LEGISLATIVE COUNCIL

Tuesday, October 25, 1966.

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

QUESTIONS

TRAINING HOSPITALS.

The Hon. Sir LYELL McEWIN: I noticed in this morning's newspaper a statement by the Chief Secretary regarding planning for the building of a hospital at Bedford Park for the training of more doctors. Can he say whether this means that the priority of the provision of additional accommodation at the Queen Elizabeth Hospital has been altered?

The Hon. A. J. SHARD: No, it does not. The Queen Elizabeth Hospital facilities will be first in the order of priorities, and those at Bedford Park will be provided after that. My understanding is that the hospital in connection with the Flinders University will not be required until 1970, and it is proposed to proceed with the Queen Elizabeth Hospital accommodation first.

BAROSSA WATER DISTRICT.

The Hon. L. R. HART: Has the Minister of Labour and Industry, representing the Minister of Works, an answer to my question of October 11 regarding the water supply to the Two Wells district?

The Hon. A. F. KNEEBONE: Yes. The Minister of Works reports:

Loan funds likely to be available to the department are fully committed for several years, and present indications are that funds for a scheme to improve the Two Wells area and supply Virginia could not be made available until 1969-70 at the earliest. Although a preliminary scheme has been prepared, the proposal will have to be referred to the Public Works Committee, for consideration, in due course.

MISSING CHILD.

The Hon. F. J. POTTER: I ask leave to make a statement prior to asking a question of the Chief Secretary.

Leave granted.

The Hon. F. J. POTTER: I am sure all honourable members felt relief and thankfulness at the recent news that the girl Wendy Pfeiffer had been found alive. However, I think I detected, when talking to honourable members, that some of them were rather mystified at the report in this morning's newspaper that last night a man had been arrested and charged with murder. Can the Chief Secretary give the Council any information on this matter, either now or at a later stage? I inform him that I, in asking this question, am not implying any criticism of the police.

The Hon. A. J. SHARD: I, as well as the Hon. Mr. Potter and, I should say, all other honourable members, was very happy that she girl was found alive. Before I answer the question, may I take this opportunity of placing on record the Government's appreciation of the efforts of all who took part in the search for the girl. On behalf of the Government I express to the family our regret for the agony it must have suffered. I do not think it would be proper for me to attempt to answer the question now. The Premier has made a statement in which he has said that he will seek a report from the Commissioner of Police. It will be the appropriate time to make any further inquiries necessary when that report has been received.

PORT PIRIE TRAIN.

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

Leave granted.

The Hon. R. A. GEDDES: I understand that the train from Port Pirie to Adelaide on Sunday, October 23, was some hours late in leaving the Port Pirie Junction station, because the Solomontown road crossing was under repair and the train from Port Pirie to Port Pirie Junction was unable to get through. I understand, too, that the public was not advised, either in the press or by other means, that there would be any delay in the departure of this train. Can the Minister explain why this train was so late in leaving and why the public was not informed of its lateness?

The Hon. A. F. KNEEBONE: I cannot answer the question until I get a report from the department. I will seek a report and give the honourable member the reply as soon as it is available.

HOUSING FINANCE.

The Hon. C. M. HILL: I ask leave to make a short statement before asking a question of the Chief Secretary.

Leave granted.

The Hon. C. M. HILL: Some months ago I referred in this Council to the difficulties being experienced by purchasers of new houses because many of them had to borrow what is

usually called temporary or bridging finance for long periods prior to the usual housing loan money becoming available. Would the Chief Secretary obtain from the Treasurer a report on the present waiting times being experienced by applicants with small deposits seeking loans from the State Bank of South Australia and the South Australian Savings Bank and on whether the Government has any plans by which this waiting time can be reduced in the relatively near future?

The Hon. A. J. SHARD: I shall be pleased to refer the question to the Treasurer for report.

SCHOOL FLY WIRE SCREENS.

The Hon. C. R. STORY: Has the Minister representing the Minister of Education an answer to my recent question about fly wire screens at the Agincourt Bore Area School?

The Hon. A. F. KNEEBONE: Yes. The Minister of Education reports:

The policy of the Education Department for a number of years has been that wire doors and window screens are not provided at schools unless abnormal conditions of fly infestation exist. This question was raised in 1962 when the Minister of Works of the day was asked that consideration be given to providing fly screens for all schools already erected without them and for all future schools. A report was obtained at that time from the Director of the Public Buildings Department. It was pointed out that the approximate cost of effectively screening a timber classroom in the country would be $138 and in the city $110. The approximate total cost to screen all timber classrooms would be $410,000. The Minister of Works at that time considered that the installation of fly wire screens in schools, plus maintenance, was not warranted, and as a result the departmental policy not to provide such screens was reaffirmed. Since that date, fly wire doors and window screens have been provided only where there is conclusive evidence that fly infestation in the area is abnormal. With regard to Agincourt Bore Area school, there is no conclusive evidence that this situation exists, and it is not intended to provide screens except in the domestic science room, where even one blow fly can be a considerable nuisance.

SCHOOL TAPE RECORDINGS.

The Hon. R. C. DeGARIS: Has the Chief Secretary a reply to my question of October 20 about tape recordings and school welfare clubs?

The Hon. A. J. SHARD: Yes. The Minister of Education reports:

All matters relating to school welfare clubs listening to tape recordings are matters for decision by school welfare clubs.

CHOWILLA DAM.

The Hon. Sir LYELL McEWIN: Has the Minister representing the Minister of Works a reply to my question of October 18 regarding a letter I received in connection with the building of the Chowilla dam?

The Hon. A. F. KNEEBONE: Yes. In answer to the points raised by the honourable member's correspondent, my colleague the Minister of Works has obtained the following comments from the Director and Engineer-in-Chief:

The changes in the regimen and marginal areas of the river that have occurred are a direct result of the human development that has occurred in the river valley over the last century. The preservation of the Murray in its original condition would have been impossible under these conditions. Engineering works so far carried out on the river have been successful in maintaining the usefulness of the river. Mountain storages built by the upper States have contributed to the changes that have occurred in the lower river and by holding back flow have had a marked effect on both water level and quality. At the present time, more storages are being planned and built on the tributaries of the Murray and it is becoming urgent to have a lower river storage to provide regulation and control. The Chowilla dam is planned to improve distribution of flow through the seasons and is necessary to allow for continued development and water use. There is no reason to believe that the Chowilla reservoir will become a lake of poor quality water. On the contrary, it will provide better water that can be released to meet South Australia's allotments.

AUDIT ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 13. Page 2255.)

The Hon. F. J. POTTER (Central No. 2): This Bill deals with administrative matters. It primarily corrects an omission in the principal Act and prescribes a notice or form to be completed when a person is to be surcharged under the provisions of the Act. Of course, it is important in the Public Service that we should have such a notice or form. I do not say that in any ironic way. The notice or form is required in the process of administration. The principal amendment, made in clause 4 (*f*), will enable the Auditor-General to require the accounting officer or other person concerned to show cause why he should not be surcharged. I think this is a fair and proper procedure, and is in keeping with due judicial process. It seems to me that the Bill is quite unexciting, although it is important from the administrative point of view. I support the second reading.

Bill read a second time.

In Committee.

Clauses 1 to 5 passed.

Clause 6—"Amendment of principal Act, s.29".

The Hon. Sir NORMAN JUDE: The marginal notes on many Bills for some time have been very vague, often giving little idea of the subject matter. During the time of Sir Edgar Bean, the former Parliamentary Draftsman, considerably more detail was given in the marginal notes to clauses. Can the Chief Secretary do something about this in future Bills?

The Hon. A. J. SHARD (Chief Secretary): I do not wish to take part in a debate on this matter, and I will merely say that I will bring the honourable member's comments to the attention of the Attorney-General and the Parliamentary Draftsman and ascertain whether something can be done.

Clause passed.

Remaining clauses (7 and 8) and title passed.

Bill read a third time and passed.

STAMP DUTIES ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 20. Page 2436.)

The Hon. Sir ARTHUR RYMILL (Central No. 2): The Stamp Duties Act was amended in 1964 by the previous Government and was again amended last year by the present Government. It has not taken the present Government long to have a second bite at the cherry, and we now have the third amendment in as many years. First, I should like to say that I am surrounded by amendments, and I recommend to the Government that the Act be reprinted. I have the principal Act in the 1936 set of alphabetical volumes. The Act was reprinted in 1952, and I have that reprint. It was again amended in 1959 and, subsequently, we had the three annual amendments to which I referred.

This is a fairly simple Bill. Apparently, it represents another effort to increase State revenue, and I think many of us are becoming fed up with this constant pressure on members of the public, taxing them more and more heavily. One of the most important clauses relates to conveyances on sale. For as long as I can remember, the rate of duty has been traditionally 1 per cent. Of course, values of properties have increased enormously as a result of inflation and the Government has been getting its extra pound of flesh because of these inflated values. Now, not satisfied with that, the Government proposes to increase the rates.

In respect of values up to $12,000, the rate will be 1¼ per cent. In relation to values between $12,000 and $15,000, there is a gap, where an adjustment is made to try to put in a sliding scale to make sense of the sudden increase that occurs later. It is proposed that the stamp duty in respect of values of more than $15,000 will be 1½ per cent, or 50 per cent more than the rate now applying. I suppose the Government is entitled to get the extra revenue if it wants to do so, but how long the public of South Australia will put up with this sort of thing remains to be seen. I think our community is fairly heavily taxed already, and I am sorry that these measures have been taken.

The Hon. F. J. Potter: This falls fairly heavily on young people, too.

The Hon. Sir ARTHUR RYMILL: I agree with my colleague, but it falls on everyone in the community in some form or another. The second amendment relates to money-lenders. In 1964 (and we cannot blame the present Government for this) people lending money by way of hire-purchase agreements were themselves obliged to pay stamp duty and a provision was inserted in the Act to the effect that money-lenders could not pass the stamp duty on to the borrowers. This is, in effect, a further tax that may be regarded as being likely to increase interest rates, except that this duty, in itself, cannot do that.

A comparatively short time after that, the stamp duty on hire-purchase transactions is being increased. I do not know for how much longer this will go on, but it seems to me that the fact that finance companies have to face up to this is a serious matter. Someone has to pay in the long run and, although the Act prevents the cost from being passed on to the borrower, I suppose it must find its way eventually into his corner of the transaction. I do not know how these transactions work, but that is how the position appears to me.

I think it is a pity that this was ever done, because it is traditional for the borrower to pay stamp duty. For instance, the borrower, not the lender, has to pay stamp duty on mortgages or bills of sale. I do not know why the position should be any different in the case of borrowing from money-lenders at high interest rates. I do not see that the principle is altered, because the money-lender lending at a high interest rate is entitled to that high rate of interest because the security

he receives is not, in most cases, substantial. Therefore, he takes a greater risk and is in danger of losing more of his capital funds. Thus, he has to recoup himself by charging higher interest rates. The final group of amendments relates to stamp duty on receipts. At the conference between the two Chambers last year, a compromise was reached on this matter. However, something must have gone wrong from the Government's point of view, because it now says:

It is estimated that the loss of revenue suffered is about $150,000 per annum and that this amendment will restore the revenues to the level that earlier obtained.

That suggests to me that the Government made some sort of error at the conference.

The Hon. A. J. Shard: It did.

The Hon. Sir ARTHUR RYMILL: The Chief Secretary, with his usual frankness, has come into the open on this, so I need not labour the point. As I have said, I am not at all happy about this Bill. I do not like these taxes being imposed constantly. I am confident that, if my own Party were in power, the taxes would not be increasing at anything like this rate. However, this is a financial matter and the Labor Party, which was put into power at the last election, is entitled to get its revenue. I repeat that I consider it my duty not to oppose (and I do not say to support) this type of legislation unless I have substantial reason for doing so. This Act really refers to rates of stamp duty, and rates alone, unlike another Act. This simply means that it is a straight-out money Bill: it is not altering the pattern or incidence of stamp duty because, as far as the money-lending legislation was concerned, that was attended to by the previous Government in 1964. So, although I am not at all enamoured of the Bill, I do not propose to oppose it.

The Hon. Sir NORMAN JUDE secured the adjournment of the debate.

SUCCESSION DUTIES ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 20. Page 2451.)

The Hon. Sir LYELL McEWIN (Leader of the Opposition): On February 1 of this year a Succession Duties Bill was defeated in this Council. For over 30 weeks since then the Government has, with the aid of the Parliamentary Draftsman, been engaged in revising the application of succession duties and translating it into a Bill, as now presented to us. It is a most complicated amending Bill difficult for a layman to follow and to unscramble its effects. In the normal weekend adjournment, that is practically impossible to do. The Bill has been considerably revised from what we had before us earlier this year to meet in a large measure the objections raised in this Council.

Upon three points I have been able to reach definite conclusions: first, the undoubted justification for the action of the Legislative Council in rejecting last year's Bill, which did not give effect to the Government's election promises but placed additional charges on estates through aggregations; secondly, the proof that this Bill provides that the Government is still unable to fulfil its promises of reduced succession duties to certain people without placing a burden upon other people with small estates, to provide another $1,000,000 in taxation. Thirdly, its undertaking to exempt the living area of primary producers remains unrealized. It is a less obnoxious Bill than the last one and the aggregation clauses have been modified so as to apply to separate successions only.

The Bill has been cleverly drafted to give it the appearance of providing considerable reductions whilst its effect is that of just another revenue Bill to extract a further $1,000,000 from the savings of deceased persons who cannot be considered to be in the small and limited field of large and wealthy estates. True, a more liberal concession has been given by treating each succession separately, but the total concession in the case of a widow who is the sole beneficiary of a primary producer would not be the equivalent of a living area: $24,000 does not represent a living area today. One could not be obtained for less than $60,000.

Succession duty is a difficult and frustrating tax for a primary producer, because his estate consists only of a means of obtaining a living. If that estate has to be realized upon to pay succession duties, considerable hardship can be inflicted upon the beneficiary. In the case of early death through misadventure, when a young family is left without a breadwinner, the testator has not had time to provide for such an event. Moreover, the legislation leaves no opportunity for a man to provide for his widow and family. If he wishes to insure to provide security, it merely adds to the value of the estate through the aggregation provision in clause 8 and places an added responsibility upon the estate.

Insurance is a normal way for people early in life to try to provide for eventualities. In my own experience, in times of the depression, when land was land and was not money, one had to make some provision by way of insurance in the hope of providing for any eventuality and looking after one's wife and family. That, of course, is only a prudent thing to do, but under this legislation insurance all comes into the estate, whatever the amount may be, unless it is insurance where the premiums have been paid by the wife or some special provision has been made. Normally, insurance has no place in providing for probate or succession duties; it merely becomes an addition to the estate.

So let us look at the comparatively small estate of $40,000 (which is only the equivalent of £20,000): in that case, one would be involved in providing $10,000 as duty. If it was $60,000, which is a living area, that amount would increase, I think, by $6,000. However, let us take the estate of $40,000 with $10,000 insurance. This would be added to the estate and would increase the duty by $3,000. But that is not all, because there would have to be, added to the amount of the estate, succession duties, Commonwealth estate duties and the fees associated with the executors' handling of the estate. So, much more than $10,000 would be required, all of which tends to increase the value of the estate and make the liability greater in respect of succession duties. Surely compulsory saving should be encouraged, at least to the extent of providing for payment of reasonable succession duties upon a genuine living area. The whole purpose of life insurance has been to provide for a sum of money in case of emergency to meet such requirements as I have referred to, including succession duties.

Reference was made in the Minister's second reading speech to amounts paid in Victoria compared with those paid in South Australia. I do not consider that a simple analogy can be made in this way but at least in Victoria insurance is excluded from the estate, except for the total amount of premiums paid by the deceased during the three years immediately preceding his death. If the Government would permit people to make provision for succession duties, much of the objection to the tax would be eliminated. Instead of that, as I have already stated, it is brought into the estate and involves further penalties by way of the increased duties that insurance adds to the estate.

At the weekend I listened to a biographical sketch on television about the public service of Professor Wadham, who is well known to most honourable members. During the commentary it was stated that Professor Wadham had maintained that a prosperous farming community was essential to any country. It was essential, so he said, that farmers enjoy standards and social life and amenities comparable with those enjoyed by the rest of the community. I think it was also said that Australia had just managed to struggle through. He no doubt meant that, if conditions did not provide the best inducements to producers, the whole standard of living of the people would be affected. Even at the present time, the Government is claiming that its problems have been accentuated by a fall in the production of primary industry, caused by drought.

Socialistic theories fall to the ground by their failure to observe that standards are created by the energy and effort of the people. Any action by Government to discourage or impede maximum effort is doomed to failure. All honourable members know the story of Russia under Socialism: it began with Lenin and ended in dictatorship under Stalin. When incentive fails, compulsion starts. It is just as true to say that where the individual fails more social services must be provided and controlled by the Government, but with less money available.

The Minister gave figures of collections a head in other States from succession duties and compared them with the South Australian position. Those comparisons are worthless, because the amounts a head must be affected by the conditions of the State concerned. Victoria, for instance, is a compact State richly endowed with natural resources: it has adequate power supplies and a good rainfall. It would be expected that collections would be higher in Victoria than in South Australia, where conditions are not similar. From the revised edition presented in the Bill can be seen a policy of increased exemptions to a number of people in the lower bracket. That is in accordance with the policy enunciated by the Government, but the Government did not suggest that it would give further exemptions with the idea of collecting a greater amount in total revenue. The overall effect of giving this increased exemption is increased taxation in the middle bracket: in other words, to reduce duties on estates in the lower bracket but to collect on a much heavier scale in the intermediate bracket. We have not the so-called large estates to make up the

additional revenue required by the Government to keep up with its increasing rate of spending.

When the policy of lower succession duties was announced it was said, as I understood it, that that would be made up; that is, what was lost would be made up from the big estates. That is not the case in this Bill. The increased duties will fall on the greater number in the intermediate income bracket rather than on the fewer large estates, and we have not enough of the latter. Eventually, the law of diminishing returns will operate, and less succession duties will be received. It is no use turning a blind eye to these inescapable facts, and it will mean less employment because of the higher cost and reduced spending. I wish also to refer to clause 7 (3). As I said earlier, I have not had sufficient time to thoroughly analyse the whole of the Bill but, if I have read this clause correctly, it places the responsibility for finding death duties on the administrator. The clause provides:

Where, pursuant to section 16a of this Act, a trustee or other person is required to pay duty in respect of any property, this section shall apply and have effect in relation to such trustee or other person and in relation to such property.

If that is as I read it, the administrator or trustee of the estate will be held responsible for finding the money. A testator may distribute his estate (or portion of it) and pay gift duty thereon, but he may die before the prescribed period has elapsed, and those gifts would come back into the estate for assessment of succession duties. The gifts could have been dissipated in the meantime and insufficient funds might be available to pay the duty. If that is what the clause means, and the responsibility is placed upon the administrator, it is an injustice to an administrator or trustee who handles an estate. I seek further enlightenment from the Minister regarding this point.

I shall not debate the Bill at length during the second reading debate. As I have pointed out, I disagree with certain matters, but I shall reserve further judgment on the Bill until the Committee stage.

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

BRANDING OF PIGS ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 13. Page 2256.)

The Hon. R. A. GEDDES (Northern): In speaking strictly to this Bill, I deal with clause 3, which provides that:

"brand" means a mark of a kind prescribed for the purposes of this Act and "to brand" means to impress a pig with a brand.

I understand that to brand a pig it is necessary to use a tattoo mark on the ear of the pig and if anybody attempted to do that it would certainly cause not only an impression on the ear of the pig but also a great commotion at the moment of impression. I have no quibble with the desire to clarify the definition of a brand. I should like the Minister to justify clause 5, which provides in part:

A person may sell or offer for sale a pig which is not branded in accordance with that subsection if such pig is under the age of six weeks and is sold or offered for sale with a sow which is at the time of the sale or offer still suckling.

It is a little peculiar that the age should be six weeks or younger. In his second reading speech in 1964, the Hon. Sir Lyell McEwin explained that the original legislation was introduced following requests of the South Australian Branch of the Australian Pig Association. He also said:

The reason for the compulsory branding of pigs is that the Agriculture Department officers will be able to trace pigs suffering from disease by inspection of their carcasses. The brand will indicate the area from which the pig has come. It is considered that in this way the incidence of disease will be materially reduced.

The amendment provides that pigs six weeks old suckling their mother may be sold unbranded. The original intention of the Act was to reduce disease or to be able to trace disease. The October, 1966, issue of the *Journal of Agriculture* contains a report on swine dysentery, one of those diseases of pigs that I presume the Act is designed to control or to trace and possibly to eradicate. A precis of that report states that swine dysentery is a troublesome contagious disease, widespread in areas where pigs change hands frequently. It can occur also when there is an introduction of new pigs. The report goes on to say that the germ is readily transmitted from pig to pig by direct contact, and that at the same time it may be carried by flies, by boots, by utensils or by bad drainage from infected to clean sties. Pigs older than four months are more commonly affected, but adult pigs and "suckers" can also develop this disease. Some pigs may survive, but usually they become carriers of this disease, and in time can be responsible for future spreading of the disease.

As I said earlier, the original Act was designed to prevent disease by branding so that the tracing of it could be carried out.

However, we now have an amendment which says it is all right for pigs to be sold unbranded so long as they are suckling their mother. Pigs six weeks old may be suckling their mother in a pen in a sale yard and next door there may be pigs suffering from swine dysentery or another contagious disease. The pigs with their mother do not have to be branded.

The Hon. L. R. Hart: How do you know whether it is their mother?

The Hon. R. A. GEDDES: The mother must be branded, on the assumption that she is older than six weeks. This does not identify the fact that she is the mother of those pigs, but it does identify where the owner came from, so I think that part is covered. However, these pigs can by transmission pick up a disease from a neighbouring pen. A man may buy more than two lots of young pigs suckling their mothers: he may buy two sows and 20 or 30 pigs. These may all be mixed up, and they may be from different owners.

The Hon. S. C. Bevan: They don't take them away from their mothers.

The Hon. R. A. GEDDES: No, they take their mothers with them, but one sow could have come from a place 25 to 30 miles away from another sow. The little pigs, or "suckers", may have picked up a disease from a neighbouring pen in the sale yard completely unrelated to the weaners the man has bought. He then takes his pigs home, and possibly the disease spreads within his own organization. How can the department check on this?

The Hon. Sir Arthur Rymill: Is the reason the pig got up and slowly walked away that it had a disease?

The Hon. R. A. GEDDES: What I am trying to preach is that you cannot make a silk purse out of a sow's ear unless it is tattooed, and by "tattooing" I mean so long as it is branded. I cannot see why there is any need for this provision. I consider that, if we are worried about disease in the pig industry, it is wiser that every pig be branded. I am worried about the transmission of disease and about allowing even one loophole in the tracing of that disease. Six weeks old is the accepted age for the weaning of pigs.

The Hon. S. C. Bevan: Once a pig is six weeks old it has to be branded.

The Hon. R. A. GEDDES: If it is to be sold, it has to be branded a week before sale. The purpose of branding is to trace the possibilities of disease. A batch of pigs coming from the sale yard to a farmer's property, unbranded because they have been sold with their mother, could be the cause of disease. I presume the Minister will agree with that point. The object of the Act in the first place was to be able to trace this disease. I venture to say that the tracing of the farm from which the disease came is prevented if the young pig is allowed to be sold without a brand for identification and for tracing purposes. As I hope to get a satisfactory answer from the Minister in this regard, I shall support the Bill. However, I ask honourable members to look at clause 5 and see whether they can work out a logical argument why it should be that unbranded suckling pigs may be sold. I cannot see the reason for this, when the argument is that the Act is for the prevention and tracing of disease. I support the Bill.

The Hon. M. B. DAWKINS secured the adjournment of the debate.

BIRTHS, DEATHS AND MARRIAGES REGISTRATION BILL.

Adjourned debate on second reading.

(Continued from October 20. Page 2433.)

The Hon. C. D. ROWE (Midland): Mr. President, if I may digress for a moment, I should like to thank the Chief Secretary for the kind remarks he made on my return the other day. I should also like to thank honourable members of this Council for their great courtesy in allowing me to go to the Commonwealth Parliamentary Association Conference, which I thoroughly enjoyed and which was thoroughly worth while.

This is a Bill to consolidate, amend and reproduce the law regarding the registration of births, deaths and marriages. It has been necessary, first, because it has been some time since the law on this matter has been consolidated and, secondly, because of the passing of the Commonwealth Marriage Act in 1961. I have been through the various clauses, and apart from some comments I should like to make regarding various clauses and some information I seek I have no objection to the Bill as a whole. In the second reading explanation it was pointed out that the Commonwealth Marriage Act of 1961 replaced the State Marriage Act, 1936-1961. However, the Commonwealth Act did not exclude the operation of the State law relating to the actual registration of the marriage. So, those provisions in the State Act remained in force, but it has been thought advisable to incorporate them in this Bill. I entirely agree with that.

It has also been said that there will be no administrative problem relating to the changeover, except that it will take about six months

or more to get the administrative processes in operation. The coming into operation of the measure will be postponed for that period of time. I think that is necessary, because it is important that accuracy be maintained in regard to the registration of births, marriages and deaths. It is advisable that the bringing into operation of these provisions be delayed until everyone has had an opportunity to familiarize himself with the issues so that he can co-operate accordingly.

Part IV of the existing Act, which deals with still births, is being deleted, and there is also an alteration in the definition of a still birth. The new definition is that a child shall be deemed to have been born alive if the child's heart has beaten after the child has been completely expelled or extracted from the mother. That definition has been used not only in South Australia but also elsewhere, and it is acceptable to the medical profession. Its meaning is understood and, therefore, I agree with it. Clause 14 provides:

The occupier of the premises in which a child is born whether or not the child was born alive, shall, within seven days after the birth, furnish to the principal registrar notice of the birth together with such of the following particulars as are within the knowledge of or are ascertainable with accuracy by the occupier:

The second reading explanation stated that the purpose of this new clause was to enable the registry more effectively to ensure that all births were registered. I wonder whether the provision goes too far and places too much responsibility on the occupiers of premises. It is not always possible for an occupier to know what goes on in all the rooms in the premises, and consideration should be given to that aspect.

It should be provided that the occupier is required to supply that information only if it is within his possession. I cannot imagine why a person would not want to register the birth of a child, although I am informed that there are difficulties in regard to this matter and that, occasionally, births are not registered within the appropriate time. However, I am not in favour of placing an undue onus on the occupiers of premises, and I should like an explanation in regard to this matter.

The Hon. A. J. Shard: I shall get answers to all your questions.

The Hon. C. D. ROWE: Clause 16 provides for the time for the registration of a birth to be extended from 42 days to 60 days. Whilst I cannot see why a person cannot make up his mind in 42 days in regard to the registration of a birth—

The Hon. A. J. Shard: I think it is only for the sake of uniformity.

The Hon. C. D. ROWE: That may be so. However, if people want to work out a name for a child—

The Hon. S. C. Bevan: It may not be the name they want to work out.

The Hon. C. D. ROWE: Clause 24 contains certain provisions regarding the changing of the surname of a child, and subclause (8) of that clause provides:

Where the mother of a child whose birth is entered in the register of births is married to a person other than the father of the child, and the person to whom she is married consents in writing on the instrument, the mother may, by signing an instrument in accordance with the form in the Twelfth Schedule, change the surname of the child to the surname of the person to whom she is married.

That is qualified by subclause (9), which provides that, if the child is over the age of 16 years, the consent of the child is to be written on the instrument. As I understand the position, if a woman is divorced from her husband, has the custody of a child of that marriage, and subsequently remarries, she can with the consent of that husband change the surname of the child from that of the actual father to that of the second husband. I do not know whether that is desirable. I should like to know the reason for the provision.

A person born with the surname Jones may want to keep his father's name. He may not want to change the name to that of his mother's second husband. However, I am merely asking whether we are doing the right thing by writing these provisions into the Act, because a child under 16 years of age has no say in the matter and simply finds that the change of name is an accomplished fact. We may be going too far and interfering with what is not our prerogative. This Bill purports to deal with matters of registration, not with social matters, and this changing of surnames is a social matter.

The Hon. F. J. Potter: I think this merely puts an existing practice in statutory form.

The Hon. C. D. ROWE: I do not know. The Chief Secretary has promised to obtain information for me.

The Hon. A. J. Shard: Yes, I shall check this for you.

The Hon. C. D. ROWE: The provision regarding notification of deaths that occur on ships and aircraft seems to be logical. I know, from experience as Minister, that the provisions of clauses 33 and 34 are necessary.

They provide for a death to be registered so that probate matters can be dealt with, even though the death may be the subject of a coronial inquiry. In the past, there have been cases where certificates have not been obtainable because inquiries were to proceed. I entirely agree with these clauses.

Part IX relates to the legitimation of children, and I cannot see any objection to these provisions. It is sometimes overlooked that, if an adoption order is made after the date of a will made by the person adopting the child, the child is not regarded as being a child of the deceased for succession purposes. I shall be glad to be corrected if I am wrong, but I do not think the law on that matter has been changed. I have had cases where adopted children have been excluded because the wills were made before the adoptions took place. With those comments, I support the Bill. I shall be glad to have the information for which I have asked.

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

DOG-RACING CONTROL BILL.

Adjourned debate on second reading.

(Continued from October 19. Page 2372.)

The Hon. JESSIE COOPER (Central No. 2): I rise to oppose this Bill. I do so on two grounds—cruelty and social evil, both of which are inevitable concomitants of tin-hare racing. It is simply no use for anyone to say, however piously, that the introduction of tin-hare racing will mean an end to the use of live animals in dog-racing. Strong evidence exists to the contrary, and is available to all honourable members, in reports of court proceedings in the Australian States that have tin-hare racing.

There are three different varieties of dog-racing competition. First, there are plumptons, which take place in an enclosure. Dogs are released to chase a hare, which has a chance at least of escaping through the trap. If it succeeds in finding its escape hatch, it merely lives to fight again, as it were. More often, of course, it is caught and killed. Secondly, there is open coursing, where dogs hunt the hare in its natural environment and win points for various aspects of the chase. This is one variety of the sport practised in South Australia. The third variety is speed racing, where the dogs chase a pilot of some sort. In tin-hare racing, the pilot is in effect a mechanical lure.

Now the disadvantage of tin-hare racing, as far as the greyhound racing and training fraternity is concerned, is that the tin hare, not being a live creature, does not give the dogs the cause to chase or the lust to kill associated with other forms of hunting of wild creatures. The dogs, therefore, have to be led to believe that the creature is alive and will be worth catching. This, according to innumerable reports and statements of opinion by greyhound trainers, as witnessed in various Australian law courts, is taught to the dogs by the use of live creatures of some sort—not, of course, in the sight of the public nor on the day of the race but during training periods at secluded tracks or on well-hidden fields. In other words, the cruelty connected with tin-hare racing is inevitable because of this necessary training. Certainly at a race meeting the dogs chase a mechanical hare around the track, but no dog as intelligent as the greyhound would be prepared to go on chasing a tin hare just for the satisfaction of chasing a moving object, unless there was a definite incentive.

Despite their apparent elegance and gracefulness, greyhounds have, for thousands of years, been trained to hunt, as have similar long-legged dogs, such as Afghan hounds, Salukis, Borzois and so on. Despite the hairy appearance of these latter dogs that I have mentioned, they all have the same frame as the greyhound. They are all natural hunters and have a killer instinct easily brought to the surface, but the right tactics have to be used to take advantage of this for sporting purposes.

We have recently heard remarkable statements in this connection by people who must know better. One said, "There is no evidence that mechanical lure racing in the Eastern States or anywhere else in the world increases cruelty to small animals." Another said, "What of the cruelty attached to greyhound racing?" Let me answer that with a question, "Where is the supposed cruelty?" I can assure honourable members that the reports of court proceedings in Australian States are full of instances of cruelty to small animals. They started when tin-hare racing started, and they are continuing today. Honourable members can read for themselves case after case of cruelty resulting from the training of greyhounds. I will quote just a few. In Victoria, at Sale on October 8, 1957, a greyhound trainer was convicted and fined for releasing a cat, which was then torn to pieces by the dogs. In Victoria, at Cranbourne on June 20, 1963, a man was sentenced to three months' gaol for blooding greyhounds in their training by using live opossums. The police stated that this man,

the owner of a private dog-training track, had strapped a live opossum to the arm of a mechanical lure. The opossum was, of course, torn to pieces. In Victoria, at Cheltenham on August 5, 1963, a greyhound trainer was convicted and fined for using live rabbits tied to a lure. He was charged after 80 dead rabbits were found mauled in a pit.

Similar cases are reported regularly in New South Wales and Queensland and make pitiful reading. Having spent all my youth in New South Wales, I can give details of my personal experience. As I have said, greyhounds in their training are trained to be killers of small furred animals. No small animal is safe at any time: they kill not only rabbits but also small domestic cats and dogs, and even protected native ones. In training, rabbits, opossums or other little defenceless animals are tied to the lure (either a mechanical one or a rope attached to a car) and the kill is to the swift. Cats, not being defenceless, are subjected to the most fiendish cruelty when caught: they have their claws and teeth ripped out so that, when caught, they will not hurt the dog. I can assure honourable members that I know what I am talking about. I lived in Sydney for many years in a suburb not far distant from a tin-hare racing track. No cat was safe and in time hardly a cat remained in the district; no small fluffy dog was safe, whether one kept it inside one's property or not. The slaughter continued day and night because the dogs were exercised on the suburban streets; they would slip their leashes, leap a fence or rush into an open gateway and quickly dispatch household pets. So many tragedies occurred that many local government authorities were forced to ban greyhounds, as noxious, from their areas. I stress that there is nothing to stop these practices in the Bill before us. Clause 8 provides:

The Governor may make regulations for or with respect to the control and regulation of dog-racing in the State and, without limiting the generality of the foregoing power, may make regulations:

(*a*) prescribing matters to be included in any application referred to in section 5 of this Act;

(*b*) prescribing forms to be used for the purposes of this Act;

(*c*) prescribing fees to be paid under this Act and the manner of collecting or receiving such fees;

(*d*) prescribing conditions subject to which a licence may be granted under this Act;

(*e*) prescribing the circumstances under which a licence may be revoked under this Act;

(*f*) regulating the admission of persons to premises where dog-racing is being conducted and providing for the exclusion or expulsion of persons from such premises; and

(*g*) providing for penalties, not exceeding in any case one hundred dollars, for any offence under the regulations.

There is no reference here to regulating the powers of private individuals in connection with the keeping of greyhounds, the methods of training of greyhounds, or the doping of greyhounds. The Governor's powers are limited to things appertaining to dog-racing clubs, the granting of licences, and so on. This clause seems very flimsy to me. There are, in fact, no specific provisions for controlling the recognized vices associated with this alleged sport. As a result of an examination of the trouble that the courts have had in this State and other States with the greyhound racing and training fraternity, more severe penalties appear to be necessary somewhere in our code of laws for cruelty to and the ill-treatment of animals.

If honourable members should think that the cases I have mentioned are just a few that have been publicized, let me say that I have records, bundles of them, of court cases and reports on this question on the cruelty involved in the training of greyhounds. Perhaps honourable members will think that these cruel actions occur as a result of a few unintelligent or moronic people who are on the outskirts of this so-called sport. This is not so—all greyhound owners know that these cruel acts are daily practice. They make no attempt to excuse their actions, except to state that these are the regular practices of the greyhound industry. Honourable members have all the information on that point that they need. Is there any wonder, then, that the R.S.P.C.A. throughout Australia has always taken a firm stand against tin-hare racing?

Of course, the introduction of this Bill is no innovation. It is, I understand, the sixth or seventh attempt to get tin-hare racing made legal in South Australia. However, at no time in South Australia has there been any notable public demand for greyhound-racing, with or without mechanical lures. In fact, the figures of the dog meetings held at Thebarton Oval from November, 1965, until April of this year show a great lack of public interest, lamented only, I presume, by the dog-racing people themselves. In the 16 meetings held, the gross takings were only $1,738, or about $108 a meeting. The net profit for the 16 meetings amounted to $909.84, or not quite $57 a meeting, and the local council derived

the princely sum of $113 for the 16 meetings, or just $7 a meeting. That is hardly what one could call public enthusiasm for the sport!

My second reason for opposing this Bill is to prevent the introduction of a very great social evil into this State. There is, as I have shown, little interest in dog-racing at the moment, but there is always a demand for gambling, and the introduction of tin-hare racing will start (make no mistake about this) a new gambling industry. This has been the pattern everywhere all over the world. When the Greyhound Racing Association was formed in Great Britain in 1926, and when it became obvious that money was to be made from dog-racing (and I do not mean by punters) speculators rushed to the scene and in the first year 68 companies were registered. In America the position was the same; so great did the racket become that today tin-hare racing is illegal in almost all the States of America.

The only people who will benefit from the introduction of tin-hare racing in South Australia, as elsewhere, will be the promoters and illegal bookmakers. Everyone else will suffer. In Britain, where the racket goes on in giant fashion today, it is one of the great social evils. Though advertised as the poor man's sport, tin-hare racing has in fact deprived the British man not only of his fresh-air activities but also of his sense of responsibility to his family. How unnecessary this is in Australia, where horse-racing is far from being "the sport of kings". It is within the reach of every man, whether he wishes to attend or not (or it soon will be when T.A.B. starts).

Wherever tin-hare racing has been introduced in other parts of Australia we have the picture of illegal bookmaking and extensive wagering largely amongst the people who can least afford it. To some extent, poverty is induced by the wastage of time, money and food in the keeping of greyhounds, which are usually the most sumptuously-fed members of the family. Concomitant with this evil of uncontrolled wagering and betting is a larger amount of doping and ill-treatment of the dogs themselves.

I refer to clause 6 whereby the Minister may delegate his powers. Clause 6 (1) provides:

The Minister may in writing delegate any of his powers and functions under this Act, whether expressed or implied, to any person and upon such delegation such powers or functions so delegated may be exercised by the delegate and any reference in this Act to the Minister shall be read as a reference to the delegate.

I do not approve of this clause because I can readily visualize that the power to control dog-racing and the conditions of club operations could be delegated to some person or group over whom Parliament had no influence at all. That person or group could be subject to no discipline, though given great powers, and could run this whole industry for their own delight.

In general, therefore, from my own observations in New South Wales and also from information freely available in the press, court reports and reports of the English Commission, I believe that this is an unnecessary sport associated very largely with too many shabby and vicious practices. I therefore strongly oppose this Bill.

The Hon. L. R. HART secured the adjournment of the debate.

LONG SERVICE LEAVE BILL.

Adjourned debate on second reading.

(Continued from October 19. Page 2374.)

The Hon. D. H. L. BANFIELD (Central No. 1): I was interested in the statement made by the Hon. Mr. Hill during the course of the debate that the Liberal and Country League had always been interested in employees in this State and that the Labor Party had no monopoly on that point. I immediately imagined a most interesting position that could arise in the Industrial Commission, with people asking for improved conditions for the employee and with the employers' representatives and the unions vying with each other in an attempt to get the judges on the bench to let their hair down and give the employees at least a real share of the wealth of this country. Then, of course, I came down to earth and had another look at the statement, and realized that the honourable member did not say that the interest in the employees was to the extent that the L.C.L. wished to improve the working conditions of employees and possibly assist them to obtain higher wages. I can only assume that the interests of employers and their representatives shown in every other case before the courts will be the same in this instance and that they will be trying to stop the employee from getting what he justly deserves.

We know that the L.C.L. is not the employer, but at least its members are the representatives of the employers; consequently, we must assume that the interest shown by the L.C.L. is the same as that shown by employers. There has not been one application before the Arbitration Court where the employers have assisted the unions in any way; rather, they have always opposed

applications for such matters as a shorter working week, sick pay, annual leave, public holidays and margins. Of course, it is in the interests of the employers to delay any decision of the court in relation to a basic wage increase. Even though the employers may know that the court (if it is going to give justice and the union case is well founded) may decree an increase, they will oppose such increase. A delay of even one day to the commencement date of such an increase means many hundreds of dollars to employers. So, the statement made by the Hon. Mr. Hill that the L.C.L. has an interest in the employees is correct. However, I suggest that such interests are not the best interests of employees but rather the best interests of the employer.

The Hon. C. D. Rowe: Do I understand the honourable member to say he represents employees only and not employers at all?

The Hon. D. H. L. BANFIELD: The honourable member has misunderstood; he has been away for some time, and it may take him a little time to know what has been going on in his absence. The Hon. Mr. Hill also said that this Bill had the approval of the employers. Of course, that is only natural, because the employers knew that the policy of this Government was for 13 weeks' leave after 10 years, whereas this Bill, which has been introduced by the Hon. Mr. Potter, provides for only 13 weeks' leave after 15 years' service. Therefore, it is no wonder the employers approved of this Bill; no doubt they hoped the Government would not be able to bring its policy into operation.

The introduction of the Bill received fairly wide publicity, and following that publicity a number of reporters sought comments on the Bill from trade union leaders in this State. It is significant that those comments were never published by either newspaper, because the reaction to the Bill was not very favourable. The unfavourable reaction I refer to was from the trade union side and not from the employers' side, because it has already been stated that the employers agreed with it. The following is a report of the comments of the Secretary of the Shop Assistants' Union, who had been approached by a reporter:

Mr. Goldsworthy claimed that the Bill being introduced by Mr. Potter would deprive many employees of their entitled long service leave. He claimed that Mr. Potter, under the guise of pretending to update the 1957 Long Service Leave Act, was depriving thousands of workers of long service leave entitlements already granted by the South Australian Industrial Commission. Mr. Goldsworthy said that many of the workers bound by South Australian Industrial Commission awards had long service leave conditions which were superior to those proposed by Mr. Potter. He said that approaches had been made to the State Government on the matter of long service leave and the Government had indicated that it intended to bring down long service leave legislation "far more beneficial" to workers than that proposed by Mr. Potter. Mr. Goldsworthy described Mr. Potter's Bill as a "crude attempt to obtain cheap publicity".

That is exactly what it got. The reporters sought the reactions of the trade union movement, but as those reactions were not favourable we did not see or hear one word about them.

The Hon. C. M. Hill: Perhaps they put the rubbish in the rubbish bin.

The Hon. D. H. L. BANFIELD: Probably, and let us hope this Bill will finish up in the same place. The Hon. Mr. Story said by way of interjection, when the Minister foreshadowed certain amendments to this Bill, that "anything we can do the Government could do better." This to my mind suggested that Mr. Story thought the foreshadowed amendments were just something hurriedly conceived and brought to life. I should like to refer the honourable member to page 346 of 1957 *Hansard*. In 1957 the then Leader of the Opposition moved an amendment to the present State Long Service Leave Act to provide that the Bill be withdrawn and redrafted to provide for three months' long service leave after 10 years' continuous service.

We all know the fate of that amendment, which at that time would have given some reasonable justice to the workers who had given loyal and faithful service to their employers. It was not just something thought up on the spur of the moment: it was our policy, and it was known before the last election that we intended to bring down a Long Service Leave Bill giving 13 weeks' leave after 10 years' service. Instead of the amendment being carried in 1957, a Bill was passed that allowed an employer, if he so desired and if the employee agreed, to pay the employee after seven years' continuous service one week's extra pay without taking any leave. Of course, that Bill was not acceptable to many employers, and certainly it was not acceptable to most of the unions or their members.

Nearly 10 years later we have another Bill introduced by a member of the same political colour as the Government that introduced the present unsatisfactory Act. This new Bill gives no more satisfaction to the workers than does the present Act. In fact, this Bill takes away some of the privileges already granted

by the Industrial Court of this State. Perhaps it was that court decision that prompted the Hon. Mr. Potter to produce this Bill, which, if passed, will influence the court in future decisions. I want to say that the unions are not satisfied with the court's decision in granting only 13 weeks' long service leave after 15 years' service with the one employer, as they believe, like this Government does, that 13 weeks' leave should be given after 10 years' service, the same as applies to public servants. Public servants have for many years been receiving this long service leave after 10 years, and it was introduced by a different Government from the present Government. Therefore, if it was considered good enough for public servants, why is it not good enough for every employee in this State? The court decision I am referring to is the Shop Assistants, Window Dressers Long Service Leave Award, given in the Industrial Court on April 19, 1966.

This Bill gives less than that given by the court, in that it does not provide for pro rata long service leave except under certain conditions. It does not provide for pro rata long service leave after 10 years' service to an employee who lawfully terminates his contract of service. Under this award given in the court, if an employee terminates his service with an employer after 10 years' service he is entitled to pro rata long service leave. The Hon. Mr. Potter refers to the pro rata leave conditions in the New South Wales Act, which gives pro rata leave after five years, and he questions whether or not five years' service with an employer could be said to be long service leave.

Let us have a look at that position as far as female labour is concerned. Many females who have given very valuable service to their employer and to industry generally are denied the right to long service leave because of the provision of 15 years' service to be given before qualifying for long service leave. Except under certain conditions, they can receive some pro rata leave after 10 years. Generally, females do not stay in industry for 10 years. We find that most marriages take place between the ages of 19 and 30, and that 81 per cent of babies are born to mothers under the age of 29 years. This means that a female would have to commence work in industry at the age of 14 before she would qualify for long service leave, that is, if she became a mother at 24 years of age. We find that 10 per cent of babies are born to mothers between the ages of 15 and 19, and a number of these mothers would never see the right to long service leave. However, they are just as entitled to some long service leave as are other employees who also play their part in industry.

I am sure the Hon. Mr. Potter will not be able to convince a young girl or woman working in industry who is anxious to get married and become a full-time housewife and mother that five years cannot be said to be long service. An average man's working life is almost 45 years, and if he works for that period he would receive under this Bill at least 39 weeks' long service leave. An average female's working life is about eight or nine years, and under this Bill she receives nothing.

The Hon. F. J. Potter: You will be arguing against your policy of equal pay soon.

The Hon. D. H. L. BANFIELD: I am not arguing that. The previous Government introduced long service leave after seven years' service: it said that a person in industry was entitled to that. We are saying that the period of service under the present Act is certainly long enough, but at least a large number of females working in industry are able to qualify for some small amount of long service leave, whereas under the Bill they would not qualify for even one day's leave.

The Hon. L. R. Hart: Are you talking about service leave or about long service leave?

The Hon. D. H. L. BANFIELD: It is nice to see the honourable member back. He said the other day that I had not spoken to a Bill, although he went to sell his sheep when I did speak. The Bill refers to long service leave, as does the Act. Long service leave is now available after seven years' service: the leave is not long enough, admittedly. The present Bill increases the time from seven years to 10 years before anyone becomes entitled to long service leave, and the honourable member says that is an improvement. How an increase in the length of time can be an improvement I shall never know.

The Hon. C. D. Rowe: Are you saying that it is a pity that there was a change of Government?

The Hon. D. H. L. BANFIELD: It is a pity that the people who received the votes five times out of the last six elections were not in Government. It is a pity that, because of the gerrymander, a minority Government was in power when it had no right to be.

The Hon. C. M. Hill: What is the position now?

The Hon. D. H. L. BANFIELD: We tried to remove the gerrymander, but this Council

threw the Bill out and the position that had applied before continued to obtain.

The Hon. L. R. Hart: What has this to do with long service leave?

The Hon. D. H. L. BANFIELD: I do not know. The Hon. Mr. Hill introduced the subject after the Hon. Mr. Rowe had interjected. I was given the opportunity to show what honourable members opposite had been doing for 30 years. The average working life in industry of a female is only about eight years and, in terms of the present Bill, she will not receive anything. However, the foreshadowed amendment entitles her to pro rata leave after five years' service. I think that goes some way towards the ideal. Public servants in this State receive long service leave after 10 years' service and I cannot understand why the same provisions should not apply to all employees. I support the second reading, in the hope that the Minister's foreshadowed amendment will be carried.

The Hon. R. C. DeGARIS (Southern): I am sorry that the Hon. Mr. Banfield has introduced so much politics into this matter.

The Hon. D. H. L. Banfield: That was introduced by your side, by way of interjection.

The Hon. R. C. DeGARIS: I disagree with the honourable member. If he reads his speech, he will find that politics were introduced when he started, before there was any interjection. I consider that we should not introduce politics on a subject of this nature. The Hon. Mr. Banfield seemed to think that in South Australia two great bogeys stood between employees and their rights. They were the Liberal and Country League and the employers. If I remember correctly, he said that delays were caused in the arbitration system because of the tactics of employers. He also said that those tactics were adopted for one purpose, to deny employees their rights.

In these matters, we must balance between the rights of employers and the rights of employees. The overriding factor is that we cannot exclude the economics of this State in considering the point of view of either Party. We have seen a change in the economic climate of the State and I have pointed out previously that this Government, because of the policies it has followed, must share the blame for the present state of our economy. The present Administration made certain promises regarding long service leave during the election campaign but, as yet, has not implemented those promises. The same position obtains in relation to many other promises that were made during the campaign.

I congratulate the Hon. Mr. Potter on the introduction of this measure. I have been associated with that honourable member in this Council for three or four years and, in that time, he has always shown a keen interest in long service leave. He made no bones about the fact that the 1957 Act was unsatisfactory. If my memory serves me correctly, that measure provided for one extra week's leave after seven years' service. This matter was mentioned by the Hon. Mr. Banfield. It is quite out of line with the principle of long service leave as accepted in other States and included in agreements between employers and unions.

I have not read all the amendments that the Minister has placed on file, but they show that the Government is not happy with the long service leave provisions that have been proposed by the Hon. Mr. Potter. I suppose these amendments reflect the attitude of the Government as set out in the policy speech given two years ago. Once again, if my memory serves me correctly, the policy speech contained a proposal for three months' long service leave after 10 year's service, and for pro rata leave after five years' service. The Hon. Mr. Potter proposes three months' leave after 15 years' service and pro rata leave after 10 years.

The amendment goes beyond the provisions of the Bill and beyond accepted long service leave provisions, at a time when industry in South Australia is facing much difficulty. This difficulty is reflected in the employment position. The Minister said that his amendments would place the provisions in South Australia ahead of those in the other Australian States. However, if we look at the matter in a slightly different way, we find that they may place us further behind or make our competitive position more difficult. The Government, because of the policies that it has followed so far, has already placed industry in South Australia at a disadvantage compared with industries in the other States.

The Hon. A. F. Kneebone: Tell us one thing that did that.

The Hon. R. C. DeGARIS: We know that South Australia has achieved industrial development in the last 20 years because its cost structure has been below that in the other States.

The Hon. D. H. L. Banfield: Have other States got new industry?

The Hon. R. C. DeGARIS: Yes; 80 per cent of our industrial production is exported to the eastern seaboard and, if we are not in a competitive position there, we cannot hope to attract industry to South Australia.

The Hon. D. H. L. Banfield: So it is all to be done at the expense of the employee?

The Hon. R. C. DeGARIS: If we are not satisfied to have a cost of living slightly below that of the other States, a tax structure slightly below that of the other States—

The Hon. A. F. Kneebone: Is Western Australia so much lower than we are?

The Hon. R. C. DeGARIS: No, but the point about Western Australia is that it does not export its industrial production to the eastern seaboard. If we in South Australia are not to be in a position to compete on the eastern seaboard, our industries will be in a difficult competitive position and we shall not attract new industry. That is logical. Because our tax structure has been lower than that of other States, we have been able to attract capital to be invested in South Australia and we have been able to attract industry. We have had this remarkable industrial development of which we are all so proud. However, we must maintain that competitive position to attract new industry to this State. Honourable members in this Chamber have warned the Government again and again about the need to keep down costs and to keep our tax structure lower than that of the Eastern States. Already in the many measures before this Council the Government has struck at the rate of prosperity in South Australia. When this happens, of course, it must reflect in the Treasury itself. When that happens, we have to go on increasing taxation. It becomes a vicious circle, which reflects in employment and in the standard of living of the people. So I support the Bill introduced by the Hon. Mr. Potter. I congratulate him on his interest in this. It has been evident to honourable members for some years that our long service leave legislation in South Australia needs bringing up to date.

The Hon. F. J. POTTER (Central No. 2): I thank honourable members who have taken part in this debate for the interest they have displayed in this measure. I cannot let this occasion pass without dealing with the astounding doctrine (if I can call it that) advanced by the Minister and by the Hon. Mr. Banfield today, that conditions in outside industries ought to be the same as they are in the Public Service. It appeared that this was one of the central points they made: why cannot we give outside people the same long service leave as the public servants get? For how long has it been a plank in the Labor Party's platform that outside industry has to match its conditions with those of the Public Service? As far as I know, conditions in the Public Service, which is regarded as a career industry in itself, have never been able to be matched by outside industry, and never will be. If this is to be the doctrine, then outside employers will have to provide superannuation, accumulated sick leave and salary scales advancing year by year as a person gets older. This is an extraordinary concept. It shows how ridiculous is the attitude of the Government in this respect.

The other point made by the Minister was referred to by the Hon. Mr. DeGaris a moment ago—that again in this measure the Government wants to be a pioneer and lead the way; it wants to establish in South Australia a situation in long service leave for employees in industry different from that of any other State in the Commonwealth—and this at a time when South Australian industry in particular is suffering the chill wind of a slight recession, following a general lack of confidence in the State as a result of the occupancy by this Government of the Treasury benches. This point was well answered by the Hon. Mr. Hill when he said, "It would be an entirely different matter if South Australia was the most prosperous State in Australia and was able to lead the way in this respect." As it is, we are now in the worst position as regards employment, and this is not a particularly appropriate time to talk about introducing pioneering legislation. I was interested to hear the Hon. Mr. Banfield this afternoon say that there was a great protest in the trade union movement about my Bill, that many leaders were outspoken about it. One of them was Mr. Goldsworthy. It did not surprise me that that gentleman had something adverse to say about this Bill.

The Hon. D. H. L. Banfield: It was not only Mr. Goldsworthy.

The Hon. F. J. POTTER: It is remarkable that there have been no protests or letters to the newspaper from any member of a trade union or any official in the trade union movement.

The Hon. C. R. Story: There will be tomorrow, and they will not be inspired, I am sure!

The Hon. F. J. POTTER: All in all, I think that this Bill has the support of most honourable members in this Chamber. In fact, it has the support of the Government itself but, of course, it wants to make some vital amendments to it. I see that the Minister has a series of amendments on the files. In fact, there are four pages of them, nearly as long as the Bill itself. About 98 per cent amount to nothing, except a slight change of verbiage. I shall be

happy to accept most of them. They do not really alter the spirit or purpose of the Bill in any way, but there are some vital amendments that I shall oppose and ask honourable members to oppose.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—"Interpretations."

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

In the definition of "award" to strike out "or order" second occurring.

A conciliation committee cannot make an order, and my next amendment seeks to strike out "an industrial" and insert "a conciliation" before "committee". Therefore, this is merely a machinery amendment.

The Hon. F. J. POTTER: I accept the amendment.

Amendment carried.

The Hon. A. F. KNEEBONE: I move:

In the definition of "award" to strike out "an industrial" and insert "a conciliation".

I point out that there are no industrial committees operating now.

The Hon. F. J. POTTER: I accept the amendment.

Amendment carried.

The Hon. A. F. KNEEBONE: I move:

In the definition of "worker" to strike out "and includes a regular part-time employee".

These words are not needed in this Bill. The position is adequately dealt with in paragraphs (*a*) and (*b*) covering definitions of "ordinary pay".

The Hon. Sir ARTHUR RYMILL: I see no objection to this amendment, but I am interested to know whether these words proposed to be inserted come from some other Act and, if they do; from what Act?

The Hon. A. F. KNEEBONE: I am unable to say where the words came from.

The Hon. F. J. POTTER: I understand that Sir Arthur Rymill is querying the words proposed to be inserted. I assure the honourable member that the words come in part from the New South Wales Act, but my wording was an attempt to abbreviate. I agree with the Minister that the words proposed to be struck out are not really necessary, because "worker" is defined at present as a person employed under a contract of service. I accept the amendment, and I indicate that I will not be opposing the insertion of the words proposed in the amendment.

The Hon. Sir ARTHUR RYMILL: I am grateful for that information.

Amendment carried.

The Hon. A. F. KNEEBONE moved:

In the definition of "worker", after "service" to insert "; the fact that a person is working as a salesman, collector, commercial traveller, insurance agent or in any other capacity for which he is paid wholly or partly by commission shall not of itself preclude such person from being held to be a worker".

Amendment carried.

The Hon. A. F. KNEEBONE moved:

In the definition of "ordinary pay," before "means" to insert "in relation to a worker".

Amendment carried.

The Hon. A. F. KNEEBONE moved:

In the definition of "ordinary pay" to strike out "but" and insert "and where the worker is provided with board or lodging by his employer includes the cash value of that board or lodging as prescribed by the award under which he is paid or, if his wages are not prescribed by any award, as provided by the terms of his employment. The term".

I believe the intention of long service leave is to provide that, if such payments are part of the award, the employee taking such long service leave should be entitled to the complete benefit of the award.

The Hon. F. J. POTTER: I support the amendment, as a precedent exists in other Acts and awards. I believe, that, where board and lodging is normally provided, if an employee goes on leave he should be entitled to the benefit of the equivalent of board and lodging.

Amendment carried.

The Hon. A. F. KNEEBONE: I move:

In the definition of "ordinary pay" before "penalty rates" to insert "or other" and before "bonuses" to strike out "commissions".

The Bill as it stands excludes "commissions" from the definition of "ordinary pay". While it is reasonable to exclude shift premiums, overtime and similar penalty rates it is not fair to a worker who is paid partly by wages and partly by commission to exclude commission from the amount of pay he is to receive for his long service leave. Admittedly, it is excluded in the metal trades award provisions for long service leave, but under that award full wages are prescribed for all workers for a week's work, and there is nothing like commission. I maintain that commissions should be considered in assessing the wage, for they are part of a person's weekly wage. There should be some provision that a worker who is paid a retainer and commissions should not go on long service leave receiving only that retainer.

The Hon. F. J. POTTER: I oppose this amendment, and I ask honourable members to oppose it, because it seems to me plainly an attempt to pay piece work rates for long service

leave. This is a provision that is not contained in the metal trades long service leave provisions or in any other agreement, industrial or otherwise, to my knowledge. It is an entirely novel and new thing, and I do not think it has any place in this Bill. It would entail enormous difficulties in the calculation of wages for long service leave. Although the words "or other" do not mean very much, the amendment to insert them is the first step in a series of amendments, all of which I intend to oppose.

The Hon. C. R. STORY: The mover has not indicated whether he agrees with Mr. Potter's statement that this provision is not included in any other award or determination. I should like to hear the Minister's authority for this provision.

The Hon. A. F. KNEEBONE: The amendment to insert "or other" is part of a series of amendments. The omission of "commissions" is proposed so that later I can move an amendment that includes "commissions and bonus payments". I maintain that commissions are part of a weekly wage, in the same way as are bonus payments. In my opinion, a person who works on piecework should have the average of his weekly income as his long service leave payment. Otherwise, a person on a retainer could be paid less than the basic wage for that leave.

The Hon. Sir Norman Jude: This would be like one of those T.A.B. fellows.

The Hon. A. F. KNEEBONE: Yes, or he could be engaged in selling land. His retainer could be less than a living wage. Why should a man not have a suitable wage on which to go on long service leave? It seems to me to be completely wrong that a person who has a retainer and commissions should go on leave at a payment that could be only half of his normal weekly wage.

The Hon. C. R. STORY: I think I have the drift of what is in the Minister's mind. This is an important matter. However, the illustration the Minister has given is rather hypothetical. If a person selling land is any good at his job he is virtually self-employed, and no employer could afford to run the risk of losing a good salesman like that, so that person would not have any problems. I do not think that in this Bill we are setting out to deal with this type of person. However, piecework is an entirely different matter. I think that under most awards a person has to be paid to the award rate, and even if he is a slow operator he still has to be paid up to the award rate in the job he is doing; anything he can make over and above that is his own.

This is certainly the position in the fruit industry. A target is set under the award that gives a worker in that industry his basic wage. A figure is calculated above that for the amount of fruit he can pick in one day, and even if he cannot come up with the quota he is still paid the basic wage for the particular job. The Minister's amendment will ensure all sorts of things. If pieceworkers work in the good part of the season and then revert to the basic wage, the long service leave provisions suggested by the Minister will run them out of business more quickly than they are being run out at present.

The Hon. A. F. KNEEBONE: Subsequent words in clause 3 are, "for the purpose of the definition of 'ordinary pay' ". This is where somebody gets an advantage over somebody else. There is no provision in the awards covering the pieceworker who does piecework only. I know many occupations that are recognized as being piecework operations.

The Hon. F. J. Potter: This is at ordinary time rates.

The Hon. S. C. Bevan: There is no ordinary time rate.

The Hon. F. J. Potter: Look at the provision regarding employees employed on piece or bonus work in the clause.

The Hon. A. F. KNEEBONE: What will happen where only piecework is provided?

The Hon. F. J. Potter: That is provided for in the clause.

The Hon. A. F. KNEEBONE: What will happen where no time rate is provided for a piecework job?

The Hon. C. R. Story: Tell us what industry that operates in, so that we can obtain information about the category.

The Hon. A. F. KNEEBONE: The Hon. Mr. Story said that canning was one operation where the margin above the basic wage was taken care of by piecework.

The Hon. C. R. Story: That is seasonal work.

The Hon. A. F. KNEEBONE: A man working piecework, or receiving a commission plus a retainer, should receive his average weekly wage for the year prior to his going on long service leave, and that is the principle I am trying to establish in the Bill. The fact that honourable members do not agree with that principle does not make it wrong.

The Hon. C. R. Story: I am asking you to say where it applies, so that we can obtain information.

The Hon. A. F. KNEEBONE: I do not expect people to go on long service leave at a rate of wage that may be half what they normally earn. We should not forget that, under the piecework system, it is not only the employee who receives a higher income. Honourable members opposite are always saying that the production in an industry governs what people should get out of that industry. The employer receives his share of benefit from increased production, and piecework gives increased production.

I have worked piecework in a newspaper office and the employer would say that he did not care what he paid the pieceworkers, because he was able to get his newspaper out more quickly. I have never been an advocate of the piecework system or of the payment of incentives. However, if we are going to have them, let us face the fact that the employer receives his benefit from them. If he did not, he would not support them. Why should not the employee go on long service leave after 10 years, as provided in my amendment, or after 15 years, as provided in the Bill, at his average rate of pay?

The Hon. L. R. Hart: You want him to get two bites of the cherry.

The Hon. A. F. KNEEBONE: No. The employer is getting two bites of the cherry out of this, and he wants them. We hear much from honourable members about South Australia being a low-cost State, but they are trying to establish it as a low-wage State. Employers have stated in the courts that they agree that wages should be increased when production increases. Honourable members opposite would not agree to a provision from which the employer did not benefit.

The Hon. C. R. STORY: I understand that, in the piecework rate of pay, a loading is provided that compensates the pieceworker for various things.

The Hon. A. F. Kneebone: Not for long service leave.

The Hon. C. R. STORY: The loading takes care of certain disabilities that the employee suffers because he is a pieceworker. For example, annual leave is not provided for by the employer in a piecework business. A loading allows the employee his margin in that respect.

The Hon. A. F. Kneebone: You are thinking of casual employees.

The Hon. C. R. STORY: There is nothing here that shows whether the employees are casual.

The Hon. A. F. Kneebone: Yes there is. Service has to be continuous before long service leave can be granted under this Bill.

The Hon. C. R. STORY: I am sure that a loading is put on. In my opinion, the Minister is trying to blow this matter up above what is reality in many cases. He has not yet told me whether these particular industries are where these people will be affected. I am not against them getting their just dues but, if we do what is intended to be done here, we shall put some people at a great advantage compared with others.

The Hon. S. C. BEVAN: I think the honourable member has his wires crossed about piecework. In all awards that I have been associated with, provision was made for a guaranteed minimum wage that a pieceworker must receive for a week's work. In addition to that, a certain amount of money is set down for extra piecework. To earn over and above the ordinary weekly rate, the worker has to produce extra work. For all the work that he produces over and above a certain amount he gets an extra payment. This is an inducement to him to do more work. This arrangement satisfies the employer because he gets better results and is paying for piecework. A pieceworker will produce so much each week, and he goes on like that year after year. When he is due for and goes on his annual leave, his pay is reduced to the ordinary rate of the award, even though he may have been working for 10 or 15 years for his employer at a higher rate of pay, because the award stipulates an ordinary rate that he must earn irrespective of his piecework effort, irrespective of his earning capacity for 10 or 15 years. His weekly wage is reduced because he goes on annual leave. Is that fair and just? If he dies and he is entitled to money, his widow will be paid, but she will be paid at the basic rate, and not the amount that he has actually earned. If this is just, I want to know what is unjust. All the Minister is attempting to do is to safeguard the position so that the average earnings of the worker shall be paid to him while he is on his annual leave. I support the amendment.

The Hon. D. H. L. BANFIELD: Under this Bill, what would the position be in the case of a number of awards stating a minimum rate and also giving an employer the right to introduce an incentive or bonus scheme? If he introduces a bonus scheme, the rate is to be so set that the employee can earn at least 10 per cent above the average rate of pay. That rate having been set, an employee

works for 10 or 15 years and averages 15 to 20 per cent above the ordinary award rate. Does this mean that he will receive at least 10 per cent above the minimum rate set out in the award?

The Hon. F. J. POTTER: The Bill defines "ordinary pay" as:

remuneration for the worker's normal weekly number of hours at work calculated at his ordinary time rate of pay, but does not include shift premiums, overtime, penalty rates, commissions, bonuses, or any like allowances. In the case of employees employed on piece or bonus work—

we are talking not about casual employees but about full-time employees—

or any other system of payment by results ordinary pay shall mean ordinary time rates.

For the purpose of the definition of "ordinary pay"—

(*a*) where no ordinary time rate of pay is fixed for a worker's work under the terms of his service, the ordinary time rate of pay shall be deemed to be the average weekly rate earned by him during the period of 12 months immediately preceding the date on which he enters, or is deemed to have entered, upon long service leave, or the date of his death, as the case may require;

(*b*) where no normal weekly number of hours is fixed for a worker under the terms of his service, the normal weekly number of hours of work shall be deemed to be the average weekly number of hours worked by him during the period referred to in paragraph (*a*) above.

This completely covers the situation. Although the Minister and the Hon. Mr. Bevan have said that this ought to be the position, they have not been able to give us chapter and verse for where it applies elsewhere. I, therefore, continue to oppose this amendment.

The Hon. S. C. BEVAN: The Hon. Mr. Potter speaks of the case where no ordinary rate of pay is fixed. Awards fix an ordinary rate for piece and bonus work. It is written into the awards that where piecework operates the worker shall receive a particular amount whereby he can earn at least, as the Hon. Mr. Banfield has told us, 10 per cent over and above his ordinary rate. A good employee can earn much more than that, and he earns it for 15 years. I am not concerned with what some other long service provision in another State provides. We are always told that we do not have to follow blindly the other States. This does not apply in other States.

The Hon. F. J. Potter: It does not apply here, either.

The Hon. S. C. BEVAN: But I thought the Government intended to have fair and just legislation in this respect. Under this clause as at present framed the employer is the one who will get the benefit both ways because, for the whole period of the employee's service to the employer, he has been producing some goods and receiving some pay, perhaps for 15 years; but immediately he goes on his long service leave, these clauses come into operation. As the Hon. Mr. Potter has pointed out, where no ordinary pay is determined, it will be taken on an ordinary basis for a given period.

The Hon. F. J. Potter: On an average.

The Hon. S. C. BEVAN: Yes.

The Hon. F. J. Potter: What is unfair about that?

The Hon. S. C. BEVAN: The wording is "where no ordinary time rate of pay". There can be an award operating in this State that does not lay down an ordinary rate of pay, excluding casuals. I do not know of an award that does not set down an ordinary rate. That employer will be made a beneficiary under this Act to the detriment of an employee who goes on long service leave after 15 years' service, because this clause provides that it is the employer's obligation to pay to the employee his ordinary rate of pay. Don't tell me that an employer would not take advantage of this opportunity! We are trying to rectify the position so that an employee will not be penalized when he takes his long service leave after 15 years; that is all the Minister is attempting to do, and I believe that is fair and just.

The Hon. D. H. L. BANFIELD: When the Hon. Mr. Potter introduced the Bill he said it would be fair and just to all workers in South Australia. It now appears to be a Bill brought in to reduce the amount an employee is already receiving. As the Hon. Mr. Bevan pointed out, many Commonwealth awards allow an employer to introduce a bonus scheme; consequently, both the employer and employee benefit under piecework. However, in every Commonwealth award a minimum rate of pay is set down, and as a result an employer who desires to introduce an incentive or bonus scheme can do so. Having decided on such a scheme, the employer must then set a certain rate that will enable an employee to earn at least 10 per cent above the ordinary award rate. The Hon. Mr. Potter wants a man who has earned 10 per cent more than the award (and in some cases 15 to 20 per cent above it), to be denied that additional payment. That would also deny the employee the opportunity of taking long service leave, because he would not be able to afford to take it.

It is all very well for the honourable member to laugh at my suggestion, but as a result of overtime and piecework operating at present many employees are unable to apply for long service leave because of commitments in connection with the 10, 15 or 20 per cent they have been earning over the award rate of pay. This is another way of prohibiting an employee from obtaining long service leave.

The Committee divided on the amendment:

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

Noes (11).—The Hons. Jessie Cooper, R. C. DeGaris, R. A. Geddes, G. J. Gilfillan, L. R. Hart, H. K. Kemp, Sir Lyell McEwin, F. J. Potter (teller), C. D. Rowe, Sir Arthur Rymill, and C. R. Story.

Majority of 7 for the Noes.

Amendment thus negatived.

The Hon. A. F. KNEEBONE: I move:

In the definition of "ordinary pay" to strike out "In the case of employees employed on piece or bonus work or any other system of payment by results ordinary pay shall mean ordinary time rates.

I do this so that I may move a subsequent amendment.

The Hon. F. J. POTTER: I cannot accept the amendment. We had a debate on the whole matter on a previous amendment, which was really only a first step in a series of amendments. As I indicated then, I oppose the whole series of amendments.

The Hon. D. H. L. BANFIELD: I support the amendment. The Minister's idea is that this part of the definition deprives an employee of a benefit to which he should be entitled. I consider the amendment to be justified.

The Committee divided on the amendment:

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

Noes (12).—The Hons. Jessie Cooper, R. C. DeGaris, R. A. Geddes, G. J. Gilfillan, L. R. Hart, Sir Norman Jude, H. K. Kemp, Sir Lyell McEwin, F. J. Potter (teller), C. D. Rowe, Sir Arthur Rymill, and C. R. Story.

Majority of 8 for the Noes.

Amendment thus negatived.

The Hon. A. F. KNEEBONE: As the amendment has been defeated, I shall not proceed with another amendment regarding piece or bonus work. I move:

In paragraph (*b*), after "hours" first occurring to insert "of work".

This is purely a drafting amendment.

Amendment carried; clause as amended passed.

Clause 4—"Right to long service leave."

The Hon. A. F. KNEEBONE moved:

In subclause (1) to strike out "employment" first occurring and insert "the employment of an employer".

Amendment carried.

The Hon. A. F. KNEEBONE moved:

After "service" fourth occurring to insert "with that employer".

Amendment carried.

The Hon. A. F. KNEEBONE moved:

In subclause (1) to strike out "long service leave scheme in operation" and insert "Long Service Leave Act, 1957, or any long service leave provision or scheme in operation, as the case may be".

Amendment carried.

The Hon. A. F. KNEEBONE moved:

In subclause (2) to strike out "hereof" and insert "of this Act".

Amendment carried.

The Hon. A. F. KNEEBONE: I move:

In subclause (2) to strike out "fifteen" first occurring.

I move this amendment with a view to inserting "ten". I said in my second reading speech that the platform of the Australian Labor Party provided for the granting of 13 weeks' long service leave after 10 years' service, not after 15 years' service. Many things had been said about our policy. When we pointed out that leave on this basis had been available to all Public Service officers, whether salaried or daily-paid, we were told that it was expected that the conditions of public servants should be better than those obtaining in outside industry.

The Hon. F. J. Potter: Always.

The Hon. A. F. KNEEBONE: Let the honourable member tell public servants, including some heads of departments, that their salaries are better than the salaries paid outside. I remember that, when I was a trade union official (and the honourable member, who also was a trade union official at one time, will also remember), the previous Government told the unions that wages outside were higher than the wages paid in the Public Service and that the Government could not pay an attraction wage. So, conditions in the Public Service were not better than those applying outside, and were not expected to be, until this Government came to office.

Many outside employers paid rates that were higher than the rates prescribed in the award, and agreements were reached to provide something above the standard. It is not an argument to say that we cannot provide for outside

industry what is provided in the Public Service. Honourable members also say that what this Government has done to improve the lot of the worker outside has resulted in South Australia's not being able to compete on the outside market. I interjected when that was said and asked how Western Australia competed with the other States.

It is not a good argument to say that South Australia should be a low-wage and low-working-conditions State because, if these conditions are provided, we will not get industries here. When the previous Government intervened in the basic wage cases, it said that our basic wage should be so much lower than that in the other States and that the basic wage in country areas should be lower again. The people do not agree that we should have a low-wage and low-conditions State. Opposition members and employers say that we should keep this a low-wage and low-cost-structure State, but when one talks about low costs one can talk only about wages.

The Hon. H. K. Kemp: And taxes.

The Hon. A. F. KNEEBONE: We are not talking about taxes: we are talking about long service leave. I asked one honourable member what we had done so far in regard to getting markets overseas. Even since this Government has come into office we have heard of breaking into the export market. Recently, I attended a meeting where an exporter was given a token because of his efforts in breaking into an export market—and this is since we have been in office. Yet we are told that we cannot compete with the Eastern States. Do not tell me that the difference between 10 years' and 15 years' service in respect of long service leave will make all that difference in breaking into export markets. I know that some employers here pay higher wages than do some employers in other States with whom we are competing. For instance, the agreement in the newspaper industry with which I was concerned laid down the highest rate in Australia. In other industries, too, higher wages are paid here than in other States. That is our present position. We are told that we are short of tradesmen here. That is because they are encouraged, in some instances, to go to other States. We cannot have it both ways: we cannot have a lower wage structure here and get all the tradesmen we want, and at the same time say, "We have to keep the low-wage State going here because we want industry." What is the good of industry if we cannot get tradesmen to stay here? This applies to our Public Service, where we cannot get people in certain classifications because they can earn more money elsewhere. It is implied that the trade unions want and are happy with the 15-year agreements in this State, but the unions were forced to accept 15 years because this was a compromise on the way to 10 years. We should amend this Bill to make it 10 instead of 15 years.

The Hon. F. J. POTTER: I oppose the amendment. I take the Minister up on his last words, that the industrial agreements in this State have been forced upon the trade unions and that they are merely a compromise on the way to 10 years. Perhaps this Bill is a compromise on the way to 10 years, but I do not think we should bring in that provision now. Perhaps in a few years' time we can look at the situation again.

The Hon. D. H. L. BANFIELD: The Hon. Mr. Potter's attitude is the same attitude as that taken by the employers ever since arbitration came into being. They believe that the employees should have better conditions and enjoy certain privileges, but now is not the hour. Now is never the hour for the employers! One can go into a factory and say, "We believe that long service leave should apply after 10 years" and one can get every employer individually to agree, but one cannot get them to agree collectively. There has been much talk in this Chamber about the policy of the Government and what was offered to the people prior to the election. It has been said that we are not putting our policy into operation. This is one of the things that was promised before the election. We are only halfway through our term of office, yet we have honoured more than 50 per cent of the promises made. This matter was something on which the Government was elected.

The Hon. F. J. Potter: You have raised a few taxes by 50 per cent, too.

The Hon. D. H. L. BANFIELD: Yes, but we are told that we are not putting our policy into operation. This was our policy in 1957, when the then Leader of the Opposition moved that long service leave of 13 weeks be allowed after 10 years' service. Many people are expecting this. This Chamber will be responsible if this does not eventuate. Long service leave was provided for by the coal industry tribunal when, in certain circumstances, it granted 13 weeks after eight years' service.

The Hon. F. J. Potter: That was very special.

The Hon. D. H. L. BANFIELD: It is very special because it does not agree with the

general application; but the coal industry tribunal recognized that.

The Hon. Sir Norman Jude: Have you ever been in a coal mine?

The Hon. D. H. L. BANFIELD: I do not have to go into a coal mine to know that those men get long service leave after eight years. The fact remains that there is an industry that receives long service leave after eight years. The previous Government brought in long service leave after seven years, which was an improvement on the coal industry's eight years. We are not asking for seven or eight years. We believe that industry cannot stand seven or eight years and we suggest that it be 10 years, but we still get opposition although the previous Government recognized that long service leave was due to an employee after seven years. The amount granted at the end of seven years was inadequate and the only reason for the hostility to it by the unions was that long service leave did not have to be given after seven years: the Act provides that the employer could hand to the employee one week's wages to serve as long service leave. The other thing was that it dated back for only seven years and it disregarded hundreds of employees in the industry who had already 20, 30 or 40 years' service. They are the reasons why agreements were entered into, the result being that we were able to get something for the people who had served much longer periods in industry. I believe the public expect this Government to put its policy into operation; if it does not do so, the blame will be laid at the feet of Opposition members of this Chamber. If it is not the Opposition's fault, I do not know whose fault it is. In 1957 and 1965 it was the announced policy of the Labor Party to grant 15 weeks' long service leave after 10 years' service.

The Hon. Sir Norman Jude: Then why did you not bring in those conditions?

The Hon. D. H. L. BANFIELD: The Government is half-way through its announced programme, but it has an order of priority, and long service leave is in the list of priorities. The Hon. Mr. Potter knew that the Government was preparing a Bill on long service leave, and that is why he introduced the present Bill, well knowing that he would receive the support of Opposition members of this Chamber to the proposal for 13 weeks' long service leave after 15 years' service and not 13 weeks after 10 years, as promised by the Government.

The Committee divided on the amendment:

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

Noes (12).—The Hons. Jessie Cooper, R. C. DeGaris, R. A. Geddes, G. J. Gilfillan, L. R. Hart, Sir Norman Jude, H. K. Kemp, Sir Lyell McEwin, F. J. Potter (teller), C. D. Rowe, Sir Arthur Rymill, and C. R. Story.

Majority of 8 for the Noes.

Amendment thus negatived.

Progress reported; Committee to sit again.

STATE LOTTERIES BILL.

The House of Assembly intimated that it had agreed to amendment No. 3, with a consequential amendment; and that it had disagreed to amendments Nos. 1 and 2, but had made a further amendment.

REGISTRATION OF DOGS ACT AMENDMENT BILL.

Returned from the House of Assembly with amendments.

ADJOURNMENT.

At 5.43 p.m. the Council adjourned until Wednesday, October 26, at 2.15 p.m.