HOUSE OF ASSEMBLY.

Thursday, August 27, 1953.

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

SUPPLY ACT (No. 2).

His Excellency the Governor intimated, by message, his assent to the Act.

QUESTIONS.

TROMBONE PRICES.

Mr. O'HALLORAN—I ask the Premier whether it is a fact, as has been reported to me, that the price of trombones on the Adelaide market has increased recently from about £24 to about £60 a ton and whether the increase has any relation to the fact that apparently the only potatoes available readily on the retail market at present are Western Australian potatoes, the price of which is higher than for South Australian?

The Hon. T. PLAYFORD—There is an Australia-wide shortage of potatoes and the position is greatly complicated by the fact that New South Wales refuses to fix any price for them. That State is completely out of line with the other States. Potatoes have been sold on the New South Wales market at fantastic prices, to the detriment and embarrassment of the other States. Only yesterday a communication was brought under my notice concerning the position in Queensland. It was reported in the press that practically all potatoes grown in Queensland had been sent to the New South Wales market. The shortage of potatoes has been due to several factors, chiefly associated with weather conditions. I do not know what the price of trombones was at the market yesterday, but it is not controlled. However, the trombone crop is to a certain extent a catch-as-catch-can crop. In some years they are at a high price, but last year they sold at a sum that was ruinous to the grower, and I did not hear any honourable member ask a question about them then.

CREMATORIUMS.

Mr. GEOFFREY CLARKE—Last week I asked the Minister of Works a question about granting a licence for a crematorium to be established, and he said the matter was under discussion. What now remains to be settled between the authorities requesting the licence and the Government, and when is a licence likely to be granted?

The Hon. M. McINTOSH—I think I explained that there were two applications, one from the Centennial Park Cemetery Trust and the other from the Enfield Cemetery Trust. They were not concurrent applications, but one followed closely on the other, and the Government believes it is not desirable at present to grant both. The one at Enfield would involve a good deal of cost from the Government's point of view to find the funds necessary, and the other would not, but until one is established we may have to undertake crematorium obligations in regard to West Terrace Cemetery. I hope that within the next 10 days or so a conclusion will be arrived at. There does not seem to be any reason, now that materials are more plentiful, for not granting the licence, if the Centennial Park Cemetery Trust has the necessary funds.

VOCATIONAL GUIDANCE OFFICERS.

Mr. JOHN CLARK—An article in today's *Advertiser* headed "Need for Guidance Officers" states:—

> The Education Department should appoint at least five vocational guidance officers in the metropolitan area to supply information and advice to primary, high, and technical schools, the Senior Guidance Officer of the department (Mr. A. E. Whitford) said yesterday at a luncheon of the Institute of Public Administration. Similar appointments had already been made in New South Wales and Victoria, he said. At present in South Australia a teacher at each school had been delegated to this task. However, an enormous amount of information had to be constantly obtained before satisfactory advice could be given to students, and it was too much to expect a teacher to manage this task in addition to normal duties.

I ask the Minister of Works, representing the Minister of Education, whether any consideration has been given to the appointment of additional vocational guidance officers and, if not, will it be considered by the Minister?

The Hon. M. McINTOSH—I will take the matter up with my colleague and bring down a reply.

FORESHORE DAMAGE.

Mr. PATTINSON—Has the Minister of Works the reply he promised me on Tuesday to my question regarding the restoration of foreshores damaged by storm?

The Hon. M. McINTOSH—As I indicated on Tuesday, the works undertaken up to the present have been more or less of an emergency nature to prevent further damage in the event of storms on an unprotected foreshore. The committee set up by the Government, comprising the Under Treasurer (Mr.

F. C. Drew), the Engineer in Chief (Mr. J. R. Dridan), the Director of Local Government (Mr. P. A. Richmond), the General Manager of the Harbors Board (Mr. Carl Meyer), and the town clerks of the Glenelg, Henley and Grange, and Brighton councils, is one of the most expert committees ever set up by the Government. Mr. Drew's report states:—

The grants approved by you up to the present are as follows:—

Country districts—

	£
District council of Encounter Bay	250
District council of Noarlunga (Moana and Christies Beach) ..	650
Whyalla Town Commission	80
District council of Yankalilla (Normanville)	400
	£1,380

The committee will visit Wallaroo and Moonta next week to confer with the local authorities on damage in those areas. Damage at these and other country foreshores, estimated by local authorities at £26,000, will be inspected in the near future and recommendations made to you by the committee.

Metropolitan area—

Grants approved—

	£
Corporation of Brighton	25,800
Corporation of Glenelg	7,500
Corporation of Henley and Grange	2,000
	£35,300

The total grants approved are therefore—

	£
Country districts	1,380
Metropolitan area	35,300
	£36,680

Out of this amount £14,617 has been claimed and paid to the following local authorities:—

	£
Corporation of Brighton	12,586
Corporation of Henley and Grange	1,929
District council of Noarlunga ...	102
	£14,617

The grants recommended and approved for the metropolitan beaches have been for urgent work in connection with reinstatement of roadways along the foreshores, which were in danger of collapsing due to the foundations and sand underneath being washed and blown out. It is the intention of the corporations "to tidy this work up" gradually, and provide paths or steps down to the beach where required.

It is the opinion of the Town Clerks and the Engineers on the Committee that the work which has been done provides a very much more substantial base and protection for the road and adjacent properties than ever existed before, and when completed with paths, steps, and suitable vegetation planted to hold the filling, will be quite presentable, and in keeping with the surroundings.

Some country authorities have expressed fear that the Committee will overlook their claims. You can feel assured that every country claim will be dealt with and a report made to you, and to safeguard this position the total amount of country claims has been set aside for country work until such time as recommendations are made, notwithstanding that some of the claims are obviously not in connection with the purpose for which the grant was approved by the Government.

This may help to clear up some misapprehensions on this subject.

TRANSFERS OF SCHOOL TEACHERS.

Mr. RICHES—From a report I have received from the Whyalla South school committee it appears that, because a head teacher of a school in the metropolitan area is leaving the department, 15 headmasters in various parts will be transferred within the next fortnight. One transfer is that of the headmaster of the Whyalla South school to Adelaide. The school committee has asked me to inquire whether these transfers could be delayed until the end of the year, as it is considered that, if carried out at present, they will upset the curricula in all the schools concerned. Can the Minister representing the Minister of Education say whether arrangements could be made to relieve the officer leaving the department until the end of the year and to effect the transfers then, instead of permitting such widespread transfers two-thirds of the way through the school year?

The Hon. M. McINTOSH—Without knowing the precise facts, I think it is generally accepted that transfers arise out of more or less automatic promotions, and there would probably be a delay in the promotion of the teachers concerned here if we were to accede to the request of the committee. The question is not without difficulties for the department. It would be cheaper for the department to delay the transfers, but it is not a question of economy or perhaps desire, but of justice to everyone concerned. I will get a full report from the Minister of Education.

ALBERT PARK DERAILMENT.

Mr. TAPPING—Can the Minister of Railways offer any reason for the train derailment near the Albert Park station, reported in today's press?

The Hon. M. McINTOSH—Following a derailment an inquiry is always held and the matter is, therefore, *sub judice*, but, from the press report, it would appear that some children, who had been playing on the railway line, had left a pipe on the rails, which

derailed the train. I feel that any suggestion I may make as to any other cause would prejudice rather than benefit the position. It is obviously a matter of local application and has nothing to do with administration. I do not suggest that the men in charge of the train were dilatory because I should think they would not have been able to observe the obstruction in time to prevent an accident.

PRICE OF EGGS.

Mr. DUNKS—My question relates to the consignment of shell eggs which went from South Australia some little time ago, it being the first eggs for a number of years sent on consignment to Great Britain instead of to the Ministry of Food. Can the Minister of Agriculture say whether, in case the return from the sale of the eggs is not as high as in past years, or is not considered a payable one for poultry keepers in South Australia, consumers in South Australia will be expected to make an equation in order to make it a payable price?

The Hon. Sir GEORGE JENKINS—Eggs are being sent on consignment to Great Britain. Australian eggs will be arriving there at a time of scarcity, and it is generally expected that they will sell to considerable advantage as a result of that, so the position which the honourable member expects of local consumers being asked to make up a deficiency is, on the present outlook, not likely to arise.

INDECENT LITERATURE.

Mr. TRAVERS—There is in South Australia, and elsewhere, a great deal of objectionable literature masquerading under the name or description of "comics." In the main they could more aptly be described as tragic than as comic. Their contents range from being merely useless to a policy of encouraging hero worship of criminals to being sexually suggestive and being plainly indecent. The Premier informed this House on September 24, 1952, that he had taken the matter up at a Premiers' Conference and that the Federal authorities and some of the Premiers expressed an intention to examine the position. Can he say:—(1) Whether the Commonwealth has taken any steps in the matter of banning or restricting the importation of any of such publications? (2) Whether any further discussions upon the matter have taken place at any of the Premiers' Conferences since the date to which I have referred? (3) What action, if any, is the Government of South Australia taking in the matter?

The Hon. T. PLAYFORD—There are, of course, two sides to the question. The most effective method of dealing with this type of literature, which I think every honourable member will admit is undesirable, would be to ban its importation. If a ban could be arranged the problem of printing within Australia would be relatively small. As far as I know, no steps have been taken yet to tighten up the control of the importation of that type of literature. The matter was discussed at a special conference of all States, not at a Premiers' Conference, and in due course the House will be considering a Bill on this matter because amendments to the Police Offences Act will be brought down. They have three main purposes. In the first place, the Bill will widen the definition of "indecency" so as to catch the various kinds of sexual suggestion contained in the publications. Secondly, it will empower the court to judge the element of indecency by reference to the effect the publication would be likely to have, not upon an adult who might read it, but upon the particular age group for whom it appears to have been published and who are likely to read it. Thirdly, it will put the onus not merely on the publisher, but on the vendor, distributor, and the person who has it in possession for sale.

BLAST NUISANCE IN FOOTHILLS.

Mr. FRANK WALSH—My question relates to the blast nuisance which occurs in the foothills, particularly in the early mornings. There are a number of interruptions either by deep blasting or fracture blasting, which causes considerable inconvenience and nuisance even to residents miles back from the area. Can the Premier arrange for the Chief Secretary to have an investigation made into the matter so that the position of people who have to contend with the nuisance can be improved?

The Hon. T. PLAYFORD—The Local Government Act contains wide provisions enabling the local government authorities to deal with any nuisance caused by quarrying. The powers are so wide that in some instances the councils can completely prohibit quarrying in their areas without giving any reason. As a matter of fact, recently this matter was brought under my notice in another way. It has been claimed by a brickmaking industry

employing a large amount of labour that the local government authority had capriciously put it out of business, through using its powers under the Act in an unnecessary way and not because of a nuisance caused by quarrying. It is not a matter for the Chief Secretary, but for the local government authority. In addition to the powers contained in the Act there are always the rights a person has at common law.

ROYAL COMMISSION ON IRRIGATION PROJECTS.

Mr. MACGILLIVRAY—Last October the member for Glenelg moved in this House for the appointment of a Royal Commission, the chief purpose of which would be to investigate the losses sustained on irrigation projects in South Australia. In reply, the Premier practically absolved the settlers from any responsibility for losses, and further said that any suggestion to ameliorate the position would be seriously considered by the Minister of Irrigation. At that time I suggested that a committee of settlers be set up in each irrigation area to help the local officer to administer the district, the purpose being to cut out any unnecessary costs and losses. Has the Minister of Irrigation considered the possibility and the advisability of setting up such advisory committees, and, if so, will he bring down an early report to Parliament on the matter?

The Hon. C. S. HINCKS—The question of the cost of administration is frequently under the notice of the department, and from time to time inquiries are held to see if it can be reduced. I know the honourable member suggested that local committees could help in the administration in the areas concerned. He has also suggested that more power should be given to the local district officers. All those matters have been considered and the Government is of opinion that the present administration is quite economical.

PLANT NUTRIENT MIXTURES.

Mr. QUIRKE—On September 17, 1952, I addressed a question to the Minister of Agriculture based on a statement by Professor H. B. Tukey, of the Michigan State College, which reads:—

Experiments have proved that fruit trees can and do absorb nutrients through leaves and bark, and do so with extreme rapidity.

On October 16 the Minister replied:—

The principle of absorption of nutrients through leaves and bark of fruit trees has been recognized for many years in South Australia and has widespread application in the correction of zinc deficiency.

There are many commercial nutrient mixtures on the market which are applied to plants as a spray. Can the Minister say if action has been taken by his department to test and approve of such mixtures, and if such action has been taken is a list available of the preparations that have been approved?

The Hon. Sir GEORGE JENKINS—I will get a full report for the honourable member from my department.

EMPTY BOTTLES ON ROADWAYS.

Mr. CORCORAN—I have been approached by many people and some organizations in my electorate who ask that steps should be taken to overcome the danger occasioned by the discarding of empty bottles along roads in these areas. Will the Premier consider this problem with a view to devising some means of overcoming it?

The Hon. T. PLAYFORD—Under the Local Government Act it is already an offence to place upon or adjacent to a road anything in the nature of an obnoxious obstruction. The placing of broken bottles on or adjacent to a road would undoubtedly be considered an offence if action were taken by a council. I agree with the honourable member that it constitutes not only a nuisance but in many instances a very grave danger to the travelling public, and it should be rigorously avoided as much as possible. I will refer the question to Mr. Cartledge, the Assistant Parliamentary Draftsman, who is particularly responsible for the Local Government Act, to see if any further amendment is necessary.

Mr. CHRISTIAN—This matter was discussed at the recent Eyre Peninsula Local Government Conference. It was pointed out that certain concerns claim a proprietary right on certain bottles on roads and beaches, and that no one else is allowed to use them. That is a serious bar to their being collected, for it is not economical for anyone to do so. Will the Premier see whether the owners of these bottles can be compelled to remove them if they are a public menace?

The Hon. T. PLAYFORD—I will examine that point. I think any proprietary rights were vested in the companies concerned with the object of ensuring that the bottles were returned to them, but I will ascertain whether they have any duty to see that their bottles are not deposited upon the roadway.

ELECTRIC LIGHT STREET POLES.

Mr. FRED WALSH—Anyone who has travelled around the city and the near suburbs will have noticed the increasingly large number of huge concrete and steel electric power poles which almost dwarf everything in the vicinity. Apart from their unsightly nature, these poles are a potential danger to the public, particularly the lighter ones, should they be hit in a collision and the lines fall. I have no doubt that the Premier and other members who have travelled overseas have observed, as I have, that in other cities comparable with Adelaide in size and importance such unsightly poles are non-existent. To my knowledge most of the lines are placed underground, and at Washington, U.S.A., one hardly sees a pole of any kind in the streets other than lamp poles. Will the Premier take up with the General Manager of the Electricity Trust the advisability of adopting a plan which will ultimately result in all electric supply power lines being placed underground?

The Hon. T. PLAYFORD—I have no doubt that it would be practicable to place all electric power lines underground, even those carrying high voltage, if the question of cost to the consumer was disregarded. It becomes a question of cost to the consumer.

Mr. Fred Walsh—The poles are pretty costly.

The Hon. T. PLAYFORD—Undoubtedly, but on balance I am certain that the cost to the consumer would be much greater if the lines were placed underground instead of the present practice being continued. However, I will refer the question to the chairman of the trust to see what steps can be taken.

MINERAL SURVEY OF YORKE PENINSULA.

Mr. McALEES—I noticed from yesterday's *Advertiser* that iron deposits in South Australia have not nearly been exhausted. I do not know whether the Broken Hill Pty. Co. Ltd. has a monopoly over them, but I was pleased to see that a report by the Director of Mines indicated that iron and other metals, even uranium, may be located between Moonta and Maitland. There is only one wire fence between my district and that of the Minister of Lands, and I think he would be pleased if the Mines Department were authorized to investigate Yorke Peninsula for any deposits, for they should be exploited. Will the Premier ask the Minister of Mines to make investigations?

The Hon. T. PLAYFORD—For a number of years the Mines Department has been engaged upon exploratory work in an endeavour to find worthwhile new sources of mineral wealth. Some of that work has been very successful and, although it is costly, I assure the honourable member it will be continued. Unfortunately, the aeroplane designed to do the work is not now available.

Mr. Quirke—Wasn't it eaten by horses at Wallaroo?

The Hon. T. PLAYFORD—Yes, the last time we sent the aeroplane into the Wallaroo district it did not come back. If the honourable member will assure me that on future occasions when we send aeroplanes to his district we shall get them back I will assure him that the work of investigation will be continued.

CLOSING OF RAILWAY SERVICES.

Mr. LAWN—Has any agreement been made between the Government and the Australian Road Federation for the purpose of curtailing or completely closing any railway services and, if so, what are those services?

The Hon. M. McINTOSH—There has certainly not been any such agreement, but the Transport Control Board and the Public Works Committee can inquire into the proposed closing of any railway regarded as unprofitable. The Auditor-General's report indicated there were one or two lines he considered should be investigated. That is being done, but there have been no suggestions that any railways should be closed, nor is there any indication that primary producers would not be any worse off if they were closed.

MOTOR REGISTRATION FEES.

Mr. JENNINGS—Has the Premier a reply to the question I asked last week about obtaining refunds of motor vehicle registration fees in certain circumstances?

The Hon. T. PLAYFORD—The position is as I outlined, and the Registrar is observing the Act precisely. The three main grounds for a refund are:—

(*a*) If the registered owner has ceased to be the owner of the vehicle,
(*b*) if the vehicle has been removed from the State for permanent use in another State and has been registered in that State, and
(*c*) if the vehicle has become permanently unfit for use as a motor vehicle.

The Government does not propose to introduce any legislation to extend those grounds.

SALE OF DRIED FRUITS TO BRITAIN.

Mr. DUNKS—I represent a district that is not an agricultural one, but members realize I am particularly interested in the primary producers. An article in the press of August 25 states:—

London, Tuesday.—The British Government has decided to end the control of dried fruit imports from December 1, the Ministry of Food said today. In deciding to decontrol dried fruit before Christmas, the traditional interests of Greece and Turkey in this trade had been taken into account, the Ministry said. The Ministry said there had been a recent marked increase in dried vine fruits in the world markets and prices had fallen. Imports of currants from Australia and Greece and sultanas and raisins from Australia, South Africa, and the United States in 1953 were expected to be the highest since prewar, the Ministry said.

In view of the probable competition from other countries, can the Minister of Agriculture give any indication regarding the future of the dried fruits industry in this State?

The Hon. Sir GEORGE JENKINS—I am afraid I am not a prophet, hence I am unable to forecast likely prices for dried fruits or any other commodity on the British market, but it appears to be the policy of the British Government to abandon controls generally, release articles for sale and work on a policy of private purchasing. Dried fruit is one commodity affected by such a policy, but I remind members that the Australian dried fruits industry does not sell the whole of its exportable output in Great Britain, for considerable quantities are sold in New Zealand and Canada. I will call for a report on the prospects of the industry and make it available to honourable members.

SCHOOL LEAVING AGE.

Mr. MACGILLIVRAY—Recently I drew the attention of the Minister representing the Minister of Education to a promise made early in the 1940's regarding the raising of the school leaving age. Has the Minister a report on that matter from the Minister of Education?

The Hon. M. McINTOSH—I have conferred on this topic with the Minister of Education, who pointed out that it is full of complexities, including the supply of teachers and accommodation of scholars. An economic question is also involved for the parents of the children, but I am happy to say that, without any compulsion the average school leaving age is gradually being raised to the required standard, particularly among those more fitted to take advantage of higher education. The concensus of opinion at present is that it would not be desirable to take compulsory action to achieve something which is being gradually done voluntarily. The whole matter, including the factors I have mentioned, is being investigated.

SOUTH WESTERN DISTRICTS HOSPITAL.

Mr. PATTINSON—In reply to my recent question regarding the construction of the South Western Districts Hospital at Oaklands, the Premier said that the Government had purchased about 50 acres of land from the Housing Trust about four years ago. This morning's *Advertiser* contained the following report under the surprising heading "Last Home of South Australian Bandicoot":—

An area claimed to be the last habitat of the bandicoot in South Australia has been reserved by the South Australian Government as a national pleasure resort. The Director of the South Australian Tourist Bureau (Mr. A. J. Baker) said yesterday that the reserve was near the intersection of the Piccadilly and old Mount Barker roads. It consisted of four acres of scrub rising from the steep eastern slopes of the ranges and offered one of the finest panoramas in the ranges. The purchase price of the land was £570. Another new reserve was 27 acres of the Warradale estate near the site of the proposed hospital to serve Adelaide's south-western districts. The River Sturt ran through the property on which were a number of large gums. Occupants of a two-storey residence on the reserve had had their tenancy extended for another 12 months.

As this matter is of very great importance to the residents in about six Assembly electorates and about six municipalities, can the Premier say whether the 27 acres referred to in the report is part of the land purchased by the Government as a hospital site? Has he a report from the Chief Secretary on the proposal for the construction of the South-Western Districts Hospital?

The Hon. T. PLAYFORD—Speaking from memory, I believe the proposal submitted on behalf of the hospital for the purchase of land contained two features: firstly, that a certain area of land should be purchased and reserved for the construction of a hospital, and secondly, that part of the land should be available for recreation purposes. The press report referred to is a statement by the Director of the Tourist Bureau and deals with that part of the area purchased four years ago and set apart for permanent recreational use for the district. The 50 acres purchased was considered too large for a hospital site, and the Government was asked to secure the land for recreational purposes because of its scenic attractions. With regard to the Government's

plans for building on the completion of the Western Districts Hospital, the Director-General of Medical Services reports:—

An up-to-date survey of the population of various districts and of the hospital facilities already available in those districts will be necessary before a decision can be made as to where the next Government hospital is to be erected. It is intended that the plans for the Western Districts Hospital will be used as a basis for requirements of a hospital to serve the south-western districts.

When the census of the district has been completed, I will advise the honourable member when further action will be taken in the matter.

PORT AUGUSTA WATER SUPPLY.

Mr. RICHES—Although ample supplies of water were available in the Port Augusta water district last summer, residents were short because of an inadequate and out of date reticulation system. The Minister gave an assurance earlier this year that the possibility of rehabilitating the system would be investigated. Will the Minister of Works obtain a report as to what work has been done and what the position will be next summer?

The Hon. M. McINTOSH—I will bring down a comprehensive report. Much work has been done and much is contemplated.

TRANSPORT CONTROL.

Mr. STOTT—In the Address in Reply debate I said that people at Port Augusta, Renmark, Loxton, Waikerie, and Berri had made arrangements for goods to be carted to them, but the Transport Control Board refused permits, which meant that the people concerned had to purchase trucks to carry their own goods. Has the Minister of Works considered the suggestion I made and is the Government prepared to open the Transport Act to allow goods to be carted as was arranged by these people, and thus earn revenue for the State, or is it intended to persist with the foolish policy, resulting in the State's losing revenue?

The Hon. M. McINTOSH—There has been no closing down on permits. As I have said before, the percentage of permits refused is infinitesimal. Each case is treated on its merits by the board, on which there is a chairman of a district council, a solicitor whose father was at one time president of the Chambers of Commerce of Australia, and an ex-member of this House, who has the esteem of every member. In pursuance of the policy laid down in the Act, there is co-ordination of road and rail traffic. The only State in the Commonwealth where the privately-owned or ancillary vehicle can run without the payment of a fee is South Australia. There is nothing to stop a private individual from carrying his own goods. To all the places mentioned by the honourable member there are co-ordinated services. For instance, there is a service from Port Pirie to Whyalla, and if another service were permitted to operate there would be opposition to the existing one. If the honourable member has a case I shall be happy to take it up with the board, which I am sure would be happy to follow it through to see if the wrong could be put right.

GEOLOGICAL SURVEY OF QUORN DISTRICT.

Mr. RICHES—Yesterday, in reply to my question, the Premier said that a hydrological survey of the Willochra underground water basin had been commenced, but apparently no investigation has been made into mineral resources in the Quorn district. Can he get a report as to when a geological survey will be commenced?

The Hon. T. PLAYFORD—I did not intend to suggest in the reply that because a survey was being made into the underground water supplies nothing would be done in regard to minerals. The department will, in the course of its investigation, examine all possibilities of development.

AUCTIONEERS ACT AMENDMENT BILL.

Read a third time and passed.

WILD DOGS ACT AMENDMENT BILL.

Read a third time and passed.

VERMIN ACT AMENDMENT BILL.

Read a third time and passed.

PUBLIC SERVICE SUPERANNUATION FUND ACT AMENDMENT BILL.

Read a third time and passed.

EMPLOYEES REGISTRY OFFICES ACT AMENDMENT BILL.

Second reading.

The Hon. T. PLAYFORD (Premier and Treasurer)—I move—

That this Bill be now read a second time. Its purpose is to enable licensed registry office keepers to charge higher fees than are at present permitted under the Employees Registry

Offices Act, 1915-1939. The Employees Registry Offices Act provides for the licensing and control of employment agencies and, among other things, fixes a scale of maximum fees payable by employer and employee at various rates of wages. This scale was drawn up in 1915, when the basic wage was £2 8s., and has gradually become more and more out-of-date. The scale after dealing with rates of wages of less than 35s. per week, finally lays down maximum fees of 7s. payable by an employee and 9s. by his employer on the making of a contract of hire where the rate of wage exceeds 35s. This means that however much a rate of wage is in excess of 35s. the same fees of 7s. and 9s. are still payable. The fees fixed by the scale for the employment of married couples similarly stop short at the same amounts where the wage rate exceeds 20s. per week. The scale fixes fees of 5s. payable by an employee and 5s. payable by his employer for an engagement of a temporary character and not at a fixed wage.

The low fees chargeable under the scale have made it practically impossible for private employment agencies to remain in business, and only a very small number are now carrying on. The principal Act was never intended to have this effect, only to prevent exploitation. The Government believes that private employment agencies serve a useful function. In particular, they enable country people and country hotels to obtain suitable and reliable employees. It is a great convenience to people living out of Adelaide to be able to employ an agency which will take considerable trouble to investigate references and find suitable applicants. It also seems that hotels, private hospitals and schools in Adelaide require the services of private agencies to get good employees. The Government has obtained a report from the Chief Inspector of Factories on the question. He states in his report:—

"I am satisfied that they (private employment agencies) are still serving a useful purpose, particularly to the country and outback people who have continued to obtain their staffs through this medium as licensees go to greater trouble to secure employees in order to retain their clientele.—The request is not so much for an increase in the rate of fee, but for the extension of the scale of fees . . ."

The Chief Inspector of Factories has recommended that it would be preferable to fix the fees at a percentage of the weekly wage to be received by the employee, rather than to enlarge the existing scale to include higher rates of wage. He recommends that the employee should be made liable to pay 10 per cent. of the weekly wage to be received by him, and the employer, 12½ per cent of the wage. He points out that the maximum fee payable by an employee under the existing scale represents approximately 20 per cent of the highest weekly wage rate mentioned in that scale and the fee payable by an employer, 25 per cent of that weekly wage. He also points out that the fact that the services of the Commonwealth Employment Service are free will tend to keep down the fees charged by private employment agencies.

Clause 4, by re-enactment of the fifth schedule to the principal Act, adopts the recommendations of the Chief Inspector of Factories. It is submitted that the amendment does no more than bring the principal Act into accord with present-day costs, and, in fact, makes the fees less onerous on employees and employers than they were in 1915.

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

MINING ACT AMENDMENT BILL.

Second reading.

The Hon T. PLAYFORD (Premier and Treasurer)—I move—

That this Bill be now read a second time.

This Bill contains several amendments of the Mining Act and has been introduced mainly to deal with some difficulties which have arisen in the administration of the Mining Act in connection with royalties and mining leases. While dealing with these problems the opportunity has been taken to make some consequential amendments to the principal Act. The consequential amendments are contained in clauses 3, 5, 6, 8, 10 and 11. They strike out of the mining Acts certain references to oil which are not now required, as oil prospecting and mining are dealt with by separate legislation. These amendments do not alter the law.

Clause 4 inserts two new sections in the principal Act, sections 23b and 23c. Section 23b deals with a problem which has arisen in the computation of the amount upon which royalties are payable by mining lessees. At present, royalties reserved under a mining lease granted since the commencement of the Mining Act Amendment Act, 1946, are payable at the rate of 2½ per cent of the gross amounts realized from the sale of the product of the mine. The Government is advised that by virtue of this provision royalties must be paid on the actual gross amount paid by the

buyer. This may sometimes lead to inequitable results. In some cases the gross amount paid by the buyer includes the cost of transporting the mine product to a place other than the mine, or it may include expenditure incurred for treatment of the product additional to the treatment which is necessary to bring it into a marketable condition. In other cases the amount paid by the buyer is the bare value of the product at the mine in the condition in which the product first becomes marketable. Thus, if the royalties are based upon the gross amount received, in some cases the costs of transport and treatment will be taxed but in others they will not. It has been the practice of the department to allow a deduction for transport, but the Auditor-General has questioned it and the Government is advised that at present the deduction cannot legally be allowed. The Government desires to place the matter on a more equitable basis and accordingly the proposed section 23b provides that in computing the gross amount realised from the sale of any substance obtained from the lessee's land, a deduction shall be made of expenditure incurred by the lessee on treatment of the substance other than treatment required to make it a marketable product. This will mean that the costs of any treatment necessary to make an unsaleable product of a mine saleable will not be deductible, but the costs of any further treatment undertaken by the lessee will be deductible. The section also provides for the deduction of expenditure incurred by the lessee on delivery of substances to a buyer. Section 23b also makes provision for the settlement by arbitration of any disputes about the amounts of such expenditure, and the stage at which the product of a mine is first marketable.

Section 23c deals with the legal position of a person whose application for a mining lease has been approved but to whom a lease has not been granted. It has been the practice for some time for the Department of Mines to regard a person whose application for a mining lease has been approved, as a lessee, although a grant of lease by the Governor has not actually been made. Such applicants, who are referred to by the Department as holders of "rights to leases," are permitted to occupy and work the land concerned exactly as though they had been granted mining leases. The practice has proved a convenient one. When, for example, a miner wishes to occupy land for only a short period, a formal grant of lease is hardly necessary. However, it is extremely doubtful whether the practice is justified under the Mining Act, and, even if it is, the rights and obligations of the parties are in many respects doubtful. The Government wishes the practice to be continued, and accordingly this section gives it statutory authority and clarifies its legal effect. The section declares that a person who has been notified in writing that his application for a mining lease has been approved shall be regarded as a lessee under a mining lease of the kind applied for, and specifically makes such a person liable for payment of rents and royalties. The section applies to notifications made before its enactment as well as to future notifications. The holder of a "right to a lease" which is still current at the time of the passing of the Bill will thus be deemed to be a lessee, and to be liable for rent and royalties by the operation of this section.

Clause 7 re-enacts section 69f of the principal Act, in an altered form. The principal effect of the amendment is to alter the rate at which royalties are payable by persons mining on private land. At present under section 69f of the principal Act the owner of a claim or the holder of a licence or lease on private land is liable to pay royalties at the rate of one per cent of the gross amount obtained from the sale of any substance mined on the land. This rate was fixed in 1931 and has not been altered since; but the rate of royalty payable to the Crown on leases granted since 1946 is fixed at 2½ per cent of the gross proceeds. Thus there is a divergence between the rate of royalties payable by persons mining on private land and those payable by persons holding mining leases from the Crown. There is also a divergence in the language used to prescribe the basis of assessment. The Director of Mines has recommended that royalties payable by persons mining on private land should be placed on the same footing as royalties payable by mining lessees, and the Government believes that this is a just principle. Clause 7 therefore increases the rate of royalty from 1 per cent to 2½ per cent, which will apply to claims pegged out or licences and leases granted after the passing of the Bill, and makes the basis of assessment of the amount upon which royalties are payable by persons mining on private land the same as that applying to royalties reserved by mining leases. The later amendment will apply to persons owning claims and holding licences or leases at the commencement of this Bill. It is anticipated that it will, if anything, put them in a better position than before.

It should be noted that section 23a and new section 23b of the principal Act will apply to royalties payable by persons mining on private land. Section 23a, like new section 23b, further explains the basis of assessment of the amount upon which royalties are payable by mining lessees. Clause 9 inserts new section 125a in the principal Act, which enacts further provisions concerning "rights to leases," and deals with a difficulty which has arisen in drafting mining leases. Under section 125 of the principal Act penalties are provided for the non-payment of rent by the day appointed in a mining lease for payment. As there is some doubt what the appointed day would be under a "right to a lease," the new section 125a declares that in such a case the appointed day in each year shall be the anniversary of the day on which the right to a lease took effect. Section 125 also provides penalties for non-payment of royalties by the appointed day. The Department of Mines has experienced difficulties in appointing days for payment as at the time of the grant of a lease the date when the lessee's annual statements will be available for assessment of royalties is not known. The new section therefore enables the department to fix a date for payment of royalties by notice given to the lessee. This provision applies also to royalties payable under a "right to a lease." The section provides, at the same time, for the determination by the Minister of Mines of the period in respect of which royalties are to be payable. The enactments of clause 9 all apply to leases and "rights to leases" granted both before and after the passing of this Bill.

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

BUILDING CONTRACTS (DEPOSITS) BILL.

Second reading.

The Hon. T. PLAYFORD (Premier and Treasurer) I move—

That this Bill be now read a second time.

The Bill in itself does not make any wide alteration of the existing law, but it has a significant bearing upon other matters which are not mentioned in the proposals I shall now submit. Section 12 of the Building Operations Act, 1952, provides for the safeguarding of deposits paid under contracts for the erection of dwellinghouses. This particular provision first became law in 1949 and it was enacted to deal with a practice which had grown up of some builders accepting deposits from prospective building owners before the commencement of building operations. One result of the shortage of housing accommodation was that building owners, contrary to their best interests, paid substantial deposits to builders who undertook to build them houses in the future. In many cases the agreements made between the parties did not provide for a commencing date for building operations. The result was that, in some instances, builders held deposits from a number of building owners. This money was sometimes used to finance other operations of the builders, and the owners waited indefinite periods, sometimes of long duration, before a start was made on their houses. In some cases the builders became bankrupt and the persons who had paid over their deposits not only did not get their houses but, as the builders' assets were not equal to their liabilities, suffered loss of portion of their deposits. To remedy this position, section 14 of the Building Materials Act, 1949, was passed and when that Act was repealed in 1952, the section was re-enacted as section 12 of the Building Operations Act, 1952.

The section provides that if a contract is made between a builder and a building owner for the erection of a dwellinghouse and if it provides for the payment of a deposit before work commences and if the contract does not provide that work is to be commenced within a time stated in the contract and for the payment of the deposit into a special purpose account in a bank, the contract is to be voidable at the option of the owner at any time before building operations are commenced. The section further provides that, whatever is provided in the contract, any deposit paid to the builder is to be paid by him into a special purposes account in a bank in the joint names of the owner and the builder. Failure of a builder to comply with this requirement makes him liable to a penalty not exceeding £100 or to imprisonment for a term not exceeding six months for a first offence and to imprisonment for any term not exceeding 12 months for any second or subsequent offence. The money in the special purpose account is only to be drawn out for the purpose of making payments for work done under the contract and until so paid remains the property of the owner. It is considered that this legislation has been effective to prevent the abuses in question. It must be emphasized that these abuses occurred only in the case of a limited number of builders and that the great majority of builders who are accustomed to conduct their businesses in a proper manner, were not concerned and,

of course, have not been affected by the section, as the type of conduct which the section was intended to regulate was not followed by them. Section 25 of the Building Operations Act, 1952, provides that with the exception of sections 1, 2, 20 and 22, the Act is to cease to have effect as from December 31, 1953, and consequently the provisions of section 12 relating to these building contracts will cease to have operation on that day.

The Government does not propose to extend the operation of the Building Operations Act any further but considers that provision similar to section 12 should be re-enacted as a permanent part of the statute law. The purpose of this Bill is to alter the law accordingly and clause 3 makes provision for these building contracts in the same manner as is now done by section 12 of the Building Operations Act and clause 3, in effect, re-enacts section 12. As was before stated, section 12 of the Building Operations Act continues in force until December 31, 1953, and therefore clause 2 provides that the Bill is to come into operation on January 1, 1954. Thus, when section 12 of the Building Operations Act ceases to have effect at the end of the year the provisions of the Bill will come into operation but these provisions will be permanent and will continue in operation until otherwise provided by Parliament.

The Bill, in effect, makes permanent a small portion of the legislation enacted to govern building operations immediately after the war. All other sections of the Building Operations Act will cease to have effect. With one or two exceptions, they are out of operation now. One exception is that some oversight is still being observed on the demolition of dwellings. I believe there is still a considerable amount of statute law which provides that special care must be taken of trust funds.

Mr. O'Halloran—Don't you think it will be necessary to continue controls after January on the demolition of dwellings?

The Hon. T. PLAYFORD—It is not proposed to do so.

Mr. Lawn—It is eventually intended to demolish 3,000 homes in Adelaide.

The Hon. T. PLAYFORD—Many applications have been received for the demolition of houses. I know the type of house involved and one member opposite last week asked when the Government would start to remove them as a matter of policy. I said that no wholesale removal could be contemplated at present.

Mr. O'Halloran—But you will let private enterprise do it!

Mr. Macgillivray—They are the only people likely to do it.

The Hon. T. PLAYFORD—Many applications for demolition have been well justified and I think I did some injustice to one or two applicants in refusing permission. We have tacked a lot of emergency legislation on to our Statute Book and unless we make an attempt to get rid of it it will become permanent. That would ultimately hold up the development of the State.

Mr. O'Halloran—The House should be satisfied that the emergency has passed before it repeals the legislation.

The Hon. T. PLAYFORD—Shortly I will bring down a Bill to amend the Landlord and Tenant (Control of Rents) Act. There again, the Government believes the time has come to make a definite break with the control system, although we will not go so far as in this Bill. When we ease restrictions we are often told that the worst will happen, but experience shows that frequently it does not and that the community is better off.

Mr. O'Halloran—I think I observed the nigger in the woodpile earlier in the piece.

The Hon. T. PLAYFORD—I do not want the honourable member to think he will not have the right to discuss the ramifications of this legislation.

Mr. Macgillivray—If someone built a small house at £100 would he be covered by this Bill under a definition of "dwelling house"?

The Hon. T. PLAYFORD—Yes, if a deposit were paid as a trust fund.

Mr. Macgillivray—Is it mandatory, under the Bill, to make a deposit?

The Hon. T. PLAYFORD—No, but where deposits have been demanded it is necessary that they be treated as trust funds. I have had brought under my notice cases of great hardship arising from the fact that deposits have been made to builders who later became bankrupt and the life earnings of the depositors were swept away.

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

OFFENDERS PROBATION ACT AMENDMENT BILL.

Second reading.

The Hon. T. PLAYFORD (Premier and Treasurer)—I move—

That this Bill be now read a second time.

Its purpose is to enable a court of summary jurisdiction to release a defendant on a bond

under the Offenders Probation Act after proceeding to a conviction. The Offenders Probation Act enables a court of summary jurisdiction to release a defendant on a bond if, after having regard to the character, antecedents, age, health or mental condition of the defendant, the trivial nature of the offence or the extenuating circumstances under which the offence was committed, the court thinks it expedient to do so. However, the court can only exercise the power without proceeding to a conviction. The attention of the Government has been drawn to the fact that in a number of cases it is desirable to release a defendant on a bond, and at the same time to record a conviction. The offence may be sufficiently serious to require that the defendant should not escape the stigma of a conviction. Or the circumstances may be such that the defendant should not be entitled to escape any increased penalty provided by statute for a subsequent commission of the same offence, by reason of the fact that no conviction is recorded against him for his first commission of the offence. A Court of summary jurisdiction has power under the Justices Act to release on a bond after conviction, but this power can only be used where the offence is trifling. The offence is hardly likely to be trifling in the circumstances now under consideration, and in any event the court may wish to use a bond under the Offenders Probation Act.

In a recent case a magistrate found a serious case proved, and in the particular circumstances wished to release the defendant on a bond under the Offenders Probation Act, containing the condition that the defendant should enter a mental institution. The magistrate found that if he released the defendant on the bond he could not, despite the seriousness of the offence, record a conviction against the defendant. The Government considers that a court of summary jurisdiction should have the power to release on a bond after conviction under the Offenders Probation Act if the court believes it desirable, and accordingly is introducing this Bill, which has been recommended by the Crown Solicitor and the Police Magistrate. There is nothing foreign in this proposal to the notion of release under a bond. A Court of summary jurisdiction already has the power, as has been mentioned, under the Justices Act. It has the same power, too, under the Commonwealth Crimes Act, where the offence is an offence against the law of the Commonwealth. The power of the Supreme Court under the Offenders Probation Act is to release after conviction; in fact, the Supreme Court can only release after conviction. Clause 3 of the Bill amends section 4 of the principal Act to give the proposed power, whilst still preserving the equally useful power to release without proceeding to a conviction. A power to discharge without penalty after conviction is added as a corollary of the new power to release on a bond after conviction.

Mr. TAPPING secured the adjournment of the debate.

PORT BROUGHTON RAILWAY (DISCONTINUANCE) BILL.

Second reading.

The Hon. C. S. HINCKS, for the Hon. M. McIntosh (Minister of Railways)—I move—

That this Bill be now read a second time.

Its object is to enable the Railways Commissioner to take up and dispose of the Port Broughton-Mundoora railway. This railway, the construction of which was authorized by The Port Broughton Railway Act of 1873, is a short stretch of line some 10 miles long proceeding directly inland from Port Broughton. The line was mainly intended for the carriage of wheat to the coast. It was built for horse traction only. In the course of years, with the construction of the Redhill line and the introduction of motor transport, traffic fell heavily away, and in August, 1942, all but a small section of the line was closed pursuant to an order made by the Transport Control Board. The section not closed consisted of the line running from the stacking blocks in Port Broughton to the Port Broughton jetty. This was wanted for the transport of wheat from Port Broughton to the jetty for shipment and is still used for that purpose. The Railways Commissioner now desires to take up the part of the line which is closed and use or dispose of the materials. The line consists mainly of iron rails and these can be put to excellent use at Islington for drop forging. The Railways Commissioner has also received a number of requests from people interested in buying the rails. Statutory authority is required to take up the line and accordingly the Government is introducing this Bill. Clause 3 of the Bill enables the Railways Commissioner to take up the line or any part thereof. At the same time, it authorizes him to use or, subject to the Public Supply and Tender Act, to dispose of or sell the materials. Clause 3 also empowers him to discontinue the working of the line or any part thereof. The clause will thus enable him, in addition to taking up the part of the line closed by the Transport Control Board, to close and take up the part still in use, should occasion arise.

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

HONEY MARKETING ACT AMENDMENT BILL.

Second reading.

The Hon. C. S. HINCKS, for the Hon. Sir George Jenkins (Minister of Agriculture)—I move—

That this Bill be now read a second time.

Its object is to extend the operation of the Honey Marketing Act, 1949, for five years. This Act will, unless renewed, expire on June 30 next year, and it is therefore necessary to deal with the future of the scheme during the present session. Before the Act of 1949 was proclaimed a poll was held to determine whether the marketing scheme should be brought into operation, and out of about 500 beekeepers who were entitled to vote 302 voted Yes and 151 voted No. Thus the original voting in favour of the scheme was two to one. The Government has reason to believe that if a poll were now taken on the question of the continuance of the scheme the voting would be even more strongly in favour of it because of the successful operations of the Honey Board which have resulted in better returns to the producer for an increased production of honey. The Government asked the secretary of the Honey Board to furnish a short report indicating to what degree the operations of the board had been successful and to what extent the beekeepers supported a continuance of the board. The secretary's report is as follows:—

The extent to which the operations of the South Australian Honey Board have been successful, and the extent to which beekeepers in this State support the continuance of the board, can be gauged from the following facts. The total quantity of honey handled by the board in 60 lb. tins during its three years of operation has been increasing, and is as follows:—First pool period, 64,407 tins; second pool period, 74,174 tins; third pool period, 117,763 tins. During the past 12 months statistics show that there was produced in this State 127,600 tins, and of this quantity 117,763 passed through the agency of the Honey Board, leaving only 9,837 tins as a carry-over or honey sold interstate. Prior to the operations of the board 90 per cent of the honey produced on the border of South Australia and Victoria at Naracoorte, Bordertown and Keith was sent to the Victorian market. Since the operations of the board in this State, conditions have changed considerably, and last year over 85 per cent of the border-line honey was sent to the South Australian Honey Board. Before the operation of the Honey Board the price received by beekeepers for choice honey, including the container was 6½d. per lb. and many producer members claim that had the board not come into operation the price for choice honey would have fallen to as low as 4½d. per lb. in that first year. At the conclusion of the first pool the board paid 7¾d. per lb; the second pool resulted in just under 9½d. per lb., and the third pool resulted in just over 9¼d. per lb. The reason for the drop in the last year's pool was that 81.7 per cent of the honey was exported at a realised price of 9¾d. per lb. as compared with 65 per cent the previous year.

Prior to the operation of the board beekeepers were not paid any allowance for the tins in which they sent the honey to merchants. Today, they are receiving up to 3s. 6d. each for tins in good condition. This principle of paying for tins has now been followed by New South Wales where their beekeepers are receiving today an allowance of up to 2s. 6d. for each tin. The Board through its agents and because of more orderly marketing has increased the quantity of honey shipped overseas, both to the United Kingdom and to other European countries. Exports in 1951 period totalled 41,160 tins (approximately). Exports in the year 1952 totalled 48,071 tins. Exports in the year 1953 reached the all-time record of 133,439 tins or the equivalent to 3,606 tons. Generally, it is felt by beekeepers and packers that the operations of the board have stabilized the market for honey and have provided for beekeepers a price which is nearer the cost of production with a reasonable margin of profit than it has ever been before.

On October 4, 1949, when the Government was introducing the Honey Marketing Bill I submitted in a report that the eastern States Beekeepers' Associations had suggested that South Australia proceed with its marketing Act and that if it was successful they would follow suit. It is interesting to report that during the last two years beekeepers' conferences throughout Australia have moved for a uniform marketing system based upon the Act operating in South Australia. A draft Marketing Act has been prepared by the Department of Commerce, Canberra, and would have been dealt with at the last Agricultural Council meeting had wheat not taken up the time of the Council. As further evidence that beekeepers support the operations of the South Australian Honey Board, I would like to submit the following resolution which was passed at the Annual Conference of South Australian Beekeepers held in July last:—

> "That this meeting expresses its confidence in the South Australian Honey Board as it is at present constituted and congratulates members of the board on the excellent results obtained."

Mr. J. R. Peck, president of the Victorian Apiarists' Association who was present at the conference stated:—

> "That he would not like to see the discussion closed on the board's interim report without first expressing his high regard for it and the results gained, bearing in mind the factors that have been influencing the result. He thought the board had done a very good job for the last year and that it could be proud of its success in disposing of such a large

quantity of honey on an apparently weak overseas market and coming out of it as well as it had done.''

The Government has acceded to the request of the board for an extension of the Act and accordingly this Bill provides that the principal Act will remain in force until June 30, 1959.

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

MENTAL DEFECTIVES ACT AMENDMENT BILL.

Second reading.

The Hon. T. PLAYFORD (Premier and Treasurer)—I move—

That this Bill be now read a second time.

Section 32 of the Mental Defectives Act deals with the detention of patients in receiving houses and wards. It provides that where a medical certificate has been given in the form of the second schedule to this Act, namely, that a person is mentally defective and that he is a proper person to be taken charge of and detained under care and treatment, the justice or justices dealing with the matter may, in lieu of ordering the detention of the patient in a mental hospital, direct that he be removed to a receiving house or ward for a period not exceeding seven days.

Section 33 provides that where a patient is received in a receiving house or ward pursuant to section 32, the patient must be medically examined and brought before a justice within seven days of his detention and thereafter at periods not exceeding seven days. The section also provides that the total period of detention must not exceed six months. Thus the Act contemplates that there should be at least a weekly examination of a patient in a receiving house or ward, and a weekly order by a justice for his detention.

The Superintendent of Mental Institutions has pointed out that, when these provisions were first enacted many years ago, it was likely that the Enfield Receiving House was regarded as a kind of sorting out institution for persons admitted under section 32, and that within a short space of time after the reception of a patient it could be decided whether he should be sent on to a mental hospital or discharged. In fact, treatment is given to advantage at the Enfield Receiving House of persons who are mentally defective to a degree which would warrant their being detained in a mental hospital, and many of these acute cases respond to treatment and are able to be discharged as recovered or relieved within a varying period of a few weeks or a few months. In these cases, however, it is rare that appropriate treatment can be given in a week or so and the Superintendent states that it is not in the interests of the patient to have him formally examined and interviewed by a justice each week as is now required by section 33.

Another difficulty inherent in the present requirement of a weekly examination arises when it is considered that a patient is suitable for trial leave. If it is still considered necessary that the patient should be subject to the Act and cannot be discharged, the necessity for a weekly examination must, of necessity, militate against trial leave, particularly if his home or the place where the patient goes for his trial leave is in the country. The Superintendent has therefore suggested that sections 32 and 33 be amended to provide that the period for which an order can be made be extended from seven to 30 days, and this is provided for by clauses 2 and 3 of the Bill.

The effect of the amendments proposed will be that a person may be ordered into a receiving house or ward for a period of up to 30 days and that he cannot be detained there for any further period exceeding 30 days without the requisite medical examination and order of a justice being made. It should be borne in mind that before section 32 can be applied to any person he must have been certified as mentally defective. No alteration is made to the existing provision of section 33 which limits the total period of detention to six months.

Clause 5 makes amendments to the eleventh and thirteenth schedules which are consequential upon the amendments proposed by clauses 2 and 3. Clause 4, which amends section 76 of the Act, is complementary to clauses 2 and 3. Section 76 provides for the granting of trial leave to patients in institutions. Clause 4 provides that this section is to apply to patients detained in receiving houses and wards and similar places under section 32, 34, 35, or 36, and provides that any such patient may be granted leave for any period not extending beyond the expiration of six months from the time when he was detained, that is, the period under which a patient may be detained under the powers given by these sections.

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

ADJOURNMENT.

At 4.6 p.m. the House adjourned until Tuesday, September 1, at 2 p.m.