HOUSE OF ASSEMBLY.

Thursday, October 18, 1956.

The SPEAKER (Hon. B. H. Teusner) took the Chair at 2 p.m. and read prayers.

POLICE PENSIONS ACT AMENDMENT BILL.

His Excellency the Governor recommended to the House the appropriation of such amounts of the general revenue of the State as were required for the purposes mentioned in the Bill.

ASSENT TO ACTS.

His Excellency the Governor intimated by message his assent to the Housing Agreement and Waterworks Act Amendment Acts.

QUESTIONS.

ATOMIC POWER STATIONS.

Mr. O'HALLORAN—Has the Premier any information regarding what is apparently the successful installation of an atomic power plant in England, which was opened by Her Majesty the Queen yesterday, and has he any information of importance as to the possibility of an atomic power station being established in South Australia?

The Hon. T. PLAYFORD—I have no detailed information regarding the position in England except what has appeared in the press and what I have learnt from conversations I have had with British authorities from time to time. I have no complete factual information on the matter. Coal seams in England are becoming badly depleted and the cost of securing the coal is increasing for the mines are becoming deeper and more inaccessible. About five or six years ago the British authorities realized that if Great Britain was to retain her dominance as an industrial manufacturing country it would be necessary for her to provide for a new type of power to take some of the load from coal. The station opened yesterday was the first of a considerable number to be installed in Great Britain. I have seen the design of it and I have had information from Sir John Cockcroft's officers on the set-up and what is hoped to be achieved by it. They made it clear that the design of the first station was not to be regarded as the ultimate design of an atomic nuclear power station, and that the station was being developed on well-known lines but would be improved and made more efficient as more stations were brought into operation.

South Australia has accepted tenders for a substantial amount of equipment for a second power station at Port Augusta, which will be the largest in the State and will not be completed until about 1960 or 1961. It will undoubtedly take the full load requirements of South Australia until probably 1962 or 1963, so we are in the happy position of not having to build an additional station, which may be a nuclear station, immediately. We will be able to see what development takes place and secure perhaps something more efficient than the present Great Britain station. There will, of course, be a considerable amount of planning work to be done immediately. The establishment of a station is not a matter of deciding to establish one today and calling for tenders tomorrow. First there is the design and then the site has to be selected. The features of the site are important from the point of view of the design. I have discussed the matter with the chairman of the Electricity Trust and the general decision reached was that it would be advantageous at this stage to select two sites, one which would be suitable if we have to introduce another ordinary thermal unit, and the other suitable for a nuclear fission unit. I do not know whether the decision has been confirmed but I have no doubt that the trust will accept it. Then some planning work will have to be done on a basis that will enable us later to decide which project to proceed with. A nuclear station depends on how rapidly the efficiency of the stations designed for Great Britain and America improves. From the time of designing the first station in Great Britain until its operation scientific advancement has been so great that I believe the station now has several times more efficiency than was at first proposed. I think the efficiency has been stepped up by from about 200 per cent to 300 per cent, and the amount of heat they are getting out of it is small indeed in comparison with the total heat content of uranium.

I can take the matter no further at present but I assure the honourable member that the steps being taken in Great Britain are being watched all the time. We have always had officers of the trust working with the British Atomic Energy Commission. As soon as the term of one officer is completed his place is taken by another, usually two. They usually go over for a year and they are directly associated with the activities taking place. Under these conditions we are privileged to be able to have everything up to date and to have detailed information of the developments taking place.

I assure members that every step is being taken to see that the development overseas will not find us unprepared and unable to meet it. We are training technicians and scientific staff and keeping closely associated with the work overseas.

CLOVER AND RYEGRASS SEEDS.

Mr. JENKINS—Can the Minister of Agriculture say whether there is a Commonwealth import duty on clover and ryegrass seeds from New Zealand, and if so, what part of the cost is represented by the duty?

The Hon. G. G. PEARSON—I will get that information for the honourable member.

BOTANIC PARK ROADS.

Mr. FRANK WALSH—Has the Minister of Lands a reply to my recent question on Botanic Park roads?

The Hon. C. S. HINCKS—I took up that question with the Botanic Park Board. The matter will be dealt with at its meeting on November 2, and I will advise the honourable member of the result later.

BOWMANS TRUCKING YARD.

Mr. GOLDNEY—Comparatively large numbers of stock are loaded and unloaded at the Bowmans railway trucking yard and circumstances demand that a considerable part of the work be done at night. As the lighting facilities in the yard are very poor, will the Minister of Education take up this question with the Minister of Railways to see whether they can be considerably improved?

The Hon. B. PATTINSON—Yes.

UNOCCUPIED HOUSES.

Mr. FRED WALSH—In commenting on a statement by the Minister for the Army in the Commonwealth Parliament, the leading article in today's *Advertiser* states:—

> Even so, there is more than a grain of truth in the suggestion that many houses are vacant because the owners regard it as simply not worth their while to let such places as dwellings so long as the present stringent rent controls remain in force.

I do not subscribe to that view: indeed, I know that landlords generally desire their houses to be rented and occupied rather than left vacant. Can the Treasurer say whether there is any evidence in South Australia to substantiate the claim that landlords prefer to leave their houses vacant because of rent control?

The Hon. T. PLAYFORD—I do not know the position in other States, so my remarks apply only to South Australia. At the time of the last census I was concerned to learn that in a country township I knew very well a considerable number of houses were stated to be vacant. I had a personal investigation made to ascertain the real position, but I found it amounted to nothing more nor less than that there were a number of derelict houses totally unsuitable for habitation, which in many instances had not been occupied for 20 years, yet the census papers classed these as unoccupied. I suppose that technically they were, but they could not be occupied; indeed, had any attempt been made to occupy them they would have been immediately condemned by the health authorities. They were places that had been built of pug in the early days and still had a roof over them. Dealing with the question generally, since rent control was introduced in South Australia the average rent has increased by over 50 per cent. Although Parliament has approved increases totalling only 33 per cent, it has also approved allowances for added repair costs, capital alterations, and increases in council and water rates. Secondly, nothing deteriorates worse and more quickly than an unoccupied house. Indeed, during the depression many landlords were prepared to make available houses at the most nominal rent—indeed, sometimes at no rent at all—merely to have somebody occupying and maintaining them. In view of those facts, I would say that the statement is exaggerated; in fact, completely untrue.

PRICE OF FORMALIN.

Mr. HARDING—Can the Minister of Agriculture give the reason for the recent steep increase in the price of formalin and say whether there is at present an Australian shortage?

The Hon. G. G. PEARSON—The honourable member asked me this question some days ago and I have received a full report on the two points he raised. On price, the Chief Inspector of Stock reports that he has inquired of the various South Australian suppliers of formalin, and the position as reported by one of them is as follows:—

> The previous price was £27 6s. 4d. per 44 gallon drum, and the present price is £38 17s. per 44 gallon drum. (These prices are for Australian produced formalin.) Previously, cheaper supplies of formalin were imported from overseas, but due to import licensing restrictions this source has ceased to exist.

Upon receipt of this report I wrote to the Commonwealth Minister for Primary Industry

(Mr. McMahon) to ascertain whether his Government would consider this matter and to see whether it might not be possible to let increased supplies of formalin come in, which might have an effect on the price. There is a shortage of instruments which are necessary for the treatment of footrot in sheep, and as a result the price is tending to become very high. It has been suggested that we might make representations to the Federal authority in respect of importations, and we will see what we can do. A representative of Imperial Chemical Industries, Australia and New Zealand, states that suppliers did not fix their price in consultation with the Commonwealth Government, but that the price rise was only sufficient to cover increased manufacturing costs.

A large proportion of formalin supplies is used in the plastic industry and, apart from the formalin used in footrot control, small quantities are used as a disinfectant and fumigant in the poultry and wine industries. It is also used as a preservative for animal tissues in laboratory work. Large quantities were formerly used as a grain pickle, but this is now discontinued. I.C.I.A.N.Z. is the only firm manufacturing formalin in Australia, and production is carried on in Melbourne and Sydney. The normal Australian demand for I.C.I.A.N.Z. formalin for footrot is 200 tons a year. In dry seasons this drops to 90 tons a year. This season the worst outbreak of footrot ever experienced in Australia occurred, extending from Northern New South Wales to South Australia, and this stepped up demand to over 1,000 tons a year. It is estimated that 8,000 properties involving 20,000,000 sheep are infected with footrot.

The department is at present formulating regulations to make footrot a notifiable disease, and at the earliest possible date these regulations will be gazetted. So far as immediate supplies are concerned, it has been arranged to supply two tons of formalin a week for South Australia for the October-December quarter, and this is expected to meet the immediate demand. For the whole of Australia 500 tons will be available from I.C.I.A.N.Z. for areas called South-Eastern Australia, which includes the Riverina, Victoria and South Australia. This, together with other smaller supplies, should make adequate supplies available.

STEELWORKS IN SOUTH AUSTRALIA.

Mr. RICHES—If Standing Orders permitted, I would congratulate the Premier on his reply in regard to unoccupied houses. I ask him whether, following on the courtesy he extended yesterday in making available the submissions of the Director of Mines to the Crown Solicitor on the B.H.P. Company's Indenture Act, he will lay that document on the table?

The Hon. T. PLAYFORD—I will examine the request. Once a document is laid on the table it becomes a public document and may be used by persons with intentions other than those of members. It could be used, for example, if ever a dispute arose and the Crown Solicitor's opinion would then be freely available to anyone. I have only casually looked at the documents, for they came into my possession only recently, but I will see whether I can comply with the request. One problem is that when documents are laid on the table they become the property of the House, but they may be required by the department concerned.

MURRAY RIVER FLOOD.

Mr. KING—Has the Minister of Irrigation a reply to the question I asked last week about the estimated levels of the Murray in the near future, and can he give details of the fall in the river since the peak of the flood?

The Hon. C. S. HINCKS—This morning I received the following report from the Engineer-in-Chief:—

Since reaching a height of 30ft. 7¼in. at Renmark on August 25, the river has fallen only 16in. in 54 days. The rate of fall has been retarded by further freshets in the Murray and Murrumbidgee and a second high flood peak in the River Darling. During the height of the flood the area of inundated land between Renmark and Hume Reservoir was probably in the order of 1,000,000 acres and drainage back to the river has also had a retarding effect. The peak of the River Darling flood has passed Wentworth, but there will still be a large flow in that river for many weeks to come. There have also been several small rises in the Murrumbidgee and other tributaries and during the last few days rain has fallen on the Alpine and Tableland portions of the Murray catchment in Victoria and New South Wales. In these circumstances, the Murray will continue to fall very slowly in South Australia for some weeks. With the enormous area of the waterspread and the large quantity flowing back to the river from flooded land, it is impossible to forecast the behaviour of the Murray with any degree of confidence. However, it is my opinion that the behaviour at Renmark during the next few weeks will be approximately in accordance with the following figures:—

	Ft.	In.
17/10/56 .. .. .. (actual)	29	3½
31/10/56	28	9
14/11/56	27	10
28/11/56 .. .. (1931 max.)	26	10

In regard to the honourable member's question on the falls that have taken place since the peak of the flood, in the Chaffey area in the last 24 hours there was no fall, but the total fall since the peak of the flood has been 15½in. At Renmark there was a fall of one inch, making a total of 16¾in. since the peak; at Berri there was a fall of three quarters of an inch, a total of 17in.; at Cobdogla the fall was half an inch, a total of 23¼in.; at Waikerie the fall was 1½in., a total of 22¼in.; at Cadell the fall was a quarter of an inch, a total of 21¼in.; the river was stationary at Morgan, and the total drop has been 22in.; and at Murray Bridge there was a rise of half an inch, making a drop since the peak of 16¼in.

FLOODED AREAS REHABILITATION.

Mr. BYWATERS—In view of the enormous cost of rehabilitation of the flooded areas, is the Government prepared to assist financially, or otherwise, private swamp holders in reclaimed areas in dewatering their swamps and reclaiming them and in repairing banks and channels?

The Hon. T. PLAYFORD—This matter is being investigated by the Lands Department at present.

Mr. STOTT—Can the Treasurer say whether the Commonwealth Government has indicated what financial assistance it will make available for the rehabilitation of flooded areas in the Murray Valley and the conditions under which it will make it available?

The Hon. T. PLAYFORD—No. Although the State Government has made a supplementary request to the Commonwealth Government, it has received no reply.

MOUNT BARKER ROAD.

Mr. SHANNON—On September 19 I asked the Minister representing the Minister of Roads whether an investigation would be made of the difficulties arising from interstate hauliers travelling on the Mount Barker road. I have raised three main points in this connection from time to time: firstly, the difficulty these long vehicles experience in negotiating sharp bends without crossing the double lines and causing hazards to oncoming traffic; secondly, the practice of the same vehicles in trailing each other in close formation and so preventing other overtaking vehicles from passing them for considerable distances—in some instances two or three miles; and thirdly, the desirability of imposing a total prohibition on these vehicles using the section of the Mount Barker road from the Big Gum Tree, Glen Osmond, to the approach to Eagle-on-the-Hill on Sundays and public holidays. Will the Minister obtain a report on these questions?

The Hon. B. PATTINSON—I obtained the following report from the Minister of Roads relating to one aspect of the problem:—

Large semi-trailers do take up a considerable portion of the roadway in order to negotiate some of the bends on the Mount Barker road from Glen Osmond to near Eagle-on-the-Hill. The Commissioner of Police states that it is not practicable to pilot all long semi-trailers through the hills although, as suggested by the honourable member, police escorts are provided at times, upon request from the Registrar of Motor Vehicles in cases where the load exceeds 66ft. in length or over 8ft. in width.

I shall be pleased to obtain a report on the suggestions that the trailing of these large vehicles in close formation should be prevented and that there should be total prohibition of their use on Sundays. I remember when, as Chairman of the State Traffic Committee, I made several inspections of the Mount Barker road before I submitted a report and recommendation to the Government on behalf of that committee concerning the widening of sections of the road and the straightening of sections where practicable. I noted then the great traffic hazards caused by these long vehicles trailing each other in close proximity and also the congestion to traffic caused on week days and more particularly on Sundays and public holidays. I will take the matter up with my colleague and discuss it with him because it is a subject on which I have some knowledge.

DEATH OF MENTAL PATIENT.

Mr. LAWN—Will the Premier obtain a report from the Chief Secretary on the recent death of a 72-year-old inmate of the Parkside Mental Hospital and investigate rumours circulating to the effect that the injured man was kept 4½ hours at the Royal Adelaide Hospital before receiving medical attention?

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

COUNTRY WATER RESTRICTIONS.

Mr. LAUCKE—Will the Minister representing the Minister of Works ascertain whether the Engineering and Water Suppy Department intends imposing any restrictions on water consumption during the coming summer in the Warren water district west of Nuriootpa?

The Hon. B. PATTINSON—Yes.

OUTER HARBOUR CHANNEL WIDENING.

Mr. TAPPING—It is reported that the Orient Company is building a steamer—the R.M.S. *Oriana*—of 40,000 tons register. I have been informed that this type of vessel could not berth at Outer Harbour as it would be dangerous for it to turn in the channel and consequently it will by-pass Adelaide. As it is the tendency today to construct larger type liners will the Premier examine the position and ascertain whether the channel at Outer Harbour should be widened?

The Hon. T. PLAYFORD—I do not know the actual dimensions of this ship, but I believe it could berth at the Outer Harbour.

Mr. Tapping—It is 800ft. long.

The Hon. T. PLAYFORD—On one occasion when a large vessel was coming to South Australia, the Harbors Board assured me that it could successfully berth at Outer Harbour. I will ascertain the position so far as this particular vessel is concerned. There has been a tendency by overseas shipping companies to make the excuse that they cannot berth at a particular port because of their desire to cut down costs. It costs considerably more to berth at a number of ports than at only one or two. A number of overseas companies have tried to reduce the number of stopping places at the Australian end of the line. A considerable time ago when I expected support from shipping interests for the establishment of a port in the South-East I was surprised to learn that they would not support the proposal because, if it were established, they might be obliged to go there to pick up incomplete cargoes at times. At present every ship regularly on the Australian run can berth satisfactorily at the Outer Harbour. All facilities are available for ships coming there.

ATOMIC BOMB TESTS.

Mr. STOTT—It is apparent that Commonwealth and State authorities, in conjunction with the British Government, intend to continue using Maralinga as a base for atomic explosions. The Premier recently indicated that an officer from a South Australian department was unable to witness the recent explosions because of other duties. While tests are being carried out it would be profitable for a competent officer to be present to investigate methods of ensuring public safety in the event of atomic attacks. The information he derived would be of advantage in instructing the general public and factory owners on the precautions to be taken to guard against the dangers from an attack and the consequent radio fall-out. Will the Premier consider appointing a competent officer to undertake that work?

The Hon. T. PLAYFORD—The witnessing of an explosion would not give an officer much opportunity to judge the precautions to be taken. Much more important is the location at various points of scientific instruments, which cost many thousands of pounds. These intricate instruments have to be placed at many advantage points. In addition, experiments are held with equipment and animals to judge the force of the explosion and the amount of the radiation fall out. It is true that Mr. Johnson was not able to witness the first explosion but he has been at Maralinga with other Civil Defence experts and studied on the spot the effects of the explosions. The information will be of great value.

PRIMARY PRODUCERS' MOTOR REGISTRATION.

Mr. HEASLIP—Last week a primary producer asked me to witness a declaration in connection with his primary producer's registration. I told him any elector had the right to witness his signature but he said that the local policeman had in his presence struck out the clause authorizing any elector to witness a signature. It is not many years since Parliament included the provision in legislation so as to save a primary producer from having to travel to find a justice of the peace. Can the Premier say why the police officer struck out the clause?

The Hon. T. PLAYFORD—Was the document presented to the honourable member with the clause struck out?

Mr. Heaslip—Yes.

The Hon. T. PLAYFORD—I do not know of any reason why the police officer should have struck it out. If the honourable member will let me know the name of the police station I will have inquiries made.

CEDUNA FLYING DOCTOR SERVICE.

Mr. LOVEDAY—Can the Premier say whether the Government has further considered the question of increasing this year the grant of £500 to the Bush Church Aid Society for the Flying Doctor Service at Ceduna?

The Hon. T. PLAYFORD—The matter has not yet been examined.

MANUFACTURING INDUSTRIES PROTECTION ACT.

Mr. HUTCHENS—Prior to the House meeting today I had a telephone call from a person who is interested in the Manufacturing

Industries Protection Act of 1937, section 3 of which states:—

(1) If the Governor is satisfied that it is desirable in the public interests that the proprietors and occupiers of factories in any area should obtain the protection provided for in this Act he may by proclamation declare that that area (which shall be defined in the proclamation either by setting out the boundaries thereof or otherwise) shall be a protected area within the meaning of this Act.

This Act was passed in 1937 because Richards Industries Limited wanted to expand and the councils in the area opposed it. The Government of the day thought it necessary to have this protection. Is the Premier aware of any proclamation of recent date under the Act?

The Hon. T. PLAYFORD—I am not aware of any recent proclamation. This problem arises from time to time and the policy of the Government has always been to discuss it with the local government authority concerned in an attempt to find a solution. At present we are faced with the possible loss of one of our largest industries. The company concerned has land available but some of it is not inside a factory area. There is only the one block but a portion of it is in a factory area and the remainder in a residential area. The council will not allow a slight increase in the use of the land, which is vacant and competely contiguous to the factory which has been in existence for many years. The factory people say that if they cannot extend the premises they will not be able to carry on. They have land in one of the eastern States and say that if they cannot expand on the present site they will move to the other State. We are negotiating with the council concerned and I think the provision in the Act would be resorted to only where no agreement was possible and public interest demanded that action be taken to prevent the loss of a valuable industry.

Mr. BYWATERS—Will the Premier tell the management of the industry that Murray Bridge would be an ideal place for it to transfer to, as this town has plenty of land and water available on the main Adelaide-Melbourne highway?

The Hon. T. PLAYFORD—No. It would be quite uneconomic to shift this industry anywhere. If we have a showdown and cannot get permission from the council, we will make a proclamation under the Act mentioned by the honourable member.

LEIGH CREEK AIR SERVICE.

Mr. O'HALLORAN—Has the Premier any information regarding desirable improvements to the air service between Adelaide and Leigh Creek?

The Hon. T. PLAYFORD—It was expected that legislation would be introduced this session in connection with the Leigh Creek air service. Leigh Creek has been a stopping place on the run to Darwin. I told Trans-Australia Airlines that there would be no objection from the State Government if it serviced Leigh Creek as well as Darwin. I gave the approval in writing and said that the State Government regarded the Leigh Creek service as part of the Darwin service. Leigh Creek has been serviced by T.A.A. much to the advantage of the town, but it means that if T.A.A. accepts passengers for Leigh Creek there are frequently empty seats on the rest of the trip to Darwin, and that has meant a restriction on the number of passengers taken to Leigh Creek. The T.A.A. people wanted a Bill authorizing them to conduct a service to Leigh Creek apart from the Darwin service. I said I had no doubt Parliament would give the necessary approval but Commonwealth law authorities in connection with civil aviation advise that legislation is not necessary, as approval by the State Government is sufficient. I believe we will be able to get a service just for Leigh Creek, which would be much more satisfactory to T.A.A. than having a more lengthy run with no passengers.

STRATHALBYN PRIMARY SCHOOL.

Mr. JENKINS—The capacity of the Strathalbyn Primary School is now taxed by the number of scholars attending and the school yards are inadequate for recreation. As I understand that eight or nine years ago land was purchased for a new school, can the Minister of Education say whether plans are in hand for that building?

The Hon. B. PATTINSON—Land was purchased for a new school at Strathalbyn some years ago, but the erection of the school has not been regarded as urgent, although it was listed among the projects set down by the Superintendent of Primary Schools as desirable. When the loan programme for 1956-57 was examined in detail a large number of these desirable schools had to be deferred, and Strathalbyn was one of these. The proposal to provide a new school of six classrooms at Strathalbyn has been under consideration, but it has not been included in the current loan programme because of the more urgent demands for schools in other areas. I shall, however, be pleased to re-examine the proposal as soon as possible and inform the honourable member of the decision in due course.

PORT AUGUSTA WATERWORKS OFFICE.

Mr. RICHES—For several years extensive alterations to the Port Augusta Waterworks Office have been promised; indeed, the item has appeared on the Estimates, but for some reason the work has not been put in hand, although it is urgently required. Will the Minister representing the Minister of Works obtain a report on when the department expects this work to commence?

The Hon. B. PATTINSON—Yes.

HELIOTROPE POISONING.

Mr. GOLDNEY—Has the Minister of Agriculture a reply to my recent question concerning heliotrope poisoning in sheep?

The Hon. G. G. PEARSON—The Senior Veterinary Officer reports:—

The basic research work on heliotrope poisoning has recently been completed by the C.S.I.R.O. working in the eastern States. With the accurate diagnostic techniques now available, an intensified field investigation has been started in this State to assess the importance of this disease as a cause of wastage in sheep. Observations are being made on the incidence of heliotrope damaged livers in lines of sheep slaughtered at the metropolitan abattoirs. These sheep are being traced back to the property of origin to complete their history as it is felt that many owners are not aware that heliotrope is the cause of many of their losses. The C.S.I.R.O. finding on the control was blunt advice to keep sheep off heliotrope infested pastures. Another answer needed is how long can sheep be kept before losses become significant necessitating the complete disposal of a line of sheep. The whole problem of heliotrope control is extremely difficult, but we are hopeful that the investigation will reveal grazing practices which will minimize losses.

BOOKPURNONG SOLDIER SETTLEMENT SCHEME.

Mr. STOTT—In reply to my recent question on Commonwealth assistance for the establishment of a soldier settlement scheme at Bookpurnong the Minister of Lands said he would confer with the Commonwealth Minister for Primary Industry on the matter. As the Commonwealth Minister has since visited Adelaide, can the Minister say whether he discussed this matter with him and whether Commonwealth assistance will be forthcoming? If not, will the South Australian Government go ahead with the scheme?

The Hon. C. S. HINCKS—I said earlier that I would confer with the Commonwealth Minister when he was in Adelaide, but he did not see me on that occasion. Further, I understand he was here again recently, but did not contact me. The Commonwealth Deputy Director of Soldier Settlement (Mr. Colquhoun) saw me yesterday, however, and is conferring again today with officers of my department. That matter is being discussed and I may be in a position to give the honourable member further information next Tuesday.

NARACOORTE SEWERAGE PROBLEM.

Mr. HARDING—Today's *Advertiser* contains the following report:—

Naracoorte, October 17.—Naracoorte's inadequate septic systems were a danger to the health of everyone in the town, the local health officer (Dr. I. G. Campbell) declared last night. The Government should heed the urgent need of deep drainage, he told a board of health meeting.

"From the railway houses and all the accommodation inside the railway yard the effluent from kitchens, bathrooms and septic tanks all drains into the Naracoorte Creek," he said.

One typhoid carrier infecting this supply would bring disaster to many of the town's families.

Will the Minister of Education ask the Minister of Railways to obtain a departmental report on this statement?

The Hon. B. PATTINSON—Yes.

GRASSHOPPER ERADICATION.

Mr. O'HALLORAN—Has the Minister of Agriculture a reply to my recent question on nation-wide research into the eradication of grasshoppers?

The Hon. G. G. PEARSON—The Director of Agriculture reports:—

The Commonwealth Scientific and Industrial Research Organization Division of Entomology has for many years been studying the habits and life history of Australia's grasshoppers. As a result of these studies, a new strategy has been developed in theory. It aims to destroy the grasshoppers in certain well defined outbreak areas into which the insects withdraw as their numbers decline after an outbreak. It is in these favourable areas that the grasshoppers persist between plagues, and build up their numbers when conditions permit. The object of the strategy is to kill the insects before they disperse from the outbreak centres, when the physical difficulties of contacting them become very great. This strategy has never been tested on an outbreak. To provide the trial, of which it is considered worthy, a fund has been built up. Because of climatic and geographical factors, the trial will chiefly benefit New South Wales, but other States are also contributing on a much smaller scale as the results obtained will assist each State by providing basic knowledge with which to face future campaigns against locusts.

It is necessary to apply the new strategy when grasshopper numbers are building up. Since the trial campaign was approved by the Agricultural Council in 1954, the locust population in the outbreak area selected for the

trial has been declining. Expenditure has been necessary to date to provide a patrol service in the area, so that a careful watch on 'hopper numbers is kept. This State's share of this is limited to £200 per annum. At the appropriate time, a control campaign will go into action against the expanding grasshopper population. This State has agreed to assist in the financing of this campaign to the extent of no more than £4,500, including our contribution to the cost of the patrol for 5 years.

LIGHTING OF HEAVY VEHICLES.

Mr. KING—In view of accidents caused at night by motor vehicles running into semi-trailers or trucks parked on main roads, sometimes without lights, will the Minister representing the Minister of Roads consider amending the Road Traffic Act to provide that when a vehicle is parked and not illuminated by street lights the driver must place flares in positions sufficiently distant from the stationary vehicle to give notice of its presence to oncoming traffic?

The Hon. B. PATTINSON—I shall be pleased to refer the question to the Minister of Roads and furnish a reply in due course.

GUMERACHA SEWERAGE SCHEME.

The SPEAKER laid on the table the final report by the Public Works Standing Committee, together with minutes of evidence, on the Gumeracha sewerage scheme.

Ordered that report be printed.

METROPOLITAN AND EXPORT ABATTOIRS ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 11. Page 1015.)

Mr. O'HALLORAN (Leader of the Opposition)—This Bill, as mentioned by the Minister in his second reading speech, simply re-aligns the boundaries of the Metropolitan Abattoirs area. I understand this has been requested by local authorities in the areas affected. I consulted the secretary of the Meat Industry Union, whose members might be involved in this proposal, but was told that his members wholeheartedly agreed with it. Everyone likely to be affected by the Bill seems to think it is a desirable one, and it tidies up the Metropolitan Abattoirs area in a more workmanlike way than could be done by issuing proclamations; therefore, I support the second reading.

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

TRAVELLING STOCK WAYBILLS ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 11. Page 1017.)

Mr. O'HALLORAN (Leader of the Opposition)—I support the second reading. Probably the only regrettable feature about the Minister's second reading speech was that it indicated the passing of the horse as a means of transport. Down the years I have pleaded for the horse to be retained as an adjunct to the production and transport of the community, but apparently we no longer have to protect him from would-be horse thieves, so horses, and other animals, are to be completely withdrawn from the provisions of the Act. I agree with the provision increasing the distances over which stock may be driven on the hoof from 15 to 20 miles before a waybill is required. I sometimes wonder whether waybills are really necessary for this purpose, because I cannot imagine any sheep stealer believing he could successfully steal sheep on the hoof. However, there may be some virtue in the provision, and, by increasing the distance from 15 to 20 miles, it will at least minimize the inconvenience that may be created.

I notice that the required distance outside hundreds—that is in areas beyond district council areas—is still to be 50 miles. The distance over which stock may be carted by road is 20 miles in the daylight instead of any distance. That represents a further relaxation of the provisions of the Act, and is one which I do not think will militate against the success of this legislation. However, the cartage of stock at night by vehicles requires a waybill, irrespective of the distance travelled, and in this regard it is necessary for the signatures to the waybill to be witnessed. The witnesses may be stock inspectors, policemen, or Justices of the Peace, or, in their absence, two adjoining landholders or two occupiers of adjoining land. I doubt whether it should be necessary to have as witnesses two occupiers of adjoining land, particularly in the pastoral areas. There may be some difficulty in the event of a stockowner in those areas desiring to shift stock by night in a vehicle, for he may have to travel a considerable distance to get those signatures. However, it would only be in a

case of extreme urgency that stock would have to be conveyed by vehicle at night. I offer no objection to this clause, but I would be pleased if the Minister would consider any reports of hardship resulting from it. The purpose of the Bill is to assist in preventing sheep stealing and to detect sheep stealers, particularly in the closely settled areas, and I support it.

Mr. HEASLIP (Rocky River)—I, too, support the Bill. It has two purposes: firstly, to widen the distances over which stock may be conveyed in daylight hours without a waybill, and secondly, to make it compulsory to have a waybill when carting stock between half an hour after sundown and half an hour before sunrise. There is still a considerable amount of sheep stealing throughout the State, probably much more than we realize, and certainly more than we can prove. About 90 per cent of it takes place at night when lorries can pull up, load sheep and drive away unseen. The new provisions will considerably lessen sheep stealing. Police officers will be able to stop vehicles carrying stock and if the driver cannot produce a way-bill he will be liable to prosecution. I believe that police officers should apply themselves more to checking the movement of stock at night than to day time operations. In my district an over-efficient officer has been stopping vehicles which have been delivering stock to local sale yards. His time could be better employed in checking vehicles that are travelling at night. In day time the brands are obvious and at a glance an officer can tell where the sheep came from. The Bill represents a vast improvement on existing legislation and I wholeheartedly support it.

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

ENFIELD GENERAL CEMETERY ACT AMENDMENT BILL.

Read a third time and passed.

ROAD AND RAILWAY TRANSPORT ACT AMENDMENT BILL.

Read a third time and passed.

FRUIT FLY (COMPENSATION) BILL.

Read a third time and passed.

HOMES ACT AMENDMENT BILL.

Read a third time and passed.

LOAN MONEY APPROPRIATION (WORKING ACCOUNTS) BILL.

Read a third time and passed.

ADMINISTRATION AND PROBATE ACT AMENDMENT BILL.

On the motion for the third reading.

Mr. TAPPING (Semaphore)—I did not have an opportunity to express my support of this legislation during the second reading debate. The Bill improves the present legislation. When I was speaking on the Address in Reply I brought to the Government's notice the necessity for examining this legislation, as it had not been considered for over 40 years. The Act at present provides that when a man dies without making a will his widow is only able to claim one-third of the estate and the balance is shared among his children. I cited many cases where widows had suffered as a result. The Bill ensures that a widow will receive the first £5,000 of an estate and half the remainder, and makes our legislation superior to that in other States. In New South Wales the legislation is the same as our present Act. I believe the Victorian legislation has been repealed, but is still not as generous as this measure. In Western Australia a widow only receives the first £1,000 of an estate. I support the Bill.

Bill read a third time and passed.

ROYAL STYLE AND TITLES BILL.

Read a third time and passed.

POLICE PENSIONS ACT AMENDMENT BILL.

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

That the Speaker do now leave the chair and the House resolve itself into a Committee of the whole for the purpose of considering the following resolution:—That it is desirable to introduce a Bill for an Act to amend the Police Pensions Act, 1954.

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

RENMARK IRRIGATION TRUST ACT AMENDMENT BILL.

The Hon. C. S. HINCKS (Minister of Lands) 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 Renmark Irrigation Trust Act, 1936-1954.

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

LAND SETTLEMENT ACT AMENDMENT BILL.

The Hon. C. S. HINCKS (Minister of Lands) 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 extend the Land Settlement Act, 1944-1955, and for purposes incidental thereto.

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

WEEDS BILL.

The Hon. G. G. PEARSON 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 make provision for the destruction of certain weeds, to repeal the Noxious Weeds Act, 1931-1939, 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. G. G. PEARSON (Minister of Agriculture)—I move:—

That this Bill be now read a second time.

It repeals the Noxious Weeds Act, 1931-1939, and enacts other provisions relating to the destruction and control of noxious and other weeds. Whilst it is substantially similar to the Bill introduced into Parliament last session, some alterations have been made to give effect to suggestions of local governing bodies. In general, the Bill continues the method now provided by the Noxious Weeds Act under which the primary duty of securing the destruction of noxious weeds is placed upon councils but, in addition, there are a number of other provisions intended to bring about the more effective control of weeds.

It is proposed by Part II of the Bill to establish a committee to be called the Weeds Advisory Committee. The members of the committee are to be appointed by the Minister and the committee is to have the general duty of advising the Minister upon matters arising from the administration of the Act. In addition, it is proposed that the committee shall have some administrative duties, such as acting as an appellate tribunal to which landholders may appeal against notices of councils requiring them to destroy weeds.

Clause 8 provides that the Minister may appoint what are termed Government authorized officers who will have authority to act throughout the State or within such part of the State as is specified by the Minister. Clause 9 enables councils to appoint authorized officers for their particular areas. An authorized officer is under Clause 10 given power to enter and inspect land whilst Clause 11 requires him to inform the council of any breach of the Bill which comes to his knowledge

Clause 12 provides that, as regards the part of the State situated outside local government areas, the Minister is to have the powers given by the Bill to councils. Clause 13 deals with the position of what may be termed occupied lands of the Crown, that is, land vested in or occupied by a Minister or a Government department. Clause 13 provides that, if any weeds are upon land of this kind, and the Minister controlling the land is satisfied that the adjoining land is free from weeds or that action is being taken to clear the weeds from the adjoining land, the controlling Minister may take steps to clear the weeds from the land of the Crown under his control. As will be explained later, clause 17 provides that councils are to undertake certain obligations with respect to what may be termed unoccupied land of the Crown.

The Bill makes no mandatory provision as regards land of instrumentalities of the Crown such as the Railways Commissioner. This is the position under the present Act. It can, however, be expected that these Crown instrumentalities will take proper measures to clear weeds from their land.

Clause 14 provides that the Governor may by regulation declare any plant to be a dangerous weed. Any such declaration is to operate throughout the whole State. Clause 15 provides that any plant may be declared a noxious weed either for the whole or any part of the State. As will be shown later, a stricter measure of control is proposed for dangerous weeds than is proposed for noxious weeds. Both classes of weeds are, for the purpose of the Bill, described as proclaimed weeds.

Clause 16 imposes on councils the duty of enforcing the provisions of the Bill whilst clause 17 specifically places on every council the duty of destroying all dangerous weeds and of destroying or controlling all noxious weeds upon land vested in it or under its control and upon all public roads and travelling stock reserves in the council's areas. The clause provides that a council may, without the consent of the ratepayers, impose a special

rate on weed infested land. This provision is similar to one already in the Noxious Weeds Act.

Subclause (2) of clause 17 provides that the council is to destroy or control weeds on all lands of the Crown within its area which are not granted, leased or occupied by any person or which are not granted to or occupied by a Minister of the Crown, Government Department or instrumentality of the Crown. Thus, this subclause will place on councils the duty of clearing weeds upon unoccupied Crown lands within their areas. However, clause 18 provides that, if this work is carried out in a manner approved by the Minister, the Minister may subsidize the expense incurred by the council. This provision for the payment of subsidies for this purpose breaks new ground. At present, the power to pay subsidies is limited to payments for the destruction of weeds on stock reserves and roads of a width of three chains or more. As before mentioned, clause 17 places the duty upon councils to destroy weeds on public roads. The present Act provides that, in district council districts, landholders are to be responsible for weed destruction on roads abutting their land. To some degree the existing policy is continued in clause 19.

Clause 19 provides that where a district council destroys weeds on a public road, the cost is to be borne as to one-third by the council, one-third by the landholders of land abutting one side of the road, and one-third by the landholders of land on the other side of the road. If weeds are present only along one side of the road, the landholders of the weed-free side are to be free from liability, and the cost is then to be borne as to one-third by the council and the remaining two-thirds by the landholders on the weed infested side of the road. As a corollary to this, subclause (2) of clause 21 gives a landholder the right to clear weeds on abutting roads.

If any of the abutting land is council property or is land of the Crown, the council is to bear the landholders' proportion of the cost attributable to that land. Thus, as regards district council districts, the effect of clauses 17, 19 and 21 is that, whilst the council has the duty to destroy weeds on roads, the cost is to be shared by the council and the abutting landholders and that, if a landholder keeps his side of the road free from weeds, he will not be under liability to the council. As regards land in municipalities, the position is that, as under the present law, landholders will not be responsible for the destruction of weeds on roads.

Clause 20 is similar to an existing section of the Act and provides that, in case of default by a council in enforcing the provisions of the Bill, the Minister may enforce those provisions within the council's area. Clause 21 provides that every owner or occupier of land is to destroy all dangerous weeds on his land and is to destroy or control all noxious weeds on his land. By control is meant, under the definition in clause 5, to take measures to prevent the propagation and spread of the weed.

Clause 22 provides that the council may serve notice in writing on a landholder requiring him to take such action as is specified in the notice to destroy or control proclaimed weeds on his land. From this requisition, the landholder may appeal to the Weeds Advisory Committee which may allow or refuse the appeal or may amend the notice given by the council. Clause 23 provides that a council may declare a period during which simultaneous destruction of proclaimed weeds by landholders is to be carried out. This provision is similar in principle to the provisions of the Vermin Act relating to simultaneous vermin destruction months. The sanctions for clauses 22 and 23 are provided in clauses 24 to 26.

Clause 24 makes it an offence to fail to comply with the requirements of the Bill or any notice as to destruction of weeds whilst clauses 25 and 26 enable an authorized officer to destroy weeds on default by the landholder and to recover the cost of so doing. It is realized that instances can occur where the duty imposed by the Bill on a landholder may be impossible or extremely difficult of performance, either in whole or in part, and clause 27 therefore provides that the Minister may exempt any landholder from any such duty, either in whole or in part, but subject to such conditions as the Minister thinks fit to impose. It is provided that an exemption under this clause can only be granted by the Minister on the recommendation of the Committee.

Clause 28 provides that, for the purpose of preventing the spread of any proclaimed weed, the Minister may prohibit the movement of any animals, substances, or matter of any kind from any specified part of the State to any other specified part of the State. Clause 29 provides that, if the Minister is of opinion that, for the purpose of preventing the spread of proclaimed weeds, it is desirable that trees, shrubs,

plants, or grasses upon any land should not be destroyed or injured, he may serve notice on the landholder accordingly. After considering any representations made by the landholder the Minister may make an order forbidding the destruction of trees, etc., on the land.

Clause 30 makes it an offence to remove any vehicle, implement, machine or equipment from any farm to any road without having taken reasonable precautions to ensure that it is free from seeds or viable portions of any proclaimed weeds. Clause 31 makes it an offence to bring into the State or to bring from one part of the State to another any proclaimed weed or its seed. Clause 32 provides that if an authorized officer discovers any seeds of dangerous weeds he is to seize and destroy them and that he may destroy any noxious weeds found by him. Clause 33 provides that the Minister may provide technical advice to councils relating to the destruction or control of proclaimed weeds.

The remaining clauses of the Bill are machinery provisions dealing with such matters as the service of notices, hindering authorized officers in the course of their duty, the making of regulations, evidentiary provisions, and so on which are substantially similar to provisions of the present Act. Clause 40 differs from the existing law and provides that the time for laying a complaint for an offence against the Bill shall be 12 months after the commission of the offence instead of the six months provided by the Justices Act.

This Bill has created much interest and some controversy among the rural population, district councils, and other interested parties. Considerable time and care has been spent in considering the representations of responsible people and bodies and in providing a Bill that will adequately deal with the position without placing undue hardship on any person or body. For these reasons some time has necessarily elapsed in producing a satisfactory measure. With the increase in the numbers of stock and the improved quality and carrying capacity of our pastures, stock farming has become increasingly important over the years. That is in line with proper agricultural practice and should be encouraged in every way. For these reasons I commend the Bill as something constructive which it is hoped will improve the position relating to weeds, particularly dangerous weeds.

Mr. Quirke—Will councils be given a chance to consider the legislation?

The Hon. G. G. PEARSON—We have done our best to keep councils informed, and this Bill is different from that introduced last session by the late Hon. Arthur Christian: certain clauses that councils disapproved of have been altered. Although this problem cannot be readily solved, this Bill is an attempt to meet the position.

Mr. FRANK WALSH secured the adjournment of the debate.

STOCK LICKS ACT REPEAL BILL.

Second reading.

The Hon. G. G. PEARSON (Minister of Agriculture)—I move—

That this Bill be now read a second time.

Its object is to repeal the Stock Licks Act, 1931, and to bring stock licks within the provisions of the Stock Medicines Act, 1939. The Stock Licks Act provides for the registration of stock licks, and requires a person selling a stock lick to deliver an invoice certificate to the buyer stating that the stock lick is registered, or, if the stock lick has not been registered, stating certain particulars with respect to the stock lick. Since the Act has been in operation, only 11 stock licks have been registered under it.

The Stock Medicines Act prohibits the sale of a stock medicine unless it has been registered under the Act by the Stock Medicines Board. There are several hundred stock medicines registered under this Act, and the sale of stock medicines is effectively controlled under it. Under the Stock Medicines Act it is provided that the expression "stock medicine" does not include a stock lick, so that at present it is not necessary to register a stock lick under that Act.

For some years the Stock Medicines Board has experienced considerable difficulty in determining whether certain substances are stock licks or stock medicines and has recently recommended to the Government that the Stock Licks Act should be repealed and stock licks brought within the provisions of the Stock Medicines Act. This would simplify the board's task of administering the Stock Medicines Act and would provide a more effective control over the sale of stock licks. The Government has accepted the recommendation of the board and is accordingly introducing this Bill.

The details of the Bill are as follow:—Clause 2 repeals the Stock Licks Act. Clause 3 amends the Stock Medicines Act. It alters

the definition of "stock medicine" so that it will include a stock lick. Clause 4 makes a consequential amendment to the Stock Foods Act. Clause 5 provides that when a stock lick has been registered under the Stock Licks Act and is subsequently registered under the Stock Medicines Act, the Treasurer may refund the registration fee paid under the Stock Licks Act, less 5s. for each year of registration under that Act.

Under the Stock Licks Act, a fee of £5 5s. is paid on registration and no further fee is payable. A person who has paid this fee and is now required by this Bill to register the stock lick under the Stock Medicines Act, would, unless some refund were made, have cause for complaint, particularly where he has registered the stock lick comparatively recently. The scheme proposed by clause 5 is estimated to involve the repayment of about £19. Clause 6 provides that a person will not be required to register a stock lick under the Stock Medicines Act until after the expiration of twelve months from the commencement of the Bill. This provision will give persons dealing in stock licks ample time to register under the Stock Medicines Act and to dispose of old stocks.

Mr. FRANK WALSH secured the adjournment of the debate.

NURSES REGISTRATION ACT AMENDMENT BILL.

Second reading.

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

That this Bill be now read a second time.

The principal objects of the Bill are to enable the Nurses Board to accept payment of fees in advance and to exempt from payment of fees nurses who are registered in other States or Territories of the Commonwealth and are in the full-time employment of the Commonwealth Government. The opportunity has been taken at the same time to make various improvements to the principal Act, and to revise certain of its provisions. Most of the provisions of the Bill apply equally to nurses, mental nurses, midwives and mothercraft nurses, and, for convenience, I shall, in general, use the expression "nurse" to include all four kinds of nurse, and the expression "registration" to include the enrolment of mothercraft nurses.

At present under the principal Act a nurse pays an initial fee on registration, and subsequently is required to renew her registration and pay a renewal fee before the end of December in each year. Nurses frequently desire to obtain renewals in advance, in some cases, because they are leaving the State, in others, simply because the fee is small—it is five shillings—and it is convenient to pay several years' fees at once. Until recently it was the practice of the board to grant renewals in advance. However, the board has been advised by the Auditor-General that it has no authority to accept fees in advance, and it has therefore had to cease granting renewals in advance. This has caused considerable inconvenience, particularly since many nurses pay their fees by post and include fees paid in advance, and the board has had to return these fees. The board has asked the Government that it should be authorized to accept fees for up to four years at a time, and the Government has agreed to grant the board's request. The practice of accepting these fees in advance is both convenient and harmless.

The board has also asked that nurses who are registered in another State or a Territory of the Commonwealth and are employed full-time by the Commonwealth Government, should be exempted from payment of registration and renewal fees. A similar exemption has recently been granted to doctors so registered and employed. The Government regards this proposal as reasonable and has agreed to give effect to it.

The opportunity has been taken in the Bill to revise the provisions of the principal Act relating to the renewal of registration in order to bring them more into accord with the practice followed by the board. At present under the principal Act it seems that if a nurse fails to renew her registration, her registration ceases to have any effect. However, it is not the practice of the board to treat such a nurse as unregistered, and, indeed, under the principal Act, her name cannot be removed from the register until she has failed to pay a renewal fee for two years in succession. The board regards such a nurse as unregistered only when her name has been duly removed from the register for non-payment of renewal fees. The Bill, instead of requiring annual renewal of registration, provides that the registration of a nurse will remain in force until duly cancelled or suspended or her name is duly removed from the register. An annual retention fee, however, must be paid and, if this fee is not paid, the Bill provides that her registration may be cancelled or suspended.

These matters are principally dealt with in clause 7, which repeals the provisions of the

principal Act dealing with the renewal of registration and provides for the new scheme. It also provides for the acceptance of rentention fees for up to four years at a time, and exempts from payment of registration and retention fee nurses who are registered elsewhere in the Commonwealth and are employed full-time by the Commonwealth Government.

In addition, clause 7 provides that the board may remit arrears of retention fees. During the second world war the board allowed the names of nurses serving abroad with the forces to remain on the registers kept by the board without payment of fees. The authority of the board to do this was doubtful, and the opportunity has been taken in this Bill to enable the board to remit arrears of retention fees if it thinks reasonable cause exists for so doing. This power will enable the board to remit arrears of fees in the future should the necessity arise.

Clause 7 also provides that the board may recover an unpaid retention fee in a court of summary jurisdiction, and that the board may remove from a register the name of any person who applies in writing to have her name removed therefrom. The board has not at present power to remove a name from a register on application and this causes considerable inconvenience. Clauses 6, 8, and 13 (*b*) make amendments to the principal Act consequential upon clause 7. Clauses 9 and 12 enable the board to cancel or suspend the registration of a nurse on non-payment of a retention fee. Clause 14 provides that renewal fees shall be payable for 1957 in the same way as at present. For administrative reasons, it is not possible to introduce payment of retention fees until next year. Clause 15 validates the granting of renewals in advance by the board prior to the commencement of the Bill.

The remaining provisions of the Bill deal with miscellaneous matters. Clauses 3, 4, and 13 (*a*) delete references to the Australian Trained Nurses Association in the principal Act and insert in their place reference to the Royal Australian Nursing Federation (S.A. Branch). The reason for this alteration is that the Australian Trained Nurses Association of South Australia has recently changed its name to the Royal Australian Nursing Federation (S.A. Branch). Clause 5 deletes reference to the British Empire in the principal Act. These references were never really required, and it is considered that the opportunity should be taken to delete them.

Clause 10 repeals provisions of the principal Act requiring the registers kept by the board to be published in full in every year in which the Minister so directs, and requiring a supplementary list showing all alterations to the registers to be published every other year. The publication of the registers and supplementary lists is expensive. The Government Printer's charges for publishing the full registers in 1954 were £658, and the cost of printing the annual supplementary list is about £150. As there are about 5,000 registered nurses a considerable amount of work is involved in preparing the registers and lists for publication.

The board is of opinion that no useful purpose is served by requiring the registers or supplementary lists to be published, and has recommended that publication should no longer be required. The Government has accepted this recommendation, and accordingly clause 10 makes the necessary amendments to the principal Act to bring to an end the publication of the registers and supplementary lists. Clause 11 makes an amendment consequential upon clause 10.

Mr. FRANK WALSH secured the adjournment of the debate.

LIMITATION OF ACTIONS AND WRONGS ACTS AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 16. Page 1045.)

Mr. MILLHOUSE (Mitcham)—I support the second reading and entirely agree with the views expressed by the Minister in his second reading speech. The question of limitations of actions is a technical one, but it is certainly an important one. Over the centuries the law has been moulded upon the view that there should be some time limit within which people must begin actions in the courts; in other words, it is a bad thing that a man should have hanging over his head indefinitely the threat of legal action. That is a good principle. As time passed, the period within which actions should be commenced has been gradually reduced, and one of the two main provisions of the Bill further reduces it. I think that too, in the light of modern conditions, is a good thing, and I certainly do not oppose it.

As the Minister said, the Bill does not cover the whole field of limitation of actions; it simply deals with two matters. The first is in regard to actions for tort, and there has been a good deal of doubt on this matter.

The other matter concerns actions under what is known as Lord Campbell's Act. The overwhelming proportion of actions for tort arise out of road traffic accidents. Unfortunately, this constitutes a large part of the work of our courts at present, and it is a great social problem. I understand that until 1936 the question of limitation of actions in this regard had not been considered by the courts, but in that year a decision was given in the Supreme Court by the late Mr. Justice Cleland. I know something about that case because my late uncle and my father appeared in it, unfortunately on the wrong side. The contention was that the period should be six years, and that was not accepted by His Honor. However, in recent years the general feeling throughout the profession, not only in South Australia but in other States as well, has been that six years is probably, upon our present legislation, the appropriate period, and that has been acted upon; but it is a bad thing that there should be any doubt on the question.

It is far better to have the law certain, even though it may not be as good, than to have it uncertain, for the less certain the law the greater the chance of litigation. That is why I support that provision, that in future the time limit will be three years from the date on which the cause of action arises. This means that in future, if one is involved in a motor car accident, he has three years from the date of the accident to take action for damages.

The second matter in the Bill deals with what is really an exception to the general law, which is the ancient common law, that relatives may sue on the death of a person caused by the wrongful act of another. That was introduced, I think, in 1844 in Great Britain and soon after in South Australia. At present, as the Minister explained, the time within which action has to be taken is 12 months from the date of death. In future that, too, will be three years. I agree wholeheartedly with that.

I would not have spoken on this measure had there not been two other matters I desire to raise. I am disappointed that the Government has not seen fit to take this opportunity of remedying the law relating to them. The member for Norwood (Mr. Dunstan) touched on one of these matters—the position of the Crown or Government instrumentalities in relation to this subject. At present the position in South Australia is absolutely chaotic. For some reason—which in times gone by was probably quite good—the Crown is in a favoured position under British law. When a person wants to take action against the Crown, a Government department or State instrumentality, the period of limitation is much shorter than in the case of action against a private person. I wrote to the Attorney-General about this matter and he replied that there are probably 50 Acts in South Australia affecting the limitation of actions against the Crown. The bad aspect of the position is that the period of limitation is different in almost every Act. It is as short as two months in some cases. When we compare two months against three years the whole position is ridiculous. Of course, the Crown was originally placed in a favoured postion because it was regarded as too weak: its strength as opposed to that of private individuals was not great. However, conditions have changed and today the Crown is an employer and is carrying out public works and is in a far stronger position than any private citizen. The time is far past for the Crown to enjoy favoured treatment.

Under section 29 of the Highways Act a person has six months within which to take action against the Commissioner of Highways. He does not have to give notice of his intention to take action, but if he does not take action within six months of the cause of action arising, he cannot take action at all.

Mr. Loveday—What is the period under the Local Government Act?

Mr. MILLHOUSE—I am not sure, but I think it is the same. The law is so confused on this matter that I am not anxious to explore the whole position in case I overlook any Act. I have been asked to prepare a list of the Acts relating to the Crown on this subject, but I have hesitated to do so because the field is so confused and so vast. It is interesting to compare the periods provided in the Sewerage Act and Waterworks Act. The person against whom action can be taken is the same in both Acts—the Minister of Works. Under section 115 of the Waterworks Act all proceedings must be commenced within three months of the cause of action arising. That is not the end of it, because not only must action be commenced within that time, but one month's notice of intention to begin proceedings must be given. In other words, within two months of the happening a person must make up his mind whether he wants to take action. Under section 104 of the Sewerage Act the period is

six months with one month's notice of intention. In other words, a person has five months in which to make up his mind.

The position is ridiculous, as can be shown by a simple illustration. Let us assume that a person suffers injuries as a result of running into an unlighted heap of rubble on a roadway. The department—and the same department is concerned with sewerage and waterworks—has laid pipes. The injured person waits four months and then gives notice of his intention to take action, but is advised that the time has expired because water pipes were laid and under the Waterworks Act action should have been commenced within three months. The department would be the only authority in a position to say whether sewer or waterworks pipes had been laid. The position is confusing and scandalous and in many instances a person could be deprived of his rights. It is the duty of this Parliament to correct such anomalies. It is all very well to suggest that the Government must look after itself and that we must protect the public purse, but we are here not only to look after the Government's interests, but the interests of the private citizens who are being prejudiced under the present legislative arrangements.

In Great Britain steps have been taken to rectify the position. In 1947 the Crown Proceedings Act was passed and section 2 of that Act goes a long way towards correcting the anomalies in Great Britain. This State enjoys a reputation for adopting judicial or legal reforms initiated in the Mother Country and we could well follow Britain's lead in this respect. I do not believe the matter would be as complicated as the Attorney-General suggested to me. If we were to substantially adopt section 2 of the Crown Proceedings Act, 1947, the position would be covered. We would have one simple rule that could be easily understood by all instead of the chaotic muddle existing at present. There would no longer be scandalous injustices where people are deprived of their rights because they have the misfortune to be suing a Government department which hides behind a short-term limitation. If there is to be one law for private citizens on this matter there should be one law for Government departments as well. It is only because of an undertaking—and I think I can call it that—of the Attorney-General that I will not seek to amend the Bill to cover that position.

The second matter, which I also believe to be scandalous, arises substantially from the same set of circumstances. Under section 29 of the Highways Act a person has six months in which to commence action. In this year's State reports the case of *Hall v. Bonnett* is reported. Hall was a pillion passenger on a motor bike travelling on the road between Quorn and Port Augusta. The motor bike collided with a motor car and Hall was badly injured. Obviously it was not his fault that he was injured. About 18 months after the accident, proceedings were taken in the Supreme Court on his behalf for compensation. It was agreed upon by all parties to the action that the rider of the motor bike was not to blame. The only person sued was the driver of the motor car. After the proceedings had been going for some time and pleadings had passed between the respective solicitors, it was discovered that Bonnett, the driver of the motor car, claimed he was not guilty of negligence and that the real cause of the accident was that he had run into a heap of unlighted rubble left on the road by the Highways Department. He had not seen the heap of rubble, had hit it in the dark and his motor car had veered across the road and struck the motor cycle.

The next step was to try to bring in the Commissioner of Highways because he, being responsible for the accident, was liable to pay compensation for the injuries to the pillion passenger. However, more than six months had elapsed between the time of the accident and the discovery by the pillion passenger of what had really caused the accident and, through no fault of his own, he was unable to join the Commissioner of Highways. Unless he could prove that the driver of the motor car had been negligent in hitting that heap of rubble he could not recover damages from anyone, because the Commissioner of Highways simply hid behind the period of limitation provided in the Highways Act. That is a serious injustice and could mean that a person—a perfectly innocent pedestrian or a pillion passenger—could be deprived of his only remedy and the only chance he would have of recovering damages for any injuries he sustained. I will quote one brief paragraph from the judgment of the Chief Justice (Sir Mellis Napier) and His Honour Mr. Justice Abbott for the information of members. Their Honours stated:—

We should add that, in the course of the argument, upon the second question, it was common ground that, as the section stands, it must give rise to hardship or anomalies on one side or the other. We think that the attention of the legislature might be called to this matter, and if it is, it seems to us that it ought not to be difficult to devise a just and

reasonable solution on the following lines, namely, let time run against the party claiming contribution as it runs against the party injured, subject to the proviso that it is not to run if the claimant gives notice to the third party as soon as he knows, or ought to know, that any claim is likely to be made against him.

Their Honours were of the opinion—which, with the greatest respect, seems to me to be impeccable—that time should not run against Bonnett until he knew that action would be taken. In other words, the Commissioner of Highways should not get the advantage of this section until six months has elapsed, not from the time when the accident occured, which is the position as present, but from the time when it is known that he could or should be joined as a party.

Mr. Brookman—What is the reason for the six months' limit?

Mr. MILLHOUSE—For a long time the Crown has been in a favoured position; there are probably 50 Acts in South Australia that give it that advantage.

Mr. Brookman—Why is that so?

Mr. MILLHOUSE—At one time it was thought that the Crown should be protected from actions being taken against it.

Mr. Hambour—It is in many cases, isn't it?

Mr. MILLHOUSE—It is. Under the Waterworks Act notice must be given within two months, and action taken within another month. There is no general rule, and people often find they are out of time.

Mr. Hambour—Isn't there any power for the Crown to grant an extension?

Mr. MILLHOUSE—No power at all.

Mr. Hambour—But the Attorney-General has given you an undertaking to do something about it?

Mr. MILLHOUSE—He has written a letter in which he said:—

The Parliamentary Draftsman is giving careful attention to this matter, and I am hopeful that it will be possible to submit legislation dealing with both these topics during the next session of Parliament.

I hope it will be possible. But for that letter I would move an amendment to deal with the case I outlined, because it seems to me that in that case an entirely innocent party was deprived of his remedy, which was most unjust. I am sorry that this position will not be remedied this session, because nearly 12 months will go by before it is remedied, and we do not know how many more cases will occur in that time in which people will be deprived of their remedy. Even if there is only one case, it will be one too many, because it could be a personal disaster to a man who could be deprived of thousands of pounds' compensation if he had the bad luck to be involved in an accident with a Government vehicle as against a private vehicle. I raise these points because I think all members should consider them, and I hope that next session at the latest legislation will be introduced by the Government to remedy both these anomalies, which I believe are also injustices. I support the second reading.

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

LAW OF PROPERTY ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 10. Page 990.)

Mr. DUNSTAN (Norwood)—I support the second reading of this Bill, which is to provide that certain appointments made by persons who have powers of appointment under a will shall not be made invalid because certain technicalities of the appointments have not been complied with. The previous provision was that unless a substantial share was given to a person named amongst the appointees the appointment failed. That, of course, was not a good thing because in certain cases persons who had the power of appointment might properly have wished to leave money to certain persons and not to all of them. The Bill provides that that can be done and the exercise of the power is not invalid if it is done. The Bill brings the position into line with the English law and it is a satisfactory provision that remedies anomalies that have occurred in connection with appointments.

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

ADJOURNMENT.

At 4.42 p.m. the House adjourned until Tuesday, October 23, at 2 p.m.