

**HOUSE OF ASSEMBLY.**

Thursday, November 22, 1951.

The SPEAKER (Hon. Sir Robert Nicholls) took the Chair at 2 p.m. and read prayers.

**ASSENT TO ACTS.**

His Excellency the Governor, by message, intimated his assent to the Industrial Code Amendment Act (No. 3), Young Men's Christian Association of Port Pirie Act Amendment Act, and Offenders Probation Act Amendment Act.

**ILLNESS OF HIS MAJESTY THE KING.**

The SPEAKER—I have received the following message from His Excellency the Governor, addressed to the Speaker and members of the House of Assembly:—

At the direction of the Right Honourable the Secretary of State for Commonwealth Relations, I have it in command from His Majesty the King to convey to the Honourable the Speaker and members of the House of Assembly an expression of His Majesty's deep appreciation of the Joint Address of Loyalty and sympathy submitted by the Legislative Council and the House of Assembly in Parliament assembled.

**OIL REFINERY SITE.**

Mr. O'HALLORAN—On Tuesday last, during the Premier's absence at a Canberra conference, I drew the attention of the Minister of Lands to a statement in that day's press regarding the high expectations held by a Minister in Western Australia that the new refinery proposed to be established in Australia by the Anglo-Iranian Oil Company would be situated in Western Australia, and I asked if the undoubted advantages of Spencer Gulf ports had been brought under the notice of the company, and, if not, whether it would be done. Has the Premier had an opportunity to look at the matter since his return, and has he anything to report?

The Hon. T. PLAYFORD—This matter was brought under my notice a considerable time ago and a senior officer of the company came to Australia to make recommendations in connection with the refinery. I immediately arranged for someone to get in contact with the gentleman in Melbourne and overtures were made on behalf of this State. As a result he visited South Australia and discussed the matter with me fully. It appears that this State has no opportunity of securing the project. It is an international project and it is designed for the purpose of supplying not only Australia but outside countries. It is being situated in Aus-

tralia more as a secure base than to supply Australian requirements, although no doubt some Australian requirements will be supplied. It is necessary to have it strategically placed to supply the world markets. It would be a long and costly job to bring unrefined oil to South Australia and then take it back past Western Australia, and, I believe, would offer no hope of expansion in this State. The negotiations opened up were appreciated by the company, for the gentleman concerned came to South Australia to explain to me why it was not possible for him to recommend this State as a base—because its position was not in accordance with the general set-up of the countries proposed to be served. From what was said I assumed that if the project came to Australia at all it would be located either on the western coast, at Albany, or on the eastern coast, possibly at Sydney, but no decision has yet been reached.

**GENERAL MANAGER, TRAMWAYS TRUST.**

Mr. MOIR—Following on the announcement that the general manager of the M.T.T. will retire in January, 1952, have applications for the position been called for in Australia, England and America, and, if so, will the board withhold the appointment of a new general manager until the report of the committee investigating the position of the trust is tabled for its consideration?

The Hon. M. McINTOSH—As I have said before, the Tramways Trust is not under Government control, but as the Minister appointed to deal with trust affairs I will direct the question to the trust and bring down a reply at an early date.

**BUTTER PRICES.**

Mr. FRANK WALSH—On Tuesday last I asked the Minister of Lands when it was likely that the increased price for butterfat would be paid to dairy farmers in this State. Has the Premier a reply on that matter? I understand there are reports circulating that cheques are floating around in other States and that dairy farmers desire to buy new motor cars.

The Hon. T. PLAYFORD—I believe that payments in South Australia have been held up because of a difference of opinion between producers and wholesalers as to what is the equalized price. Only yesterday three producer representatives brought certain proposals to me for adjudication. I explained that I did not have sufficient information on that matter, and that the only solution I could see, if the dispute

were not settled, was for the Prices Branch to examine the merits of the respective cases. I believe every possible effort is being made to get the new payments out to the producers. Regarding the question about motor cars, I think the latest statistics show that in South Australia there is one motor car to every 4½ persons, and I assure the honourable member that, unfortunately for us, the ratio of dairymen is not nearly as high.

#### ABATTOIRS DISPUTE.

Mr. DUNNAGE—I understand that, because of the increased costs of slaughtering stock in abattoirs in the near hills and surrounding areas, owing to the current industrial dispute at the Metropolitan Abattoirs, the price of meat has risen considerably. Can the Minister of Agriculture say what action is being taken on the strike, if it is going to continue, and whether he has any information about the increased meat prices, which I understand are due to the strike?

The Hon. Sir GEORGE JENKINS—I have no information about any increased prices being charged. Not all meats are subject to control. Pig meats and lamb are not, but I believe other meats, that is beef and mutton, are. Questions on price control should be put to the Treasurer. As to a return to work I am very hopeful that wise counsels will prevail and that the men will be back on the job in a very short period.

#### LEFEVRE PENINSULA WATER SUPPLY.

Mr. TAPPING—Has the Minister of Works a reply to my recent question regarding the water supply on LeFevre Peninsula?

The Hon. M. McINTOSH—I have followed up representations made by the honourable member. Various authorities are concerned at the position, and I obtained a report from the Deputy Engineer-in-Chief which states:—

In connection with letter of 19th inst. from the Corporation of Port Adelaide, the position in connection with the LeFevre's Peninsula water supply is that a contract was let in 1945 for 21in. diameter steel pipes for an increased supply to this area, but the manufacturers were unable to get the steel plate for the pipes. Subsequently, as the result of further development contemplated by the South Australian Harbors Board, the Public Works Standing Committee recommended increasing the 21in. main to 24in. diameter, and the order with the manufacturers was immediately amended. The 24in. pipes are now manufactured and are being delivered along the route of the main, and it is expected that laying will commence about the middle of December.

It will be seen from that how long it takes from the placing of an order to the physical delivery of the pipes. The report continues:—

With regard to the statement that water is insufficient to fill cisterns and heating systems, it is pointed out that consumption this summer from the reservoirs is about 15 per cent higher than the corresponding period last year. This heavy increase in consumption has overtaxed the capacity of the mains, with the result that low pressures are being experienced in many localities, particularly in the western areas and the seaboard suburbs. In an effort to improve these low pressures, 20 bores have been placed in commission, but during peak periods, low pressures will still be experienced as the mains cannot carry any more water. The department is fully aware of the development taking place on LeFevre's Peninsula and to bring more water into the area as early as possible, the route of the proposed trunk main from the terminal storage on the Adelaide-Mannum system has been altered to take the supply into the northern end of the metropolitan system and to Port Adelaide. The works now approved are the quickest way in which improvement can be given.

Obviously, if a 15 per cent increase is taking place in the consumption so early in the season we are going to be in great difficulties later. I am informed that in Sydney and Brisbane, although floods have taken place there over the last year or so, they are in such dire difficulties that restrictions have been or will have to be imposed because the mains are not capable of carrying the present requirements. It is not feasible or possible to extend the mains in question because materials are not available. We are asked to divert materials and labour to improve pressures in certain areas, whereas in some cases we are still unable to get the materials for places where waterworks have been approved but not carried out and the people have no water supply at present. I ask for the forbearance of people and that they will restrict to the greatest possible extent the use of water for non-essential purposes so that people in low pressure areas will not suffer because people with high pressures manage to get the best draw off.

#### TRAMWAYS TRUST LEVY.

Mr. STEPHENS—This morning *Advertiser* contained a report of a proposed levy by the Tramways Trust to meet its deficit. The report pointed out that it would be a matter of consequence to all metropolitan ratepayers. Can the Premier say whether the Tramways Trust can impose a levy on the ratepayers direct or must it be done through local government bodies? Has the trust or local bodies the power to impose such a levy on the people without first getting the Government's consent?

The Hon. T. PLAYFORD—The answers to those questions are contained in the Tramways Act which established the Tramways Trust. I am not quite sure of the method by which rating is applied, but much public money has been made available to the trust, which is a municipally owned and controlled organization, for the establishment of tram services throughout the metropolitan area, and there is a provision in the Act that, in the event of the trust not being in a position to meet its financial obligations, a rating system on the metropolitan districts served by it may be levied to make up the deficit.

#### SOLDIER SETTLEMENT.

Mr. MACGILLIVRAY—In reply to my question earlier in the week the Minister of Lands said that about 50 per cent of the original ex-servicemen applicants for dry land blocks no longer wished to be settled—a statement which must have amazed every member. The following is an extract from the circular letter sent out to applicants by the Director of Lands:—

I wish to make the fact perfectly clear that because of the shortage of labour all men so selected will be required to take up full time employment with the department on the work of preparing land for settlement under the scheme when called upon to do so . . . . . Although no guarantee is given of accommodation for wives and families, the department does its best in this regard and generally is able to make suitable arrangements within a few months.

Does not the Minister of Lands think that the proviso that married men will be called upon to take part in development, although no guarantee can be given of accommodation for their wives and families, which in many cases may mean separation of a husband from his wife and children, may have had a detrimental effect on the replies obtained? Further, can the Minister say what section of the War Service Land Settlement Act gives him or the department the power to make this condition of settlement?

The Hon. C. S. HINCKS—Answering the last part of the question first, I remind the honourable member that many others, like himself, are most anxious to have these men settled and experience has shown that that is the best way to expedite soldier settlement. The drafting of the circular letter was discussed with the Returned Servicemen's League, which entirely agreed with the wording of the circular and the idea of circularizing soldiers interested so as to assist the Government to find out how many ex-servicemen were still keen on settlement.

Mr. Macgillivray—The league's headquarters were consulted?

The Hon. C. S. HINCKS—Yes. As to the honourable member's statement that members were all amazed at the number that did not reply, namely, 504, many of those men applied over five years ago, and one or two not five months ago. They probably applied thinking that at some time they might desire a block, and wanted to get in before the period of five years had expired. I know that some ex-servicemen have taken over their fathers' holdings and therefore will not require settlement under the scheme. It has been a problem to get temporary housing to accommodate all settlers while farms are being developed. We find that the method we have adopted is the most expedient way to get the farms developed so that eventually the ex-servicemen can settle on them. We inserted the statement read by the honourable member in the circular because there has been a misunderstanding on the part of some settlers who have been led to believe that a house will be ready immediately for them. We wanted to make the position quite clear. It was the original policy under the agreement that everything would be ready for the settlers when they went on their blocks. Most settlers will go straight into a home, but a few will have to wait some months for one. Considering that the Government is spending £10,000 to £20,000 for a block surely the applicant can remain two or three months away from his family.

#### GOODWOOD-MARINO LINE DUPLICATION.

Mr. FRANK WALSH—Has the Minister of Railways a reply to the question I asked on November 6 about possible bottlenecks at the railway crossings on Marion Road, South Road, and Sixth Avenue?

The Hon. M. McINTOSH—I took the matter up with the Railways Commissioner and he has given me an assurance, which coincides with common-sense, that he will give every consideration to the request to avoid bottlenecks at those intersections. The volume of traffic at each of those crossings will be kept in mind before a decision is finally made.

LEAVE OF ABSENCE: MR. DUNKS.

The Hon. T. PLAYFORD moved—

That leave of absence for the remainder of the session be granted to the honourable member for Mitcham (Mr. H. S. Dunks) on account of illness.

Motion carried.

## INTEREST ON CROWN ADVANCES AND LEASES ACT AMENDMENT BILL.

The Hon. T. PLAYFORD (Premier and Treasurer) moved—

That the Speaker do now leave the Chair and the House resolve itself into a Committee of the whole for the purpose of considering the following resolution:—

That it is desirable to introduce a Bill for an Act to amend the Interest on Crown Advances and Leases Act, 1944.

Motion carried. Resolution agreed to in Committee and adopted by the House. Bill introduced and read a first time.

Second reading.

The Hon. T. PLAYFORD—The Interest on Crown Advances and Leases Act sets out the method to be followed in fixing the rates of interest to be charged on Government advances and loans and on Crown leases and agreements. Many Acts of Parliament provide that advances may be made by the Government for various purposes and, in order to secure that there should be uniformity in the rates of interest charged, the Act of 1944 provided that the Treasurer could, by notice in the *Gazette*, fix a rate of interest which would be applicable generally to loans and advances made under those various Acts. The Act, however, provides in effect that, if a rate of interest is fixed with reference to advances or other matters under any particular Act, that rate is to apply to all such advances and matters and there is no power to distinguish between loans made in the past and those to be made in the future.

At present, by notice published in pursuance of the 1944 Act, a general rate of 4 per cent has been fixed as the interest rate on these Government advances. This interest rate was fixed at a time when the interest rate on Government borrowing was 3½d. per cent. At the present time, the Government must pay 3¾ per cent and, consequently, the Government has under consideration the appropriate rate of interest to be charged on advances made from funds raised at the current rate for Government borrowing.

If a new rate were fixed by the Treasurer under the 1944 Act, this rate would, under the existing provisions of the Act, of necessity apply to past advances as well as to future advances. The Government is of opinion that it is desirable that there should be discretionary power to distinguish between these and, accordingly, the purpose of the Bill is to provide that, when fixing the general rate of interest to be payable upon Government advances,

etc., the Treasurer may, in the notice fixing the rate, declare that any new rate of interest is to apply to advances and loans made after a date specified in the notice. Clause 2 makes this amendment with relation to Crown advances and loans whilst clause 3 makes a similar amendment with relation to Crown leases and agreements. Paragraph (d) of clause 2 also makes a further amendment to section 2 of the Act. Subsection (8) provides that a notice fixing general rates of interest is not to apply to the general banking business of the State Bank. This provision is clarified to include in this exemption any advance made by the bank under the State Bank Act, which is the Act under which the bank carries on its general banking business. This does not affect such Acts as the Advances for Homes Act, the Advances to Settlers Act and the other administered by the bank on behalf of the Government and any notice fixing interest rates will, of course, apply to advances and loans under these Acts. Many Government loans are for a period of 15 years, whereas housing loans are often for a period of 30 years. At some future stage it may be necessary to adjust interest on old borrowings if the rate of interest on loans increases. The Government does not propose at present to alter the existing rates on old loans, but to apply the new rate to new borrowings so that borrowers will know their commitments when undertaking a loan. I move the second reading.

Mr. O'HALLORAN secured the adjournment of the debate.

## MAREEBA BABIES HOSPITAL LEASE BILL.

Returned from the Legislative Council without amendment.

## HEALTH ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from November 21. Page 1396.)

Mr. MAOGILLIVRAY (Chaffey)—The Bill amends the Health Act, which has received much attention both inside and outside Parliament. There may have been an over-emphasis on the need for this type of legislation. We all remember the time, about 30 years ago, when tuberculosis was a major scourge among practically all civilized races, but today, for various reasons, it is not nearly so great a menace. In support of that statement I will place some figures before the House. Everybody will agree that we are getting rid of

one of the major menaces to good health as the following table of deaths from tuberculosis shows:—

10-Yearly Period.	Deaths for each 10,000 of Population.	Percentage.
1919 . . . . .	400	8.89
1929 . . . . .	364	6.49
1939 . . . . .	225	3.78
1949 . . . . .	143	2.11

The latest figure secured by the Parliamentary Librarian from the Government Statistician shows that there were 132 deaths, but no percentage was given. I understand from the Parliamentary Librarian that under an international agreement a new method of recording deaths has now been adopted. Deaths from other diseases are increasing, and the figures in regard to cancer are frightening, as the following tables indicates:—

10-Yearly Period.	Deaths for each 10,000 of Population.	Percentage.
1919 . . . . .	389	8.65
1929 . . . . .	555	9.90
1939 . . . . .	705	11.83
1949 . . . . .	838	12.43

The Hon. S. W. Jeffries—There is a partial explanation of that. A great many old people now die of cancer who would not have done so if they had not reached old age. It is due to the greater expectation of life.

Mr. MACGILLIVRAY—That may be so. Some diseases are connected with old age. Pneumonia is sometimes called the friend of the old people because many of them die from it without much suffering. I wonder whether we are not over-emphasizing the dangers of tuberculosis to the exclusion of the dangers of other diseases. It may be asked how we have reduced the incidence of tuberculosis, and many reasons could be given. As a people we are building up our resistance to it and we are enjoying a higher standard of living. There has also been a great improvement in public and private hygiene. It is only during the last 100 years that we have acquired the habit of having a weekly bath, and earlier nothing was heard of the daily shower. It was said that when a person had a bath great care had to be taken to avoid the dangers associated with immersing the body in hot water and opening the pores of the skin. I believe the use of water and soap assists greatly to reduce the incidence of tuberculosis. Mr. Quirke made a valuable point when he stressed the importance of building up the resistance of the individual and in this regard a pure milk supply is vital. Following on the interview with the Stock and Brands Depart-

ment I came away happy in the knowledge that Adelaide probably has the best milk supply in the Commonwealth, and one probably second to none in the world.

Mr. Moir—Thanks to pasteurization.

Mr. MACGILLIVRAY—Thanks to the work done by the Stock and Brands Department in testing herds which supply the milk for the metropolitan area, which work was done despite a shortage of manpower. There had to be a concentration on certain areas more prone to bovine tuberculosis, and wonderful work has been done. It has been said that 30 or 40 per cent of the milk supplied for human consumption in Great Britain is tubercular-infected. The percentage of milk affected by tuberculosis in South Australia has been reduced to a minimum and I understand it will be further reduced in the new year when two new inspectors will operate in conjunction with the Metropolitan Milk Board to see that milk supplies are kept as pure as possible. That news must be heartening to every person who takes an interest in the health of the community, for people cannot work unless their health is good. Many people think that if they can get a cow for the family and get away from the public milk supply they have solved a problem. They have, provided the milk from that cow is free from tuberculosis. I know of an instance in which a poor hard-working family managed to acquire a cow, but later three young members of that family contracted tuberculosis. Another child, on returning after a stay in the country, contracted the disease, and investigations by an inspector from the Stock Branch of the Department of Agriculture disclosed that the cow was subject to tuberculosis. Drinking milk from one cow subject to the disease is ten thousand times worse than the risk taken in depending on the public milk supply. The service of such inspectors is free, but even if a nominal charge were made such a service would still be cheap because it would ensure that the milk supply was absolutely pure.

I do not think many people will be affected by this legislation. I have already shown how the gross number of people suffering from the disease has been reduced annually, and it is a reasonable assumption that the great majority of sufferers would welcome any medical help they could obtain. Similar legislation was passed in regard to another social disease and all the fears expressed regarding this legislation were expressed then. That legislation has been in force for some time, yet I have heard no complaint regarding its enforcement.

Indeed one member said that it is working very efficiently and is achieving the desired results. Amongst the letters appearing in the press on this Bill was one from the mother of a young family who supported the legislation, pointing out that her father, who is actively infected with tuberculosis, insists on coming to live with her although he is a menace to her young children. That is an extreme case, but I agree that that is the type of person with whom this legislation is designed to deal.

Proposed section 146c, which provides for penalties not exceeding £50 for breach of any regulation made under this section, should be deleted. Evidently the person who drafted the Bill had in mind Bills dealing with criminal offences where fines, and imprisonment for subsequent offences, are imposed. In Committee the Leader of the Opposition will move to reduce the penalty for a first offence to a fine not exceeding £5, but I ask members to seriously consider the elimination of the provision altogether. This is a health Bill to ensure the best possible health of the community, and the type of person who will be affected by these provisions is one not overburdened with intelligence, for anyone with a glimmering of common-sense would know that the Bill is designed to help him. The clause further states that on the issue of a warrant by a special magistrate a person may be apprehended. What is to happen to a sick person whose psychological reaction is that he feels he has been ostracized and that the community is against him? Will he be shut away in some building? What is the sense of punishing such a person? A person who is apprehended for his own good and for the good of the community should be looked after in a hospital.

Mr. Pattinson—What if he doesn't stay there?

Mr. MACGILLIVRAY—Then a fine will do no good.

Mr. Pattinson—What alternative do you suggest?

Mr. MACGILLIVRAY—The Bill provides that he can be kept there by force. I favour segregation by force but I oppose the imposition of a fine.

Mr. Pattinson—Do you suggest that brute force should be used on a sick man?

Mr. MACGILLIVRAY—I suggest that his small income should not be taken away from him in the form of a fine, because he will probably leave a wife and family behind when he is taken. Who will suffer most? Not the

sick man in hospital, but his wife and children.

Mr. Pattinson—The honourable member is shifting his ground now.

Mr. MACGILLIVRAY—No. It may be obnoxious to a sick man. Should he be fined because he has not the sense to take advantage of medical aid and hospital attention? If the central thought in any theme is wrong everything springing from it is equally wrong. The Bill states that "a person apprehending a person by virtue of a warrant shall, pending the examination of such person, detain him in a hospital or other suitable place appointed by the Director-General for the purpose." I am in favour of that provision because the sick man will be segregated and looked after but what sense is there in taking him before a court?

Mr. Pattinson—How can he be detained without using brute force?

Mr. MACGILLIVRAY—I am not opposed to apprehension or detention, but to the futility of fining a sick man.

The Hon. S. W. Jeffries—You don't think it will be a deterrent?

Mr. MACGILLIVRAY—None at all.

The Hon. S. W. Jeffries—Then there is no sense in it.

Mr. MACGILLIVRAY—Exactly. If a sick man is in the frame of mind to refuse medical help he will not pay a fine, so we are no better off with this provision.

Mr. Whittle—What is the use of making a law if it will not be carried out?

Mr. MACGILLIVRAY—That is the point, so I ask the member for Prospect to vote for such a futile law. Keep the power of apprehension and segregation, but not the power to fine. A fine always hurts most the person who is the least able to pay it. Many people pay a fine of, say, £40 gladly, but in some cases a fine of 40s. inflicts hardship on a man's wife and family. I know the Government is trying to do the right thing by including this provision, but it has been ill-advised. Some people state that the clause interferes with the freedom of the individual, but I am sure that many sincere people who have written to the press and members of Parliament about the measure have not even read the Bill. Further, it is not easy to understand all Bills. Much of the opposition to this legislation has arisen from misunderstanding of it. Only an infinitesimal number will be affected. In regard to the examination of classes or groups of people, I regret that the Government did not continue something that

had been commenced in South Australia in my district during the war years. We were fortunate in that Dr. Jungfer was attached to the Loveday prisoner of war camp. This man has carried out more examinations of young people especially, than any Government department or individual that I know of. He examined many children by the Mantoux test and submitted reports to parents. The member for Onkaparinga was later responsible for an even more elaborate scheme in his area. However, this very desirable system seems to have lapsed.

Mr. Shannon—There are not sufficient doctors to carry it out everywhere.

Mr. MACGILLIVRAY—The Education Department sends its doctors to country schools to examine scholars, but children whose families are frequently shifting may not be examined for years. Not many children in the metropolitan area would miss medical examinations, but the local doctor should be called upon to examine children in country districts. He is on the spot and could choose a day suitable for the headmaster to make examinations, and if any scholar was away the doctor could call a week later. I am sorry the Government is tied to bureaucratic, centralized controls and is not prepared to bring other doctors into the examination of school children because I am sure country doctors would gladly co-operate. Instead of ordering people about, as is envisaged in proposed new section 146e, the Government should educate the people. Education is much better than compulsion. It should start with the schools, for if we rear healthy children it is reasonable to assume that they will become healthy adults.

The Hon. S. W. Jeffries—If parents had a better sense of responsibility it would help. They are primarily responsible for the health of their children.

Mr. MACGILLIVRAY—I will not argue against that, but I would try to assist them to do their duty. How often does an optician or a dentist visit country schools? I have lived in my district for 30 years and was for a long time a member of the school committee, but I do not remember one dentist visiting the Barmera school.

Mr. Stephens—There are permanent dentists and dispensaries in New Zealand schools.

Mr. MACGILLIVRAY—I do not think we need to go that far, but let us educate the people in health matters. Not long ago people of middle age rarely thought of having a

medical overhaul, but it is a common practice now for a middle-aged man to have a medical examination. That is where education comes in. We should educate our children instead of providing for compulsion. There is a provision to fine a person if he refuses to have an X-ray examination, but will this result in the examination being made? Fining a person will not in any way eradicate tuberculosis, and in Committee I hope this matter will be given careful consideration. I support the second reading.

Mr. HEASLIP (Rocky River)—I support the Bill because we should do all possible to reduce the loss of life through tuberculosis. In addition to this loss, there is also a considerable loss of man hours through sufferers being laid up for many months. Those man hours would not be lost if proper precautions were taken. We should take any step which will reduce the incidence of the disease, and to achieve it there must be some compulsion. The voluntary system of X-ray examinations has broken down. Only 50 per cent of the country people availed themselves of the opportunity to have this examination; better results are needed. Yesterday Mr. Quirke spoke about the pasteurization of milk. I suggest that, in making his remarks, he did not know the real facts or had been misinformed. The remarks should be refuted because they may have an adverse effect on the public and the supply of milk to the metropolitan area. After making some inquiries Mr. Macgillivray now seems to have altered his previous opinion.

Mr. Macgillivray—What do you mean?

Mr. HEASLIP—Yesterday the honourable member said that a calf could not be reared on pasteurized milk. Today he said that after getting information from the Stock and Brands Department he was satisfied that the Adelaide milk supply was one of the best in the Commonwealth, if not in the whole world.

Mr. Macgillivray—I still think it is not possible to rear a calf on pasteurized milk.

Mr. HEASLIP—For the information of members I shall read extracts from a book by G. S. Wilson on the pasteurization of milk. There is a foreword by William Jamieson, who was Minister of Health in Great Britain in 1942. In Great Britain the incidence of tuberculosis is greater than the incidence in Australia because of the difference in climatic conditions. Mr. Jamieson said:—

Subsequently the Ministry of Health and the Ministry of Agriculture were approached by various bodies urging them to take up this matter again. In response to one of these

deputations Mr. Walter Elliott, then Minister of Health, said there was no need for further education of public and Parliamentary opinion.

Mr. Wilson deals wholly with the milk supply of Great Britain and the effect of pasteurization of the milk, and the following is an extract from the book:—

In the production of milk, it is impossible to avoid some degree of bacterial contamination as under the best circumstances it is likely to have 10,000 to 30,000 bacteria per cubic centimeter (roughly 15 drops). Milk is not only a nearly-perfect food for human beings, but is also an excellent culture medium for most bacteria, so that under Australian conditions of temperatures favourable for bacterial multiplication for most of the year, most milk reaching consumers is likely to have millions of bacteria per 15 drops.

A test of metropolitan area milk showed a bacteria content of 3,400,000 for each 15 drops. After pasteurization the number had been reduced to 15,000.

Mr. Quirke—That is not complete elimination.

Mr. HEASLIP—All the tuberculosis germs were eliminated. Immediately on the completion of pasteurization no life is left in the milk, but I do not know what happens when the milk stands for several days. A further extract is:—

To reduce the organisms, either antiseptics must be used and this is not possible without danger, or some form of sterilization is attempted. In the heating processes, although bacteria can be killed, the taste, the quality, and the vitamin content may be seriously impaired. Pasteurization aims at heating milk at a certain temperature for a given time, the temperature and time being chosen to kill practically all of the pathogenic bacteria, while only producing a very slight reduction in the value of the milk. If this milk is then stored cold and consumed without subsequent standing at warm temperature for more than an hour or so, the milk is safe and has retained virtually all of its value.

Mr. Quirke—What happens when the pasteurized milk is left on the doorsteps for three or four hours?

Mr. HEASLIP—The elimination of tubercular infection in cows will not overcome that difficulty. A further extract is:—

Pasteurization has been widely adopted throughout the civilized world, and, in climates such as Australia, the suspension of it would inevitably be associated with an increase in infant gastro-intestinal illness and mortality especially, as well as an increase on other diseases both of infancy and older age. Many experiments have been conducted to compare fresh raw milk with pasteurized milk. The results of the various experiments on different animals, including children, are in general accordance with each other and fail to show

that pasteurization of milk by the holder method has any significant effect in lowering its total nutritive value for the growing animal.

The book says that statements that pasteurization reduces the value of milk, does not reduce tuberculosis, favours bacterial growth, and is not advocated by the Pasteur Institute, have been disproved. It also says:—

Evidence is brought to show that no serious objection has so far been raised which rests on a firm basis of fact, and which can be weighed in the scales against immense demonstrable advantage of a safe milk supply conferred by pasteurization.

We should not destroy the confidence of the public in its milk supply.

Mr. Quirke—Are you aware that authorities of equal standing refute every word you have read? Whom are we to believe?

Mr. HEASLIP—This book is not available in our Parliamentary library, but it may be obtained from the University library. I do not believe that pasteurized milk can be blamed. In most country areas herd testing is not carried out because of shortage of manpower. If the medical profession which has done such a good job over past years is enabled to complete its job I believe that the occurrence of this disease will be minimized. Medical men should be given a chance to detect the disease in its early stages, otherwise they cannot be expected to eliminate it. I support the second reading.

Mr. TAPPING (Semaphore)—I, too, support the second reading, with certain reservations. I feel that it is wrong to introduce compulsory provisions. Figures prove beyond any doubt that the number of deaths from tuberculosis have decreased over the past few years. When we consider the increase in population, such a decrease proves that much has been done to minimize the effects of this scourge. Compulsion is distasteful to Australians in all but extreme cases, and I do not consider this an extreme case because doctors and others responsible have done everything possible to eliminate tuberculosis. Two hundred and one South Australian died from tuberculosis in 1945, 182 in 1946, 196 in 1947, 186 in 1948, and 142 in 1949. The Central Board of Health and local boards of health throughout the State have played an important part in the attempt to eliminate the disease. I know that in Port Adelaide the health inspector, aided by his assistants and the town clerk, has done everything possible to educate residents in an effort to stamp out the disease, and that applies throughout South Australia, for there is

abroad a desire to aid humanity and to ensure longer life. Doctors have played an important part in this regard, and not only do they carry out their avocation as professional men but they also befriended their patients, telling them the best means of treatment.

As in the case of other notifiable diseases it will be incumbent on persons suffering from tuberculosis to see a doctor, who must consult the town clerk or secretary of the local board of health as to what steps should be taken to combat the disease. Subsection (1) of proposed section 146c states:—

If the Director-General suspects that any person is suffering from tuberculosis he may by notice in writing signed by him or by any person acting under his authority require that person to attend at a time and place specified in the notice.

I take exception to the word "suspect", for I believe the Director-General, with his many administrative duties, could not be expected to do this job. No doubt his powers would be delegated to subordinate officers, but I would like to see provision made for recommendations to be made by the Central Board of Health and local boards of health, which would be more satisfactory than giving the power to the Director-General who might find it impracticable to carry out this important function. I consider that the penalties prescribed in this section are far too harsh. A fine of £25 is provided for a first offence by a person on whom a notice is served under this section and who fails to comply with any of its requirements, and a fine of £50 for a second or subsequent offence. To impose such drastic penalties on an invalid is something which runs counter to British justice. I suggest that the Government seriously consider reducing that fine to a small amount in order that it shall not prove too harsh on those afflicted with this disease. We should seek to get the co-operation of sufferers rather than impose such heavy penalties. Subsection (1) of proposed section 146l states:—

If a person who attends or is brought to a place for examination pursuant to this part refuses to submit himself to examination—

(a) he shall be guilty of an offence and liable to a fine not exceeding £50 . . .

I submit that a man may be fined £50 for the first offence and £50 for the second, if he does not comply with the notice, a punishment which is far too harsh. It is all the more drastic, because the Bill provides that the Director-General and his subordinates may use any means necessary to compel a suspect to undergo an

examination. I consider that the phrase "any means necessary" is too severe, and I agree with the member for Glenelg that it embraces force. If force is to be used on an invalid, we are providing for something inhuman and something which will defeat the purpose of the Bill. The Government should reconsider some of these clauses and take notice of the statements of various members, because they, like the Government, believe this is a serious state of affairs. We have tackled other diseases such as cancer and venereal disease in this House, and I believe that, because of the co-operation of both sides, progress is being made and the voluntary system obtaining today is proving satisfactory. I listened intently to the previous speakers who have expressed their willingness to co-operate to overcome the existing state of affairs. Much is being done to prevent the sacrifice of valuable lives which this nation cannot afford to lose. I support the second reading.

Mr. HUTCHENS (Hindmarsh)—Because of the great public concern on this subject and because I have been approached by a number of my constituents for clarification of certain parts of the Bill, I wish to make one or two remarks on it. Firstly, I must make it clear that I believe that the Bill has every good intention. However, there are one or two aspects of the Bill that need clarification and I should be grateful if the Minister will explain them to relieve anxiety on some points. I agree with other members that the penalty clauses are giving the greatest concern. We should not use compulsion in health matters; a far better way is to encourage and educate people to overcome diseases. I appreciate the seriousness of tuberculosis, especially as the nation's population is rapidly increasing as the result of the Commonwealth Government's migration policy. For that reason everything possible should be done to educate the people to voluntarily submit to examination, and treatment if necessary.

The spread of tuberculosis, and deaths from it, have been reduced since the Federal Labor Government introduced legislation which persuaded people and assisted organizations to control it. If we take steps to force people to do certain things we will not achieve the desired results. The member for Semaphore objected to the word "suspects" in proposed new section 146c. Another provision states that the Director-General, or any person under his authority, may use any means necessary to conduct an examination. These two provisions may lead to undesirable practices

because, although I am sure the present Director-General would not adopt doubtful methods, another officer may not be quite so sound in his administration, and the provisions might give scope for pimps and blackmailers to have honest, healthy persons brought before the court, thereby casting a slur on them. The measure should be amended to prevent the possibility of such happenings. People of this country are opposed to compulsion, although it is necessary at times, but in health matters it creates an attitude in the minds of sick people which is detrimental to their already deteriorating health. I agree with what the member for Chaffey said in regard to the penalties, and believe they are excessive. The only way to overcome the spread of tuberculosis is by educating the people and encouraging them to accept their responsibilities to their fellow men and voluntarily submit to examination. I support the second reading with those reservations.

Mr. MOIR (Norwood)—In previous speeches I have emphasized the necessity for the compulsory notification not only of tuberculosis, but of cancer, venereal disease and other diseases which are easily spread. The Bill meets with my wishes and I keenly support it. The member for Stanley said an infected cow is a carrier of disease, and I have to admit that, but he condemned the milk produced by such a cow. After pasteurization milk is pure and fit for human consumption. Indeed, the Agricultural Department and the Milk Board would be remiss in their duties if they allowed impure milk to be sold. I emphasize the necessity for cows to be tested and congratulate the Minister of Agriculture on the way in which he has co-operated with dairymen, wholesalers and factories in trying to alleviate the lot of the farmer in having to bear all losses resulting from the destruction of cows suffering from tuberculosis. The Act states that 75 per cent is to be met by the Government. I meet 25 per cent whenever cows from which I get milk for my business are destroyed. The loss of four or five cows is a great blow to small dairymen and it often takes them many months to build up their herds again. The only way to combat tuberculosis in dairy herds is to have those infected destroyed and to purchase healthy cows which have been tested. Herds should be tested twice a year because it takes longer to realize a cow is suffering from tuberculosis than a human being. I have always advocated that young people contemplating marriage, for their own sake and the health of the com-

munity, should be X-rayed and if there were any signs of tuberculosis should postpone their marriage. The member for Stanley seized the opportunity provided by an interjection from the member for Torrens and gave the industry with which I am associated a thorough thrashing, especially in regard to pasteurization. However, I wish to convince members that the picture is not as bad as he has painted it. Great benefits have ensued from the pasteurization of milk. People are now able to keep milk in refrigerators for much longer periods than they can fresh milk. This is what Mr. M. J. Rosenau, of Harvard University, says about pasteurization of milk:—

Pasteurization consists in heating milk to a temperature below that of boiling, holding it at that temperature for a definite time, and then chilling it rapidly. The time and temperature of pasteurization are designed to be sufficient to kill the harmful micro-organisms with the least possible effect upon the milk itself. Pasteurization is a preventive measure of public health importance. It should be defined legally in the sanitary code so that milk labelled "Pasteurized" but which has been processed by improper or incomplete methods may be prosecuted as misbranded. The heat of pasteurization does not alter the taste, appearance, or digestibility of milk unfavourably, and does not appreciably diminish its food value, except that there may be a diminution of its anti-scorbutic property, which in any case should be offset by the use of orange juice or tomato juice. In fact, pasteurization tends to make the curds softer and in this way perhaps easier to digest.

If milk is drunk quickly it will quickly curdle. It is much better to drink it slowly because it does not then turn sour in the stomach. Mr. Rosenau continues:—

It has been abundantly demonstrated that heating milk to 140°F. for 20 minutes is sufficient to kill the bacilli of tuberculosis, typhoid fever, paratyphoid fevers, dysenteries, and diphtheria, the streptococci of scarlet fever and septic sore throat, the Brucella organisms, the virus of foot and mouth disease and all other non-spore-bearing milk-borne infections that are of concern to man. The temperature is a factor of the time; that is, for every degree above 140°F., the time may be reduced one minute, so that at 155° all the above pathogenic micro-organisms are killed in five minutes. The exposure should not be less than five minutes. A factor of safety is necessary in commercial practice and it has been found by long experience in great cities handling enormous quantities of milk that 142°F. to 145°F. for 30 minutes is safe and satisfactory. Milk thus pasteurized protects the public health. Most cities and many States have adopted this definition of pasteurization, but some still insist upon a minimum of 145° for 30 minutes. The dairy industry objects to heating milk to 145°F. or higher for 30 minutes

or longer because the cream line is affected, but there is no sanitary harm from these and even higher temperatures. As the result of many years of extensive experience with commercial pasteurization, confirmed by laboratory researches it has been demonstrated that a temperature of 142°F. to 145°F., with a holding period of 30 minutes, serves the purpose of protecting the public health and preserving the integrity of the milk. Pasteurizing machinery is not fool-proof, and even the best designed apparatus must be operated with intelligent watchfulness. The thermo-regulator should be responsive, the thermometers accurate and frequently standardized, for they are apt to be injured by the steam used in cleaning. The process should be done under official supervision. Automatic records of the temperature and time should be kept for each run.

Advantages and disadvantages:—Pasteurization prevents sickness and saves lives. Pasteurization is not ideal, but only an expedient. It is advocated because milk is apt to convey the viruses of a number of diseases harmful to man. Pasteurization effectively prevents this hazard. It implies precaution, protection, and prevention. It is the best insurance both for the industry and the consumer, and the simplest, cheapest, least objectionable and most trustworthy method of rendering infected milk safe. Next to water purification, pasteurization is the most important single preventive measure in the field of sanitation.

Some years ago a test of raw milk in Chicago showed that 10.5 per cent contained tubercular bacilli in sufficient numbers to infect guinea pigs. Samples of pasteurized milk were tested, but none contained this bacilli. Other American cities showed a greater incidence of milk infection and of a total of 551 samples of raw milk 8.3 per cent contained tubercular bacilli. In England some years ago samples tested showed from nine to 17 per cent. In his book Rosenau also said, "There is no record of any milk-borne outbreak attributable to properly pasteurized milk." I do not know of anyone of any scientific standing who has disputed that statement. In testing the cleanliness of milk under the Health Act the blue methylene test is used by the Metropolitan County Board and the Milk Board. If the blue colour disappears in half an hour the milk is not very clean; but if it goes out after two hours it is classed as ordinary; after three hours, fairly good; and after five hours, excellent. Captain E. M. Crawford, of the United States Army Veterinary Corps, who was in Australia with the American Army during 1942, wrote in the journal *Butter Fat and Solids*, as follows:—

The principal bovine diseases that are transmissible to man through milk are tuberculosis, Bangs Disease (abortion disease, brucellosis, or undulant fever in man) and mastitis or

mammitis. The diseases most frequently transmitted from one human to another through milk are septic sore throat, diphtheria, typhoid and dysentery or diarrhoea. There are three points at which sanitary control of fluid must be exercised; namely, at the start of milk production, on the farm; at the depot where milk is handled; and during delivery. All of these points are probably of equal importance, but essentially it is necessary to begin with milk of good quality, which means that sanitation on the farm is very important. The methods of control fall into two categories; Government inspection, which is primarily concerned, at least as far as our control in the States is concerned, with the health factors in the production of milk. In other words, the primary aim of the Government inspection is to insure that milk does not transmit diseases to humans. Governmental control is carried out in Queensland by the State Agricultural and Dairy Department, by the State Health Department, and by the Milk Control Board of Brisbane. As nearly as I can determine in Australia, there is very little inspection performed by the depots themselves. In America most of the larger dairies have several representatives whose sole purpose is to visit and instruct the farmers in the essential features of the production of good milk. While this depot inspection is, of course, concerned that milk is safe from a health standpoint, it is primarily interested in the quality of the milk, because this is a leading factor in the determination of the amount of milk sold.

I would now like to revert to the points of control, and briefly explain the factors that have to be controlled at each of these points. On the farm the first element to be encountered in the production of a safe milk is the health of the cow. As mentioned previously, there are three diseases which are ordinarily transmitted from cow to man. The first of these, tuberculosis, is controlled almost solely by the elimination and destruction of all cows so infected as determined by means of the tuberculin test. In the United States we have been quite successful in the elimination of tuberculosis cows through the condemnation and slaughter of all cattle reacting to the tuberculin test. At present the whole of the United States is classed as a "modified accredited area," which means that the incidence of tuberculosis is under 1 per cent. I understand that tuberculosis in cattle in Queensland varies from 7 per cent to 50 per cent. Since coming to Australia I have been told by both Americans and Australians that it seems rather peculiar that Australia is more interested in the health of her pigs than in the health of her children, in that they insist that milk for pigs be pasteurized, while very little provision is made for the pasteurization of milk for human consumption. However, in all fairness, it must be admitted that pigs are much more susceptible to bovine tuberculosis than are humans. In the States the Bureau of Animal Industry has recently approved a method of vaccination against bangs disease (abortion disease). This is proving of reasonable value when administered to calves, although it is of very little avail when adult cows are vaccinated.

A programme of eradication involving condemnation and slaughter of reactor cattle is also under way and it is difficult to say which method will eventually be followed.

I read the notice sent to my parents by Dr. Magarey when I was young, giving my father 21 days to see that I was vaccinated. That shows that vaccination was in vogue even in those days, 54 years ago. The Bill has not been introduced before its time, and should have been introduced years ago. Sometimes a mother's milk is too rich for the baby and she is asked to put it on cow's milk, being instructed that it must be brought almost to the boil before it is used. Most people think that they get milk direct from the cow. The person I bought a business from had advertised in his shop that the milk was direct from the cows to the consumers. However, I can say since I have been in the business that I have not sold 1gall. of fresh milk that came direct from the cows and I have supplied some of the leading Adelaide hospitals, including the Queen Victoria Home. When the last typhoid fever outbreak occurred in South Australia it was stated that it was caused by germs in fresh milk, but it was found that the man who had handled the milk was receiving lettuces and lucerne from the sewage farm, and that is where the disease was located. There have been no reports of typhoid outbreaks occurring during the last 10 or 15 years through the use of pasteurized milk, but some outbreaks have occurred through the use of fresh milk. When cream forms on the top of fresh milk air cannot get into it and the animal heat cannot escape. This milk will thicken more quickly than pasteurized milk. I have made tests with jugs of fresh milk and pasteurized milk, and the latter has lasted as long as the fresh milk. It has been said that milk for Adelaide has been kept for weeks, but that statement is incorrect because there are not sufficient milk vats in South Australia to hold more than two days' supply. Storage of milk in a 10gall. can is not ideal. Unless there is pasteurization and the milk is kept in a vat and properly stirred the cream will be lost. Many people do not know that combs are made from casein.

The SPEAKER—That matter is not associated with the Bill.

Mr. MOIR—I support the Bill. From a health point of view it is one of the best which has been introduced for some time.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—"Tuberculosis."

Mr. O'HALLORAN—I move—

To delete "suspects" from subsection (1) of new section 146 (c) and to insert "as the result of a report from the Central Board of Health believes".

I do not like the word "suspects." We should have something more specific.

Progress reported; Committee to sit again.

#### PUBLIC SERVICE ACT AMENDMENT BILL.

Mr. SHANNON moved—

That it be an instruction to the Committee of the whole House that it has power to consider an amendment dealing with the retiring age of Clerks of the Legislative Council and the House of Assembly.

Motion carried.

In Committee.

(Continued from November 20. Page 1347.)

Clauses 3 and 4 passed.

Clause 5—"Allowances and overtime."

Mr. LAWN—I oppose the clause. The Government has become lackadaisical and careless in some of the legislation it has introduced. Many employers have adopted the practice of dismissing employees after considerable service because they believe the employees just drift along and lose their efficiency. Under this clause the efficiency of the Public Service could be affected. During the second reading debate some members made remarks which showed that they did not understand the importance of this clause. One said that an employee could choose the days on which he wanted to take time out, but there is nothing in the Bill to indicate that he will have that option. In private enterprise some high officer would query any amount other than normal labour costs. Such a practice as that mentioned in this clause would tend to build up inefficiency. Secondly, so much overtime could be worked that it would be impossible to permit an officer to take off the time involved. A Public Service department should work its normal hours without working overtime if it can be avoided, but if it cannot be avoided penalty rates should be paid, because their payment tends to greater efficiency in the service. This proposal would tend to create a lack of confidence in the Public Service if private business people knew that such a practice was in vogue. It has been said that this

was the normal practice in industry many years ago, but arbitration tribunals have agreed that such a proposal tends to create inefficiency and have prescribed penalty rates. The courts have even gone so far as to state in various awards that overtime must be paid on a daily basis. The proposal in the clause as it now reads would be a retrograde step and would provide no incentive to ensure that the various departmental heads would conduct Public Service affairs in the present efficient manner. If anything, the proposal would be an incentive to muddling and drifting along with the knowledge that departments will not be debited with overtime expenditure. I oppose the whole clause.

The Hon. T. PLAYFORD (Premier and Treasurer)—I think the honourable member is making his objection on entirely wrong premises for he assumes that the Public Service is run on the same lines as industry and that every public servant receives normal penalty rates, but many public servants do not get those privileges and, in fact, work many hours overtime to meet special exigencies, as they are not tied down to ordinary office hours. They cannot be put on a basis which enables them to obtain overtime rates, and this provision has been designed to help overcome that position. Where officers have duties which may call them out at any hour a special recommendation might be made in connection with that service and a special remuneration provided, but in many cases those officers prefer time off to compensate them for time worked in special hours. In those circumstances the Government feels that those officers have some claim and this provision enables the Public Service Commissioner to enter into an agreement with them so that they may have time off in lieu of time worked at special hours. It does not prevent the payment of overtime.

Mr. O'Halloran—You say this will not have general application?

The Hon. T. PLAYFORD—Yes, it never has had general application. Mr. Lawn said this provision would lead to inefficiency, but I say it will not. Certain of our activities must be run on a certain amount of overtime. Railwaymen receive penalty rates for extra time worked, but that principle does not apply to many public servants. Until quite recently many public servants could be called upon to work overtime without remuneration, and only last year a Bill was passed providing for the payment of overtime rates to officers on the lower salary ranges.

That corrected an anomaly, but another anomaly remains to be corrected, because many officers do not come within that category and at present the Public Service Commissioner has no power to give them time off in lieu of time outside ordinary hours during which they may be called upon to work and for which they can receive no overtime pay. In some instances if a large amount of additional work becomes involved the Commissioner may recommend some additional payment, but that would happen only in a few unusual cases.

If it was necessary for me to investigate some South-Eastern State forests over the week-end, the Conservator of Forests would be required to be present. As he earns a high salary he does not receive extra payment for overtime worked, and he would probably take a day off during the week in lieu of a Sunday spent on such an inspection. At present if such an officer worked on a Sunday and desired a day off the board could not grant it. This clause gives the commissioner the opportunity to allow this. If the Under Treasurer, for instance, worked over the week-end to balance the State's accounts at June 30, would it not be reasonable to allow the Commissioner to grant him a day or two off?

Mr. O'Halloran—But that would have to be approved by the Public Service Board?

The Hon. T. PLAYFORD—Of course, and to suggest that the clause will lead to inefficiency or the possibility of the Government's avoiding certain determinations is absurd. On the contrary, it will lead to efficiency and enable officers to be compensated for working unusual hours.

Mr. Davis—Public servants work under a determination?

The Hon. T. PLAYFORD—They come under the jurisdiction of the Public Service Board, which has a member of the Public Service Association on it. The board makes recommendations for classifications and salaries of officers and the Government has always adopted them.

Mr. LAWN—The Premier has cleared up some points, but I question his statement that the board has not power under the Act to do what he suggests the clause provides for. Section 32a (b), enacted last year, states:—

The board may fix the hours to be worked by persons employed under this Act who, pursuant to arrangements approved by the Minister or otherwise, are required to work at hours other than the hours during which officers are ordinarily required to attend at their offices.

The Hon. T. Playford—That provision gives the board power to fix the hours in which public servants must work, but does not give power to release them from work.

Mr. LAWN—If I had the power to fix the hours of employees I should think I would also have the power to give them a day off occasionally.

Mr. STEPHENS—Perhaps the Premier can clarify the provision that employees who work overtime on a public holiday or week-end may be given time off. If an officer works, say, four hours on a Saturday or a Sunday, as Harbors Board officials sometimes do at Port Adelaide, will they be given six hours off or only four? If they were paid for their overtime they would get penalty rates.

The Hon. T. PLAYFORD—This provision will not affect anyone working under awards of a court because the court stipulates overtime rates, which must be paid. This provision applies only to public servants. If overtime rates are payable to them the board determines the amount to be paid. The provision does not represent an attempt to whittle down existing rights or privileges of public servants, but represents a desire to enable employees to be given time off in lieu of overtime when they want it.

Clause passed.

Clause 6—"Temporary employment of persons over age of retirement."

Mr. O'HALLORAN—I move—

To strike out "fifty-four" and insert "fifty-two" in proposed new subsection (1a) of section 49a.

This clause is in the same category as other legislation introduced for a special purpose, such as the Building Materials, Landlord and Tenant (Control of Rents), and Prices Acts. They were introduced to deal with special conditions which it has been fondly hoped will ultimately disappear. Their provisions have been re-enacted from year to year and I see no reason why we should provide that this amendment to the Public Service Act, which was introduced to meet conditions born of the war, should be of longer duration than the Acts I have mentioned. I shall have no objection to the re-enactment of the provision next year if circumstances warrant it. The clause would enable men over the age of retirement to be employed for several years in a temporary capacity and the promotion of juniors could well be retarded. Further, the continued

employment of elderly officers might prevent boys from entering the service.

The Hon. T. PLAYFORD—I have every sympathy with the honourable member's motive in moving his amendment, but it goes too far. The employment of officers over the age of retirement does not retard promotion because they are engaged in trades and occupations in which we shall be extremely short of manpower for a considerable time. Even if we doubled the number of people at present available for these trades and occupations we would still be short. I suggest, as a compromise, that we decide on 1953.

Mr. O'HALLORAN—That is satisfactory to me, as it goes half way towards what I suggested, and I ask leave to withdraw my amendment.

Leave granted.

Mr. O'HALLORAN moved—

To delete "fifty-four" from new subsection (1a) and to insert "fifty-three."

Amendment carried.

Mr. O'HALLORAN moved—

To delete "subsections" from paragraph (2) and to insert "subsection."

This is a consequential amendment if a later amendment is accepted. The clause strikes out the whole of subsection (5) of section 49a, but I want to retain a limitation on the employment of people beyond 70 years in the case of males, and 65 in the case of females. This will be in the interests of many aged folk. We have provided pension and superannuation schemes for old people to allow them to enjoy a little leisure in the evening of their lives, and we should not encourage males and females to remain in the service after reaching 70 and 65 years respectively.

The Hon. T. PLAYFORD—The amendment is not of great importance and I do not oppose it. Few males and females remain in the service after reaching 70 and 65 years respectively.

Amendment carried.

Mr. O'HALLORAN—I move—

After "(5)" in paragraph (2) to insert "is amended by striking out the words 'may be' and the words 'during the present war and during the period of 12 months after the termination of the present war, but no longer, and'".

The Committee agreed to the principle of this amendment in carrying the last preceding amendment.

Amendment carried.

Mr. O'HALLORAN moved consequentially—

To delete "and" from paragraph (2) and insert "(2b) Subsection" and after "(6)" delete "are" and insert "is".

Amendments carried.

The Hon. T. PLAYFORD—Clause 6 provides that certain temporary employees are to be "entitled to" leave on the usual scale. It has been pointed out to me that the words "entitled to" are somewhat inappropriate because under the relevant sections of the Public Service Act leave is discretionary. It would be more consistent with the principal Act to provide that the employees shall be "eligible" for leave. The amendment therefore provides that the word "eligible" shall be substituted for "entitled." I move—

To strike out "entitled to" and insert in lieu thereof "eligible for."

Amendment carried; clause as amended passed.

Clause 7—"Filling of vacancies by appointments from within the service."

Mr. O'HALLORAN—I move—

After "amended" insert the following passage:—

"(a) by striking out subsection (3) thereof and inserting in lieu thereof the following subsection—

(3) If the Commissioner makes a recommendation in pursuance of subsection (1) of this section, he shall forthwith—

(a) inform the person recommended thereof;

(b) inform the board in writing of such recommendation, together with his reason or reasons therefor and submit to the board a list of the names of other applicants for the position; whereupon the board shall—

(a) inform those other applicants of the recommendation and of the date on or before which an appeal may be lodged with the board; and

(b) cause to be published in the *Gazette* a notice intimating that the Commissioner has made a recommendation and prescribing the date on or before which an appeal may be lodged with the board.

(b) By striking out the word 'and' in line five of subsection (4) thereof and inserting in lieu thereof the words 'or any applicant'; and (c)."

Under this amendment the Commissioner and departmental heads would not be heard by the appeal board. It provides that when the Commissioner makes his recommendation he shall state in writing the reason for his recommendation and if an appeal is made against it the parties to the appeal will state their case before the board in the absence

of the Commissioner or his representative. I believe that is the only way in which the board can function as an independent appeal board. If it desires to call the Commissioner to ascertain his views on any matter there is no reason why he should not be called, but I do not think he should have the right of audience which the clause as drafted grants. My amendment will mean that his reasons will be available to the board, which will hear the appellant and the person recommended. I see no reason why the General Secretary of the Association should be present on these appeals, because obviously both the appellant and the person recommended will both be members of the association. The appellant may approach him for advice as to the method of preparing and lodging his appeal, and the person recommended may obtain advice from him as to the presentation of his case, but I see no reason why the General Secretary should have the rights suggested in the clause. It is hardly fair to expect him to represent an appellant, when both the appellant and the person recommended are members of his association. If the amendment is carried I believe it will result in an improvement of the machinery under which the appeal board works and that it will become a really independent appeal board where the merits of a case may be considered entirely free from any possibility of the board's being influenced by the presence of the Commissioner or the head of a department.

The Hon. T. PLAYFORD—These amendments relate to the right of appeal to the Public Service Board concerning promotions. They set out procedure in some detail, enlarge the classes of persons who are entitled to appeal, and raise several minor issues. In my view none of them are desirable amendments. Firstly, the amendments insert in the Act a number of procedural matters which are proper subjects for regulation. Secondly, they provide that upon making a recommendation for an appointment the commissioner must inform the Public Service Board in writing of his reasons for it. This obligation will exist whether or not any appeals are lodged. In not more than 20 per cent of cases are appeals lodged. Under the amendments the Public Service Commissioner would have to always give reasons for all his recommendations to the Public Service Board, which might never have to hear appeals on them. We would only be imposing an unnecessary and irksome duty on the Commissioner.

Mr. O'Halloran—I do not think any great hardship will be placed on the Commissioner because he must have reasons for making recommendations.

The Hon. T. PLAYFORD—Yes, but he would have to formally submit them to a board which might not have to hear any appeal on them. The Commissioner now sets out his reasons if appeals are lodged. The procedure suggested is not only unnecessary but would take up much of the Commissioner's time. Unless there is an appeal the board has no function in connection with an appointment and there is no reason why the Commissioner should be required to explain himself to the board. Thirdly, the amendment requires the board to notify applicants of the person recommended, to *Gazette* the Commissioner's recommendation and to give notice in the *Gazette* of the last day for appealing. These administrative tasks are the proper function of the Commissioner and not of the board. The board's duty begins only when an appeal is lodged. The amendment would shift the responsibility from the proper person, who under the Act is entrusted with the administration of the Public Service, to another body which is really an appeal board only. Fourthly, the amendments propose to give a right of appeal to all officers who applied for the vacant position even if they are junior to the person recommended. At present only officers senior to the person recommended have a right of appeal. This existing provision does substantial justice, while at the same time keeping the number of appeals within reasonable bounds. But if every officer (junior or senior) who applied for the position, as well as any other senior officer in the Public Service (whether he applied for the position or not) is to have the right of appeal, the number of appeals will certainly increase and the process of filling positions in the service will become much more difficult and cumbersome. It is generally recognized that seniority gives some moral claims to promotion, although it is not necessarily the deciding factor. If the commissioner is satisfied that the senior man is best fitted for a post it is not unreasonable that the junior man should be asked to accept that decision. At present when an appointment has to be made the Commissioner selects an applicant and advises the Minister of his recommendation. He also states whether any officers have right of appeal, and those officers are notified of the Commissioner's recommendation.

The Hon. S. W. Jeffries—They would be senior to the Commissioner's nominee?

The Hon. T. PLAYFORD—Yes, either by salary or length of service. They are given 14 days within which to lodge an appeal and if none is received by the Commissioner it is possible to fill the vacancy immediately. Further, if no person has right of appeal the Commissioner advises the Minister and the appointment can be made forthwith. The amendments lay down a procedure which has proved most unsatisfactory in the Commonwealth Public Service, where everyone has the right of appeal. Consequently, a junior clerk could appeal against the proposed appointment of an officer as Auditor-General. The procedure is so cumbersome that there are inordinate delays in the Commonwealth service in making appointments. The vacancy is gazetted and later the name of the person proposed to be appointed is gazetted. Any civil servant can then lodge an appeal. I understand that in most cases six months elapses before appointments are made. The amendments go much too far. Right of appeal would be extended to officers who were not even interested enough to apply for a vacancy in the first place. The amendments are not in the interests of efficiency in the Public Service or to the advantage of public servants themselves. The Government has every confidence in the present procedure in regard to promotions. It is most unusual for the Government to exercise its traditional right under the Act to decide on an appointment contrary to a recommendation from the Public Service Commissioner. Invariably it accepts his recommendations. I oppose the amendments.

Progress reported; Committee to sit again.

#### WHEAT INDUSTRY STABILIZATION ACT AMENDMENT BILL.

The Hon. Sir GEORGE JENKINS, having obtained leave, introduced a Bill for an Act to amend the Wheat Industry Stabilization Act, 1948. Read a first time.

Second reading.

The Hon. Sir GEORGE JENKINS (Newcastle—Minister of Agriculture)—I am giving the second reading today so that members can study it over the week-end and come prepared to deal with the matter expeditiously on Tuesday.

By section 14 of the Wheat Industry Stabilization Act, 1948, it is provided that the price for wheat sold by the Australian Wheat Board for home consumption shall be the guaranteed price, with the necessary adjustments for quality, place of delivery and other such factors. A

similar provision is to be found in wheat legislation of the other States. In recent months proposals have been advanced by the Commonwealth Government for the purposes of securing to wheatgrowers a higher return for wheat sold in Australia for stock feed. The first proposal submitted was that wheat for feed for pigs, poultry and dairy cattle should be sold at a price based on the International Wheat Agreement price of 16s. 1d. a bushel and that the Commonwealth Government should relieve the burden on the poultry industry by a subsidy on eggs. South Australia agreed to this plan but the other States did not. Further conferences were held at the instigation of the Commonwealth and the other five States of the Commonwealth have now agreed upon another plan. The South Australian Government, although it preferred the first plan, has agreed to fall in line with the new proposals. These were explained in some detail yesterday by the Premier and there is no need for me to repeat what he then said. I will, however, place before members an explanation of the proposals we have received from the Commonwealth Minister for Commerce and Agriculture, Mr. McEwen.

The proposals required State legislation to establish the new selling price for wheat for stock feed and Commonwealth legislation to provide for a Commonwealth subsidy to reduce the price to the poultry, pig and dairying industries in the interests of those industries and to minimize price rises of their products to consumers. The present agreement was a culmination of proposals which he first presented on behalf of the Commonwealth Government to the Australian Agricultural Council last June. These proposals were designed to secure a higher return to wheatgrowers for wheat sold for stock feed. The present proposals with which the Federal Cabinet had agreed would return to wheatgrowers 16s. 1d. per bushel for all wheat sold for stock feed as against the price which would otherwise prevail, that was the guaranteed price which, last year, was 7s. 10d. per bushel. However, under the plan poultrymen, pig raisers and dairy farmers would not, for the next 12 months, pay more than 12s. per bushel for wheat. The Commonwealth Government would carry the difference by a subsidy to aid these industries. To conserve the maximum quantity of wheat for export for human consumption it had been agreed, as part of the proposals, that the quantity of wheat to be sold for these stock feed purposes should be limited to 26,000,000 bushels a year. As the wheat stabilization legislation covered a five-year period, terminating after

the crop following the one now being harvested, the plan covered this unexpired period and it had been agreed that next year the price to the poultry, pig and dairying industries shall be the proclaimed guaranteed price, plus 2s. per bushel, but not exceeding 14s. a bushel. That price was included because of the possibility of a further rise in the guaranteed price.

The State Ministers made an offer to the Federal Government that recognizing the necessity to avoid abuses under the subsidy proposals, they would use their best efforts to police the restrictions on stock feed sales to the three industries intended to be assisted. It was further agreed that in the interests of securing the production of the maximum quantity of feed grains and of minimizing the demand for wheat for stock feed purposes, the Commonwealth and all State Governments would join in a campaign to endeavour to increase the production of other feed grains, oats, barley, maize and grain sorghum and also to increase the acreage put under wheat. The State Governments, upon whose legislation depended the higher return to wheatgrowers from these stock feed sales, had, however, attached a condition to their willingness to so legislate. That was that in consideration of the higher returns which would result for wheatgrowers the Australian Wheat Board should pay the freight on wheat to Tasmania and the freight on the wheat, which because of drought circumstances, it was necessary this year to move from southern States to Queensland.

In connection with the plan the Commonwealth Government has submitted to the States a draft of a Bill which it desires to be passed as uniform State legislation throughout the Commonwealth. The Bill which is now before honourable members incorporates the proposals submitted by the Commonwealth. By clause 3 of the Bill it is provided that the new proposals will come into operation on December 1 next. Clause 4 sets out the legal details of the scheme by way of amendment to section 14 of the principal Act. The proposed subsection (2) empowers the Wheat Board to sell wheat as feed for poultry, pigs or dairy cattle at the guaranteed price plus 2s., but by subsection (3) it is provided that the price for any wheat must not exceed a price calculated on the basis of 14s. for bulk wheat of fair average quality f.o.r. ports. By subsection (4) it is provided that the amount of wheat to be sold as stock wheat at the price mentioned in the Bill must not

exceed 26,000,000bush. in one wheat year. If any stock feed in excess of the 26,000,000bush. is sold in any such year the board's price for the excess will be based on 16s. a bushel. Subsections (6), (7), and (8) are machinery clauses for ensuring that the board will pay the freight on wheat exported to Tasmania and Queensland as agreed between the States.

As I have mentioned, the Bill is designed to secure uniform legislation throughout Australia. Having this object in view the Government has been careful not to amend the Commonwealth proposals in the course of preparing the Bill, and the Government would appreciate it if members would realize that the Bill is part of a Commonwealth-wide scheme and should not be altered except in the event

of the Commonwealth asking us to do so in conjunction with the other States. This is not an extension of the present wheat plan. The Bill amends the agreement under which we are working and which will continue in operation for another two wheat harvests. Then the State Governments will decide whether or not they want wheat stabilization to continue and, if so, submit proposals to the Commonwealth Government. I move the second reading.

Mr. O'HALLORAN secured the adjournment of the debate.

ADJOURNMENT.

At 5.43 p.m. the House adjourned until Tuesday, November 27, at 2 p.m.