HOUSE OF ASSEMBLY.

Thursday, November 18, 1954.

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

QUESTIONS.

WORKMEN'S COMPENSATION.

Mr. O'HALLORAN—Some time ago I asked the Premier whether the Government intended introducing this session a Bill to amend the Workmen's Compensation Act and he replied that a report had been received from the advisory committee stating that a number of amendments had been agreed to, but that one suggestion had only been agreed to by the majority of the members. I understand that subsequently a minority expression of opinion was circulated and I read in today's *Advertiser* that it is possible that the Bill will not be proceeded with this session because of some doubt how far the committee had reached agreement. If the Bill is postponed until next session some people may lose the benefit of what appears to have been substantially agreed to. Does the Government intend to introduce an amending Bill this session?

The Hon. T. PLAYFORD—Prior to the last State election I announced that the Government would appoint a committee to deal with workmen's compensation and that it would comprise employer and employee nominees and a chairman appointed by the Government. The purpose was to secure compensation that would be equitable and proper and to take the question of workmen's compensation out of the political sphere. The committee was set up and last year a Bill which substantially improved the Act was brought down and passed without amendment. I thought we had devised a system which would deal with this important matter in a good, equitable way without politics entering into it. This year, in answer to a question, I told the honourable member that Mr. Bean had reported to me that the committee had met on a number of occasions and that the honourable member's suggestions for improvements to the Act had been referred to the committee. Mr. Bean reported that the committee had met and agreement had been reached by all members, except that the employers' representative had made one dissent, but that he had agreed with the general recommendations. Without seeing what the recommendations were I immediately instructed Mr. Bean to draw up the amendments for introduction into the House, but to my surprise, shortly afterwards a statement appeared in the *Advertiser* purporting to be in accordance with the views expressed by the employees' representative to the effect that the committee was more anxious to look after the interests of the insurance companies than of the workers and that there were a large number of dissents from the proposals which I previously understood had been agreed to. Mr. Bean submitted a report on this matter and it transpired that after these questions had been formally discussed and substantial agreement reached the employees' representative sent in a large list of objections to what was proposed on the ground that the recommendations did not go far enough. They had already been released to the press, and under those circumstances the matter has been referred back to the committee. The Government could not sponsor a Bill which the employees' representative has said was no good. Unless a substantial amount of agreement is reached by the committee I cannot give any assurance that the Bill will be placed before the House this session. I have asked Mr. Bean to deal with the matter with some urgency, because after the dispute had arisen I looked at the matters involved and I can say that the draft Bill gave large benefits to certain classes of workers and represents a big advance, from the point of view of the employee, on anything previously considered in this House. The question now resolves itself into whether the committee can reach agreement. The Government takes strong exception to the decisions of the committee being publicized before being produced in this House. If the committee starts to publicly debate such questions before the House has an opportunity to do so it will not live long because it will have outlived its usefulness before it gets going.

INTERSTATE TRANSPORT.

Mr. DUNKS—An extract from today's *Advertiser* states:—

London, November 17.—Hughes & Vale Pty. Ltd., a N.S.W. company, today won an appeal brought by special leave to the judicial committee of the Privy Council contending that licensing provisions in the State Transport (Co-ordination) Act, 1931-52 of N.S.W. were invalid in respect of interstate transport. The High Court of Australia held by a majority in April, 1953, that the Act was valid. The company was granted costs.

Can the Premier say whether the Privy Council's decision will have any effect on the Transport Control Board and what effect it will have on interstate transport to and from this State?

The Hon. T. PLAYFORD—The decision of the Privy Council on this matter is extremely

important. I have not yet seen it nor have the Government's legal representatives had an opportunity to study its ambit; but from press reports it would appear that no regulation of interstate transport and particularly no fees discriminating against it would be possible. I understand that the decision does not go so far as to say that normal traffic laws or laws designed to prevent misuse or destruction of roads cannot be enforced: it means that control of interstate traffic is not permissible. That is a view I have always held, and South Australia was not one of the States that intervened in this matter because I felt that the decision must be adverse on that aspect. It will have important effects on all States, but it will not affect the validity of the Road and Railway Transport Act of this State regarding transport within the State. If the judgment is what I believe it to be, it means that the Transport Control Board could not regulate or take any action to collect fees on interstate transport. I emphasize that the decision does not mean that interstate transport may break traffic laws or laws regarding vehicle loadings made by this Parliament or the like, and special care will be taken to see that those laws are not broken.

MOUNT BARKER ROAD: ARMY CONVOYS.

Mr. FRANK WALSH—Last Sunday many motorists proceeding to and from Adelaide along the Mount Barker Road were inconvenienced by an army convoy consisting of many vehicles which caused congestion. Will the Premier take up this matter with the military authorities with the idea of arranging that convoys will not use the main roads during the week-ends?

The Hon. T. PLAYFORD—No, I could not sponsor such a request. These convoys may be travelling long distances, and the suggestion that the roads would be less congested on week days than on Sundays would not, I think, be borne out by traffic statistics. On week days the Mount Barker Road is subject to extremely slow traffic at present and to provide that convoys should only use it on week days would only impede traffic on this already overcrowded road. I think the proper course is that the work that has already been approved be carried out. This includes the widening and duplication of certain sections of the road and the extension of the Greenhill Road to Oakbank to enable much of the Onkaparinga traffic to be diverted from the Mount Barker Road.

LAND FOR PYRITES RAILWAY SIDING.

Mr. DUNSTAN—Can the Minister representing the Minister of Railways say whether it is proposed to acquire certain land at Nairne for the purpose of constructing a railway siding for Nairne Pyrites Limited? Is it proposed to run this siding over the land that at the moment forms a small dairy farm and thus cut off the owner from his water supply? If so, what price is being offered to the landowner? Were surveys carried out on land belonging to George Chapman Limited and subsequently discontinued? If so, why were they discontinued and carried out on this dairy farm?

The Hon. T. PLAYFORD—I am not very conversant with the facts of this matter but I understand that the first proposal considered by the Railways Department and Pyrites Limited was to transport the ore from a place which would have involved its transportation through the busiest parts of the town, which was the cheapest proposition for the railways. There were, however, some objections in the town to that proposal and a proposal was later advanced by Pyrites Limited at a conference held in my office at which it was decided that it would be advisable to transfer from the proposed site to one nearer the mine. That is probably the land referred to by the honourable member as Chapman's land. At that time there was no question of whether Chapmans would be prepared to sell, and the discussion in my office centred on how much expenditure should be undertaken on behalf of the Railways Department and how much by Pyrites Limited. More recently I heard that subsequent surveys had revealed a more suitable area where the cost was less and which was more convenient, but whether that is the site mentioned by the honourable member I cannot say. Where the Government desires land for public utilities it prefers to negotiate with the owner and purchase it by a free interplay of bargaining, after getting a fair valuation, and not to acquire it compulsorily. In rare instances we are forced to buy a piece of land because it is the most suitable for a public utility and sometimes we are not able to reach an agreement with the owner on fair compensation. In such instances the Compulsory Acquisition of Land Act applies, and the question is ultimately decided by referees who are nominated by the parties and who have the right to appoint a third referee, usually a Supreme Court judge. I will get some more accurate and recent information for the honourable member and advise him in due course.

EGG INDUSTRY.

Mr. WHITE—Recently I have had several inquiries from people engaged in egg production about the price being received for eggs. One man told me his normal return at this time of the year was £50 a week, but this year, with the same production, his return is only £38. As this is the peak production period in the industry a drop of £12 a week is very disturbing. Wheat and mill offal are the major foodstuffs for poultry and the prices of these commodities are more or less fixed. The price of surplus eggs for export is governed largely by overseas markets. The industry is facing a time when profits will be so low that many poultry producers will undoubtedly be forced into other occupations. Can the Minister of Agriculture say whether any financial arrangements have been made to help the industry through a period that could bring disaster to it?

The Hon. A. W. CHRISTIAN—Egg producers are facing a very difficult time owing to the overseas market situation. The only Federal financial assistance at present provided for the industry is money advanced for financing overseas sales, which, of course, has to be repaid by the industry on realization. The matter of a subsidy to egg producers was dealt with at the last Agricultural Council meeting at the end of July, when all States requested the Federal Minister to consider the payment of a subsidy on export eggs. After consideration the request was turned down, but the matter will certainly be revived when the Agricultural Council meets again shortly at Hobart, because all States are in similar difficulty and the Australian Egg Producers' Council has, in view of the serious situation being faced, put up a case which we expect to present again to the Commonwealth Minister. Regarding overseas marketing, the London dock strike had a serious effect on the selling of eggs. It was not until that strike ended that considerable sales of Australian eggs were made. I think 25,000 cases were sold out of a total of over 300,000 cases there. The sales will return to the producer here only 2s. 5d. to 2s. 8d. a dozen. That will be on the South Australian egg floor. It will be the net return to the producer for his export eggs that have so far been sold. From that amount the producer will have to meet transport costs from place of production to the egg floor, so there will be a reduction from the low return I have indicated. Another difficulty is that our own dock strike resulted in 16,000 cases of eggs not being shipped when ready for shipment. The holding of eggs in store for long periods causes considerable deterioration. All these circumstances combined will result in lower returns to the egg producers. It must be remembered that competitors in Europe can place newly laid eggs on the table of the British housewife, whereas our eggs take many weeks to reach the market and have to go under refrigeration. The British producer is subsidized in that he gets a net return of about 4s. a dozen. The Australian egg producer is facing a serious position and unless we get further financial help the industry will, I think, be unprofitable.

DRIVERS OF MOTOR VEHICLES.

Mr. STEPHENS—Many drivers of motor vehicles on our roads are not in a fit condition to drive. I refer mainly to drivers of heavy vehicles, particularly those coming from other States, where the men are at the wheel for many hours. Last week two of my constituents were killed in a road accident and their relatives say they were informed the cause of the accident was that the driver went to sleep at the wheel. Can the Premier say if there is any law limiting the time a driver may remain at the wheel of his vehicle, particularly the interstate vehicle where he is often at the wheel for 24 hours straight?

The Hon. T. PLAYFORD—I do not know of any law in this State which controls the period a man may continuously drive his motor vehicle. I believe that in Victoria and New South Wales there are laws dealing with the matter, but I fancy there is difficulty in policing them because the offence is hard to prove. I will have the matter examined and let the honourable member have a report, if I can get one, on the effectiveness of the Victorian law, and whether it operates with advantage.

MOUNT GAMBIER-MILLICENT RAILWAY BROADENING.

Mr. CORCORAN—On September 7 I asked the Minister of Works representing the Minister of Railways a question regarding the possibility of the broadening of the railway gauge between Mount Gambier and Millicent being speeded up in the dry season. He told me the Government and the Minister desired to expedite the work as much as circumstances permit, but many delays occurred, all outside the control of the Government. He promised to get me more precise information. Has the Minister of Lands representing the Minister of Railways any information on this matter?

The Hon. C. S. HINCKS—I have a report from the Railways Commissioner as follows:—

The progress of the work of the Mount Gambier-Millicent line conversion has been determined by the man-power available for this work, and reasonable progress has been made with the forces available. It is anticipated that Tantanoola will be available for broad gauge working by the end of February, 1955, and that it will be possible to operate to Millicent on the broad gauge by November, 1955. If we are successful in obtaining more staff, and we are making continual effort in this regard, we would, of course, be able to reach Millicent earlier.

WINNING BETS TAX.

Mr. STOTT—My question relates to the Premier's proposal concerning revenue derived from taxation on racing. I have examined that proposal under which, on last year's figures, the racing clubs would stand to lost £250,035 and the trotting clubs £64,183. Country racing clubs would also suffer. The Treasury Department would, however, gain £58,859. In view of those alarming figures does the Premier realize that, to use his own words, there is not much future in it for the racing clubs? Will he reconsider his proposal? Neither the racing clubs, trotting clubs, nor the general public could support the proposal as it is.

The Hon. T. PLAYFORD—I am afraid I cannot accept the honourable member's figures.

Mr. Stott—They are official.

The Hon. T. PLAYFORD—I am afraid they are not. The facts are that last year the turnover from totalizator and bookmakers was £29,750,000. The revenue secured by the State was 2½ per cent of that amount, namely £741,000. The proposal I made yesterday was that the State would collect 2½ per cent in the future—no more and no less than in the past—and the racing clubs would have to depend for their revenue on the amounts they could collect for themselves. They could collect revenue to the extent they considered desirable. The Government was not proposing to exercise any control over the collections of their revenue. They could do as is being done by racing clubs in other States—decide what revenue they desired to enable them to carry out their functions and collect accordingly. The Government would collect what it considered necessary for the maintenance of State services.

PORT AUGUSTA-WOOMERA ROAD.

Mr. RICHES—On October 21 I asked the Minister representing the Minister of Roads if he would obtain a report on improving the road between Port Augusta and Woomera. Has such a report been obtained?

The Hon. C. S. HINCKS—I have a report from the Commissioner of Highways to the Minister of Roads as follows:—

The proposals submitted by the Commonwealth Director of Works for strategic roads during 1954-55 made provision for £25,000 for continuous maintenance of the Port Augusta Woomera Road. In his request for funds for roads outside district council areas the Honourable the Minister of Works included an amount of £21,000 for work on this road to be carried out by the Engineering and Water Supply Department. Although you have approved of this latter amount and advice has been received from the Commonwealth Director of Works that orders will be issued as soon as funds are made available by the Department of Shipping and Transport, to date no actual funds have been received.

FIRE HAZARD.

Mr. FLETCHER—Some time ago I drew attention to the possibility of fires being caused through waste and sawdust in the South-East forest areas. Has the Minister of Agriculture any information on this subject?

The Hon. A. W. CHRISTIAN—Yes. Following on a letter which the honourable member received from one of the councils in his district and which he handed to me I had the matter examined. I ascertained that there was no power on the part of either the local district councils or the Forestry Department to compel the destruction or removal of sawdust and other waste which represented a fire hazard. I referred the matter to the Crown Law Office to see what powers could be assumed in this matter and have been advised as follows:—

The Crown Solicitor has advised that under section 669 (7) I and section 670 (5) of the Local Government Act, 1934-1952, a municipal council and a district council, respectively, may make by-laws for the "prevention, suppression and speedy extinguishment of fires." In his opinion, this power would authorize a municipal council or district council to make by-laws providing—

(*a*) That sawdust should not be permitted to be accumulated or kept at any mill except in accordance with conditions set out in the by-laws.

(*b*) That if the Town Clerk or District Clerk, as the case may be, should be of the opinion that any sawdust had been accumulated or was kept at any mill or place so as to create a risk of fire he might, by notice in writing, direct that the sawdust be removed or disposed of in a manner and within a time to be specified in the notice.

(*c*) That if any person accumulated or kept sawdust otherwise than in accordance with the by-laws or failed to comply

with the terms of a notice in writing given by the Town Clerk or District Clerk he should be guilty of an offence.

Consideration is being given to the practicability and desirability of the Governor making regulations under the Bush Fires Act, 1933-1952, giving similar powers to the Conservator of Forests.

He could then take similar action in regard to those mills under his jurisdiction.

STEEL PRICES.

Mr. DAVIS—A few days ago the *Advertiser* published a statement that the price of steel would be increased by about £6 a ton. Is the price of steel controlled in South Australia and, if so, has the increase announced by the Broken Hill Pty. Co. Limited been approved?

The Hon. T. PLAYFORD—Steel is not made in South Australia but in New South Wales. For a number of years it was controlled in New South Wales, which was the co-ordinating State for the sale of steel throughout Australia, but a decision was reached, I think at a Prices Ministers' conference some two years ago, that the price of steel should be decontrolled. At that time the prices of all other metals were decontrolled, and the price of steel is not now under control in any State. The policy of the Broken Hill Pty. Coy. Limited has been satisfactory to this State in two regards: firstly, it has kept the price down substantially below the world price (Australian steel costs only about 60 per cent of the overseas price), and secondly, steel is delivered in all capital cities at the same price. In other words, steel is landed in Adelaide at the same price as it is in Newcastle or Sydney.

TRAM AND BUS ROUTES.

Mr. O'HALLORAN—I understand that *Truck and Bus Transportation* is the national trade journal for Australia's road transportation industries. In the November issue is an article relating to tram and bus transport in South Australia headed "Government May Hand Over Light Routes to Private Operators." It states:—

Negotiations between the Municipal Tramways Trust and the Metropolitan Omnibus Operators' Association for the transfer of some of the less-patronized routes to private operators have been going on for some weeks, but it may be some time yet before any finality is reached. The new move is being considered by the Government as one of two alternatives to reduce losses. It is taken for granted that the Government will not expect the private operators to run the services at a loss, and indeed it feels that some fare increases may have to be imposed. With the gradual transfer of more tram routes to bus operation the way will become open for these services to be handed over to private operators.

That article seems to imply that the Government has some knowledge of the negotiations taking place. I ask the Premier whether the interests of the public will be protected in relation to fares charged by private operators and whether they will have to provide minimum services according to the traffic needs of the community? Recently I have had complaints about the paucity of services being supplied by operators in the metropolitan area. Can I take it, from the last sentence I quoted, that ultimately all bus routes in the metropolitan area will be conducted by private enterprise?

The Hon. T. PLAYFORD—I have not seen the article and have no knowledge of it, except that during the debate on the Loan Estimates there was considerable objection in this House to further amounts being provided for the Tramways Trust. I think the amount set down this year was £500,000. After that objection had been stated I asked the Government's nominee on the trust, Mr. Seaman, whether he thought there was any possibility of the amounts required to finance the trust being reduced. He sent me a full minute in which he pointed out that it seemed to him inevitable, under present conditions, that the trust would continue to lose fairly substantial sums for some time and that the only way he could see to reduce these losses would be either by putting fares up or handing over to private operators a number of the services operated by the trust. In subsequent conversation with Treasury officers it was pointed out that, although initially private enterprise has an advantage in running buses because it is not subject to the same industrial awards as the trust, ultimately they do apply to private operators.

Mr. O'Halloran—To be fair, they should.

The Hon. T. PLAYFORD—That has been the experience in other parts of the world, so it seems to me that handing over more of the trust's services to private enterprise would only provide a short-term relief from the troubles we are facing. The Government did not take the matter any further; it has not made any overtures to the trust, nor received any communications from the trust on this matter. I believe that if it is at all possible fares should be kept down, even if that involves some assistance from the Treasury. Of course, there is a limit to Treasury assistance in that direction, but there is an advantage in keeping

fares as low as possible. They are paid by the industrial worker and any increase means an increase in industrial wages and production costs, which makes it more difficult for us to compete in overseas markets. For economic reasons, therefore, I considered that no advantage was to be gained by asking the trust either to dispose of its services or to raise fares. The Budget afforded some assistance to the Tramways Trust, and that was accepted by Parliament without any debate. There are no grounds whatever for the article quoted by the honourable member.

ANGASTON SCHOOL YARD.

Mr. TEUSNER—Last year I made representations to the Education Department for the paving of the Angaston school yard, and I was informed early this year that a contract had been let to a city contractor. It was desired that the work should have been carried out before last winter, but I understand that it has not yet been commenced. Will the Minister of Education take up this matter with a view to having the work carried out as early as possible?

The Hon. B. PATTINSON—Yes.

AYLIFFE'S AND SHEPHERD'S HILL ROADS.

Mr. FRANK WALSH—Has the Minister of Lands, on behalf of the Minister of Works, a reply to my question regarding work on Ayliffe's and Shepherd's Hill roads?

The Hon. C. S. HINCKS—The Commissioner of Highways reports:—

Ayliffe's Road is included in the future metropolitan road widening scheme. Although land has been and is being acquired for future widening as a long range project, no reconstruction is proposed in the near future. Shepherd's Hill Road is also listed for future widening, but reconstruction is at present restricted to the improvement of the surface.

RENTS OF GOVERNMENT HOUSES.

Mr. RICHES—On October 19, in reply to a question by the member for Murray regarding the rents of Government-owned houses, the Premier said:—

The rents were fixed on the recommendation of the Housing Trust, which made an investigation and fixed the appropriate rent for each house. If there should be any anomalies in connection with the rents and applications are made to the trust in regard to them, instructions have already been given that the applications are to be considered and if necessary rent adjustments made.

Acting on that statement, which was published in the press, some teachers in my electorate appealed to the Housing Trust, but received a reply stating that their appeal should have been directed to the Director of Education and that it was being forwarded to him. Can the Premier say who is the appropriate authority to whom to apply?

The Hon. T. PLAYFORD—This matter was recently the subject of discussions between the Leader of the Opposition, the Deputy Leader, the Leader of the Opposition in the Legislative Council and myself, and it was suggested that His Honor Mr. Justice Paine and perhaps others might be constituted an appeal authority. I said I thought the idea was worth investigating and promised the Leader that, when a recommendation had been drawn up, I would show it to him before submitting it to Cabinet. As yet, however I have had no opportunity to do so.

MAIN ROADS.

Mr. O'HALLORAN—Has the Minister of Lands, on behalf of the Minister of Works, a reply to my recent question regarding the main roads programme?

The Hon. C. S. HINCKS—The Commissioner of Highways reports:—

The Highways Act Amendment Act, 1953, made provision for the Commissioner of Highways to draw up and submit to the Minister of Roads before June 30, a programme proposed for the next financial year for the construction and maintenance of roads and any works connected with such roads. It also made provision for the Commissioner to submit to the Minister any additions or alterations proposed to be made. These provisions have been complied with and indicate which main roads it was intended to improve during the year. You are aware, however, of the present difficulty of providing finance for many urgent works, and this may compel the postponement of some of those on the original schedule approved. If the schedule is released in its entirety it might engender a feeling of injustice among those who were particularly interested in a postponed work. Under present conditions I feel that some caution is desirable before final commitment to a set programme.

BOARD FOR SCHOOL TEACHERS.

Mr. RICHES—I have received a letter from the Port Augusta High School Council containing a request that is supported by other school committees in the area. In many parts difficulty is experienced in providing suitable accommodation for school teachers and it is felt that the position could be relieved, at least temporarily, if the Housing Trust were to waive an instruction to its tenants that they must not accommodate boarders. Apparently some parents of school children living in trust homes would be prepared to board school teachers, but cannot because of that condition

in the tenancy agreement. Will the Premier take up this matter with the Housing Trust?

The Hon. T. PLAYFORD—I will have the matter examined.

PUBLIC WORKS STANDING COMMITTEE'S REPORTS.

The SPEAKER laid on the table the second progress report of the Parliamentary Standing Committee on Public Works on the Onkaparinga Valley Water Supply (emergency supply to Mount Bold and Happy Valley reservoirs), and the committee's report on the Risdon Park Primary School, together with minutes of evidence.

Ordered to be printed.

The SPEAKER laid on the table the committee's first progress report on Bulk Handling of Wheat, together with minutes of evidence.

The Hon. T. PLAYFORD—In view of the importance of this matter I move that the minutes of evidence as well as the report be printed.

Motion carried.

RENMARK IRRIGATION TRUST ACT AMENDMENT BILL.

Returned from the Legislative Council without amendment.

PRIVATE MEMBERS' BUSINESS.

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

That for the remainder of the session Government business take precedence over all other business except questions.

A number of private members' Bills are before the House and at an appropriate time a period of three hours will be allowed for their consideration and a vote taken.

Mr. Riches—Will that enable them to get through the Legislative Council?

The Hon. T. PLAYFORD—The Government has a number of Bills to get through the Council and I cannot say that private members' Bills will take precedence over Government Bills. If private members' measures are accepted here I will do my utmost to see that there is an opportunity for them to be considered in another place.

Mr. O'HALLORAN (Leader of the Opposition)—I do not desire to debate this matter at length nor will I oppose the motion. The Premier has agreed to allow what I consider to be reasonably sufficient time to complete discussion on private members' Bills now on the Notice Paper. Strictly speaking, the Opposition is not receiving a concession because one Wednesday afternoon, when private members' business is usually discussed, was lost because of the Parliamentary visit to Radium Hill, but not one member would suggest that the visit should have been postponed. However, but for that informative visit private members' Bills would have had allotted to them the same time for consideration as is now proposed by the Premier.

Motion carried.

BUILDING CONTRACTS (DEPOSITS) ACT AMENDMENT BILL.

The Hon. T. PLAYFORD, having obtained leave, introduced a Bill for an Act to amend the Building Contracts (Deposits) Act, 1953. Read a first time.

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

That this Bill be now read a second time.

The Building Contracts (Deposits) Act, 1953, provides that, where a builder contracts to erect a dwellinghouse and accepts a deposit before he commences building, the deposit is to be paid into a special purpose account which is only to be operated on for the purpose of making payments to the builder for work performed. The Act makes no special provision as to the time within which complaints for offences against the Act must be laid and, consequently, the ordinary rule under the Justices Act applies, namely, that a complaint must be laid within six months of the time of the commission of the offence. The provisions of the 1953 Act are, in substance, the same as those contained in section 12 of the Building Operations Act, 1952. That Act, except for some formal provisions, ceased to operate from the end of 1953. However, section 24 of that Act provided that complaints for offences against it could be laid within 12 months of the times of commission. The Building Operations Act, of course, applied to many more topics than the matter dealt with by the Building Contracts (Deposits) Act, 1953.

The question whether the time for laying complaints under the Building Contracts (Deposits) Act, 1953, should be extended to 12 months was recently brought to the notice of the Government when the activities of an agent who also operated as a builder on a fairly large scale were reported. This person apparently accepted deposits, but failed to pay them into special purpose accounts and it was not until after the lapse of six months that this default was reported. It would

appear from the experience in this case and from experience under the Building Operations Act that offences of the nature in question are frequently not disclosed until after the lapse of six months. It is accordingly proposed by the Bill that the time for laying complaints under the 1953 Act shall be 12 months, as was provided by the Building Operations Act.

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

WHEAT INDUSTRY STABILIZATION BILL.

The Hon. A. W. CHRISTIAN moved:—

That the Speaker do now leave the Chair and the House resolve itself into a Committee of the Whole for the purpose of considering the following resolution:—That it is desirable to introduce a Bill for an Act relating to the stabilization of the wheat industry.

Motion carried.

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

The Hon. A. W. CHRISTIAN (Minister of Agriculture)—I move:—

That this Bill be now read a second time. It proposes to repeal the Wheat Industry Stabilization Act, 1948-1953, and to substitute other provisions for the purpose of carrying into effect the new scheme of orderly marketing and price stabilization recently accepted by the Australian wheatgrowers. It would have been possible to provide for the new scheme by amending Bills making a number of amendments to the existing legislation of the Commonwealth and States. The Commonwealth Government, however, came to the conclusion that in the interests of simplicity and uniformity it was preferable to have new Acts. A new Commonwealth Act has already been introduced and passed by the Federal Parliament and as it is highly desirable that all the legislation under which the Wheat Board obtains and markets wheat in the various States and Territories should be uniform, the State Government has agreed to fall in line with the Commonwealth and to propose the repeal of the existing legislation and the passing of a new Act which, as far as possible, will be similar to the Acts in all the other States.

Honourable members are, of course, familiar with the results of the poll on the new plan. The total vote was 46,584 in favour of the plan and only 2,934 against it. In these circumstances the Commonwealth has decided to bring its legislation for carrying out the plan into force as soon as the States pass Bills for the same purpose, or satisfy the Commonwealth Government that they will do so. The details of the new plan are now well known, but I will remind honourable members of the main outlines. The plan provides for the continuance of orderly marketing by the Australian Wheat Board for five years commencing from last season, and for a Commonwealth price guarantee to operate during the same period. The guarantee will ensure a return to the growers of the cost of production in respect of not more than 100,000,000 bushels of wheat exported from Australia in each year covered by the plan. A price stabilization fund will be built up by means of a wheat export tax not exceeding 1s. 6d. a bushel. The fund will be a circulating one in the sense that when it reaches £20,000,000 repayments of excess accumulations will be made to the growers. If the proceeds from exported wheat fall below the cost of production, the money in the fund will be used to raise the proceeds from not more than 100,000,000 bushels of wheat exported from Australia up to the cost of production. If the fund should be insufficient for this purpose any additional money required will be paid by the Commonwealth Government out of revenue.

While the Commonwealth thus guarantees the export price, the plan provides that the States will fix the home consumption price at a figure not less than the cost of production. Subject to the general rule that the home consumption price must not be below the cost of production, the State legislation is to provide that the price for wheat sold for consumption in Australia for domestic purposes and for pigs, poultry and dairy stock will be 14s. a bushel in bulk f.o.r. ports. If, however, the International Wheat Agreement price or, in the event of no such agreement being in force, the export parity price at the commencement of any season should be less than 14s. a bushel then the home consumption price will be equal to the International Wheat Agreement or export parity price (as the case may be) provided always that it is not lower than the cost of production. The scheme also provides for a premium of threepence a bushel on wheat exported from Western Australia. This is a recognition of the freight advantage which Western Australia derives from being nearer to the principal overseas markets. Provision is also made for the Wheat Board to pay the cost of transporting wheat from the mainland to Tasmania in each season.

The Bill contains the provisions necessary to carry the new plan into effect. A good deal of it is on the same lines as the existing legislation but I will give a short explanation of the clauses. Clauses 1 to 5 contain the usual preliminary matters such as the commencement and interpretation of the Act, and provisions for the repeal of the existing legislation. I draw attention to clause 3, subclause (4) which makes it clear that last season's wheat will come under the provisions of this Bill and that payments for that wheat, after taking into account any advances already made, will be made in accordance with the provisions of this Bill. I would also draw attention to the definition of "the cost of production" in clause 4. This is an important definition because it determines what is to be the guaranteed price, and the lowest possible home consumption price, throughout the life of the scheme. As regards last season's wheat it is 12s. 7d. a bushel. As regards future wheat it is the amount determined in pursuance of the provisions of the Commonwealth Act by the Federal Government after consultation with the appropriate Minister in each State. It is, of course, well known that the Commonwealth Government has the assistance of expert agricultural economists to assist it in determining the cost of production.

Clause 6 provides for a continuance of the existing system of licensing receivers to receive wheat on behalf of the board. Clause 7 sets out the general powers of the board which are substantially the same as under the old Act. The power of the Commonwealth Minister to give directions to the Wheat Board is retained, but more clearly expressed. A similar clause is in the Commonwealth Act and was specially dealt with by the Commonwealth Minister in the Federal Parliament. He said that the Commonwealth Government had no intention to use the clause so as to open the way to Commonwealth interference in the wheat selling operations of the board; but it was obvious and the Wheatgrowers Federation had been informed that as the Commonwealth Government had guaranteed the price of wheat from public revenue, then, in the interests of the taxpayers generally, the Government could not be indifferent to the price at which the board might be selling wheat at some particular time or to some particular market. There appears to be some force in this argument. Clauses 8, 9 and 10 contain provisions for ensuring that farmers will deliver their wheat to the Wheat Board for sale. There is no change in the substance of these clauses.

Clauses 11 and 12 deal with the calculation and payment of the price of wheat to the wheatgrowers. These are, in general, similar to provisions now in force but have been amended to make them harmonize with the provisions of the Commonwealth legislation as to the wheat export charge and as to the Commonwealth guarantee. The clauses also provide for the payment of the premium of 3d. a bushel on wheat exported from Western Australia, and for a deduction from the proceeds of wheat sold in Australia to pay the freight on wheat shipped to Tasmania. Subject to these arrangements the existing pooling system will be retained. Clause 13 is a machinery provision to ensure that when the old season's wheat is delivered to the board that fact will be declared by the wheatgrowers to the board's officers. Clauses 14, 15 and 16 are machinery provisions to assist the board in the administration of the Act.

Clause 17 provides for determining the home consumption price on the lines which I have already explained and requires the board to sell wheat for consumption in Australia at that price. Clause 18 requires the board to keep the money deducted for freight to Tasmania in a special account. If there should be a surplus in this account at the end of any season the board is required to apply it for the benefit of the wheat industry in such manner as the Commonwealth Minister, after consultation with the appropriate Minister of each State, directs. Clauses 19, 20 and 21 are machinery clauses dealing with offences, regulations and other ancillary matters. Clause 22 sets out the duration of the scheme by declaring that the Bill will not apply to wheat harvested after September 30, 1958. There are, of course, a number of minor technical details dealt with in the Bill which I have not specifically mentioned; but if any honourable member should desire information on these I will be pleased to make it available in Committee.

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

STAMP DUTIES ACT AMENDMENT BILL.

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

That the Speaker do now leave the Chair and the House resolve itself into a Committee of the Whole for the purpose of considering the following resolution:—That is is desirable to introduce a Bill for an Act to amend the Stamp Duties Act, 1923-1953.

Motion carried.

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

The Hon. T. PLAYFORD—I move—

That this Bill be now read a second time.

Its object is to exempt hospital and medical benefit organizations registered under the Commonwealth National Health Act from payment of duty on receipts given to contributors. Under the Stamp Duties Act at present receipts for subscriptions to friendly societies are exempt from stamp duty, but receipts for subscriptions to these other benefit associations, which resemble friendly societies in many respects, are charged with duty. The Mutual Hospitals Association has recently approached the Government with the request that receipts given to contributors by the association should be exempt. The association pointed out that it was a non-profit organization, and was making every effort to reduce costs so that the benefits to its contributors could be increased. The associaton asked for exemption from the stamp duty in order to assist it in this endeavour. The Government investigated this request, and came to the conclusion that all medical or hospital benefit organizations in the State which are registered under the Commonwealth National Health Act should be exempted from paying duty on receipts given to contributors. These are non-profit organizations, and in the opinion of the Government have the same claim to exemption as friendly societies. The Bill accordingly makes the amendments to the principal Act which are required in order to provide for the exemption.

Mr. O'HALLORAN (Leader of the Opposition)—I support the Bill, the object of which is to place hospital benefit organizations on the same basis, regarding the payment of stamp duty, as friendly societies. If we insist on these organizations continuing to pay stamp duty we shall simply reduce the benefits they can confer on their members. I think we all agree that these organizations should be assisted in order to confer the maximum benefits.

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

LEIGH CREEK NORTH COALFIELD TO MARREE RAILWAY AGREEMENT BILL.

The Hon. T. PLAYFORD (Premier and Treasurer), having obtained leave, introduced a Bill for an Act to approve an agreement made between the Commonwealth and the State respecting the construction of a standard gauge railway between Leigh Creek North Coalfield and Marree. Read a first time.

The Hon. T. PLAYFORD—I move—

That this Bill be now read a second time.

Its object is to ratify an agreement which has been made between the State and the Commonwealth in connection with the construction of a standard gauge railway from Leigh Creek North Coalfield to Marree. Some months ago the Commonwealth Government decided that it would proceed with this work, and on October 28 last a Bill to authorize it was introduced into the Federal Parliament. The agreement between the two Governments was executed on October 27. It is a simple agreement, providing for two matters. The first is that the State gives its consent, as required by the Constitution of Australia, to the construction of the railway. The State had by a previous agreement, ratified by this Parliament, given its consent to the conversion to standard gauge of all Commonwealth railways in the State, but the railway now proposed involves more than a conversion of gauge. It will follow the general direction of the existing line, but there will be deviations of up to four miles. The law officers of both the Commonwealth and the State have advised that such deviations amount to new railway construction which cannot lawfully be carried out without the express consent of the State. The agreement provides that the State gives such consent.

The other matter in the agreement is an undertaking by the State to grant to the Commonwealth, free of charge, land, stone, soil, and gravel required for the railway. The clause dealing with this subject is similar to one in the Brachina to Leigh Creek North Railway Agreement. The State promises to grant the Commonwealth any Crown lands which may be required for purposes of the railway. In the case of Crown lands subject to leases, however, the Commonwealth must acquire the rights of the lessees. The State also agrees to grant to the Commonwealth stone, soil and gravel on Crown lands, or on leased lands of the Crown from which the State has the right to take such materials. The agreement needs the approval of Parliament for its validity. The Bill provides for the grant of such approval, and authorizes the Government to carry the agreement into effect.

The advantages of extending the standard gauge northwards to Marree will be obvious to all members. Among other things it will facilitate the transport of cattle from Marree and Farina by removing the necessity for transfer to standard gauge trucks at Leigh Creek, which would have to take place if

the standard gauge ended there. The time for the journey from Marree to Port Pirie Junction will be reduced by about twelve hours. Marree is a much more suitable place for transferring and spelling cattle than Leigh Creek. It has a good water supply; and facilities for establishing a transfer station between the 3ft. 6in. and 4ft. 8½in. gauge railways already exist there. By constructing the new line the Commonwealth will be carrying out part of its obligations under the standardization agreement, and at the same time will avoid the need for expensive repairs to the present line between Leigh Creek and Marree, and will prepare the way for a reduction in running costs.

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

HIGHWAYS ACT AMENDMENT BILL.

The Hon. T. PLAYFORD moved—

That the Speaker do now leave the Chair and the House resolve itself into a Committee of the Whole for the purpose of considering the following resolution:—That it is desirable to introduce a Bill for an Act to amend the Highways Act, 1926-1953.

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

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

That this Bill be now read a second time. Section 36a of the Highways Act, which was enacted in 1944, provides that in February in every year the Municipal Tramways Trust shall, by way of contribution towards any costs incurred by the Commissioner of Highways for the maintenance or lighting of roads used by the motor omnibuses, trolley omnibuses, and other omnibuses of the trust, pay to the Commissioner an amount equal to .17d. for every mile travelled on roads by those vehicles of the trust. Paragraph (*g*) of subsection (2) of section 31 of the Act provides that the amounts paid by the trust under section 36a are to be paid into the Highways Fund. Section 32 makes provision for the payment out of the fund of amounts to councils for road works.

It is estimated that during the current year road vehicles of the trust will operate for about 5,300,000 vehicle miles. The contribution under the existing provisions of section 36a would amount to approximately £3,800 or approximately £20 a vehicle. If the trust were required to pay the current rates for registration of motor vehicles, the amount payable would be from £20,000 to £25,000. The Government is of opinion that the present rate of contribution required from the trust, namely, .17d. a vehicle mile, is inadequate and that the trust should pay an amount approximately equal to the amount which would be payable if ordinary registration fees were required to be paid for its vehicles. Accordingly, it is proposed that the rate of contribution to be paid by the trust is to be increased from .17d. to 1d. a vehicle mile. This increase will have the effect of requiring payment of the rate of approximately £130 a year a vehicle which is approximately the average amount which would be payable if the ordinary registration fees were payable in respect of these vehicles. It is proposed by the Bill that the existing rate of .17d. is to be payable up to June 30, 1954, but that the new rate of 1d. is to apply from July 1, 1954.

The present section provides that in February of every year, the trust is to pay the contribution in respect of the 12 months ending on the preceding January 31. The Bill provides that, in the month next after the passing of the Bill, the trust is to pay to the Commissioner of Highways the amounts due from February last to the end of the preceding month and thereafter the trust will be required, in every month, to pay the contributions attributable to the previous month.

It is also provided by the Bill that the payment by the trust is to discharge fully its obligations as to the maintenance and lighting of roads used by its road vehicles, but this does not apply to any obligation imposed on the trust by the Municipal Tramways Trust Act relating to the duties of the trust as to roads on which it has laid any tramway. As has been mentioned before, the Highways Act already provides that the contributions of the trust are to be paid into the Highways Fund and makes the necessary provision to enable money to be granted from the fund to councils for the maintenance of roads used by road vehicles of the trust where the maintenance of these roads is the responsibility of the councils. These provisions will be used for the purpose of the allocation for various road purposes of the moneys derived from the contribution received from the trust and paid into the Highways Fund.

Mr. FRANK WALSH secured the adjournment of the debate.

RIVER MURRAY WATERS ACT AMENDMENT BILL.

The Hon. T. Playford, for the Hon. M. McINTOSH, moved—

That the Speaker do now leave the Chair and the House resolve itself into a Committee of the Whole for the purpose of considering the following resolution:—That it is desirable to introduce a Bill for an Act to ratify and approve an agreement for the further variation of the agreement entered into between the Prime Minister of the Commonwealth and the Premiers of the States of New South Wales, Victoria, and South Australia, respecting the River Murray and Lake Victoria and other waters, and for other purposes.

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

The Hon. T. Playford, for the Hon. M. McINTOSH (Minister of Works)—I move—

That this Bill be now read a second time.

Its object is to ratify an agreement recently made between the Commonwealth, New South Wales, Victoria and South Australia respecting the works for the conservation and regulation of the River Murray waters. I will explain the provisions of the agreement in the order in which they occur. First, the agreement provides for increasing the size of the Hume Reservoir. Under the amending River Murray Waters Agreement of 1948 provision was made for increasing the capacity of the reservoir from 1,250,000 to 2,000,000 acre feet. Works for this purpose are being carried out and the capacity of the reservoir has now reached 1,382,000 acre feet. This is an interim stage and further increases of the capacity are dependent upon the removal of the town of Tallangatta, which is already in progress. Investigations made by the River Murray Commission have shown that it will not be economical at any time to increase the total storage of the Hume Reservoir above 2,500,000 acre feet and the Commission recommended that the Governments concerned should now agree to enlarge the reservoir to this extent, so that further construction works may proceed with this object in view. Completion of Hume Reservoir to 2,000,000 acre feet capacity and subsequent enlargement to 2,500,000 acre feet would cost a great deal more in total than the enlargement to 2,500,000 acre feet in the one operation as now proposed. The increased capacity will be of considerable benefit to South Australia. The Engineer-in-Chief has estimated that the additional half-million acre feet in the reservoir will enable this State to plan its development so as to use an additional 67,000 acre feet of water a year. This would be sufficient to irrigate 27,000 acres or, alternatively, to meet the domestic and industrial needs of 500,000 people. The Government, therefore, had no hesitation in supporting the proposal for increasing the size of the reservoir as set out in the agreement.

The next matter in the agreement is a provision for the construction of embankments and other works to prevent the loss of water from the Murray between Echuca and Tocumwal. At present a considerable amount of water flows from the Murray between these towns into small effluents from which no-one derives any appreciable benefit and it has been agreed to carry out suitable works at an estimated cost of £100,000 to prevent this loss.

As a consequence of the additional works mentioned above it is necessary to alter the financial provisions of the previous agreements. At present the River Murray Waters Agreement provides for an estimated expenditure of £14,000,000 to be shared equally by the four contracting Governments. The new agreement now submitted to members provides that the estimated cost of the works to be carried out will be £19,750,000. This total allows for a general increase in costs and includes a sum of £3,200,000 which is an estimate of the additional expenditure necessary to increase the Hume reservoir from 2,000,000 to 2,500,000 acre feet. It also includes £100,000 for the works between Echuca and Tocumwal. South Australia's share of the costs of the additional work is £825,000.

The new agreement also provides that if the Snowy Mountains Hydro-Electric Authority makes a contribution towards the cost of enlarging the Hume Reservoir that contribution will be applied to reduce the amounts for which the Governments are liable under the agreement. The justification for the contribution is that the enlargement of the Hume Reservoir will relieve the Snowy Mountains Authority from the obligation to provide storage to regulate the large quantity of water which it will divert from the Snowy River into the Murray. Some negotiations have already taken place between the River Murray Commission and the Snowy Mountains Hydro-Electric Authority with the object of settling the amount of the contribution. Agreement has not yet been reached, but no doubt the matter will be settled in due course.

Finally, the agreement provides for an increase in the amount of water to be held in the Hume Reservoir as a reserve for use in years of drought. Under the 1948 agreement this reserve was fixed at a total of 550,000

acre feet. Under the new proposals it will be increased to 750,000 acre feet, as a result of which South Australia would receive an additional 50,000 acre feet in a drought year. The Engineer-in-Chief has calculated that the present reserve is sufficient to secure South Australia against loss of production through drought until the season 1957-1958, but that after that season the possibility of such losses would progressively increase. An additional 50,000 acre feet in drought years would therefore be of great value to this State.

From what has been said it will be apparent that the new agreement provides for South Australia, as well as for the other States, benefits which are of prime importance for the future development of Australia and the maintenance of an increased population. The Bill is therefore confidently submitted for the favourable consideration of Parliament.

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

SEWERAGE ACT AMENDMENT BILL.

The Hon. T. Playford, for the Hon. M. McINTOSH, moved—

That the Speaker do now leave the Chair and the House resolve itself into a Committee of the Whole for the purpose of considering the following resolution:—That it is desirable to introduce a Bill for an Act to amend the Sewerage Act, 1929-1953.

Motion carried.

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

The Hon. T. Playford, for the Hon. M. McINTOSH (Minister of Works)—I move—

That this Bill be now read a second time.

Its object is to enable the Minister of Works to fix sewerage rates in country drainage areas. These rates are at present fixed by section 75a of the principal Act, which was enacted in 1946. The section provides that a flat rate of 1s. 9d. in the pound of assessed annual value shall be payable on land in country drainage areas and also provides for minimum rates of £2 12s. per annum where the land is connected to a sewerage system and 12s. where the land is not so connected. When the Government introduced these rating provisions in 1946 it had carefully investigated the economics of constructing country sewerage schemes and at the time considered that the proposal would provide a satisfactory solution of the financial problems involved, although it was not anticipated that the rates approved by Parliament would cover the full costs.

Since 1946, as members are well aware, the cost of constructing and operating sewerage works has more than doubled. The rates laid down in section 75a are now wholly inadequate. The position is apparent from the following estimates:—

Country Sewerage Schemes.

Town.	Estimated Cost 1946.	Estimated Cost 1954.	Estimated Annual Loss 1954 Costs on basis of rate of 1s. 9d.
	£	£	£
Port Pirie	402,000	940,700	33,372
Mount Gambier	178,000	422,400	17,450
Port Lincoln	128,000	315,700	12,920
Port Augusta	137,000	295,000	12,510
Murray Bridge	153,000	357,500	17,950

In all the circumstances the Government thinks the best course is to enable the Minister of Works to fix rates for country drainage areas in the same way as he fixes sewerage rates in the metropolitan drainage area. The Government is accordingly introducing this measure to enable the Minister of Works to do this, and the Bill makes the necessary amendments to the principal Act. The Bill will apply to this year's rates, as well as to rates in future years.

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

LOCAL GOVERNMENT ACT AMENDMENT BILL (No. 2).

Second reading.

The Hon. C. S. Hincks, for the Hon. M. McINTOSH (Minister of Works)—I move—

That this Bill be now read a second time.

The Bill makes a number of amendments to the Local Government Act, most of which arise out of recommendations made by the Local Government Advisory Committee. The amendments proposed are of varying degrees of importance and, as is inevitable with Bills to amend the Local Government Act, the

clauses of the Bill deal with a considerable number of topics. In general, it is more convenient to deal with the clauses as they appear in the Bill rather than in their order of importance. However, there is one important topic relating to the assessment and rating of ratable property under the land values system which should be first mentioned. The amendments dealing with this matter are contained in clauses 2 (*b*), 6, 9, 10, 13 and 14, all of which deal with the same topic.

As members are aware, the Act makes provision for two rating systems. Firstly, there is the annual values system under which ratable property is assessed upon its rental value and thus this system of assessment takes into account improvements such as buildings existing on the land assessed. Secondly, there is the land values system under which ratable property is assessed upon its unimproved land value and no regard is had to improvements on the land. There has been considerable controversy as to the respective merit or demerit of these two systems and this controversy has been accentuated during the past few years, when polls in several metropolitan council areas have resulted in the land values system being applied to the areas.

The land values system may work reasonably well in a council area of a uniform character, where, for instance, the area is almost entirely urban and built up or where it is almost entirely rural in character. The assessment in such a case is more or less constant over the whole area and the rating burden is distributed accordingly. However, where there is a local government area consisting partly of urban land and partly of rural land, the system works out inequitably as regards the rural land. The unimproved value of each class of land may be approximately equal but it is the householders in the urban land who most require the expenditure of rates upon the services supplied by the council and the owners of rural land must pay rates quite out of proportion to the services rendered to them by the council.

It is proposed by the Bill to alter the law relating to the rates payable in respect of such rural land and to ease the rate burden on land of this character. These particular amendments, it should be noted, apply only to municipalities and do not apply to district council districts. Clause 2 therefore defines urban farm land. This is a parcel of land more than two acres in area which is wholly or mainly used for such as grazing, dairying, pig farming, poultry farming, beekeeping, or agricultural or horticultural purposes. Urban farm land is to be described as such in the assessment and there will be a right of appeal, as is now given in respect of the assessment, on the question whether land is or is not to be so described in the assessment.

When the general rate is declared by the council it is provided that the rate on urban farm land is to be not more than half the general rate on other land. Thus, if the general rate is 8d. in the pound, the council must fix a rate of 4d. or less for urban farm land. The same limitation applies where a special rate is declared under section 216 in aid of the general rate. These provisions are similar in principle to provisions included in the New South Wales Local Government Act which provide that the general rate on these urban farm lands is not to be more than one-half the general rate on other land. Provisions for the relief from rating of urban farm lands are also contained in the Victorian Local Government Act.

The provisions so far described relate to assessments and the levying of rates in municipalities which have adopted the land values system. Clause 14 applies to district council districts and provides that, in districts which assess under the land values system, the general rate and any special rate under section 216 levied on township land is to be at least twice as much as the corresponding rate on land situated outside any township.

Clause 2 (*a*).—Part XXIII of the Act provides that councils are to have the general control of foreshores within their area. In addition, councils are given power to make by-laws relating to foreshores. However, there is no definition of foreshore in the Act although the term is defined in the Harbors Act. It is accordingly proposed by paragraph (*a*) of clause 2 to enact a definition of "foreshore" and this definition is similar to that contained in section 44 of the Harbors Act.

Clause 3.—It recently occurred in the Adelaide City Council that an alderman whose term of office had some years to run resigned in order to nominate as Lord Mayor at the annual election in July. This created a casual vacancy. The retiring Lord Mayor nominated for the casual vacancy and there were no other nominations. Section 137 provides that, in such a case, the sole candidate is to be declared elected from the day of nomination. However, the Lord Mayor's term of office as such had not expired and he could not hold two offices at the same time. If the office had been contested the election would have occurred

on the day for the annual election, namely, the first Saturday in July, when the Lord Mayor's term of office would have expired. Clause 3 therefore provides that, in these circumstances, the candidate can be declared elected as from the first Saturday in the July next.

Clause 4.—In 1951, section 169 was amended to provide that, during the five financial years occurring after the passing of the 1951 amending Act, land situated in a local government area where the land values system applies is to be assessed at three-quarters of its land value if the land is 10 acres or more in area and is occupied and used by an organization the principal object of which is the playing of games on the land and the members of the organization derive no pecuniary profit from the land. The purpose of this provision was to give some rating relief to such as golf courses, polo grounds and the like. Clause 4 provides that the five years' limitation provided for in 1951 is to be deleted thus providing that the rate relief given by the provision will be permanent. In addition, the clause provides that the assessment of this class of land is to be at one-half of the land value instead of three-quarters, thus providing for further rating relief, and that the minimum area of land to which this concession is to apply is to be reduced from 10 acres to two acres.

Clause 5.—Section 172 provides that a council make make alterations in the assessment to deal with the changes of circumstances which may arise between the making of an assessment and the making of the next assessment. Whilst section 203 gives a right of appeal against any alteration of the assessment, section 172 does not require the council to give notice of the alteration to the ratepayers affected by the alteration. Clause 5 therefore provides that where an assessment is altered with respect to the assessed value of any ratable property notice of the alteration is to be given to the owner and the occupier of the property affected.

Clause 7.—Section 193 provides for the voting rights of owners of ratable property at a poll to decide whether or not the council shall adopt the land values system of assessment whilst section 198 makes similar provision with respect to polls on the question as to whether the council should revert to the annual values system. Each section provides that every owner of ratable property is to have one vote and one vote only for every ward in which he holds ratable property. An amendment to these sections made in 1946 could have some unexpected consequences, as regards the voting rights of owners where two or more persons own the same property jointly. The general rule for voting of joint owners at council elections and at polls other than polls on financial matters, is laid down in section 115. It is there provided that where there are joint owners, up to three of the owners but no more may vote and the number of owners who may vote is conditioned by the value of the property. If the property is assessed at an annual value of £75 or less only one owner can vote and for every additional £75 of assessed value another owner may vote but not more than three can vote. If the assessment is based on land values then the amount of assessed value is £500 in lieu of £75 for annual value. Somewhat similar provision is made by section 100 with respect to companies and bodies corporate where up to three representatives of the company may, according to the value of the property, vote at elections and polls.

As section 193 and 198 are now drafted, these limitations on the voting rights of joint owners do not apply at polls under the sections. Every owner is entitled to vote and it would be possible for 50 persons or any number of persons to own the smallest block of land and thus acquire voting rights at these polls. On the other hand, a single person may own 50 different blocks of land or a very large area of land but he would be entitled to one vote only. The existing sections would leave it open to one side or other who desired to secure a majority at one of these contentious polls to buy a block of cheap land in each ward of the council area concerned and to have the title placed in the names of as many persons as were willing to vote at the poll. Each of these owners would be enabled to vote in each ward in which property owned jointly was situated and the result of the poll could easily be decided in this manner. It is considered that the possibility of this should not be permitted, and clause 7 therefore provides that, at these polls, the voting rights of owners and of companies should be the same as those laid down by sections 115 and 100 for elections and ordinary polls, that is, where property is jointly owned or is owned by a company, up to three votes may be cast according to the value of the property.

Clause 8.—Section 174 provides that where an assessment is being made by a valuator he is to give to the owner or the occupier of every property assessed a note of the particulars thereof and the assessed value of the

property. It has occurred that, in instances, the valuator has failed to give this notice to the ratepayer or, what is perhaps more misleading, a notice which sets out the assessed value at something less than the value supplied to the council. In such cases, the council has adopted the assessment without being aware of the omission on the part of the valuator.

Part XI gives a right of appeal against the assessment and this is to be commenced within 21 days after public notice is given that the assessment has been approved by the council. Whilst it may be said that the ratepayer to whom no notice was given or to whom an incorrect notice was given should ascertain the position from the council, in practice, a ratepayer relies on the notice given to him by the valuator to inform him whether he is properly assessed or not and it inevitably follows that, by the time he receives news of his actual assessment, which may be by the medium of his rate notice, the time within which he can appeal has expired. In order to meet such a case, clause 8 provides that, in these cases, the assessment revision committee or the local court, as the case may be, to which the appeal lies may extend the time within which an appeal may be commenced.

Clause 11.—Section 214 provides that a council may impose a differential general rate upon part of its area. The purpose of this provision is to enable a council to declare different general rates upon portions of its area according to the demands made upon the council funds. For example, in a district council the rate for the town ward should be higher than the rate for other wards of the district. The section provides that before a differential rate can be imposed, at least three quarters in number of the members of the council must vote for it.

This requirement can create a difficulty in municipal councils and did so recently in the case of a metropolitan council. That council consists of eight councillors and the mayor, nine in all. It follows that a vote for a differential rate must be supported by seven councillors as the mayor must be counted as a member of the council. However, the mayor does not have a deliberative vote but only a casting vote, although a chairman of a district council has both a deliberative and a casting vote. Obviously, the mayor cannot possibly have a vote for the purposes of section 214 and it is therefore considered that he should not be taken into regard for the purpose of the voting under section 214. This is accordingly provided for by clause 11. The effect would be in the council in question, the motion would have to be voted for by threequarters in number of the eight councillors, that is, six councillors instead of seven.

Clause 12.—In 1951 the Act was amended to increase the rating powers of councils and, as far as councils assessing under land values are concerned, it was provided that the maximum general rate should be 1s. 8d. in the pound in lieu of 1s. 4d. Whilst this rating limit is sufficient for most councils, it has been found insufficient for at least one country council. It is therefore proposed by clause 12 to increase the maximum rate which may be imposed by land values councils from 1s. 8d. to 2s. in the pound. In conformity with this proposal, the maximum total amount of the general and other rates which may be levied by these councils is increased from 2s. to 2s. 4d. in the pound.

Clause 15 provides that a council may expend its revenue in the provision of a hearse. This is particularly requested by councils on Eyre Peninsula where, by reason of the sparsity of the population, it is found that private hearses are not available and it then falls to the councils to provide them.

Clause 16.—Section 289a provides that revenue received by a council from the sale of timber is to be paid into a tree planting fund and is to be applied towards the planting of trees and shrubs in streets and roads, and other land under the control of the council. Clause 16 enables a council to use this fund for the maintenance of trees and shrubs as well as for the planting. The intention of the section is that revenue derived from the sale of timber should be used for the replacement of the trees which are sold and it is as important to maintain trees after they are planted as it is to plant them. Clause 17 authorizes a council to establish reserve funds for the depreciation or replacement of any asset of the council and to provide for the payment of retiring allowances or long service leave to its employees. Section 287 already authorizes a council to make retiring allowances to employees.

Clause 18 provides that a council may authorize a private person or persons to erect a weighbridge on a public street or road and to operate the weighbridge either as a public weighbridge or otherwise. The placing of a weighbridge on a road amounts to a technical obstruction of the road and whilst the Act already gives power to a council to place a council weighbridge on the roadside, it has no power to

authorize others to do so. In a number of places throughout the State groups of farmers and others interested have joined for the purpose of establishing a weighbridge and it is considered that, subject to proper restrictions, councils should have power to authorize the placing of weighbridges on roadsides. The clause provides that no weighbridge is to be erected in any place where it will cause damage to traffic or impede traffic unnecessarily. In addition, before a council grants permission for the erection of a private weighbridge on the roadside, the matter must be referred to the Commisisoner of Highways and his consent to the granting of the permit must be obtained. The clause provides that the authority of the council may be given subject to any conditions imposed by the council including the payment of an annual or other fee to the council and that the authority may be revoked by the council. Clause 19.—Section 373 provides that a council may declare any part of a street to be a prohibited area and provides for the imposition of penalities on persons who leave vehicles in the prohibited area. The purpose of clause 19 is to provide that the declaration of the prohibited area may apply during specified hours of the day. Thus, the resolution could declare the part of the street in question to be a prohibited area, say, from Monday to Friday or, say between 9 a.m. and 5 p.m. leaving the roadway free for ordinary use at other times. Other provisions of the section require the council to display a sign at the locality in question giving notice to the public of the existence of the prohibited area.

Clause 20 is included as a result of a request by the Adelaide City Council in order to give the council power to acquire land on which to establish omnibus terminal depots. At present terminal points in the city of Adelaide for country omnibuses are places such as Victoria Square where, it is considered by the council, congestion occurs by their use. As time goes on, the number of omnibuses is likely to increase with the resultant increase in congestion and the council has in mind that it will establish, on land bought by the council, terminal depots for all omnibuses now using the streets as terminal points. The use of the streets by these omnibuses would then be prohibited and appropriate charges made for the use of the terminal depots. Amendments for this purpose were recommended by the Local Government Advisory Committee but the committee also suggested that, as the same problem may arise elsewhere, the amendment, if made, should apply generally. Clause 20 therefore authorizes a council to establish such omnibus terminal depots and makes the necessary extensions to the by-law making powers of the council.

Clause 21.—Section 459 provides that a district council may grant cultivation leases of parklands. The consent of the Minister of Lands must be obtained to every such lease and a ratepayers' meeting or poll must authorize the council to grant such leases. It is proposed by clause 21 to extend this provision to municipal councils outside the metropolitan area.

Clause 22.—Section 460 gives to district councils power to issue depasturing licences over Crown leases. Sections 462, 463, 670 (2) and 691 contain provisions ancillary to section 460. Clause 22 repeals sections 460, 462 and 463 and makes consequential amendments to sections 670 and 691. The effect is that district councils will cease to have power to issue depasturing licences over Crown lands leaving the matter to be dealt with by the Lands Department. The land in question is, of course, Crown lands and it is considered that the granting of depasturing licences should be for the Department of Lands and no other authority.

Clause 23.—Section 528 provides that a municipal council may require the installation of septic tanks within the whole or any part of the municipality and that a district council has similar powers with respect to any township. In instances, urban development is spreading beyond townships within districts and it is proposed by clause 23 that the powers of a district council in this regard may be exercised at any place within the district. Whilst the general installation of septic tanks in lieu of more primitive methods of sewage disposal must be regarded as desirable, some localities are, by reason of drainage difficulties, not suitable for septic tanks. It is therefore provided by clause 23 that, before a council can require the installation of septic tanks in its area or any part thereof, the Central Board of Health is to inquire into the suitability of the area for septic tanks and the council can act only if the Central Board approves what is proposed.

Clause 24.—Section 536a, among other things, provides that no person in any municipality or township is to permit water or other fluid to flow on to any street or road without the consent of the council. In instances, occupiers of trade premises are allowing deleterious liquids such as water from

acid pickling baths to flow into gutters and concrete drains to the detriment of those works. The existing penalty of a maximum fine of £5 and 10s. a day during the continuance of the offence is considered inadequate to prevent the practice. Clause 24 increases these penalties to £50 and £10 respectively and provides that the council may also recover from the offender any damage done to the road, drain, etc.

Clause 25.—Section 665 provides that where roof drainage from any property flows over the footpath the council may require the owner of the property to construct a drain under the footpath and leading into the water table. If the owner fails to do this work when required, the council may do the necessary work and recover the cost from the owner. In new areas, it is often the practice of the council when making the footpaths, to put in these drains as part of the work of constructing the footpaths without first requiring the owners to do the work, although the section provides for previous notice. Other councils follow the procedure laid down by the section. Clause 25 proposes to give the council the alternative, either to give notice to the owners to do the work as now provided, or to go ahead with the work without notice with a right to recover the cost from the owners.

Clause 26.—Councils have by-law making powers dealing with blasting and section 789 provides that no blasting is to be carried out in a municipality without the consent of the council. This form of control, it is considered, could have a hampering effect on such as the quarry industry. A quarry is a mine within the meaning of the Mines and Works Inspection Act and, as such, is subject to the control of the Mines Department. It is provided by clause 26, that these provisions of the Local Government Act and of by-laws made under that Act are not to apply to blasting operations in a mine within the meaning of the Mines and Works Inspection Act. It should be borne in mind that the clause does not affect the common law liability of a quarry owner for action for damages caused by blasting or arising out of nuisance caused by dust, noise or vibration.

Clauses 27 and 29.—In 1952, the Act was amended to give to councils power to make by-laws enabling a council to require the removal of unsightly chattels and structures from land and it was provided that any such by-law should provide for a right of appeal to a local court. It has been suggested that a by-law cannot confer jurisdiction on the local court for this purpose and therefore clause 29 provides specifically for this appeal to the local court, whilst clause 27 makes consequential and drafting amendments to the provision conferring the by-law making power.

Clause 28.—At present municipal councils have power to make by-laws relating to fishing in rivers and watercourses and relating to other matters affecting these streams. Clause 28 extends this provision to lakes. This amendment will principally apply to Mount Gambier.

Clause 30.—Section 779b enables a council to close a road to traffic when conditions are such that the road would be damaged by traffic passing over it. Notices must be put up on the road stating that it is closed to traffic or traffic of any specified kind and the maximum penalty for driving on the road is £5. It is considered that this penalty is inadequate. Clause 30 increases it to £20 and provides that the council may recover from the offender any damage caused to the road.

Clause 31.—Section 840 provides that a candidate is not to be an authorized witness for the purpose of postal voting. Clause 31 provides that if a person is elected unopposed at an election, he ceases to be regarded as a candidate and will thus be able to act as an authorized witness. It is also provided that the prohibition in the section will not apply to the witnessing of an application for a postal vote. This is in conformity with the provisions of the Electoral Act.

Clause 32.—Section 871a applies only to the City of Adelaide and provides that where the Adelaide City Council acquires land for road widening purposes it is not to be limited to the land actually needed for the road but may take any land abutting the road. The purpose of the provision is to enable the council, instead of taking part only of a property required for road widening purposes, to take all of it. The section would appear to be sufficiently plain and specific, but the High Court some time ago decided that a section in the New South Wales Local Government Act only authorized the acquisition of the land actually needed for the street widening although the section in question appeared to be as specific as the South Australian section. Clause 32 is therefore included in an attempt to place it beyond doubt that section 871a means what it was intended to say. Clause 33 and the schedule make a number of amendments to the Local Government Act which are of a drafting nature only.

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

SUCCESSION DUTIES ACT AMENDMENT BILL.

Second reading.

The Hon. B. Pattinson for the Hon. T. PLAYFORD (Premier and Treasurer)—I move—

That this Bill be now read a second time.

Its main purpose is to increase the exemptions from succession duty on property taken by widows, widowers and children. The new scales of duty enacted in 1952 provided that duty should not be payable on the first £2,800 of property taken by the widow of the deceased person or any child of his who is under 21, or on the first £500 of property taken by a widower or a child over 21. The Government has recently re-examined the question whether these exemptions are adequate to prevent hardship to persons succeeding to relatively small estates. It is not easy to decide what the exempt amount should be. Under the present law a property worth £3,500 passing to the widow pays £87 in duty. A similar property passing to the widower is charged £250. Representations have been made to the Government that these amounts of duty, together with other unavoidable expenses, sometimes cause hardship and embarrassment to families of moderate means. The hardship may be accentuated where two deaths occur in the same family in rapid succession. After considering the whole matter the Government has come to the conclusion that it is desirable to liberalize the exemptions and has decided to raise the exemption for widows and children under 21 to £3,500, and the exemption for widowers and adult children to £1,500, and to adjust the scale of duty on property valued at amounts in excess of those sums, so that the existing amount of duty will be retained in the case of property valued at £5,000 or more. Clause 4 of the Bill makes amendments to give effect to these decisions.

The value of the concessions proposed is indicated by the following examples. A widow or child under 21 will benefit to the extent of £87 10s. on property of £3,500, £50 on property of £4,000 and £12 10s. on property of £4,500. A widower or child over 21 will benefit to the extent of £62 10s. on property of £1,500, £50 on property of £2,000-£3,000 and £25 on property of £4,000.

The probable decrease in revenue arising from the proposed adjustments has been calculated to be about £85,000 a year. This represents a little over 5 per cent of the total revenue from succession duties. The Bill also alters the method of assessing duty on property given duty free. It is a common practice for a testator to give a legacy free of duty, by which is meant that the duty on the legacy is to be met from the residue of the testator's estate, and not from the legacy itself, as would normally be the case. Thus the total value of a duty-free legacy is the actual amount taken by the legatee, plus the value of the exemption from duty. At present under the principal Act the value of a duty-free legacy for purposes of duty is calculated by working out the sum which would, after payment of the duty, leave the amount of the legacy, so that the value of the exoneration from duty is taxed.

Since the principal Act was amended in 1952 the calculation of duty on duty-free legacies has become much more difficult. Before 1952 the whole of a legacy was chargeable at the same rate of duty. Now, however, a legacy may be charged with duty at more than one rate. This fact greatly complicates the calculation of duty and where the beneficiary is given some property free of duty and other property not free of duty the exact amount of duty can only be calculated by making arbitrary assumptions. The rule which requires the value of the exoneration from duty to be taken into account in assessing the duty on a legacy given duty free does not necessarily benefit the revenue. This depends entirely on the size of the residue of the estate. If the residue is large it may well be dutiable at higher rates than the legacy, so that if the duty paid on the legacy were taxed as part of the residue, more duty would be payable. Because of these factors the Government has decided to alter the law to provide that duty shall be assessable on the amount of the legacy without taking into account the value of the exoneration from duty. The amendment will bring about a worth while simplification of the law. It has the support of the Law Society and the information obtained from the Commissioner of Succession Duties indicates that the decrease in revenue will be small. Clause 3 therefore makes the necessary alteration of the principal Act.

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

FRIENDLY SOCIETIES ACT AMENDMENT BILL.

Second reading.

The Hon. B. Pattinson, for the Hon. T. PLAYFORD (Premier and Treasurer)—I move—

That this Bill be now read a second time.

Its object is to enable friendly societies to divert to their management funds more of the interest from their invested capital than is at present permitted. Friendly societies are required by the principal Act to keep separate accounts for each fund created by the society, and are forbidden to apply money in one fund for the purposes of another fund without complying with certain requirements of the principal Act. A society may transfer money from one fund to another with the consent of the Chief Secretary subject to the qualification that where it is proposed to transfer money from a sickness or funeral benefit fund, the transfer must be recommended by the Public Actuary, who must report that there is a surplus in the fund. A society may also use a surplus of one fund for certain special purposes which include management purposes with the consent of the Chief Secretary and the Public Actuary. In addition, if in the report which the Public Actuary is required to make every five years on a society's assets, a surplus is reported, and the rate of contributions for new members is certified sufficient, the society may apply all interest in excess of four and a half per cent from capital funds for any purpose approved by the society. Friendly societies are at present having difficulty in meeting their costs of management. Membership of the societies has been steadily falling for some years and costs of management have risen greatly.

There does not appear to be any possibility of financing the increased costs by increasing members' contributions, as this would probably discourage new members from joining and make matters worse. The problem can be solved by using money from other funds, which, generally speaking, are in a satisfactory condition. In fact, in the last five years in order to give societies relief the Public Actuary has recommended grants of surplus money from sick and accident benefit funds to management funds. The United Friendly Societies' Council has approached the Government with the request that, to assist in overcoming the difficulty, additional interest on invested capital should be made available for expenditure on management. The council suggests that interest in excess of 4 per cent, instead of 4½ per cent as at present, should be available. This request has been considered by the Public Actuary, who recommends that it be granted. He points out that the amendment will provide automatic relief to almost all societies. The Government is accordingly introducing this Bill, which amends the principal Act as requested by the council.

The Bill deals also with another matter raised by the United Friendly Societies' Council. Under the principal Act the purposes for which a fund may be created by a society are defined in detail, and the council has drawn attention to the limitations placed on the purposes of hospital benefit funds. The principal Act only permits benefits to be provided where the sick person is actually accommodated in hospital. The council has asked that societies be permitted to provide a benefit where a person who has been refused admission to a hospital or is too ill to be moved to a hospital is attended by a registered nurse at home. The council states that at present friendly societies are in an unfavourable position, since hospital benefit associations which are not friendly societies are providing benefits in these circumstances while friendly societies are prevented by the principal Act from so doing. The Government thinks that friendly societies should be able to provide the proposed benefit and clause 3 makes the necessary alteration to the principal Act.

Mr. HUTCHENS secured the adjournment of the debate.

COMMONWEALTH WATER AGREEMENT RATIFICATION ACT REPEAL BILL.

Second reading.

The Hon. A. W. Christian for The Hon. M. McINTOSH (Minister of Works)—I move—

That this Bill be now read a second time.

Its object is to repeal the Commonwealth Water Agreement Ratification Act of 1940 and to provide that the Agreement to which that Act applies shall cease to have effect as from July 1, 1952, after which new arrangements will operate. The agreement in question is the one under which the State supplies water from the Morgan-Whyalla pipeline to the Commonwealth at Port Augusta and places adjacent thereto. The agreement was made in 1940, and since then there have been considerable changes both in the amount of water required and the cost of supplying it. There is also a provision in the agreement which restricts the State's rights in respect of its Commonwealth grant, and is regarded as unsatisfactory. For these reasons it has been arranged with the Commonwealth that the agreement will be rescinded by mutual consent, and that in future water required by the Commonwealth from the Morgan-Whyalla waterworks will be supplied under conditions agreed on from time

to time by the Commonwealth and States by exchange of letters. Conditions of supply intended to operate as from July 1, 1952, until further notice have already been agreed upon between the State and the Commonwealth. I will indicate the main differences between the new conditions and the agreement of 1940. The first matter is the quantity of water which the State is bound to supply. The old agreement limits the State's obligations to 3,000,000 gallons in any week and 150,000,000 gallons in a year. Since these amounts were agreed upon the Commonwealth's requirements have been increased because of the growth of the township at Woomera. Under the new arrangements the State binds itself to supply up to 4,500,000 gallons in any week and 225,000,000 gallons in any year—an increase of 50 per cent.

The next matter is the price. Under the old agreement the price was 2s. 4d. per thousand gallons subject to the right of the State to a minimum annual payment for the total amount of water supplied. Under the new arrangements the price payable by the Commonwealth will be the actual cost to the State of supplying the water calculated from year to year in accordance with the principles hitherto used by the State Treasury in costing water from the Morgan-Whyalla pipeline. Under present conditions this will mean a charge of about five shillings and one penny per thousand gallons. There is no provision under the new arrangements for any guaranteed minimum payment. In the old agreement there was a provision for the Commonwealth to pay to the State half of its loss on the Morgan-Whyalla waterworks during each year, with a minimum payment of £25,000 and a maximum of £37,500. The beneficial effect of this clause was, however, nullified by another clause in the agreement which provided that the State was not to base any claim for financial assistance from the Commonwealth upon any loss incurred by the State in connection with the Morgan-Whyalla waterworks. It is considered by the Government's advisers that if the State is paid for the water supplied to the Commonwealth on the basis of cost and is not restricted in its right to ask the Grants Commission to take the loss on the Morgan-Whyalla waterworks into account, the State will be at least as well off as, and probably better off than it was under the old system. The new arrangements will continue until altered by mutual agreement. In order to carry out these arrangements it is necessary to repeal the existing Act and to declare that the old agreement shall not apply to water supplied to the Commonwealth from the Morgan-Whyalla waterworks on or after July 1, 1952. The Bill makes provision for these matters.

Mr. JOHN CLARK secured the adjournment of the debate.

ANATOMY ACT AMENDMENT BILL (No. 2).

Second reading.

The Hon. A. W. CHRISTIAN (Minister of Agriculture)—I move—

That this Bill be now read a second time.

Its object is to authorize the removal of tissue other than eyes from the body of a deceased person for grafting purposes in the same way as the Anatomy Act Amendment Bill recently passed by Parliament authorizes the removal of eyes for grafting purposes. Members will, no doubt, wonder why this matter was not dealt with in that Bill. The reason is that, notwithstanding that the Bill was introduced last year in order to enable people who were interested to offer comments and suggestions, it was not until after the Bill had been introduced again this year that any approach was made to the Government about the present matter. By then it was too late to deal with it in the Bill.

The question of extending the Bill to tissue other than corneas was raised by the honorary surgeons of the Royal Adelaide Hospital and brought to the notice of the Government by the Director-General of Medical Services. It appears that not only are the corneas of deceased persons used for grafting purposes but pieces of artery and bone are also so used, and it is likely that further forms of grafting with parts of the bodies of deceased persons may be developed. The same considerations of law apply to the removal of tissue other than eyes from a body as to the removal of eyes. Without specific statutorial authority for removal for grafting purposes such removal is probably unlawful.

The Government has considered the request and has decided that it is desirable to amend the Anatomy Act to authorize the removal of any kind of body tissue subject to exactly the same restrictions as have been imposed on the removal of eyes. This Bill accordingly provides to that effect. This will mean that a person lawfully in possession of a body will be entitled to authorize the removal of any tissue from the body if the deceased person has expressed a request that the tissue should be removed. When no such request has been made the person lawfully in possession of the

body may authorize the removal of any tissue unless he has reason to believe that the deceased objected or the surviving spouse or any relative objects to the removal of that tissue. Where a person lawfully in possession of the body believes an inquest may be necessary he may only give an authority under the Act with the consent of the City Coroner. The person in charge of a hospital or a person appointed in writing for the purpose by the person in charge of a hospital may give the authority under the Act for the removal of tissue. An undertaker, however, or any person to whom a body has been entrusted for the purposes of burial or cremation will be prohibited from authorizing the removal of tissue. It will only be removable by a legally qualified medical practitioner who must satisfy himself that life is extinct.

Clause 4 provides that the provisions of the Bill will come into operation at the same time as the Anatomy Act Amendment Bill authorizing the removal of eyes for grafting purposes. That Bill provides that its provisions will come into force three months after it is passed.

Mr. HUTCHENS secured the adjournment of the debate.

ADJOURNMENT.

At 5.7 p.m. the House adjourned until Tuesday, November 23, at 2 p.m.