will also be rights of reference and appeal in these cases.

Consequentially upon these alterations, the Board of Industry is being abolished, its functions, with one exception, being given to the Industrial Commission constituted of the President and two commissioners. The exception relates to demarcation disputes which will be dealt with in the same manner as applications for awards. The Government is of the opinion that there is ample justification for amending the Industrial Code in the way which I have mentioned. The Industrial Court and the industrial boards, as at present constituted, have served the State well since 1920. It is clear, however, that vastly different conditions exist today from those which applied 45 years ago. There is no need for me to go into detail on the industrial development of the State since then, or to refer in detail to the much wider sphere of activities of the Commonwealth Conciliation and Arbitration Commission in the making of awards. The South Australian Industrial Court is now the only industrial tribunal in Australia which is constituted solely of men with legal qualifications. Excluding Victoria and Tasmania, where wages boards are the only bodies which have jurisdiction to make awards and the chairmen of those boards are laymen, there are two States (Queensland and Western Australia) where no member of the award-making tribunal need have legal qualifications. In the Commonwealth Commission and the New South Wales Industrial Arbitration Commission, the judges are members of the legal profession, while the commissioners need not necessarily have legal qualifications.

Since the Commonwealth Conciliation and Arbitration Act was amended by the Chifley Government in 1947, the system of using conciliation commissioners as well as Presidential members with legal qualifications has become firmly entrenched in the Federal jurisdiction. If South Australia is to continue to develop industrially, there seems to be no reason why we should not have our industrial tribunal constituted in a manner which is in accordance with current practices elsewhere.

The Government considers this to be an important Bill. After Cabinet had decided to amend the Code in this way last year, the Minister of Labour and Industry confidentially advised the Secretary of the United Trades and Labor Council of South Australia and the Presidents of the South Australian Chamber of Manufactures and the South Australian Employers Federation in order that they might be aware of the Government's proposal and it is hoped that the measures contained in this Bill, which the Government believes will considerably improve the industrial arbitration machinery in this State, will be accepted by this Council. The Government has introduced the Bill in this form, containing as it does amendments dealing only with the constitution of the Industrial Commission and conciliation committees and one other matter to which I will shortly refer, because it desires that these alterations should be made as soon as possible.

The President of the Industrial Court has carried on, since December 1964, as the only member of the Industrial Court. This he has done with considerable difficulty. It is important that early appointments should be made to remedy this position. The Bill provides that one of the commissioners to be appointed is to be a person who has had experience in industrial matters on the trade union side, while the other is to be a person who has had experience in industrial matters on the employers' side.

The Government has received requests for many other amendments to be made to the Industrial Code, and this matter was mentioned in the policy speech of the honourable the Premier. The present Bill is confined to the matters to which I have referred, and to one special clause, to which I will now refer, contentious issues being omitted, but the Government is giving consideration to other aspects of the Code. The only clause in the Bill that does not deal with the constitution of the Industrial Commission, and matters associated therewith, is clause 80, by which a new section 132c is included in the Code. This section authorizes the President, the commissioners and the Industrial Registrar to decide on claims for underpayment or wrongful payment of wages, etc., as an alternative to prosecution in a court of summary jurisdiction. They will have power not to award any penalties but simply to decide on the merits of a claim. Their decisions will be enforceable in the same way as judgments of local courts. If any party chooses to use this method to have his claim decided, he will not have the opportunity of subsequently seeking to prosecute. Where the amount of the claim exceeds $60, there will be a right of

appeal to the President from a decision of a commissioner or of the Registrar.

In a Bill of this length it is not desirable to refer to every clause in detail. The vast majority of the clauses contain amendments consequential upon the matters to which I have already referred. I shall therefore now refer to each of the principal amendments. By clause 18, section 17 of the principal Act, which sets out the jurisdiction and powers of the Industrial Court, is repealed and a new section 17 inserted, in which the new jurisdiction of the Industrial Court is set out. It will be seen that each of the subjects referred to in new section 17 covers questions of law or appeals. Clauses 19 to 28 are in the nature of consequential amendments, in that they repeal and amend sections relating to the powers of the court in view of the transfer of its award-making functions to the commission.

Clause 29 provides for the inclusion in the Code of a new division concerning the constitution, powers and jurisdiction of the Industrial Commission, which as mentioned earlier will be constituted by the President and two commissioners (new section 29a). The general powers and jurisdiction of the commission are set out in new sections 29b to 29m. In general, the powers referred to in these sections are identical with those now vested in the Industrial Court but which are now to be vested in the Industrial Commission. I should add that new section 29g deals with demarcation disputes, which at present are dealt with by the Board of Industry. Provisions regarding the procedure of the commission and the powers of the commission in relation to appeals from awards of commissioners or conciliation committees and in relation to references from the commissioners and committees are included in new sections 52a, 52b, 52c and 53, which are inserted in the Code by clauses 51 and 52 of the Bill. The provision made in the Bill for commissioners to refer matters for initial hearing by the full commission, constituted of the President and the two commissioners, are along somewhat similar lines to the reference provisions of the Commonwealth Conciliation and Arbitration Act. Clause 59 of the Bill deals with this matter.

I have already dealt with clause 80 providing for a new procedure for the recovery of amounts due under awards and orders. Clause 86 of the Bill provides for the constitution of conciliation committees, which will replace the present industrial boards. The power of appointment of members to these committees will remain with the Minister, while recommendations of the geographical areas of the State in which the committees will have jurisdiction will be made by the full commission constituted by the President and the two commissioners (clause 96) and recommendations for the selection of members to the committees will be made by the President. Clause 93, which repeals and re-enacts sections 151 and 152, provides that the President will allocate a commissioner to act as chairman of each committee for a period of not more than three years. Although the present industrial boards only have jurisdiction within the metropolitan area of Adelaide, except in respect of employees of the Public Service, Railways Commissioner and local governing authorities, the full commission, as I have said, will be able to recommend to the Minister the area of the State within which any conciliation committee shall have jurisdiction.

Clause 101 of the Bill enacts a new section 157a, which will preserve all determinations of industrial boards which are in operation when the Bill comes into operation. By clause 102 of the Bill, section 167 of the present Act is repealed and a new section inserted in which the jurisdiction and duties of conciliation committees are set out. It will be seen that, generally speaking, the committees will have the same jurisdiction as the industrial commission. The emphasis of conciliation committees will, as the name implies, be on conciliation. By an amendment to paragraph (*f*) of section 180 of the Code, which is made by clause 114 (*c*) of the Bill, it is provided that, if the chairman of a committee is unable to bring the majority of the members of the committee to agreement with respect to any matters, he will hear submissions in respect of those matters as a member of the commission in the same way as if they were within the jurisdiction of the commission and not the committee. By new section 180a, which is inserted in the Code by clause 115 of the Bill, when the commissioner has made his decision on those unresolved matters, the committee will make an award incorporating the matters which had been agreed on before the committee, as well as those decided by the commissioner. There have always been provisions in the Industrial Code providing for the right of appeal against determinations of industrial boards, and this right of appeal against decisions of commissioners or conciliation committees is preserved by new section 196, which is inserted in the Code by clause 131 of the Bill. Because one commissioner will be the chairman of each conciliation committee, a new provision is

included to enable the appeal to be heard by a bench of three. It would be improper for the commissioner whose decision was being appealed against to act as a member of the appellant tribunal, and provision is accordingly made for the Industrial Registrar to act with the President and the commissioner not concerned in the matter which is the subject of the appeal, in such cases.

By clause 132, new sections 198 and 199 provide for the reference of matters to the full commission by the Minister or a commissioner. I have already referred to this matter. Clauses 154, 157, 166 and 168 of the Bill deal with the abolition of the Board of Industry, and clauses 155, 156, 158 to 165 and 167 with the transfer of its functions to the commission constituted by the President and two commissioners. The clauses of the Bill to which I have not referred deal with consequential amendments such as the alteration of appropriate headings in the Code wherever required (clauses 4, 6, 32, 57, 61, 83, 84, 109, 119, 133, 152 and 153); removal of provisions concerning the Deputy President and assessors (clauses 8 to 16); amendments to the interpretation section (clause 5), and the removal of obsolete provisions (clauses 7 and 43 (*b*)). The remaining clauses of the Bill effect amendments consequential upon the establishment of the commission and its jurisdiction and the substitution of conciliation committees with power to make awards for industrial boards with power to make determinations. The vast majority of these amendments substitute "commission" for "court" in various places of the Code, "award" for "determination" and "committee" for "board". I inform honourable members that there are one or two additional consequential amendments referring to the award instead of the determination. These will be placed on the file shortly.

The Hon. C. D. ROWE secured the adjournment of the debate.

APPRENTICES ACT AMENDMENT BILL.

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

The Hon. A. F. KNEEBONE (Minister of Labour and Industry): I move:

That this Bill be now read a second time.

A great deal of concern has been felt in many quarters that the continuing shortage of skilled tradesmen is retarding the rate of development of Australia. In recent years there has been a greater percentage increase in the number of persons employed in South Australia than there has been in Australia generally, so that this shortage of skilled labour has had a very real impact in South Australia. The only measure of this shortage is that contained in the statistics of the Commonwealth Employment Service which, although they do not show the full situation, have indicated that there are many times more vacancies for skilled tradesmen than there are skilled persons available for employment.

In a young country like Australia, which is struggling to capture export markets for its secondary industry, the effective training of its work force is of paramount importance. A great deal of consideration has, therefore, been given both within the State as well as on a national level to ways in which the supply of skilled tradesmen through the apprenticeship system may be increased. Honourable members will recall that, in 1958, Mr. O'Halloran, M.P., who was then the Leader of the Opposition, introduced into the House of Assembly a Bill to amend the Apprentices Act, and the present Premier in 1962 introduced another Bill also seeking to make what were considered to be vital amendments to that Act. Although both of those Bills were defeated on the second reading, the then Premier, on the first occasion, promised that the Apprentices Board would be asked to report on the matters raised in the Bill and in 1962 he expressed approval of some, but not all, of the amendments sought.

The Apprentices Board did in fact submit their report to the then Minister of Education and recommended many alterations to the Act. Despite this, the Act has remained unchanged since 1950. The Government considers that it is timely that these recommendations should now be given effect. The Government considers that the Act as at present framed is inadequate for it fails to provide for the proper supervision which is necessary for the training of apprentices. Although there is an Apprentices Board constituted under the Act, the board has power only to recommend certain action, and even if such action is in the interests of apprentices and employer alike, it does not have the power to implement its recommendations.

Among the amendments proposed by this Bill are the replacement of the present board with an apprenticeship commission which will be given power to take positive action in apprenticeship matters. One of its powers will be to approve of employers who may employ apprentices and no employer will be permitted to take any apprentice in any trade unless he is an approved employer. This will ensure that

the standard of training required, the equipment available for training, the methods used and the qualifications of persons who are training apprentices will be satisfactory.

Since being elected to office last year, the Government has given further consideration to the amendments necessary to this Act and many of the proposals contained in this Bill give effect to recommendations made some years ago by the Apprentices Board, on which the employers and the trade unions had equal representation. Other matters included in the Bill result from an inquiry made in 1963-64 by the Secretary for Labour and Industry and the Superintendent of Technical Schools.

Another of the main effects of this Bill is to give far more emphasis to the industrial side of the employment of apprentices than has been given in the past. The Apprentices Act as it now stands deals to a large extent with the training to be given to an apprentice, either in a trade or technical school or by correspondence. The Government considers that more emphasis should be given to the industrial aspects associated with the employment of apprentices. Action was taken last year to commit the administration of this Act to the Minister of Labour and Industry instead of the Minister of Education, who was formerly responsible for it. The Government considers that this is more appropriate; it is in line with the practice adopted in all other States in Australia, in the United Kingdom, United States of America and in New Zealand.

I come now to a detailed explanation of the principal amendments proposed by the Bill as they appear in individual clauses. Clause 5 deletes Part II of the principal Act, under which Part the Apprentices Board and various trade committees were established, and replaces them with entirely new administrative provisions. By the new section 6 an apprenticeship commission will be established with a full-time chairman to be appointed by the Governor and five part-time members, two of whom will be appointed on the nomination of the United Trades and Labour Council of South Australia; two on the nomination of employer organizations and the other member will be nominated by the Minister of Education. This means that there will be two Government nominees (including the chairman), two nominees from the trade unions and two nominees from the employers. The commission will therefore be a truly tripartite body instead of the present advisory board which has four Government nominees but only two union and two employer members.

New sections 7 to 12 deal with the terms and conditions of appointment of the chairman, members and secretary of the commission, quorum for and proceedings of the commission. The powers of the commission are outlined in new section 13 of the Act and it will be seen that these powers are much wider than those which the present Apprentices Board was given. The commission will have power to determine rather than recommend most of the matters within its jurisdiction: the main exception to this is that the commission will recommend to the Minister of Education matters relating to the training and instruction given in trade or technical schools.

Under section 30 of the principal Act any apprentice or parent or guardian of the apprentice or the employer of the apprentice may apply to the present Apprentices Board to investigate any matter arising out of the indentures of apprenticeship. The new section 13 (2) (*f*) retains this right of application to the new commission, but additionally provides that the commission shall have power to investigate any matters arising out of an indenture either of its own motion or upon the application of the appropriate trade union. There are good grounds for these additions. It seems axiomatic that the commission, with the powers provided in new section 13, must have the right to investigate matters arising out of an indenture which come to its notice even though no application is made to it.

By section 35 of the Act, as amended by clause 26 of the Bill, the Governor may appoint inspectors under the Act and the Government proposes that inspectors of the Department of Labour and Industry will be so appointed. In the course of their inspections, matters will undoubtedly come to their notice which should be reported to the commission and in respect of which the commission should have the right to investigate further without any application being made to it.

As to the other addition to this clause, honourable members will readily appreciate that as apprentices are young men and women who have only just started in their working careers they are not always able to protect their own interests. Nor can they be aware of all of the rights and obligations associated with an indenture of apprenticeship. Further, parents of many apprentices have not had any experience of these rights and obligations; often parents are in rural occupations where the apprenticeship system does not apply; many are unskilled and unfortunately it is not uncommon that the fathers of boys who are

to be indentured have died, so that the widow and mother is one of the signatories to the indenture.

Also, cases have arisen, and will no doubt continue to arise, where a youth enters, at the wish of his parents, into an indenture in a trade to which he is not suited, and both the apprentice and parent are either hesitant or unwilling to approach the commission. The Government considers that in order that the apprentice and parent may not be in a less favourable position than the employer, the trade union of which the apprentice is a member should have the right, on behalf of the apprentice or parent, to apply to the commission to investigate matters arising out of indentures of apprenticeship.

By new section 14 the Minister must appoint advisory trade committees in respect of every trade but he may appoint a committee in respect of a group of related trades. The chairman of the Apprenticeship Commission is *ex officio* chairman of each such committee. These committees will be, as their name implies, the advisory bodies to the commission. Their appointment will enable advice to be given within each trade or group of trades by representatives of unions or employers actively engaged in those trades.

By clause 6 an amendment is made to section 16 of the principal Act and authorizes the making of a proclamation to make it mandatory that in any trade in respect of which a proclamation is made minors can only be employed under an indenture of apprenticeship. This is provided for in some Federal awards and ensures that in important trades, such as, for example, electricians, it will not be possible to employ boys as improvers and so avoid the obligation of having them attend trade schools for instruction to supplement the instruction that they receive from their employer.

The Hon. C. D. Rowe: Is that a new provision?

The Hon. A. F. KNEEBONE: This was in the original measure but the provision is a new one. An important amendment is made by clause 7 (which amends section 18 of the principal Act). At present apprentices are required to attend trade schools for four hours a week in the employer's time and two hours a week of an evening in their own time. The Labor Party has considered for many years that there is no valid reason why an apprentice should be required to attend trade schools during his leisure time and so clause 7 accordingly provides that apprentices shall attend trade or technical school during working hours for eight hours each week that the school is open for instruction.

This matter has been carefully considered in the light of modern trends and in relation to the demands made on apprentices under the existing system. Apparently the only justification for compelling apprentices to attend technical classes at night is that it always used to be the case. But the practice dates back to unenlightened times, as do many other industrial customs. An apprentice should not be expected to work all day and then attend classes, and the fact that he has to do so imposes upon him unnecessary hardship. In many cases, the apprentice has to leave home early in order to be at work at the stipulated time and after attending classes in the evening does not arrive home until a late hour. In this connection I draw attention to the fact that in 1950 the Premiers' Conference approved a resolution for a joint Commonwealth-State examination of apprenticeship matters. A committee was appointed in 1952 and after taking extensive evidence in all States made its report in 1954.

On the question of technical instruction during the day-time, it is interesting to note that five of the nine members of the committee (including the Chairman) were prepared to recommend that "wholly day-time attendance should be accepted in principle as Government policy and adopted as an objective to be implemented over a period of years". The other four members supported the suggestion than one-third of the time occupied in technical school attendance should be in the evening. The movement for day-time technical education has steadily grown in Australia during the last 30 years and has accelerated since that report was made. The general trend has been towards more day-time instruction and less evening instruction. The present position in Australia is:

New South Wales—all training is given in working hours.

Victoria—generally all training is given in working hours, although in some trades after the second year it appears that some evening tuition is given.

Queensland—the Act provides for all training to be given in working hours but it appears that at present some evening tuition is also given, apparently because of lack of facilities.

Western Australia—all training is given in working hours.

Tasmania—training is given partly in employer's time and partly in the evening.

Australian Capital Territory—all training is given in working hours.

The only argument that can be raised in opposition to this proposal is that it will increase the cost to the employer of training an apprentice. This argument ignores the fact that the additional training he will obtain will undoubtedly make him a better tradesman, and he will therefore be of more value to the employer. There can be no doubt that there are additional skills that apprentices today must acquire that were not required 20 or even 10 years ago, and it is to the advantage of the employer as well as of the apprentice for this wider training to be given. Although the question has never been tested before an industrial tribunal, it has been suggested that, as apprentices are required by law to attend trade schools, any time of attendance that does not fall within ordinary working hours is, in fact, overtime and should be paid accordingly. If this be so, then the proposal contained in this Bill would not be any more expensive to the employer than the present system is. The Government realizes that the amendment cannot be implemented immediately, because additional accommodation and facilities will be needed in the trade and technical school. New subsection (4) of section 18 of the principal Act will, therefore, come into operation on dates to be proclaimed and the dates will, no doubt, vary from trade to trade.

Clauses 8 and 15, which amend section 19 and section 25 respectively of the principal Act, require the apprentice to pass the appropriate examinations and complete his indentures to the satisfaction of the commission. At present an apprentice can simply serve his time but not pass in any trade school examination; his indenture of apprenticeship is regarded as having been completed at the expiration of the period for which it is made.

Clause 9 inserts new sections 19a and 19b in the principal Act. Section 19a enables the commission to require an apprentice who has failed to reach the required standard after his third year to attend a technical school outside working hours. A penalty is provided for a contravention of this provision. Apprentices in main country districts where trade schools have been established are now required to attend the trade school where an appropriate course is conducted. This is similar to the situation in the metropolitian area. However, there are some trades where because of the small number of apprentices no classes are conducted for that trade in the school, and new section 19b will require apprentices in such cases to undertake correspondence courses.

The Government believes that apprentices who are required to take a correspondence course because they live in country districts, where it is not possible for them to attend a trade school, should be granted four hours' time off in working hours each week to permit them to carry on the theoretical or practical work of the correspondence course they are required to undertake in the first three years of their apprenticeship. Clause 11, which amends section 21 of the principal Act, gives effect to these proposals; again, this will operate from a date to be proclaimed and the date may vary between trades. Provision is also made in this clause to empower the commission to direct an apprentice who has failed to reach the standard on the completion of his third year of apprenticeship to continue his correspondence course outside working hours, and also to direct an apprentice to whom section 20 applies to attend a technical school or class of instruction at a place away from his place of residence or work, and in such a case the employer shall reimburse the accommodation expenses of the apprentice if he does not himself provide the apprentice with accommodation. Penalties are provided for any contravention of these provisions.

Clause 12, which amends section 22 of the principal Act, and various other clauses in the Bill increase penalties to amounts recommended by the Apprentices Board some years ago. The present penalties (as low as 50c in some cases) are quite unreal in today's conditions. Clause 13, which amends section 23 of the principal Act, is inserted to ensure that, when an apprentice works overtime for his employer, any time in that week during which he has attended trade school will be regarded as time worked for the purpose of calculating overtime payments.

The conducting of examinations of apprentices, either of those who attend technical schools or those who receive tuition by correspondence, is the responsibility of the Education Department, and accordingly clause 14 amends section 25 of the Act by providing that apprentices shall sit for examinations when required by the Superintendent of Technical Schools.

Clause 16 amends section 26 of the principal Act and enables the commission to determine the term of any indenture in any particular trade so long as such term does not exceed five years. By clause 17, new section 26a is inserted in the principal Act. This will give power to the Apprenticeship Commission to

approve of an employer, and in future an employer will not be able to employ an apprentice unless the commission has approved of him and is satisfied that his place of employment conforms to standards required by the commission. This was one of the matters that was included in the Bill introduced in 1958, to which I referred earlier, and, in the discussions that later took place on the Apprentices Board on this matter and also with representatives of employers' organizations, no objection was raised to this proposal by the employers provided that any employer who was already employing an apprentice was automatically approved. Provision has been made in new section 26a (2) that any employer who at present is employing an apprentice will be regarded as being an approved employer. Further, because some employers may have had an apprentice who recently completed his indenture but they have not yet engaged another apprentice to take his place, provision is made that any employer who has, since January 1, 1965, employed an apprentice, but who may not have one today, shall also be regarded as being an approved employer.

Clause 18 amends section 27 of the principal Act and requires every indenture of apprenticeship and every transfer of an indenture to be signed within 28 days of the commencement or transfer, as the case may be, of the apprenticeship. There is no such provision at present. This is a defect in the present Act, which was acknowledged by the present Leader of the Opposition in 1962. This clause will also require copies of every indenture to be lodged with the Chairman of the commission, instead of the Chief Inspector of Factories, and for the chairman to advise the organizations which nominate members of the commission of the names, etc., of all new apprentices. Further, it provides that the approval of the commission will be required in each case before an indenture can be cancelled. This will enable investigations to be made into the reasons for cancellation and, it is hoped, will reduce the number of indentures that are terminated before the period of apprenticeship has been completed. For some years the number of indentures that have been cancelled has represented about 10 per cent of the yearly intake.

New subsection (1b), which is to be added to section 27 by clause 18, provides that the secretaries of the United Trades and Labour Council, the Chamber of Manufactures and the Employers Federation are to be advised of the names of all new apprentices, the trades in which and the employers to whom they are indentured. New section 6, which is inserted by clause 5, provides that each of these three organizations shall nominate persons to be members of the commission. The Government considers that, as these organizations will be required between them to nominate four of the six members of the commission, and as the commission in the form in which it will be constituted could not operate without the representation of these organizations, it is right that the organizations which nominate the members should be given this information. The maximum age for apprentices will be increased from 21 to 23 years by clause 19, which accordingly amends section 28 of the principal Act; this again is a matter to which the Leader of the Opposition indicated his assent in 1962. The amendments made by clauses 20, 21, 22, 26 and 27 are consequential on other amendments or increase penalties. The Government proposes that inspectors of the Department of Labour and Industry will be appointed as inspectors under this Act. There is no need for any additional inspectors to be appointed as the inspectors of that department regularly visit places where apprentices are employed.

Clause 21 repeals section 30 of the principal Act. This section is no longer necessary, having regard to the new powers conferred upon the commission. Clause 23 repeals section 32 of the principal Act for the same reasons. The probationary period for an apprenticeship is reduced from six months to three months by clause 24, which amends section 33 of the principal Act; this is the period prescribed in most awards of the Commonwealth Conciliation and Arbitration Commission and is considered a sufficiently long period of probation. Clause 28 makes an amendment to section 38 of the principal Act to simplify prosecution procedures for non-attendance at trade schools.

The Government considers that the proposals contained in this Bill are of vital importance to the State. Although the number of young people who have commenced indentures of apprenticeship in recent years has increased quite remarkably (the intake for the year ended June 30, 1965, was 17 per cent in excess of that for two years previously) the great shortage of tradesmen still continues. With the rapidly increasing industrialization of this State it is essential to our future progress that many more young people who are leaving school should be encouraged to see the advantages which apprenticeships offer and should realize the prospects that they will have when they are trained as tradesmen. With the appointment of an Apprenticeship Commission with a full-time

Chairman the Government intends that the commission will undertake a vigorous promotional campaign to bring to the notice of young people the advantages which apprenticeship offer. The training of our young people is a matter of concern, and one in which the support and assistance of the trade unions as well as of employers is necessary. For that reason they have been given equal representation on the new Apprenticeship Commission, and the Government anticipates that this support and assistance will be forthcoming. I commend the Bill to honourable members.

The Hon. C. D. ROWE secured the adjournment of the debate.

KAPINNIE AND MOUNT HOPE RAILWAY DISCONTINUANCE BILL.

Returned from the House of Assembly without amendment.

ROAD TRAFFIC ACT AMENDMENT BILL.

Returned from the House of Assembly with amendments.

IMPOUNDING ACT AMENDMENT BILL.

Returned from the House of Assembly without amendment.

ADJOURNMENT.

At 10.44 p.m. the Council adjourned until Thursday, February 17, at 2.15 p.m.