HOUSE OF ASSEMBLY.

Tuesday, October 6, 1953.

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

QUESTIONS.

PETERBOROUGH WATER SUPPLY.

Mr. O'HALLORAN—Last week's edition of the *Peterborough Times* contained a letter referring to the water level in the bore which is used to supply water to Peterborough. An extract from that letter is as follows:—

It is common knowledge that the local supply has dropped between 12ft. and 14ft. in the bore since last summer, assuredly meaning restriction in the near future.

I would appreciate inquiries by the Minister of Works whether the water table supplying Peterborough's requirements has dropped recently and whether there is a danger of restriction in the near future?

The Hon. M. McINTOSH—I should be glad to take up the matter, but I am pleased to be able to report now that, in collaboration with the Mines Department and recognizing that there has been a period of low rainfall, the Engineering and Water Supply Department has arranged for the sinking of another bore to safeguard the position. Obviously two bores will be more effective than one. The Government is using every endeavour to maintain an adequate water supply for Peterborough.

FRUIT FLY CAMPAIGN.

Mr. GEOFFREY CLARKE—Several constituents have made suggestions to me along the lines of letters appearing in this morning's *Advertiser* from people who are concerned about the cost of stripping and the losses and inconvenience caused as a result of the present fruit fly campaign. Will the Minister of Agriculture consider the possibility of reducing the area of stripping and of permitting people to use the fruit already growing provided it is not removed from the district, and give closer attention to the prevention of the introduction of fruit into the State? Will he issue instructions that the gangs who undertake this work shall do so with all reasonable speed and regard the gardens they enter as private property which is being sacrificed in the interests of the State rather than as a nuisance to be destroyed in the quickest possible time?

The Hon. Sir GEORGE JENKINS—The area of one mile radius from the reported outbreak of the fruit fly was decided upon after discussions with the entomological section of the Waite Institute which made it quite clear that that distance was necessary because it was the reasonable distance of flight of the fruit fly in normal circumstances. Although I have heard in the past some complaints from members of the public that the persons employed by the Fruit Fly Committee were not always as careful as they might have been, many people last year spoke in the highest terms of their courtesy, saying that they had no complaints to make about their behaviour. However, I will bring the questions to the notice of the Chief Horticulturist and ask that every consideration be given to the property of people whose gardens are being stripped.

Mr. LAWN—I understood the Minister of Agriculture to say that the fruit fly recently caught in the metropolitan area was caught by means of a trap. Some of my constituents in the east end of Adelaide have asked me what is involved in setting a trap and the expense entailed. Can the Minister state whether the trap could be used more extensively and so avoid some of the stripping of fruit trees?

The Hon. Sir GEORGE JENKINS—The traps are very extensively used in the areas where it is expected the fruit fly is prevalent. Where there was a considerable outbreak in the southern districts a number of flies were caught in traps. However, I will get more detailed information from the Chief Horticulturist and bring it down for the honourable member.

STORM DAMAGE TO HOMES.

Mr. FRANK WALSH—Can the Treasurer say whether those unfortunate people who had their houses damaged by storm last weekend —not including those in Housing Trust homes —have been supplied with the necessary building materials such as galvanized iron, with which to effect repairs?

The Hon. T. PLAYFORD—The only request I received as a result of that freak storm was that immediate consideration be given to the provision of tarpaulins to cover the framework in order to keep the rain from the inside of houses damaged. I authorized the Chief Storekeeper to make available tarpaulins, and I think he made them avilable from railway stocks. Since then I have had one communication expressing thanks for the action taken, but have received no other request in connection with the matter.

Mr. GOLDNEY—This morning's *Advertiser* reported that the general manager of the Housing Trust had made alternative accommodation available for those people at North Salisbury

whose Housing Trust homes were damaged by the storm. In view of the fact that some of those people had laid out gardens and effected certain improvements in their original homes, can the Premier say whether, when those homes are repaired, the former occupiers will be given the option of returning to them?

The Hon. T. PLAYFORD—The trust made available a number of houses to immediately houses persons whose properties had been damaged, and I understand it intends to allow previous occupants the right of returning to their former homes.

FINANCE FOR URANIUM DEVELOPMENT.

Mr. MACGILLIVRAY—Last Friday's *Advertiser* contained the following report of a statement made in the House of Representatives:—

A request for the Commonwealth Government to give financial assistance to the South Australian Government for the development of uranium resources was made in the House of Representatives today. Speaking on the Estimates for the Department of Supply, he said the case was strong for the Commonwealth to make a special grant to the South Australian Government for the speedy exploitation of uranium mining areas.

I do not question the right of the member to make that statement, but I always understood from the Premier that the Commonwealth Government made available to the State all the finance that was required for the development of uranium resources. In view of the fact that the Estimates are to be considered shortly, will the Premier state how the work in South Australia will be financed?

The Hon. T. PLAYFORD—At present there are two activities in South Australia in connection with uranium. The first relates to the Radium Hill deposits which are being developed under an agreement with the combined agents, Great Britain and the United States of America. The finance for this undertaking comes largely from overseas sources in the form of a short-term loan, and will be repaid according to the terms of the agreement. The loan was approved by the Loan Council, and amounts to slightly under £4,000,000. In addition, there are the further investigations being carried out by the Mines Department in an attempt to find additional uranium deposits. We believe that in the Northern Territory and South Australia there are important deposits of uranium not yet explored. This exploratory work comes within the normal functions of the Mines Department, and the finance is provided in some instances in the Mines Department revenue estimates and in other instances in the Mines Department loan estimates. I saw the report mentioned by the honourable member. It was a request by Mr. Downer, M.H.R., for Commonwealth assistance in uranium exploration. The State Government has made no request to the Commonwealth for financial assistance in connection with its uranium deposits. We have always believed that immediately we enter into a definite obligation of that sort we barter away to a certain extent the freedom of our enterprise for the future. We think that assistance could come from the Air Force by enabling aerial surveys to be made more expeditiously. They could be made part of the training schedule, and it would help in the exploration work. That matter has been under discussion with the Commonwealth Government for some time, and is still the subject of discussion.

ALLOWANCES TO STUDENT TEACHERS.

Mr. JOHN CLARK—I was delighted to read in this morning's *Advertiser* and to hear over the air that student teachers were to have their allowances increased by approximately £70 a year. It will be remembered that in the Address in Reply debate I spoke at some length advocating that increases were necessary to obtain an adequate supply of the right type of teachers. At the time, I believe, the Premier doubted the advisability of such increases. The member for Norwood has also asked questions on this subject. Has the Premier any further information to give on the matter? Can he say when the increases will commence, whether they will be retrospective, and whether they will be widely publicised in order to attract further students to the teaching profession?

The Hon. T. PLAYFORD—I do not want to dampen the ardour of the honourable member, but this matter has always received Cabinet attention at approximately this time of the year, and appropriate adjustments are made prior to the recruiting campaign which is carried out just before the end of the school year. There are always a certain number of persons desirous of entering the nursing, teaching, or some other profession, and previous experience has not led us to believe that even greatly increased allowances have had a big bearing on recruitment. At this time of the year the Education Department always submits proposals which are examined by the Treasury Economist in connection with Commonwealth Grants Commission work. It was done this year

in the normal way and the recommendations of the Minister were approved by Cabinet, although the economist pointed out that the new rates were 20 per cent in excess of the average rates paid by the non-claimant States, Queensland, New South Wales and Victoria. The rate paid previously was the average rate paid by those three States. The payments will not be retrospective, and in accordance with usual policy will become effective on the first pay day after the decision was made.

CONTROL OF PASTURE INSECT PESTS.

Mr. PEARSON—Has the Minister of Agriculture a reply to my recent question regarding the eradication of pasture pests by the use of DDT?

The Hon. Sir GEORGE JENKINS—I have received the following report from the Director of Agriculture:—

When DDT first became commercially available in South Australia after the 1939-45 war, farmers were advised by this department to use it, mixed with superphosphate, to control susceptible pasture pests. Experience has shown, however, that this method of application of DDT is not necessarily the best, since evenness of distribution of the superphosphate must be achieved to secure effective control of the pests by the DDT. Where broadcast topdressing is used, this even distribution is frequently not attained and the control of insects may not then be satisfactory. Also, the cost of DDT superphosphate mixtures causes this technique to compare unfavourably with spraying methods, using low volume sprayers. This class of machinery is becoming very widespread on South Australian farms for weed control and, using emulsified forms of DDT, gives very good insect control. By virtue of its independence of the topdressing operation, greater attention to the timing of spraying may be given and so better control achieved. Close contact between officers of this department and entomologists at the Waite Agricultural Research Institute is maintained and advisory officers are kept informed of the latest methods of control.

ROYAL VISIT.

Mr. CORCORAN—The following is contained in a letter I have received from a constituent:—

While I notice that sections have been reserved for old age pensioners, and pioneers, etc., during the Royal Visit to Adelaide, I feel that it may be necessary to draw the attention of responsible officers to the fact that there are many elderly and crippled people who would be unable to stand to witness the Royal party. I refer to those who could not stand for any length of time, and suggest that seating accommodation in the shade, namely along North Terrace with an unobstructed view, be provided, position to be easily accessible by car from a side street if possible. Possibly this matter has been provided for, but, if not, will the Premier consider the points raised?

The Hon. T. PLAYFORD—I can assure all honourable members that it is the Government's desire and the expressed wish of Her Majesty the Queen that as many South Australians as possible shall have an opportunity to see her, and anything we can do to assist in that direction will be done. If the honourable member will let me have the letter I will examine the implications.

POULTRY STICK-FAST FLEA.

Mr. WHITE—I have received several complaints recently regarding the poultry stick-fast flea. It is alleged by those who have approached me that this flea is conveyed from places where it is prevalent by birds such as starlings and sparrows, which have the habit of sleeping in the rafters of sheds; also that some of the crates sent out to poultry farms by those selling poultry by auction are not properly fumigated, and possibly are a means of conveying the flea from one farm to another. They also allege that people with lorries who buy poultry by live weight and go from one farm to another until they have a load possibly spread the pest. Will the Minister of Agriculture inquire regarding the possibility of the stick-fast flea being spread as suggested? If it is possibly spread in these ways, will he ascertain the extent of flea infestation in this State, and, if it is very prevalent, take the necessary steps to enforce the regulation designed to control it?

The Hon. Sir GEORGE JENKINS—The stick-fast flea is very widely spread in South Australia, and efforts to control it completely have proved to be extremely difficult, if not impossible. It is known that birds, such as sparrows, do spread the flea and that, of course, creates a difficulty which I am afraid is beyond the skill of the Department of Agriculture to cope with. I will have the question of the methods of distribution brought under the notice of the Veterinary Branch and bring down a report for the honourable member.

REFORMATORY ESCAPES.

Mr. JENNINGS—The death occurred a couple of days ago of a boy, aged 14, who was killed in a car accident following on his escape from the Glandore Industrial School. We frequently hear of escapes by children from such institutions, and obviously it must be bad for the discipline of these children to realize that any attempt they make to escape is likely

to be successful. I think we should be concerned that the boy referred to lost his life while he was supposed to be under the supervision of the State. Will the Premier endeavour to have these institutions made more escape-proof than they appear to be at the moment?

The Hon. T. PLAYFORD—The reply is, No. We do not believe that reformatory institutions should be made into gaols. It would be possible to lock these people up so that there would be no opportunity for escape, but we hope that a large number of these children will be reformed by their associations with such institutions and that by treating them fairly and giving them better opportunities they may become good citizens. It is true that occasionally a child will not live up to the trust reposed in him, but I suggested that to treat them all as though they were completely unworthy of trust would break down what we are attempting to do. As a matter of fact, the Government has before it a proposal which would extend the probation plan rather than limit it, and I think that is in accordance with modern thinking upon prison and reformatory activities.

ATOMIC POWER PLANTS.

Mr. WILLIAM JENKINS—My question arises out of a paragraph appearing in the *Advertiser* of October 3. It stated:—

> There is reason to believe also that it will not be long either before Federal backing is given to the Playford plan to establish an atomic power plant in South Australia.

Can the Premier say whether any plan has been worked out for the establishment of an atomic plant in this State and, if so, where will it be? Does "Federal backing" mean that the Commonwealth Government will provide finance and, if so, to what extent?

The Hon. T. PLAYFORD—The honourable member's last question is covered by a reply I gave in connection with uranium to Mr. Macgillivray—that no request has been made to the Commonwealth for finance for such work. I have expressed the view publicly, and privately to members of the Commonwealth Government, that in my opinion the time is not ripe to establish an atomic plant in South Australia or in any other part of Australia. Quite apart from being fairly costly, any plant that we could establish today would, in my opinion, be obsolete before it was in operation. A vast amount of knowledge on this subject is being acquired almost every day. With such revolutionary development it would be wiser for us to wait until science had at least determined what may be the ultimate form of use of this heat, so my statement has always been that 1960, on present indications, would be the time for an atomic plant to function in this State.

COMMONWEALTH SHIPPING LINE.

Mr. RICHES—The last issue of the *Whyalla News* contains the following article:—

> The whole future of Whyalla could be affected by the proposed sell-out of the Commonwealth Shipping line to vested interests, said Mr. M. T. O'Donoghue in a report submitted to the Whyalla branch of the A.L.P. at its last meeting. Mr. O'Donoghue told the meeting that the line of 34 ships will be sold for £9,000,000 on the basis of 25 per cent deposit and the balance over 12 years interest free. Purchasers will also agree to buy 24 ships under construction for £16,000,000. Most of these new ships are about 10,000 tonners and will be finished in six years. The Commonwealth will agree to meet all payments due until the ships are completed. Terms of purchase of ships under construction are on the same basis as ships on existing lines—again interest free.

That report has caused much discussion and in some places concern in Whyalla as to the possible effect on the ship-building industry there. Does the Premier know anything about that transaction? Has he had any discussions with the Federal authorities on the future of shipbuilding at Whyalla and, if so, can he give the House any information about it?

The Hon. T. PLAYFORD—I have no knowledge on this topic except that which has appeared from time to time in the press, and I have no knowledge of the accuracy or otherwise of the press statements. I have had no discussions with the Commonwealth Minister of Shipping on this question, and he has not sought my advice or in any way desired my attention to any of these matters so far as South Australia is concerned.

NISSEN HUTS AT LOXTON NORTH.

Mr. STOTT—Is the Minister of Lands aware that in the Loxton North soldier settlement area several settlers have had nissen huts erected for the purpose of enlarging their implement sheds? I understand these huts are to be used for the purpose of housing grape pickers and other assistants. The huts are open at both ends, and in the wind on Saturday last it was lucky that some did not blow away. Does the department intend to close the sheds at one end to make them weatherproof and to close and subdivide them, as the original nissen huts were, to make them comfortable for the pickers? The soldier settlers inform me that

employees will refuse to stay unless they are properly housed. Will the department see that the huts are properly completed?

The Hon. C. S. HINCKS—I thought that all the huts, soon after erection, were closed at both ends, but maybe a few of them have not been completed. I will get a report for the honourable member.

CONTROL OF TRAMWAYS TRUST.

Mr. FRED WALSH—Last Saturday's *Mail* referred to the visit to South Australia of two United States transport experts. The article states:—

The experts, Messrs. C. E. deLeuw and D. Cather will spend the next fortnight vetting what will, in effect, be Adelaide's transport system in 10 years' time. The programme, involving major changes in rolling stock and power and workshop procedure, will cost millions, but the exact figure was not disclosed.

In view of the extensive changes proposed in Adelaide's transport system and the huge expenditure involved, does the Government intend to bring the tramways system under the direct authority of the new Minister of Transport?

The Hon. T. PLAYFORD—The answer is, "No."

APPOINTMENT OF PROBATION OFFICERS.

Mr. DUNSTAN—Has the Premier seen recent reports in the press of the widespread advocacy of the legal profession and the judiciary of the appointment of paid probation officers under the Offenders Probation Act, firstly to carry out the provisions of the Act and secondly to make comprehensive pre-sentence reports to the judiciary? Will the Premier examine this matter and inform the House whether the Government intends to appoint such officers?

The Hon. T. PLAYFORD—The matter is before Cabinet at present. I point out that there are innumerable ways open to the Government for the expenditure of new public moneys at the taxpayers' expense, and the Government usually desires to see that such expenditure will yield some compensating advantage. If it is felt that the expenditure would have some useful result I have no doubt Cabinet will speedily approve of the matters now before it. We have had a number of reports, but they are to some extent contradictory. However, I think that a decision on this matter will probably be given next Monday.

WATER RATING.

Mr. GEOFFREY CLARKE—In a street in my electorate there are two houses with water meters and a number without them. The owners of the two houses are invariably charged for excess water, but although it seems that their neighbours use water wastefully they, of course, cannot be charged excess water rates. Can the Minister say whether in such cases where the properties near each other are of about equal value and quality, pending the installation of meters a rate can be arrived at which is equal to the average for that street according to the consumption by people whose water is measured by meter?

The Hon. M. McINTOSH—It is the policy of the department to install meters as soon as possible. In the meantime some householders without meters may be accused of using water unduly, the man with a meter complaining that he is restricted in consequence of having one. We cannot spend the same sum of money in two directions, and up to the present we have been more concerned with providing water services to those who have none than with limiting supplies to those who have not meters. We cannot supply meters while at the same time supplying new connections. The points raised will be considered in the framing of any regulations that are made this year.

GUARANTEED PRICE OF WHEAT.

Mr. O'HALLORAN—Has the Minister of Agriculture a reply to my question of last week regarding the method of ascertaining the cost of production of wheat and the price which has been fixed under that method in recent years?

The Hon. Sir GEORGE JENKINS—The following are the guaranteed prices of wheat which were fixed on a bulk basis f.o.r. ports over the past five years:—

Year.	Price per bushel.
	s. d.
1948-49	6 8
1949-50	7 1
1950-51	7 10
1951-52	10 0
1952-53	11 11

I have the method of computation, which is long and involved, but I shall be glad to make it available to the honourable member.

FREE MILK FOR SCHOOL CHILDREN.

Mr. STEPHENS—Will the Minister of Works secure from the Minister of Education a report showing the number of schools that

have been supplied with free milk for school children, the quantity of milk used, and the benefits received from its use?

The Hon. M. McINTOSH—I will take up that question with my colleague and bring down a full reply as early as possible.

RATING OF GOVERNMENT PROPERTY.

Mr. JOHN CLARK—I was most interested to read in the *Advertiser* of October 5 the following statement by Mr. John McLeay, M.H.R., published under the heading of "Federal Government should Pay Rates":—

"There was a moral obligation for the Federal Government to contribute rates to councils on properties it held in various municipalities, and he hoped that moves being made to bring this about would be successful," said Mr. McLeay, M.H.R., on Saturday. He was speaking at the official luncheon following the annual inspection by the Mitcham council. Government institutions did not contribute rates and ratepayers had to pay for the services the institutions received from the councils.

I do not always agree with Mr. McLeay, but I do on this occasion, because I am interested in this question from the point of view of revenue lost by councils through land in the country held by the State Government. For example, in the district council area of Barossa, which is in the Assembly district of Gawler, the following areas are Crown properties:—Barossa reservoir, 2,274 acres; Warren reservoir, 808 acres; South Para reservoir, 1,350 acres; and forest reserve, 11,443 acres, making a total of 15,875 acres, which is almost 17 per cent of the total council area and is not ratable. In reply to my question of September 1 the Minister said:—

Crown property is not ratable. However, the benefits of the construction of these reservoirs and reticulation therefrom have greatly enhanced the prosperity and consequent ratable value of the whole of the rest of the district, and respective councils have benefited greatly thereby.

I appreciate that statement, but there is a considerable loss of rates in the large area I have mentioned. It must also be remembered that the forest area is only an asset if council roads are there to take out the timber. Can the Minister say whether it is possible to compensate this council and others in a similar position for their loss of revenue?

The Hon. M. McINTOSH—Each case is dealt with on its merits and I shall be glad to show to any member a list of the sums contributed by the Government to various councils by way of grants from the Roads Fund which has been raised by taxation and made available to councils to compensate them for disabilities arising from untoward circumstances such as forestry roads in their areas. In fact, no council would be likely to forfeit the benefits resulting from a reservoir or forest in its area in return for their rates. The amount of benefit that has accrued to the district generally and the councils in particular from such projects has far exceeded any loss of revenue from those areas. Although it may be said that 17 per cent of the area is involved, it would probably represent, if unimproved, only a small fraction of the capital value of the district, so I do not think it is quite correct to consider the question in terms of area; rather, it should be considered in terms of capital value on the one hand and benefit on the other. If any council considers it has suffered any disability I shall be glad to take up the question with its members and its representative in this House, including the honourable member.

PETERBOROUGH RAILWAY HOMES.

Mr. O'HALLORAN—A few years ago 20 houses were erected by the Housing Trust for occupation by railway employees at Peterborough, and originally an 800-gallon rain water tank was supplied for each house. This capacity, of course, is inadequate in view of the climatic conditions in that area. Subsequently the Railways Commissioner was approached and a firm promise secured that larger tanks would be supplied as soon as materials became available. Will the Minister of Works ascertain if those tanks have been supplied and, if they have not, will he see that steps are taken to supply them at the earliest opportunity?

The Hon. M. McINTOSH—I accept in its entirety the honourable member's statement that a promise was made and I will do my utmost to see that it is fulfilled at the earliest possible moment.

MUNICIPAL AND COUNCIL ELECTIONS.

Mr. TAPPING (on notice)—Is it the intention of the Government to consider amending the Local Government Act to provide for—(*a*) preferential voting at municipal and district council elections, as used in State and Federal elections; and (*b*) voting at municipal and council elections to terminate at 6 p.m.?

The Hon. M. McINTOSH—The replies are:—

(*a*) No.

(*b*) No request has been received for an alteration to the hours in the metropolitan area, which are from 8 a.m. to 7 p.m.

CRAYFISHING.

Mr. TAPPING (on notice)—What numbers of—(*a*) fishing craft were engaged in crayfishing in this State in each of the financial years ended June 30 from 1950 to 1953; and (*b*) dollars were earned from exports of South Australian crayfish during each of those years?

The Hon. Sir GEORGE JENKINS—The replies are:—

(*a*) The number of boats engaged principally in crayfishing were as follows:—1949-50, 125; 1950-51, 135; 1951-52, 123; 1952-53, 132.

(*b*) The *Annual Statistical Record* of the Commonwealth Statistician gives the following exports of crayfish for South Australia:—1949-50—284,527 lb., £64,266 (Aus.); 1950-51—291,257 lb., £70,082 (Aus.); 1951-52—185,760 lb., £65,178 (Aus.); 1952-53—773,720 lb., £244,391 (Aus.).

REJECT MUTTON AND LAMB.

Mr. CHRISTIAN (on notice)—

1. Is there any reject mutton or lamb held over from last year's slaughterings?

2. If so, what is the quantity?

3. What avenues for disposal are available for such meat?

4. What is proposed to be done with any such surplus meat?

5. To what extent and in what particulars do overseas meat contracts for this season differ from last seasons?

The Hon. Sir GEORGE JENKINS—The replies are:—

1. As far as departmental clients are concerned, no. As far as licensed exporters are concerned, no information is available.

2. See 1.

3. On general marketing grounds rejects may be disposed of locally, interstate, and as far as overseas markets are concerned, as piece meats or manufacturing mutton (subject to the requirements of the Department of Commerce) and canners.

4. The information is not available.

5. For the 1953-1954 contract year, lamb prices were increased by 7½ per cent and mutton prices on the average by approximately 5½ per cent. Beef and veal have been increased by 5½ per cent. No contract for canned meats has been negotiated with the United Kingdom for 1953-1954.

DEMOLITION OF HOUSES.

Mr. LAWN (on notice)—How many houses in the city of Adelaide have been condemned by the Central Board of Health and subsequently demolished during each of the years 1950, 1951, 1952 and 1953?

The Hon. M. McINTOSH—The Central Board of Health has not condemned any buildings in the city of Adelaide during the period stated. The Local Board of Health for the city of Adelaide has taken such action and has supplied the following information:—

Year.	Condemned but subsequently made habitable.	Condemned and subsequently demolished.
1949-1950	3	3
1950-1951	1	nil
1951-1952	3	nil
1952-1953	6	8

(This would apparently not include any dwellings condemned but put to other use.)

SUBSIDY ON IMPORTED COAL.

Mr. O'HALLORAN (on notice)—How much was paid by the Commonwealth Government to this State by way of subsidy on coal imported from South Africa and India during the three years, July, 1950 to June, 1953?

The Hon. T. PLAYFORD—The cost of replacing coal allotted from South Australia's quota to other States, and particularly to New South Wales, was £1,163,038 12s. 1d. This payment cannot be regarded as a subsidy to South Australia.

WATER RESTRICTIONS.

Mr. TAPPING (on notice)—Is it the intention of the Minister of Works, in considering any future water restrictions, to allow consumers without meters the use of sprinklers after 8 p.m. in lieu of 11 a.m. to 2 p.m.?

The Hon. M. McINTOSH—Consideration will be given to a change in the period of water sprinkling in the event of regulation becoming necessary.

STATE ELECTIONS: FAILURE TO VOTE.

Mr. HUTCHENS (on notice)—

1. What is the number of electors who failed to record a vote at the 1953 State elections?

2. What percentage of those who failed to record a vote have given satisfactory reasons for so doing?

The Hon. T. PLAYFORD—The replies are:—

1. 17,681.

2. 99.35 per cent.

GLANVILLE PIPE WORKS.

Mr. TAPPING (on notice)—Is it the intention of the Minister of Works to increase employment at Glanville Pipe Works for the purpose of stepping up pipe production locally?

The Hon. M. McINTOSH—Having regard to supplies available, a small increase may become necessary.

STATE BANK REPORT.

The SPEAKER laid on the table the report and balance-sheet of the State Bank of South Australia for the year ended June 30, 1953.

Ordered to be printed.

COMMITTEE ON LICENSING OF TAXICABS.

The Premier laid on the table the report of the Committee on Licensing of Taxicabs.

Ordered to be printed.

PUBLIC SERVICE SUPERANNUATION FUND ACT AMENDMENT BILL.

Returned from the Legislative Council without amendment.

ABATTOIRS ACT AMENDMENT BILL.

The Hon. Sir GEORGE JENKINS, having obtained leave, introduced a Bill for an Act to amend the Abattoirs Act, 1911-1950. Read a first time.

BUILDING ACT AMENDMENT BILL.

Second reading.

The Hon. M. McINTOSH (Minister of Local Government)—I move:—

That this Bill be now read a second time.

The Bill, which is introduced to meet altered conditions arising from developments over a period of years, does not involve any political or economic issues, but is an attempt to improve the Act, which I think has operated successfully. The Act, which applies within most of the urban areas of the State, provides for a general control of municipal and district councils over building operations carried out in their areas. The building code, which lays down the rules which are to be followed by building owners when buildings are constructed, are contained in regulations included in the schedules to the Act. These regulations cover a wide range of technical matters and, in accordance with section 83 of the Act, any alterations necessary to be made to the schedules are effected by regulations made by the Governor. The law enacted in the sections contained in the body of the Act deal with procedural and administrative matters and are not concerned with the technical rules applicable to building operations. The Bill now under consideration proposes to make a number of administrative amendments to various sections of the Act, but does not deal with the technical matters provided for by the regulations in the schedules to the Act. The amendments have been recommended by the Building Act Advisory Committee. This committee is constituted pursuant to section 98a of the Act and it is the duty of the committee, among other things, to report to the Minister on proposals for amendment of the Act. It may also be mentioned that this committee, which includes persons of high technical qualifications among its members, meets at frequent intervals for the purpose of considering the building code contained in the schedules, and the committee from time to time makes recommendations to the Minister for such alterations to the regulations as appear to be desirable to meet any changes in building methods or forms of construction. The committee consists of Mr. J. P. Cartledge (chairman), who is also Chairman of the Housing Trust and Assistant Parliamentary Draftsman, Mr. W. C. D. Veale, Town Clerk of Adelaide; Mr. L. Laybourne-Smith, a leading architect; Mr. R. J. Nurse, a recognized contractor and builder of high repute; Mr. H. E. S. Melbourne, clerk of the Burnside Corporation and a high-ranking engineer; and Mr. T. A. Farrant of the Engineering Department of the University of Adelaide. The technical qualifications of the committee are of a very high order.

The amendments proposed by the Bill are as follows:—Section 8 of the Act provides that, before a person commences building operations, he must lodge the requisite plans and specifications with the council and provision is made for the consideration of the plans by the council and their approval. Among the matters required by section 8 to be submitted to the council are particulars of the proposed mode of drainage of the building. This phrase is somewhat indefinite and causes difficulties in interpretation. Clause 2 therefore provides that the building owner shall, where he proposes to erect or add to a building, supply particulars of the roof drainage and the mode of disposal of nightsoil and sullage and waste water from the building. The method of dealing with these problems is a matter of public health, and thus a proper topic for consideration by the council as the local health authority. The clause also provides that the approval of the council to what is proposed is to be obtained before building is commenced.

Clause 3 provides that where plans for a building are approved a copy is to be kept on the job and available for inspection by the building surveyor. Plans are approved in duplicate and it is the usual practice to keep a copy on the job but it is obvious that, when the building surveyor inspects the work, it is essential that a copy of the plans should be available. In addition, the clause requires a

copy of the approval of the council of the plans to be kept on the job. Sometimes, the council, in its approval, authorizes a deviation from the plans, and the approval is therefore necessary to be considered with the plans. As a corollary to this provision, the clause provides that, when the council gives its approval to plans, the approval must be given in duplicate. Clauses 4, 5, 6 and 11 deal with much the same matters.

Sections 135 to 138 of the Police Act contain a number of provisions requiring owners and occupiers of buildings to safeguard the public against damages caused by such as cellar openings, coal holes and other openings to basements which are in or near the footway. Common examples of this sort of thing are the openings to cellars of hotels through which beer casks are lowered from the street and areas in footpaths covered with gratings through which light and air passes to windows of basement rooms. These sections are old law and it is rather surprising to find them in the Police Act. To some extent, provisions dealing with the same matters are also contained in the Building Act or the Local Government Act and it is considered that so far as the matters dealt with in the sections of the Police Act are not so covered, the law on these topics would be more appropriately enacted in the Building Act. Section 20 of the Building Act already deals with structures in or over streets and provides for control of these matters by the council. Clause 4 extends the section to include the construction of cellars, openings, doors and windows in or beneath the surface of any street. Section 27 of the Building Act now requires precautions to be taken where certain excavations are carried out within 10ft. of a street alignment. This is by clause 5, extended to include excavations for the purpose of a vault or area.

Clause 6 places an obligation on owners and occupiers of buildings to safeguard openings to buildings below the level of the street and requires them to keep such things as cellar flaps, doors, etc., in proper repair. As has been already pointed out, what is proposed by clauses 4 to 6 is already provided for by sections 135 to 138 of the Police Act, and clause 11 therefore proposes that these sections are to be repealed. Clause 7 deals with the fees payable to the referees. The scheme of the Act is that, on a variety of matters, a building owner can appeal to the building referees from a decision of the council, whereas in other cases there can, in effect, be a joint reference to the referees by the council and the building owner as to the correct solution to a technical problem. This referee system has been in force for a long time and is generally acceptable to all parties. There are two referees for every council area, one appointed by the Minister and one by the council, and the referees so appointed are invariably persons with considerable technical qualifications and of high standing. Section 79 provides that a referee is to be paid a fee of £2 2s. for any reference heard by him. This fee was fixed in 1923. When it is considered that any reference involves a hearing and the making of an award and that, in instances, the hearing lasts for two or more days, it is obvious that the fee is inadequate. Clause 7 proposes to increase the fee to £3 3s. Section 79 of the Act provides that a referee's fees are payable in the first instance by the person requiring the reference. It is only because many high-minded architects and other experts regard it more or less as a duty that they undertake the task. They appreciate that their status is so regarded, and consider the payment more as an honorarium than as an actual fee. Even a fee of £3 3s. is inadequate.

Section 82 of the Act authorizes a council to make by-laws for a variety of purposes. Clause 8 extends this provision to include power to make by-laws regulating, controlling or prohibiting the erection or use for habitation purposes of buildings, tents and other structures not conforming with the requirements of the second schedule, that is, the building code applicable to buildings. The purpose of this is to enable the council to control the erection of temporary structures for use as dwellings. Part IV. of the Act gives to councils certain powers over temporary structures but it is considered that, if a council makes by-laws on the matter its policy will then be defined and can be ascertained by the persons concerned. Section 84 of the Act provides that any act or default contrary to any provision of the Act is to constitute an offence. Clause 9 extends this to include any failure to comply with any provision of the Act. The existing section deals adequately with acts of commission; the amendment extends the section to acts of omission which should be subject to the same penalties as the former. Section 85 of the Act provides that when any building is erected contrary to the Act, the surveyor may give notice to the owner requiring him to remedy the matter. On default by the owner, the council can enter upon the land and do any work necessary to make

the building conform to the Act, including, where necessary, the pulling down of the building. The cost to the council may then be recovered by action against the owner. Thus, the council can move in the matter without it being brought before a court.

Clause 10 proposes a different procedure. The clause provides that where notice is given by the surveyor and is not observed by the owner, he may be prosecuted for the offence of failing to comply with the notice. If the court is satisfied that an offenee has been committed, the court may, in addition to imposing a penalty, authorize the council to do such work as is necessary to make the building conform with the Act. In cases where the owner cannot be found, the council is given power to carry out this work without an order of the court. However, the effect of the clause is to provide that, except where the owner cannot be found, the council must, in effect, obtain the order of the court before entering upon the land and carrying out work on the building. As is now provided in the section, the clause provides that any costs of the council incurred in work on the building are to be recoverable from the owner. It is practically a machinery Bill, and in no way introduces new policy, nor do I think cuts across any existing procedure, but gives effect to the intention of the Act to safeguard the public.

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

BARLEY MARKETING ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from September 29. Page 821.)

Mr. O'HALLORAN (Leader of the Opposition)—As explained by the Minister the Bill is the result of a conference and agreement with the Minister of Agriculture of Victoria, because that State is a party with South Australia in the organization provided for the marketing of barley. Originally, Victoria, in effect, demanded an extra member on the Barley Board to represent its growers. Previously, South Australian growers had two representatives and the Victorian growers one. It was felt when this House approved the measure that that was a fair basis of representation in view of the fact that considerably more barley was grown in South Australia than Victoria. However, Victoria amended its legislation early in the year to provide for two representatives for their growers, but at the subsequent conference this stand was modified to the extent that Victoria will now be satisfied with one and an observer, who will be the representative of the Victorian Department of Agriculture. I see no objection to the proposals in the Bill, which I understand have already been approved by the Victorian Parliament.

Mr. WHITE (Murray)—The Barley Marketing Board was created to handle production from Victoria and South Australia, and the present marketing machinery has worked particularly well. I know from my own experience as a barley grower and from my associations with others engaged in the industry that it is giving entire satisfaction. The growers desire that the machinery shall continue and the object of the Bill is to implement a request from the Victorian Government for a representative of its Department of Agriculture to be present at board meetings. I fail to see what good purpose will be served by the presence of a departmental officer at those meetings, but as the reports he makes to the Victorian Minister of Agriculture will also be made available to the South Australian Minister it is obvious that this State's interests are preserved. I do not think anyone can raise any objection to the Bill, particularly as it ensures that the present marketing system for the two States will continue. I take this opportunity to praise the present board, which has done a great deal to build up confidence in the growing of barley in South Australia. At farmers' conferences it is common to see the manager of the board present lecturing on the growing and harvesting of barley. He does everything possible to ensure that the barley exported from this State is of good quality, and the growers appreciate what he has done. He has done much to build up goodwill between growers and the board and his work has been partly responsible for the big expansion of barley growing in this State in the last few years.

The increase in barley production has brought many blessings to South Australia, particularly in our mallee areas. At one time these districts were considered suitable for the growing of wheat, and were developed for that purpose. However, it was necessary to fallow, and this created a dust bowl in the district. Something had to be done about it, and the farmers switched to growing barley. As a result of the efficiency of the barley-marketing machinery they have reaped a great benefit, and the Murray mallee country has become stabilized. It would be a great pity if the farmers

in that district went back to wheat production. Last year the Barley Board handled about 29,000,000bush. I understand that apart from barley held for home consumption there is only about 500,000bush. not sold. This reflects the efficiency of the board and I know I am stating the opinion of barley growers generally when I say it is desirable for the present marketing machinery to be retained. I support the Bill and trust it will have a speedy passage.

Mr. PEARSON (Flinders)—This is not an occasion for a general review of barley-marketing legislation, for the Bill merely puts into operation an arrangement entered into by the Ministers of Agriculture of Victoria and South Australia. The first request, or demand, made by the Victorian Government was for an additional representative on the board. The South Australian Government resisted the demand on the ground that it was not justified by the relative production of the two States. Production in South Australia and Victoria has varied over the years. Sometimes Victoria has grown 33 per cent or more of the total barley handled by the board, but last year its production was slightly under 5,000,000bush., whereas the South Australian production was about 24,500,000. Therefore, there was no justification for the Victorian demand for additional representation. It is now proposed that the Victorian Department of Agriculture shall be represented by one of its officers as an observer. The inference is that the board has not disseminated sufficient information concerning its activities to the Ministers in the two States. However, I think the South Australian Minister would be the last to lay that charge at the board's door.

The board has felt it was given a clear duty to perform and that it should act on its own initiative. It believed it was not its function to be constantly on the doorstep of Ministers with requests for instructions on policy. However, when either Minister has made any request or suggestion to the board for certain information it has always been happy to supply it readily and completely. The Bill merely embodies an agreement to enable the barley-marketing legislation to continue for another five years. I believe the board is quite happy with the arrangement, because it is glad to know it will be able to continue its work for another definite period and to plan accordingly. This is important in view of the present trend of barley marketing. During the last three months the overseas market for barley has considerably weakened. It would be unfortunate if the present machinery, which can afford some protection to growers if prices tend to fall, went out of existence now. I am therefore pleased that agreement has been reached between South Australia and Victoria.

Bill read a second time and taken through its remaining stages without amendment.

PRISONS ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from September 29. Page 829.)

The Hon. T. PLAYFORD (Premier and Treasurer)—When I last spoke on this Bill I asked leave to continue my remarks in order to let members clear up any ambiguities on the measure, and I understand there is now an amendment to be considered in Committee. The purpose of the Bill is to enable certain prisoners for whom accommodation is not available in the Northern Territory to serve their sentences in South Australian goals. The Government does not desire to set up as a hangman for the Commonwealth but merely wishes to enable sentences imposed in the Northern Territory courts to be carried out in this State and to save the South Australian taxpayer from an unwanted cost.

Mr. LAWN (Adelaide)—In speaking on this Bill last week the Premier said that it was a very small machinery Bill to carry on an arrangement which had been in operation for many years with advantage, not only to the Commonwealth but also to the taxpayers as a whole, but explaining the Bill in the Legislative Council the Chief Secretary said:—

Last year the Commonwealth requested the State to carry out sentence of death imposed by the Supreme Court of the Northern Territory on two persons convicted of murder. The seriousness of this request led to a careful examination of the constitutional validity of the scheme for transferring prisoners. The then State Crown Solicitor (Mr. Hannan, Q.C.) and the Commonwealth Solicitor-General investigated the question whether the Commonwealth Act was valid, and whether, if it was valid, it was binding on State authorities or only on Commonwealth authorities. The legal officers did not reach complete agreement on all the legal questions involved, but as a result of their discussion it was agreed that in order to remove any doubt as to the validity of the scheme, the State Parliament should be asked to pass legislation complementary to the Commonwealth Act.

During the debate in the Legislative Council—

The SPEAKER—I allowed the honourable member to quote from the speech of the Minister in another place, but he cannot continue referring to the debate there. He may only refer to the debate in this House.

Mr. LAWN—I take it from that, Mr. Speaker, that I am precluded from stating the attitude of the Opposition in that Chamber?

The SPEAKER—Yes. I allowed the honourable member to finish his quotation, but I cannot let him debate it.

Mr. LAWN—Obviously a Labor Opposition would not agree to making South Australia a dumping place for Commonwealth hangings, and, when that fact was made public, Government supporters in another place wanted to know what was wrong with that. Apparently, at that stage the Bill was intended to cover hanging. In explaining it in this House the Minister of Lands said:—

Last year the Commonwealth requested the State to carry out sentence of death imposed by the Supreme Court of the Northern Territory on two persons convicted of murder

Apparently, he was reading from the same document as that used by the Chief Secretary, for the words are identical; but the Minister of Lands added:—

The legal position is doubtful and, in a matter of this kind, it is essential that there should be no doubts. It is therefore proposed in this Bill to empower the State Governor to concur with the making of any orders by the Commonwealth Governor-General for the removal of a prisoner from a Territory to the State.

The Minister made it quite clear that this Bill was to remove any doubts by empowering the State Governor to concur with the making of any orders by the Governor-General for the removal of a prisoner from a Commonwealth Territory to South Australia. The Premier said that an arrangement had operated between the Commonwealth and South Australian Governments for many years whereby Commonwealth prisoners were transferred to South Australian gaols to carry out their sentences. Clause 3 states:

Where a prisoner has been brought into the State pursuant to the said Act, he may be detained, punished and otherwise dealt with in the State in accordance with the provisions of the said Act.

Undoubtedly, this Bill originated at the request of the Commonwealth Government for this Government to carry out two hangings, for no other State Government would carry out hangings because all are Labor Governments. According to the Minister's speech South Australia was to become the slaughter house for the Commonwealth Government. In the Address in Reply debate I dealt with the death penalty and in this debate I was pleased to hear the member for Norwood on the same subject. Although in South Australia the death penalty is imposed only in the case of murder, a Commonwealth Government, particularly a Liberal Government, could impose the death penalty for the theft of sheep or cattle in the Northern Territory, and this State could then be called on to hang sheep and cattle stealers. Her Majesty's Opposition has successfully drawn attention to something which would otherwise have become a slur on the State, and I am glad that the Premier has indicated that a safeguard will be provided by excluding the carrying out of the death penalty.

Bill read a second time.

In committee.

Clauses 1 and 2 passed.

Clause 3—"Prisoners removed to the State under (Commonwealth) Removal of Prisoners (Territories) Act, 1923-1950."

The Hon. T. PLAYFORD (Treasurer)—I move:—

In paragraph (1) to delete "4" and insert "3" in lieu thereof.

This involves no question of principle but merely corrects a clerical error.

Amendment carried.

Mr. DUNSTAN—I move—

In line 4, page 2, after "Act" to add the proviso—"Always provided that no sentence of death shall be carried out in the State upon any such prisoner."

This amendment is designed to give effect to my plea that this State should not carry out sentences of death passed elsewhere in the Commonwealth and not set up in business as hangmen. I gather that there is no disagreement with that principle, which is in accord with both humanity and general morality. I find it extraordinary that the Government found that under the original position it had some convenient excuse for not carrying out such sentences and has now introduced a provision depriving it of that excuse. I understood the Premier to agree that we should not set up in business as hangmen and that he would accept the amendment.

The Hon. T. PLAYFORD—I am not sure about the drafting of this amendment. I do not understand the meaning of the word "always." I do not think it means anything. This amendment goes further than what I stated. If a prisoner were sent here to become an inmate at Yatala, and were involved in a riot and cold-bloodedly murdered a guard,

under this amendment we would be unable to punish him under South Australian law for something he did in South Australia. I suggest as an alternative that we insert the words, "Provided that no provision in this Act shall be deemed to give any authority to the State or any officer thereof for carrying out any execution ordered by any authority outside this State." It only represents a technical difference, but it is an amendment I would accept. The circumstances I refer to are not likely to occur, but the honourable member has suggested a complete embargo. If the Commonwealth decided to execute a prisoner in South Australia charged with treason in the Northern Territory I do not think we would have power to prohibit it. I think Commonwealth laws permit the Commonwealth to carry out penalties imposed by it anywhere in the Commonwealth.

Mr. O'Halloran—Provided the penalties are carried out by the Commonwealth.

The Hon. T. PLAYFORD—Yes.

Mr. DUNSTAN—In view of the Premier's suggestion I ask leave to withdraw my amendment.

Leave granted.

Mr. DUNSTAN—I move—

In line 4, page 2, after "Act" to add the proviso—"Provided that no provision in this Act shall be deemed to give any authority to the State or any officer thereof for carrying out any execution ordered by any authority outside this State.

Amendment carried; clause as amended passed.

Title passed. Bill reported with amendments.

EMPLOYEES REGISTRY OFFICES ACT AMENDMENT BILL.

In Committee.

(Continued from September 24. Page 804.)

Clause 3—"Repeal and re-enactment of fifth schedule to principal Act."

Mr. HAWKER—I move—

In the first line to delete all the words after "struck out."

If that is done I propose replacing the words and schedule deleted with new clauses 2a and 2b, which follow the Western Australian method, under which every licensee is required to deposit at the office of the chief inspector and at all times keep posted in some conspicuous place in his licensed premises a scale of fees for the time being chargeable and payable to the licensee in respect of hiring employees. This method has been in operation in Western Australia since 1909. Since then there have been periods of peace and war, depressions and booms, and Labor and Liberal Governments, and it has been an effective method. Western Australia has probably the best private employment agencies in the Commonwealth. At present there are nine agencies of the Commonwealth Employment Service in South Australia as against 11 in Western Australia. The Commonwealth Employment Service provides services free of charge and it is the best method of ensuring that there is no exploitation. No employment agency can possibly charge more than its services are worth both to the employer and employee, because either can go to the Commonwealth Employment Service to find a job or obtain labour. In Western Australia in practice the fee is usually the equivalent of one week's wages. Under our Bill it is to be 22½ per cent. The Pastoral Labor Bureau in Western Australia charges the employer £3 and the employee nothing. The legislation there has stood the test since 1909. The last amendment to it was in 1918.

The Hon. T. Playford—Do you propose to abandon your other amendments?

Mr. HAWKER—I want the schedule deleted, and to replace it I shall move for the insertion of two new clauses, the provisions of which have been taken from the Western Australian Act.

The Hon. T. PLAYFORD—I am inclined to accept the amendment, but would like to consider the matter further.

Mr. O'HALLORAN—I was sorry to hear the Premier say he was inclined to accept the amendment. I suggest that he have a good look at its implications. When Mr. Hawker mentioned the amendment to me I was inclined to accept it because I thought it was a rough and ready way of achieving something of lasting duration. I thought that its acceptance would mean that it would not be necessary from time to time to provide for the changing value of money, but I can see practical difficulties associated with its implementation. Even Mr. Hawker said that the private employment agencies in Western Australia are not the success they are claimed to be. Their population is considerably smaller than ours, yet Western Australia has 11 Commonwealth agencies to our nine. It seems that the private agencies are used to a lesser extent there than in South Australia, and here they are not used much because of the low remuneration offering. In South Australia, particularly,

with some types of rural employment where there is no legal standard, it would be difficult to decide the measuring rod upon which to base commission payments. How could it be ascertained that both parties had paid the same amount? Mr. Hawker said that in Western Australia the agency which provides shearers charges only the employer and not the employee, despite the provisions of the Act. Our schedule has apparently worked satisfactorily for many years, and will no doubt do so again once the adjustment is made in accordance with the Bill. We should not accept the amendment.

The Hon. T. PLAYFORD—Although it is satisfactory in some respects for the agency to indicate in its office information about charges, it is not so satisfactory when the negotiations are carried on by correspondence. Another difficulty is that under the amendment there could be a straight-out fee and also a recurring percentage payment for an unlimited period, to which I am opposed. I have heard no complaints regarding our private agencies. In the circumstances I think progress should be reported so that the matter can be further considered.

Progress reported; Committee to sit again.

OFFENDERS PROBATION ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from September 24. Page 806.)

Mr. FLETCHER (Mount Gambier)—I oppose the Bill because I do not think its provisions will prove advantageous. In fact, they will be more or less a handicap to the people who come under the Act. I was instrumental in getting an amendment of this Act some time ago, and the case I was interested in at that time was similar to that mentioned by the Minister when introducing this Bill. In the case I dealt with the person was released under a bond because he was a first offender. He was led into breaking that bond, and was sentenced by the court to be kept in an institution. Although he carried out everything he was asked to do in connection with that sentence, and his behaviour was good, his parents and friends were virtually called upon to clothe him and provide tobacco and other amenities; whereas had he been imprisoned he would have received not only a lot of amenties but a remission of sentence for good behaviour. This amendment will not do any good, and I ask the reason for its introduction. What advantage will it be to those who may have seen the error of their ways and who do everything they are called upon to do?

Mr. SHANNON (Onkaparinga)—I take an opposite view to that expressed by Mr. Fletcher. This is an attempt to give the courts greater discretion in dealing with certain offences by placing them in different categories; in some cases to dismiss the charge if it considers such a step to be warranted; to give a warning, as it were, to the offender by classifying the offence as trivial; and to give it the power of releasing the offender under a bond because of previous good character and behaviour. This is a step in the right direction to deal with juvenile delinquency, which is what the Bill is mainly aimed at. In most cases I think these young folk get into trouble through bad company, but are redeemable and can be brought to respect the law.

Mr. Dunstan—Does the honourable member understand that these provisions are already in the law?

Mr. SHANNON—They are in the amending Bill.

Mr. Dunstan—Yes, but only by incorporating the present Act, which provides all these things.

Mr. SHANNON—I am always prepared to listen to a member with legal experience. I rose really to reply to the member for Mount Gambier, who has been interested in a specific case of hardship where a recognizance was broken, not entirely through the fault of the person concerned. I support any legislation which would give first offenders an opportunity to re-establish themselves without being branded as criminals. Even a fine is a stigma on a young person. If this Bill is only a re-enactment of existing provisions, as Mr. Dunstan suggests, it is a step in the right direction and I will support it, because I believe that opportunity should be given to courts to use discretion where circumstances warrant it.

The House divided on the second reading—

Ayes (19).—Messrs. Brookman, Christian, Geoffrey Clarke, Dunks, Dunnage, Goldney, Hawker, Heaslip, Hincks, Sir George Jenkins, Messrs. William Jenkins, McIntosh, Pattinson, Pearson, Playford (teller), Shannon, Stott, Teusner, and White.

Noes (16).—Messrs. John Clark, Corcoran, Davis, Dunstan (teller), Fletcher, Hutchens, Jennings, Lawn, Macgillivray, McAlees, O'Halloran, Quirke, Riches, Stephens, Tapping, and Fred Walsh.

Pair.—Aye—Mr. Michael. No—Mr. Frank Walsh.

Majority of three for the Ayes.

Second reading thus carried.

Bill taken through Committee without amendment; Committee's report adopted.

MINING ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from August 27. Page 549.)

Mr. O'HALLORAN (Leader of the Opposition)—The Bill is rather a formidable looking document. In his second reading speech quite a long time ago the Premier gave a very comprehensive review of its provisions. I have had ample time to consider it, but despite that I can find nothing objectionable, so it must be a thoroughly good Bill. It deals with a number of matters which might have been dealt with much earlier by the Government. If I have any criticism to offer, it is that. It appears from the Minister's explanation of how the Act is administered that some of its provisions have in effect been ignored for a considerable time, because it was found impracticable to give effect to them. Why was not an amendment sought when it was first found impracticable to give effect to its provisions in their entirety, and why was it left until this comparatively late date before an amending Bill was introduced? That is not a criticism of the provisions of the Bill, but of the somewhat dilatory manner in which the very important subject of mining and mining legislation has been handled by the Government in days gone by. There are two main points in the Bill. First is the provision that in certain circumstances where it is necessary to incur charges to make ore marketable, particularly handling charges such as cartage, they may be excluded from the assessment of the value of the ore for the purpose of determining royalties. Secondly, it proposes to lay down, as far as it is possible to do so without breaking contracts already made, a uniform charge of royalty on ore won on private property. I had some doubts about certain provisions of the legislation, but on inquiry from a very efficient officer of the Mines Department those doubts were resolved. Consequently, I offer no objection to the passing of the Bill.

Mr. SHANNON (Onkaparinga)—My doubts are not so easily resolved as those of Mr. O'Halloran, although fundamentally there is much to be said for this legislation in that as to future mining enterprises owners of private property will be put on the same basis. It does not deal with what I regard as being the fundamental rights of those who are already engaged in mining operations on their property. Apparently, there must be some satisfactory explanation for increasing the royalty of one per cent, which actually is effective as nine-tenths per cent, allowing for the one-tenth per cent which must be paid to the Government by the owner of the property on which a mining lease is operated, to 2½ per cent. It must have been realized that owners of property on which mineral leases can be profitably operated should be compensated for the operation of those leases by an increase in the royalty payable of a little more than 2½ times the present rate. If that assumption is the right approach to this problem, then the Mines Department is obviously underpaying by a large sum certain owners of property. I am speaking on behalf of the Nairne pyrites interests, who have approached me. Although they have entered into an agreement with the Government to quarry the property for pyrites, I admit that the three major superphosphate companies concerned and the Broken Hill Proprietary Company Limited agreed to the basis then in force. We are informed by the Minister that the object of the Bill is to regularize things which have been done outside the Mining Act.

Mr. O'Halloran—That was my criticism.

Mr. SHANNON—I am taking the matter one step further. Although an agreement was entered into for the payment of a royalty of nine-tenths per cent, is there any justification for others to receive a little more than 2½ times as much on any new mining lease? If that is the basis upon which Parliament works, I do not approve of it.

Mr. Riches—Would you favour an increase of royalties at Iron Knob?

Mr. SHANNON—The honourable member will be able to submit a somewhat similar case to what I am submitting. Under this Bill we are altering the whole basis of the payment of royalty for mining leases on private property.

Mr. Quirke—It will regularize those who have been on the old basis.

Mr. SHANNON—My proposal is that it should.

Mr. O'Halloran—It will regularize some of them.

Mr. SHANNON—No, it will not.

Mr. O'Halloran—My information is that it will.

Mr. SHANNON—My information is that existing leases are not in any way interfered with. Although Iron Knob is not in such a highly productive grazing area as Nairne, both have a productive grazing capacity in their natural state. I am reminded that there is a section of the Mining Act which gives the owner of a property some redress over losses of productivity. In one instance there are hills of iron ore, and in the other of pyrites, both of which are to be taken out in their entirety. The land will be left a barren waste and possibly will be of no further use for centuries. The point is whether the increased royalty should apply only to properties where worthwhile mineral deposits are found after the passing of this Bill. Is it fair that they should enjoy royalty at the rate of more than 2½ times that payable under the present Act? Is there a legitimate reason for making this increase, which is a steep one? Some people will suffer considerable inconvenience as a result. Many hundreds of acres will be used in mining pyrites at Nairne, and the owners will be deprived of using large portions of their properties for grazing sheep. They have been good grazing propositions, for they grow good pasture.

Mr. Riches—Have the owners complained that they have not been adequately compensated?

Mr. SHANNON—They entered into an agreement with a company that could not be considered poor, but could afford to pay reasonable royalties. The three fertilizer companies and the Broken Hill Pty. Co. Limited formed the company for the purpose of winning pyrites at Nairne. Anyone operating a mining lease on private property after this Bill comes into operation will have to pay a royalty of 2½ per cent to the owner, but what will existing lessors be paid? If other valuable deposits of pyrites were discovered that could be economically worked they would not be exploited because a new company would be at a disadvantage in having to pay over 1½ per cent more in royalties than the existing company operating at Nairne. Therefore, if the royalty is to be at the rate of 2½ per cent in the future it should be at the same rate for existing leases. In the commercial world if there is an increase in price everbody enjoys it.

Mr. Dunks—But under a lease the terms are fixed.

Mr. SHANNON—The terms of any lease were subject to an Act of Parliament limiting the royalty to nine-tenths per cent. Is the proposed rate of 2½ per cent for future agreements intended as an encouragement to prospectors to search for mineral wealth on private property? If that is the basis of the Bill perhaps I shall have to slightly revise my approach. The Premier said the Bill was an attempt to regularize arrangements that have been entered into by the Department of Mines with owners of private property. That means the Mines Department has agreements to pay royalties in excess of those prescribed by the law. Apparently some people would not allow mining rights over their properties at a royalty of only nine-tenths per cent, and they obtained more. It is now proposed to amend the law to make those transactions legal. Is it fair to bring the lawbreaker within the law and leave the law-abider lamenting?

Mr. Christian—Is it fair that the royalty on iron ore is only 6d. a ton, whereas I pay 1s. a yard for stone off the road?

Mr. SHANNON—Royalties paid on low-grade materials, such as road metal, are as high as 50 per cent. The winning of iron ore and pyrites is not mining, but quarrying. I did not want to bring up the question of royalties for road metal, for I thought my argument was sufficiently strong, but certain people have waxed wealthy on quarry royalties without lifting a finger. However, the landowners at Nairne will not wax very fat. I believe they would be much happier if left to run sheep on the hills where the mining operations will be carried out. They are actually in a cleft stick.

The SPEAKER—I remind the honourable member, and others, that the Bill does not amend the legislation dealing with iron ore deposits.

Mr. SHANNON—I agree, but there are factors relating to the iron ore deposits near Whyalla that have a bearing on the mining of pyrites at Nairne. People with iron ore to sell have only one market in which to sell it, for there is only one big steel-producing firm in Australia.

The SPEAKER—I do not want the discussion on this Bill to drift onto that topic.

Mr. SHANNON—I mention it only by way of comparison. The outlet for pyrites will be limited in South Australia to one channel, for it must be treated in the works now being constructed at Birkenhead by the company which is mining the pyrites at Nairne. In other words it mines it and buys it at the price it fixes. I do not suggest there will be any skulduggery in regard to judging the worth of both the raw material and the finished

product, sulphur, but it cannot be gainsaid that the original owners of the pyrites deposits are in the hands of those interests which are mining it and which will decide its ultimate value, and that, if it suited the book-keeping arrangements of the superphosphate companies and the B.H.P., it would be simple for them to so arrange the cost of converting the pyrites from its original state to sulphur that the original owners of the deposits would get only a small percentage of the final value of their product. That would be an unhappy circumstance, and Parliament should be at least fair in its approach to the percentage which these people should receive as a result of this legislation. Consequently, in Committee I will move certain amendments to give the same overall percentages to owners of private properties on which mining is being carried out as will be received by others who will benefit as a result of the Bill in its present state.

Bill read a second time.

In Committee.

Clauses 1 to 3 passed.

Clause 4—"Basis of royalties."

Mr. SHANNON—I have discussed my proposed amendment with the Treasurer, the Parliamentary Draftsman and the Director of Mines, and it has been pointed out to me that certain aspects must be considered. For instance, I believe that people who are actively engaged in mining must be considered. I am prepared to accept as a basis for an amendment not only the interests of the person who owns property but also those of the person who will mine on it. As my amendments are not yet finally drafted, I ask that progress be reported.

Progress reported; Committee to sit again.

FOOD AND DRUGS ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from September 16. Page 691.)

Mr. HUTCHENS (Hindmarsh)—Since the Minister moved the second reading on September 16 I have taken the opportunity to study the Bill, which amends sections 27 and 61 of the original Act. Section 27 requires vendors of milk to be licensed, but the Act does not provide for powers given under section 61 to apply to the sale of cream. The Metropolitan Milk Supply Act applies to the production of both milk and cream, and it is now considered that, if it is necessary to control the sale of milk in the interests of public health, similar control is necessary with regard to the sale of cream. I support the Bill.

Mr. SHANNON (Onkaparinga)—Although I support this Bill I draw attention to an anomaly in milk vending in the metropolitan area. This is an appropriate time to make a public statement about the two authorities at present responsible for supervising whole milk distribution within the metropolitan area—the Metropolitan County Board and the Metropolitan Milk Board. The bone of contention between these two bodies is the matter of solids, as opposed to fats in milk. The butterfat content in milk is readily ascertainable by a simple process. There have not been many prosecutions in the metropolitan area in relation to milk not containing the prescribed standard of fat, but there have been a number of prosecutions and convictions because of lack of solids in milk. The percentage of solids in milk varies with the seasons. In the flush of the year when there is much young, lush food for dairy stock the solids decrease. There is not as much solid in the feed as there is when the feed is harder and drier. Grasses, in season, produce grain and that grain contains solids which the grass itself does not contain. These factors are well-known in the dairying industry. With the quick growth of spring grass there is a drop in the solids content of milk. That will recur regularly every season and there will always be fluctuations. That presents a problem to those handling milk in the metropolitan area. The law prohibits the adding of powdered skim milk to whole milk to make up those solids. There have been a number of recent convictions for selling milk below the solid standard fixed by law.

Mr. Hutchens—That may be because water has been added to the milk.

Mr. SHANNON—It is a simple process for an inspector to ascertain whether water has been added. The analytical process of discovering that is much simpler than the process required to discover the actual solid content, other than fat. The number adding water to milk has decreased over the years. Vendors realize that they have only to be caught once. If members search the files of the *Advertiser* for the last 12 months I doubt whether they will find that there has been one prosecution for adding water.

Mr. Davis—It may not be the fault of the vendor, but of his herd.

Mr. SHANNON—Mr. Davis suggests that the cows may be at fault. They may have had a good drink before going to the bales to be milked.

Mr. Davis—I do not suggest that at all.

Mr. SHANNON—The only suggestion is that certain cows give milk of a standard similar to milk to which water has been added. No such cow has yet been discovered. It would be impossible to discover offences of adding water to milk if there were such an occurrence of nature.

Mr. Davis—Hundreds of samples of milk have been sent to the metropolitan area from my district.

Mr. SHANNON—I think the member is referring to the problem of milk below the required butterfat or solid content. The honourable member is referring to a breed of cattle noted for giving large quantities of milk with a low percentage of butterfat, but that has nothing to do with added water. Milk with a low fat content is needed for some makes of cheese, and the breed producing milk with a low butterfat content is eminently suitable. I suggest the time has arrived when a single authority should be in charge of the sale of whole milk for human consumption in the metropolitan area. Without being disparaging to the Metropolitan County Board I suggest that the Metropolitan Milk Board is the best authority for the task, because its members know the varying problems associated with the industry. If the Metropolitan Milk Board had complete authority in this field some of the troubles which occasionally arise would disappear. For the reasons I have given I think the industry should be under uniform control. On various occasions I have criticized the ill-effects of divided control. I have seen it in all walks of life. Where there has been more than one authority dealing with a matter there have been blind spots, owned by nobody, which has resulted in those spots not being dealt with at all. Where everybody has been in charge of a matter all sorts of troubles have arisen for the public. The Metropolitan Milk Board should be in charge of this aspect of the food supply for the metropolitan area.

Mr. DUNKS (Mitcham)—I have listened attentively to Mr. Shannon's remarks and the matter raised by him is worthy of consideration. When I heard him discussing the Metropolitan County Board and the Metropolitan Milk Board my mind went back to the time when it was agreed to establish the latter. At that time I thought one authority could do the work. I said that in the metropolitan area the Metropolitan County Board could do it, with the Agriculture Department looking after affairs in the country. I am in full accord with the proposal to bring cream under control, but I would like the Minister to explain why it has not been under control before when when sold in the same shops and by the same people as milk. If it could remain out of control for so long, why is it necessary to control it now?

Bill read a second time and taken through Committee without amendment. Committee's report adopted.

BUILDING CONTRACTS (DEPOSITS) BILL.

Adjourned debate on second reading.

(Continued from August 27. Page 550.)

Mr. FRANK WALSH (Goodwood)—I support the second reading. Last week I mentioned that it would be necessary for a private member to introduce a Bill dealing with the control of certain building materials. Under this Bill when a contract is entered into between a home builder and a contractor and a deposit is paid prior to the commencement of the building work the deposit must be placed in a joint account. Even while the repealed legislation was in operation many people failed to take full advantage of it and consequently there was much litigation; not long ago a prominent builder was sentenced to a term of imprisonment for a breach of that law. Many reputable builders often spend up to £1,000 of their own money before asking for an advance, and this provision would be a safeguard for the prospective home purchaser who makes a contract with a builder who has little capital. Although there may be complications in the suggested registration of builders I think there is much merit in the idea, and it could be extended to cover, not only their competency, but their financial status. In yesterday's *Advertiser* appeared a report of a conference of master builders held in Victoria at which a warning was given of a probable falling off in home building in that State, and I do not think there will be many who need the protection of this Bill, as because of the very high prevailing costs there will be few who have enough money to pay even a deposit. This is borne out by the Auditor-General's report at page 169. It discloses that for the year 1952 the Housing Trust erected 3,164 houses of which 1,506 were sold. Of that number second mortgages were

taken by the trust on 881, bringing the total number of second mortgages on Housing Trust homes to 1,111. This indicates that, notwithstanding the protection offered by this Bill few will be able to benefit from it.

The legislation which has been repealed had considerable merit and I am doubtful whether it should have been thrown overboard quite so soon, particularly as some materials, such as cement and bricks are still in such short supply. I cannot speak for the position in the country, but in Black Forest, near my own home, bricks were carted from Nuriootpa, with all the extra transport costs involved, because they were unprocurable from the metropolitan brickyards. A contract has been let for the construction of a grandstand on the Norwood oval to accommodate 1,400 or 1,500 people. Whilst I do not object to that in itself, I do not think it should have been given preference over the needs of home builders. Moreover, no embargo is placed on the use of bricks for fences, and they are used for this purpose in considerable quantities; often good red bricks suitable for home building, only to be plastered over with cement or stucco to match a stone-fronted house. There was merit in the Act controlling building materials, in that they could be obtained under certain circumstances. I do not think the Government has been well advised in altering the position to the extent it has. No organization, not even the Housing Trust, can afford to carry mortgages on more than half the houses it has sold.

Mr. DUNKS (Mitcham)—As I understand the Bill, if a builder is going to build a home for an owner, and he agrees to complete it within a certain time, the provisions of this legislation do not apply, but if no time is stipulated in the contract a deposit must be lodged with a bank in the joint names of the builder and the owner. The reason given by the Premier for the need of the Bill was that in the early part of building activities the Government had to take action because some builders were receiving deposits from numerous people and spending the money before completing their contract. If we have doubtful builders, the time is long overdue when they should be registered. I took a deputation to the Premier some years ago and asked that master builders be registered, but he replied that he did not think it was necessary. The lack of honesty of some builders who had accepted deposits from people requiring homes built, but had not played the game, showed that some action was necessary. If they had to be registered builders would have to deposit a certain amount either with the Government or some organization under its control, and if a contract were not carried out a fund would then be available to pay compensation to the owner. With the registration of builders, the Bill would be unnecessary. It is a great pity that a section of builders are apparently still not prepared to deal honestly, and that is the only reason why the Bill was introduced. I suggest that the Premier have another look at the proposal to register builders, and he may then find he can dispense with this legislation which, to a certain extent, will interfere with a particular section of the community. If a man wants to buy a motor car he pays a deposit on it and has to take a chance.

Mr. Geoffrey Clarke—But auditors must put up a bond.

Mr. DUNKS—That is to ensure that they do the correct thing. That has nothing to do with a deposit. I still think it necessary to register all builders.

The Hon. T. PLAYFORD (Premier and Treasurer)—I was surprised to hear the remarks of the member for Mitcham that because we are controlling trust funds we should enter into a wholesale system of control of builders in all their operations. People in many professions have their trust funds controlled. The honourable member is usually against control, but in this instance he seems to be in favour of wholesale control. The only purpose of the Bill is to ensure that trust funds are banked.

Mr. Dunks—Not in all cases.

The Hon. T. PLAYFORD—If the builder gives a guarantee that he will complete the job in a certain time but does not do so, the owner has a redress.

Mr. Dunks—Doesn't that apply to deposits?

The Hon. T. PLAYFORD—No, and that is the whole point. The deposit is paid, but there may be no time in the contract for the completion of the job. The unfortunate owner is in exactly the same position as South Australia is in regard to the North-South railway line. We have a good agreement with the Commonwealth, but no time for completion is mentioned.

Mr. Dunks—What has happened in the past?

The Hon. T. PLAYFORD—There were then more contractors looking for work than people who wanted to build. That is not the position today. I have listened to the remarks of various members about the shortage of cement.

Often people have asked me for cement as a matter of urgency, saying that the builder could not start the job until he got a supply. However, I have checked up in a few cases and found that a fortnight or three weeks after the cement was supplied the builder had not used it. He had other work to do and only used the shortage of cement as a reason for not starting. This Bill provides for a minimum of control. It merely says that if there is no term during which the work must be completed the builder shall lodge the deposit in a trust account which can only be operated on by him or the owner. This is a type of control that many people already have imposed on them, but it is not considered derogatory to their profession. It is merely to protect the interests of clients. If a builder went insolvent and the deposit was not kept separate it went into the general estate, so the unfortunate owner suffered. I ask leave to continue my remarks.

Leave granted; debate adjourned.

ADJOURNMENT.

At 5.58 p.m. the House adjourned until Wednesday, October 7, at 2 p.m.