

**HOUSE OF ASSEMBLY.**

Thursday, August 11, 1960.

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

**QUESTIONS.****SALT LAKES DEVELOPMENT.**

Mr. O'HALLORAN—This morning's *Advertiser* contains a report of a broadcast which the Premier delivered last night and which, unfortunately, I was not privileged to hear. The Premier is reported as saying that Lake Eyre, Lake Torrens, Lake Gairdner and Lake Frome occupied 8,500 square miles of country, an area three-quarters the size of Eyre Peninsula and virtually unknown and untested. He also stated that Lake Gairdner, Lake Torrens and Lake Eyre would be tested progressively by the Mines Department for the occurrence of any minerals of economic value. Can he say whether Lake Frome will also be included in such testing?

The Hon. Sir THOMAS PLAYFORD—Lake Frome has been discussed by the Mines Department, but the department considers that the Lake Frome basin is not geologically so deep as the other three lakes. I assure the Leader that Lake Frome is not ruled out of the investigation, but it is not on such a high priority as the others. I think the Mines Department will find it practicable to put Lake Torrens on the highest priority of the three because of its more obvious connection with Spencer Gulf. It is a very firm belief—and there is considerable evidence to support it—that Lake Torrens was at one time an addition to Spencer Gulf, and is therefore geologically probably very old. I think Lake Frome was included in the figures I gave, namely, 8,500 square miles, but it is not on the highest priority as it is believed to be not as deep as the other lakes. On the other hand, half of it is in the artesian basin, and for that reason, if for no other, it will be of considerable interest to us.

Mr. RICHES—In this morning's *Advertiser* is a report of a broadcast by the Premier on the subject of salt production and drilling in the salt lakes in the north of the State, and particularly on the possible future production of potash, boron, nitre and bromines. Is the Premier aware that stockpiling of bitterns as a preliminary to the production of these chemicals has been taking place at Port Augusta? Is the envisaged development mentioned by the Premier to be carried out by

private or State enterprise? Will consideration be given to developing the Port Augusta leases, where such production could be undertaken almost immediately?

The Hon. Sir THOMAS PLAYFORD—I understand that the Port Augusta leases are the subject of some legal dispute as to their proprietorship, so I would not express a view on them. As far as I know, the volume of production at Port Augusta has been small—possibly 10,000 to 15,000 tons a year—and the quantity of bitterns involved in such a tonnage would be so insignificant as to be of no economic importance. Bitterns are only of importance if large tonnages are involved. There is no large scale production of salt at Port Augusta, so there would be no large scale production of bitterns. The tonnage of bitterns available at Osborne, for instance, would probably be 30 to 40 times more than at Port Augusta, but up to the present it has not been practicable to use them for commercial production.

**SHEEP POPULATION.**

Mr. HEASLIP—Last year South Australia experienced probably one of the driest years on record, and I understand that certainly was the position in the metropolitan area. Primary producers were forced to reduce their stocks of sheep. In March, 1959, we in South Australia were carrying 15,000,000 or more sheep. In view of the experience of this very dry year, it would be of great interest, I am sure, if the Minister could tell the House and the general public the present position of our stock in South Australia.

The Hon. D. N. BROOKMAN—Official figures have not been produced but I understand that the stock figures at the end of March, 1960, were only about 1,500,000 sheep less than they were at the same time in the previous year, which is perhaps a rather surprising result. Most of us thought that the stock figures would be much lower than that. When considering the severity of the drought and the general climatic comparison with 1914, it is remarkable to note the position. It reflects much credit on the farmers of South Australia, stockowners generally, and the extension services of the Department of Agriculture. Stockowners appear to have cushioned the effects of the drought remarkably well.

**WAGES BOARD MEMBERS' FEES.**

Mr. FRED WALSH—On April 20 I asked the Premier whether he would cause to have reviewed the payment of fees to members of

wages boards, and explained at the time the changed circumstances since the previous review. The Premier agreed he would have the matter reviewed. On May 12 I asked a further question and he said that the question had not been brought back to Cabinet for a decision but it had been sent on to the department for examination. Has the Premier any further information?

The Hon. Sir THOMAS PLAYFORD—The department has, as I promised the honourable member, examined the matter. It recommended a small increase, which has been approved by Cabinet and is the basis of the regulation which has been drawn up for gazettal.

#### AMALGAMATION OF SCHOOLS.

Mr. SHANNON—The Minister of Education whetted my appetite a day or so ago when, in reply to my question on policy in regard to area and higher primary schools, he indicated that he was considering a drastic change in departmental set-up. Can the Minister give the House the benefit of his information concerning policy in this field? From my recent experience in taking evidence on area schools in the south, the mid-north and on the west coast, I still find as much enthusiasm as ever in this field. I should like to see established in Meadows a similar type of school that would fill the bill, between the Mount Barker high school on the one side and the Heathfield high school on the other side, giving the type of education that every child would be pleased to get.

The Hon. B. PATTINSON—I am pleased to say that I am now in a position to make a comprehensive statement. Executive Council this morning approved of sweeping changes in the Education Department's regulations governing the area and higher primary schools in South Australia. As from January 1, 1961, all the department's higher primary schools will become area schools, and there will be a complete reclassification of area schools. In future all the 18 area schools and 19 higher primary schools will be named "area schools." The department will continue to establish further area schools in appropriate rural districts, to ensure that the benefits of secondary education are available to as many country children as possible. The claims of several districts are at present under consideration.

The considerable increase in enrolments in area and higher primary schools in South Australia necessitated a reclassification of these schools. Under the new regulations there will

be two Class I schools, 15 Class II schools, 11 Class III and eight or more Class IV schools. In the Class I and II schools, deputy headmasters may be appointed, and there is provision for the appointment of additional senior masters or senior mistresses in the secondary divisions of those schools where enrolments warrant such appointments.

The whole plan is calculated to improve secondary education facilities in the rural areas of the State. New area schools are to be erected at Mallala, Kimba, Keith and Coomandook, and Mount Compass, and it is expected that improved buildings will be erected in other areas in due course.

I am pleased to be able to announce that Cabinet has approved of the Superintendent of Rural Schools (Mr. J. Whitburn) accepting a United States Government Leader Award to enable him to spend two months in the United States to study educational matters. Cabinet has also granted Mr. Whitburn additional leave to enable him to spend two months in the United Kingdom where he will undertake an investigation into primary and rural education. He will also conduct a brief investigation into rural education in Denmark and Sweden.

Mr. Whitburn has played a leading part in the development of higher primary and area schools in this State. He is a man of outstanding ability and has received rapid promotion in the service. He and the Education Department will benefit greatly from the broadened experience of his overseas visit. In all area schools secondary pupils have the opportunity of sitting for the Intermediate Certificate of Public Examinations Board standard, whilst in the larger schools a course at the Leaving Certificate Public Examinations Board standard is also provided.

The Rural Schools Advisory Curriculum Board is, at present, preparing a new syllabus in English, Social Studies, Science, Mathematics, Craft, Art, and some other subjects for those students who do not desire to sit for the Intermediate or Leaving Examinations of the Public Examinations Board, and these revised courses will be introduced in a number of area schools when circumstances permit.

The children taking these courses will sit for an internal examination and be awarded the Intermediate or Leaving Area School Certificate as at present. These Certificates are recognized by the Education Department for classification purposes and entrance into suitable courses at the teachers colleges.

I am sure this information will be of interest to honourable members in general and to Mr. Shannon in particular, because I recall that many years ago—over 20 years ago—he played a prominent part in moulding public opinion in favour of the inauguration of area schools. Moreover, the first area school in this State was established at Oakbank in the district he then represented.

#### BURDETT, ETRICK AND SEYMOUR WATER SCHEME.

Mr. BYWATERS—Has the Minister of Works any information as to when the scheme for extending water to the hundreds of Burdett, Etrick and Seymour is likely to commence?

The Hon. G. G. PEARSON—The scheme was included in the Loan programme announced by the Treasurer on Tuesday. I will ask the Engineer-in-Chief when the scheme is to start and let the honourable member know.

#### LOCAL COURT JUDGE.

Mr. MILLHOUSE—During the illness and since the tragic death of Mr. Justice Kriewaldt of the Northern Territory court, the South Australian Government has lent the services of Judge Gillespie of the Adelaide Local Court. That arrangement commenced in mid-June and, whilst it is proper that the State should help the Commonwealth out of a difficulty, I know that Judge Gillespie's absence has caused some disruption to the cause list of the Adelaide Local Court and there has been an additional burden on the remaining magistrates. I had the impression that Judge Gillespie would be absent for about two months. Will the Minister of Education ascertain from the Attorney-General when it is likely that Judge Gillespie will return to duty in this State?

The Hon. B. PATTINSON—I understand that His Honor's services were lent to the Commonwealth at the request of the Commonwealth Attorney-General for a limited period of two or three months. I have heard unofficially that his absence is causing some congestion in the Local Court and that His Honor is anxious to return as soon as possible to resume his duties as Judge of that court. I know that my colleague, Mr. Rowe, is active in the matter and I will ask him if he can supply me with a report by next Tuesday, or that he should make some suitable announcement himself.

#### OSBORNE SOOT NUISANCE.

Mr. TAPPING—On a number of occasions in this House I have referred to the soot nuisance at Osborne and I understand that emissions from the powerhouse were reduced to a minimum. However, in the last couple of weeks I have received protests from residents of the area and from the Taperoo Progress Association that soot is again becoming a nuisance, particularly late at night and early in the morning. Will the Premier obtain a report from the Electricity Trust?

The Hon. Sir THOMAS PLAYFORD—Yes.

#### ROBERTSTOWN PRIMARY SCHOOL.

Mr. NICHOLSON—Has the Minister of Education a reply to the question I asked yesterday about the possible purchase of land adjacent to the Robertstown primary school?

The Hon. B. PATTINSON—I am only able to give an interim report. The question of additional land for the Robertstown primary school has received recent consideration and a report is being sought from the Public Buildings Department regarding the suitability of this land for school purposes. If a favourable report is received it is expected that negotiations will be commenced for the acquisition of the land.

#### TEACHERS' "REMOTE ALLOWANCES".

Mr. LOVEDAY—I understand that the "remote allowances" for teachers in the remote areas of the State are about £39 per annum. That is the allowance paid at Andamooka and Coober Pedy and in similar situations elsewhere. At Alice Springs the "remote allowance" for a single teacher is £120 per annum and for a married teacher £200. At Darwin the allowance for the single teacher is £215 per annum and for the married teacher £315. These teachers are supplied by the South Australian Education Department, but are paid by the Commonwealth. I understand that at Leigh Creek Electricity Trust daily paid employees are paid 30s. a week, 25s. a week is paid to a salaried junior and up to £4 a week to salaried officers. South Australian teachers at Leigh Creek get £39 per annum, irrespective of grade. I believe that at Radium Hill a similar situation exists. A daily paid employee receives an allowance of 35s. a week and a salaried man on £1,650 per annum (equivalent to the salary of a headmaster) £190 per annum. At Woomera teachers have to pay £2 more a week for board than employees in the Department of Supply. Will the Minister of Education

investigate this matter with a view to the allowances being equitable, and at least in line with those received by people doing other work in those places?

The Hon. B. PATTINSON—From memory, I think the figures quoted by the honourable member are substantially correct. From time to time these matters have received the attention of the Teachers Salaries Board and the Public Service Commissioner, and I have had correspondence on some aspects from the Commonwealth Administrator controlling the Northern Territory. I will have the whole matter re-investigated as a result of the information supplied by the honourable member to see if any of the alleged anomalies mentioned by him should be rectified.

#### STREAKY BAY HIGHER PRIMARY SCHOOL.

Mr. BOCKELBERG—Has the Minister of Education any further information following on the question I asked on May 11 regarding the purchase of land adjacent to the Streaky Bay higher primary school?

The Hon. B. PATTINSON—I have an interim report from the Public Buildings Department, which is most constructive and informative. It indicates that the school grounds at Streaky Bay could be enlarged by acquiring portion of several allotments adjoining the school. It is hoped that the land can be acquired and the Land Board has been asked to submit a valuation to enable negotiations to be commenced with the owners concerned.

#### ADELAIDE UNIVERSITY.

Mr. FRANK WALSH—Earlier this year I learned from the press that the Government had invited the University of Adelaide to inspect the Bedford Park Sanatorium, which is in my electorate, with a view to ascertaining whether the University desired the land for its use. Can the Premier say whether there is any truth in this matter, and whether the land is still retained by the Hospitals Department and likely to be retained by it?

The Hon. Sir THOMAS PLAYFORD—Some considerable time ago the University asked the Government whether it would be possible for it to supply additional land in the metropolitan area, because the present area of the University was inadequate to meet the needs of certain faculties. The land mentioned by the honourable member has been under discussion with the University. No formal decision has been made, but I believe

that the University has expressed the view that it is suitable. In the event of a formal decision being made, it will, of course, come before Parliament for discussion and ratification.

#### NANGWARRY POST OFFICE.

Mr. HARDING—Recently shopping centres at Nangwarry were opened to the public but the post office is at present in the old building which, I understand, will be used for some other useful purpose. Has the Minister of Forests received any inquiries from the member for Barker (Dr. Forbes) or the postal authorities for a new building for postal purposes more centrally located than the present building?

The Hon. D. N. BROOKMAN—I will investigate the position and see if there has been some message about it.

#### STATE LOTTERY.

Mr. LAWN—Previously, when a State lottery has been suggested, the Premier has opposed its creation, claiming that whilst we were a claimant State any money derived from a lottery would be offset by the Commonwealth Grants Commission. I am not sure whether that was his personal opinion or whether he was speaking on behalf of the Government. I am not disputing the Premier's assertion, but as South Australia is no longer a claimant State, and the circumstances have changed and the reason he advanced no longer exists, will the Premier consider the possible creation of a State lottery?

The Hon. Sir THOMAS PLAYFORD—These matters normally would come up for discussion in connection with the Budget, but I can say that I do not expect any legislation to be introduced by the Government this session upon this topic.

#### NORTH ADELAIDE RAILWAY CROSSING.

Mr. COUMBE—I have asked numerous questions relating to the provision of automatic crossing gates at the North Adelaide railway station, and I raise the matter again because nothing appears to have been done in this connection. The position is getting worse because of the volume of traffic at the crossing and the delays occurring there. On week nights the position is rather chaotic, and whenever a sporting event is held on the Adelaide Oval four or five policemen are needed to control traffic at the crossing. Will the Minister representing the Minister of Railways initiate a

conference between the Railways Commissioner and the Adelaide City Council with a view to co-operating on the road system at that crossing so that effect can be given to introducing automatic crossing gates, which, in my opinion, should relieve the congestion to some extent? It was stated previously that the road system was the hold-up and that a conference would be held, but as yet no advice of this conference has been received. I ask that this matter be initiated as promptly as possible.

The Hon. Sir THOMAS PLAYFORD—I will have this matter examined for the honourable member.

#### SIREX WASP.

Mr. RALSTON—My question is of some importance to both State and private pine forests in South Australia and possibly also to the softwood forests of Australia. A report in the *Border Watch* of June 21 states:—

Shipment of the particle board machinery through Portland gave Department of Agriculture officers from two States their busiest and most disturbing week-end ever. All imported timber is fumigated on arrival in Australia to prevent the introduction of damaging pests, but the particle board shipment through Portland found a loophole in the Victorian quarantine. As soon as it was discovered, the crates in Mount Gambier and Portland were "frozen," and a firm from Melbourne engaged to fumigate them. The work went on throughout the week-end. In one of the crates, there were signs of infestation by the Sirex Wasp—a pest which lives in softwoods and which could spell disaster in this district to our pine forests.

This being a press report, I felt it wise to check the accuracy of those remarks regarding the Sirex Wasp. They were accurate. My investigation revealed that wood-wasps are indigenous to the temperate regions of the northern hemisphere, occurring in Europe, North America and Asia. *Sirex noctilio* has been introduced into and become established in New Zealand and Tasmania, the latter being the only Australian State where a wood-wasp has become established. Wood-wasps of one species or another are therefore present in all countries from which Australia normally imports timber and which supply the timber for most of the crates and boxes entering the Commonwealth. The damage to timber is caused by the siricid larvae. The female wasp lays its eggs through the bark of pine trees, and the small fleshy larvae that hatch out move throughout the timber and destroy its structure. Experience in New Zealand suggests that a fungus is also introduced with the eggs, and this spreads through

the conductive tissue of the tree and causes damage. This wood-wasp, if it is introduced, could prove the greatest menace ever to the softwood industry of South Australia, and it may be a considerable time before it could be proved whether or not infestation had occurred. Can the Minister of Forests inform the House what steps have been taken to protect the forests, and to what extent the Commonwealth or the Victorian State Government could be held liable in the event of infestation occurring?

The Hon. D. N. BROOKMAN—This inquiry was raised by letter earlier in the week. If the honourable member will repeat his question on Tuesday next I will give him a considered reply on all the matters he has raised.

#### PENSIONERS' HOSPITAL CHARGES.

Mr. HUGHES—Has the Premier a reply to my question of yesterday concerning pensioners' hospital charges?

The Hon. Sir THOMAS PLAYFORD—I have gone into this matter and ascertained that the case has been taken up by a member in another place, who has thoroughly investigated it and discussed it with the Minister of Health. The papers were available and were examined by the member to whom I referred earlier and who, I think, was directly involved because the person concerned resided in his electorate. I have gone into all the circumstances of the case. I do not think it advisable or proper that people's property or means should be discussed in this House, but I assure the honourable member that, having gone into the whole question, I could not find any hardship at all in the department's decision. In fact, I think the decision of the department is very fair and reasonable, and that it will not involve hardship.

#### STEEL SHORTAGE.

Mr. McKEE—Further to the question asked yesterday regarding the shortage of steel, I know of several engineering firms and building contractors whose businesses have been severely affected by the shortage. I understand that most States are on a quota of steel, and that South Australia receives 11 per cent of the total production. Can the Premier say whether our quota has been cut because of an over-export of steel, or because Broken Hill Proprietary Company Limited is its own biggest customer? Can he also indicate when the position is likely to be relieved?

The Hon. Sir THOMAS PLAYFORD—When I replied yesterday to a question on this subject by another member I informed him

that I had received advice that a very large shipment of steel for South Australia had been held up almost indefinitely in New South Wales because of industrial disputes. That shipment is still held up, and I understand there does not appear to be any reasonable chance of the ship sailing soon. I can find no evidence that South Australia's allocations of steel have not been entirely fair and satisfactory. I believe that the quota for the B.H.P. is not in fact credited to South Australia's steel quota. The immediate problem arises because the ship that is loaded with steel for South Australia has been unable to secure a crew.

#### PORT AUGUSTA PRIMARY SCHOOL.

Mr. RICHES—Last December the Port Augusta primary school committee approached the Commonwealth Railways Commissioner, who owns land adjoining the school land, in an endeavour to find out whether he would receive an approach from the Education Department for a lease of that land. The Commissioner was willing to negotiate, and the school committee thereupon asked the department if it would get in touch with the Commonwealth Railways Department with a view to securing this additional land. Can the Minister of Education give me any information as to any action the department has taken?

The Hon. B. PATTINSON—The matter had not been brought to my personal attention until the honourable member mentioned it to me this week. However, I have now received an interim report stating that the matter of leasing certain land from the Commonwealth Railways Department as additional land for the Port Augusta primary school is being investigated. Although a final decision has not been made, a report shows that it would be very costly to stabilize and develop the land and make it usable for school purposes. It is leased land and the area is not large. In fact, I am informed that the area involved is only about half an acre. I am also informed that it is subject to drift. Further consideration will be given to the matter, particularly in relation to costs, and I shall be pleased to consider any further representations by the honourable member and the other interested parties.

#### NOOGOORA BURR.

Mr. HEASLIP—I have received complaints regarding the danger of introducing into South Australia the noxious weed known as *Noogoora*

*Burr*. Following the recent rains in South Australia, great numbers of sheep have been coming in from New South Wales. The landholders in Gladstone, and in fact the whole of my electorate, are greatly concerned about this weed. I believe the landowners around Jamestown and Peterborough are deeply concerned, because large sales are conducted there and most of the sheep for sale come from New South Wales. The whole of South Australia is concerned about this noxious weed. Western Australia takes steps to prohibit the introduction of noxious weeds by stipulating that sheep be shorn before being sent to that State. I do not know of any such regulation in South Australia. Does the Minister of Agriculture know whether it would be possible to have a regulation that would enforce the shearing of sheep coming into South Australia from New South Wales, thus eliminating the danger of the introduction of this noxious weed?

The Hon. D. N. BROOKMAN—*Noogoora Burr* is on the list of dangerous weeds in South Australia—that is to say, weeds which, if occurring, would be very serious but which are on the list of those that can be eradicated because they occur so infrequently. This weed has occurred in South Australia on three occasions, I think, but only in a small way, although it is quite wide-spread in the eastern States. The honourable member's question is topical because, although the Government has power under the Noxious Weeds Act to deal with stock coming from the eastern States, these powers have been strengthened by the approval of His Excellency in Executive Council today of a regulation whereby the shearing of sheep may be enforced or other measures taken to deal with the position. I assure the honourable member that this matter is being very closely watched by the department now.

#### LICENSING LAWS.

Mr. STOTT—My question involves a matter of Government policy. Has Cabinet considered an alteration of the licensing laws of South Australia, particularly regarding the anomaly about serving during dinner hours on licensed premises? Liquor is allowed to be served till 9 p.m. Has the Government considered extending the time beyond 9 p.m.? If Cabinet has not considered this question, will the Government call for a report to see if there are existing anomalies in the licensing laws about serving of liquor at meals on licensed premises during those hours? A

visitor from another State has a certain privilege in that respect over and above that of residents of South Australia. Therefore, there is an anomaly there in the licensing laws.

The Hon. Sir THOMAS PLAYFORD—The honourable member uses the word “anomaly,” but I am not quite sure whether that is the correct word to use because no two States in Australia have similar licensing laws. True, in some respects our laws differ from those of Victoria, but it is equally true that the Victorian law differs fundamentally from that of New South Wales or Queensland. I do not know what the honourable member means by “anomaly.” For example, it could be claimed that the South Australian law is anomalous compared with the other laws of the Commonwealth regarding charges for liquor licences; they are very much lower here than the average. The point raised by the honourable member has been considered by Cabinet together with other matters, and it is being further investigated. No formal decision has yet been reached but I firmly believe that this year Parliament will be asked to consider amendments to the Licensing Act, one of them being along the lines mentioned by the honourable member.

#### LAND VALUATIONS.

Mr. KING—Some time ago soldier settlers in the Cooltong and Loveday areas had their liabilities assessed, and certain reviews took place. They are still awaiting the result of some of those reviews. Can the Minister of Repatriation say when the results of those investigations will be made known?

The Hon. Sir CECIL HINCKS—I anticipated that this question would be asked this week and I have a short report, which is as follows:—

A large proportion of all appeals against the valuations has reference to decline in stone fruit production since the original inspections by the valuation committee. The cause of this decline is not known, and although investigations are being carried out by the Department of Agriculture and Waite Research Institute, as well as by the Commonwealth authorities, no definite conclusions are yet available. As these findings may materially affect the determination of appeals, it is considered that it would be most unwise to reach any decisions until the question of the decline is settled. The Commonwealth agrees with this view.

#### EMERGENCY FIRE SERVICES.

Mr. LAUCKE—My question concerns a charge made by the Postmaster-General's

Department to emergency fire services in the country for the provision of a land line from the local post office to the fire siren. The emergency fire services perform a very necessary and nationally valuable service in the prevention and control of fires in country areas, and in helping to preserve primary production. The work of the units is entirely voluntary and virtually constitutes a public utility. In 1959 they attended 691 fires in country areas. It is felt in E.F.S. circles in my electorate that the current charge of £13 17s. 6d. made by the Postmaster-General's Department for rental of a line from the local exchange to the fire siren which raises the fire alarm could be reduced or abolished, in view of the national service that these E.F.S. units render. Will the Premier make representations to the department at Canberra to have this charge applicable to the E.F.S. units either reduced or abolished?

The Hon. Sir THOMAS PLAYFORD—Yes.

#### SCHOOL BLINDS.

Mr. FRANK WALSH—Outside blinds have been approved in principle for installation in high schools. Does this apply also to the new Mitchell Park primary school? If so, when will they be installed?

The Hon. G. G. PEARSON—Much consideration has been given to the provision of awnings rather than blinds at schools where the aspect to the sun appears to justify them, and in those parts of the State where they seem to be most needed. The department, in collaboration with the Education Department, has concluded that much depends on the aspect of the school and whether large areas of it face north or west where the sun could cause extreme discomfort. I will find out from the department which areas are included and what the department's principles are. I cannot answer the member's question about the particular school he referred to, but I will ask the department what its intentions are and whether it is proposed to install such awnings and, if so, when they will be installed.

#### RHINITIS IN PIGS.

Mr. NICHOLSON—In May restrictions applying to the disease known as swine rhinitis were lifted. It is accepted among pig breeders that this disease is less prevalent or less active in cold, damp weather than in hot, dusty weather. Pig breeders today are agreed that damage by rhinitis is caused to pigs born in hot, dry weather. They are stunted, slow growers and generally of poor type. I ask the

Minister of Agriculture what is the Department of Agriculture's knowledge generally on piggeries throughout the State?

The Hon. D. N. BROOKMAN—This question was fully dealt with in a Bill introduced earlier this session that amended the Swine Compensation Act. The answer to the question is that the restrictions have not been lifted on rhinitis because it is still a notifiable disease and it is and always has been on the list of notifiable diseases. I think the restrictions referred to by the honourable member relate to restriction on the movement of pigs from any quarantined piggery. As to whether the disease is more damaging in hot, dry weather than cold weather, I would, before giving the honourable member an answer, like to refer that point to the veterinary officers. Departmental officers have a very wide knowledge of the disease. One, who came from overseas, has had much experience with this disease in the Northern Hemisphere, and other officers also have a wide knowledge of it. The main difficulty is that the disease is highly infectious, somewhat similar to human respiratory diseases. Secondly, there is extreme difficulty in diagnosing the disease, because the infection is present long before the symptoms appear.

#### PARLIAMENTARY VISIT TO LEIGH CREEK AND FLINDERS RANGES.

Mr. O'HALLORAN—This morning, along with many other members of both Houses of Parliament, I had the pleasure of viewing a film of the Flinders Ranges which has been produced and which was shown by the Tourist Bureau. I compliment Mr. Pollnitz (Director of the Bureau) and members of his organization on the excellent selection of views and the beautiful photography. Several members have suggested to me that it would be a good means of advertising that beauty spot if a visit of members could be arranged to the Flinders Ranges at a time when the wild flowers, particularly Wild Hop and Salvation Jane, were at their best, some time between the end of August and the beginning of October. As quite a few members have never seen the Leigh Creek coalfield, it may be possible to arrange a visit to both places at the same time.

Mr. Shannon—What about going up during Show Week?

Mr. O'HALLORAN—I think it would be a good idea to use part of Show Week to

make a visit. I am not laying down any conditions as to which week is chosen, but will the Premier consider if the suggestion is practicable?

The Hon. Sir THOMAS PLAYFORD—It has always been the policy of the Government to afford members every possible facility for seeing some parts of the State that may not normally be accessible to them. My answer to the honourable member's question normally would be, without hesitation, that the Government would be pleased to arrange what he desires, but in this particular instance the problem of accommodation would have to be examined. As the honourable member knows, fairly large distances are involved between the Flinders Ranges and Leigh Creek. The accommodation problem would have to be examined before I could say that such a visit could be arranged. That problem at Leigh Creek is not now so difficult, because there is an established community there. I will ask the Whips for the Opposition and the Government to ascertain how many members of both Houses would be interested, and then I shall be able to see if the visit can be facilitated.

#### EXPORT OF FRESH APPLES.

Mr. HARDING—On Tuesday I drew the attention of the Minister of Agriculture to a press statement which said that West Germany would not be purchasing fresh apples from Australia this season. Has the Minister a reply?

The Hon. D. N. BROOKMAN— I could not find the press statement mentioned, but I believe it referred to a warning given by the Chief Horticulturist (Mr. Miller) to fruit-growers that they should make certain that their fruit was clean because of the very rigid inspections carried out by the West German authorities. One recent shipment of apples intended for West Germany was diverted because of the supposed occurrence of San Jose scale. The West German authorities decided that that was the type of scale on the fruit, but actually it was oyster shell scale, which is a much minor disease. We were able to satisfactorily prove that the scale was not San Jose scale. I believe that Mr. Miller made that statement to impress on fruitgrowers the importance of their being particularly careful about the presence of any such diseases so that the State could preserve its markets in the Northern Hemisphere.



### APPRENTICES' CORRESPONDENCE COURSES.

Mr. BYWATERS—I have been told that country apprentices are somewhat at a disadvantage compared with apprentices living in the metropolitan area because they have to take correspondence lessons, whereas their city counterparts can attend a trade school. Country apprentices must provide their own writing material and the stamps in forwarding their examination papers. Will the Minister of Education ascertain from the responsible authorities whether apprentices on low incomes, particularly in the early stages of their apprenticeships, could be supplied with suitable stationery for their examination papers and stamped addressed envelopes?

The Hon. B. PATTINSON—The honourable member is doubtless aware that there is an Apprentices' Advisory Board, of which the Superintendent of Technical Education, Mr. Walker, is chairman. I shall be only too pleased to refer these matters to him to ascertain if either of these amenities can be provided.

### FRUIT FLY ROAD BLOCKS.

Mr. KING—My question relates to the fruit fly campaign and the road block established near the border near Renmark. Recently, due to causes arising from the Victorian transport regulations, many interstate transports are using the road which comes through from Hay and Balranald and bypasses Mildura, continues through Wentworth and Cal Lal on the northern side of the river, around Lake Victoria and along the bypass road near Renmark through to Morgan without passing through the road block and without being inspected. This route is used extensively by heavy transports and only last week I saw several on the stretch between Renmark and Wentworth. I do not know whether this practice has been brought to the Minister's attention. Will the Minister of Agriculture inquire whether it would not be worth while to establish a temporary road block on that road to ascertain whether this practice constitutes a danger to the fruitgrowing industry through the possible introduction of fruit fly?

The Hon. D. N. BROOKMAN—The roads by which transports can enter South Australia are numerous. The department is aware of the danger of side roads being used and has kept this matter in mind. However, it has been considered impracticable to establish road blocks on many of these roads. I do not think it could be done. I will ask the

Director of Agriculture to comment on this particular suggestion of the honourable member.

### SEWERAGE REGULATIONS.

Mr. RALSTON—Has the Minister of Works a reply to the question I asked yesterday concerning the sewerage regulations?

The Hon. G. G. PEARSON—Yes. The sub-committee appointed to redraft the regulations has completed its work and, in accordance with long standing practice, and at the request of the Master Plumbers' Association, the regulations have been seen by it and also by the Department of Public Health. I have a limited number of copies and I propose to ask Cabinet to consider them on Monday. If approved, they will be sent to Executive Council next week, when they will then be ready for printing in volume and freely be available to all who may need them.

### JUSTICES ACT AMENDMENT BILL.

Second reading.

The Hon. B. PATTINSON (Minister of Education)—I move—

*That this Bill be now read a second time.*

This Bill is designed, firstly, to widen the application of section 57a of the Justices Act, 1921-1957, so as to provide a simplified procedure in a number of cases enabling a defendant to enter a written plea of guilty without being obliged to appear personally in court in answer to a summons, and thus to save time and expense to the Government, the courts, witnesses, and to the parties themselves; and secondly, to amend section 62c of the Act by enabling a court to proceed to determine the question of penalty in the absence of a convicted defendant, if the court is satisfied that due inquiries were made and reasonable diligence was exercised in attempting to give him the required notice to enable him to appear and make his submissions on the question of penalty.

Section 57a of the principal Act was enacted in 1957 to enable a defendant, without appearing in court in answer to a summons, to enter a written plea of guilty if he is charged by a member of the police force for an offence punishable by a penalty other than imprisonment. The object of limiting its application to cases initiated by members of the police force was to give the new procedure a period of trial before extending its application to other cases.

The procedure has in fact proved to be of great value to the police, the courts and to the general public, its greatest merit being the saving of time and expense to the Government, the courts, witnesses and to parties to the court proceedings, and the Government considers that the procedure could now be usefully extended to charges for similar offences initiated by other public officers besides members of the police force. Clause 3 amends section 57a so as to extend that procedure accordingly.

Section 62c of the Justices Act deals with the power of a court, when convicting a defendant who fails to appear on summons, to make an order for imprisonment of the defendant or one disqualifying him from holding or obtaining a driving licence under the Road Traffic Act. The section requires the court, before making such an order, to adjourn the hearing to enable the defendant to appear and make submissions on the question of penalty, and for that purpose the clerk of the court is required to give written notice to the defendant informing him of the adjournment and of his right to be heard on that question. If the defendant fails to appear in answer to the notice the court has power to make an order of imprisonment or disqualification if it is proved that the notice was in fact served on him personally or by post. But cases often occur where a defendant, in order to evade service of the notice, deliberately changes his address or leaves the State and a notice posted to the address given by the defendant himself or shown on his written plea of guilty is returned with the endorsement "address unknown" thereon, and no further action can then be taken under that provision.

Clause 4 adds to section 62c a new subsection which provides that in such cases if the court is satisfied that after due inquiry and exercising reasonable diligence the clerk could not give the notice, the court may proceed to determine the question of penalty as if the defendant had been given notice.

The Government considered the introduction of this Bill upon the recommendation of certain magistrates who, having observed the satisfactory working of the procedure which had been introduced in 1957, have sought an extension of the procedure to cases where other public officers, besides members of the police force, bring charges in respect of offences punishable by penalties other than imprisonment.

Mr. HUTCHENS secured the adjournment of the debate.

#### ENFIELD GENERAL CEMETERY ACT AMENDMENT BILL.

Second reading.

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

*That this Bill be now read a second time.*

Its main objects are to place the Enfield General Cemetery Trust in a satisfactory financial position to enable it to develop and improve the Enfield General Cemetery with a view to attracting increased public support and to meet its maintenance commitments and other financial obligations.

Since the establishment of the cemetery under the Enfield General Cemetery Act, 1944, the gross income of the trust has been barely sufficient to cover its current expenditure exclusive of its commitments for future maintenance of graves and interest on, and repayment of, moneys advanced to it by the Government. At June 30, 1959, the trust owed the Government by way of principal a sum of £31,877, comprising £24,556 advanced out of funds provided by Parliament for the purpose of purchasing the land and establishing the cemetery, and £7,321 being interest accrued on the advances made to the trust and capitalized as at June 30, 1958. The trust has not been able to pay the first instalment of the interest on that sum amounting to £1,275 which, under the Act, fell due on June 30, 1959, and this instalment together with further accrued interest has been deferred until September 30, 1960. The Act also provides for repayment of the principal by annual instalments, commencing on June 30, 1961, of £400 per annum for the first ten years, £525 per annum for the next ten years; £625 per annum for the following ten years and £1,000 per annum thereafter until repaid.

The balance-sheet of the trust made up as at June 30, 1959, shows assets totalling £24,544, including the cost of cemetery establishment, as against liabilities to the Government of £24,556 for advances and £8,596 for interest. A sum of £30,877 is shown as representing the trust's contractual obligations for future maintenance of graves, but the trust has no funds available to meet these obligations. However, the value of the land which is shown in the balance-sheet (at cost) as £5,242 is considerably below present-day valuations, and there is an undeveloped surplus area of approximately 40 acres which, according to the

Government valuator, is worth more than £2,000 per acre. The Government believes that the lack of public support for the cemetery at Enfield and the inability of the trust to conduct the cemetery on a profitable basis are due to the following basic reasons:—

- (a) that the lack of burial space in other cemeteries in the northern suburbs when the Enfield General Cemetery was established was not as acute as was then generally believed;
- (b) that the lack of a crematorium in the cemetery has diverted public support from that cemetery to others providing the facilities of cremation; and
- (c) that the trust being required to set apart portions of the cemetery for various religious and other demonstrations has been obliged to open up and develop areas of land and maintain each burial allotment at its own expense until the sale of the allotment, which usually occurs at the time it is needed for a burial.

With a view to overcoming those problems the trust has sought enabling legislation conferring on it power—

- (a) through the agency of one or more private organizations to sell on a "Before Need" plan burial space and services on lines undertaken by certain overseas cemeteries with considerable success;
- (b) to permit any such organization, subject to necessary safeguards, to erect and maintain within the cemetery a crematorium; and
- (c) with the Governor's consent to enter into any arrangement with such an organization with a view to assisting it to carry out the powers and duties vested in or imposed on it by the Act.

One such organization has already approached the trust with a proposition whereby:—

- (a) the organization would agree to provide the trust with sufficient funds to repay to the Government all sums advanced to the trust together with interest, and to enable it to discharge its obligation to maintain existing graves;
- (b) the organization would agree to provide the funds for all necessary future developmental work to be undertaken in the cemetery, including the erection of a crematorium;
- (c) the organization would require the trust to confer on the organization sole

agency rights to sell burial space and services on behalf of the trust on an agreed commission basis; and

- (d) if the organization decides to withdraw from the above arrangement, all development and improvements effected by it to the cemetery would vest on the trust without cost.

The trust is favourably impressed by the proposition in principle, and if agreement on those lines could be reached the trust would be in a position to conduct the cemetery freed of its financial obligation to the Government. The trust has accordingly unanimously decided to seek the necessary powers to enter into an arrangement such as that envisaged by the proposition and, in alternative, to sell any undeveloped portion of the cemetery that is surplus to its needs. The Government, after careful consideration, has decided that such an arrangement, with adequate safeguards, would not only place the trust in a more satisfactory financial position, but also enable it, by developing and improving the cemetery with a view to attracting increased public support, to meet its commitments and other obligations more effectively and without financial strain.

The Government also considers that in the event of the trust's inability to enter into a satisfactory arrangement that would result in increased public support for the cemetery the trust should be empowered to sell its surplus undeveloped land and apply the proceeds in liquidation of its debt to the Government and in building up a reserve fund to provide for the payment of future working expenses and maintenance costs of the cemetery.

This Bill gives effect to those decisions as follows:—Clause 3 amends section 14 of the principal Act by the addition of a subsection empowering the trust to delegate to any person approved by the Governor, on such terms and conditions as the Governor approves, any of its powers other than the power to make regulations under section 43. The clause also empowers the trust with the Governor's approval to revoke such a delegation. Clause 4 amends section 16 by conferring on the trust power, with the Governor's approval, to enter into any arrangement with any person to enable or assist the trust to do what it is authorized or obliged to do under the Act. Clause 5 adds a new section 22a to the Act enabling the trust with the Governor's consent to sell the undeveloped surplus portions of the cemetery on such terms and conditions as

the Governor approves. The section also provides the manner in which the proceeds of sale are to be applied. Clause 6 amends section 27 by the addition of a new subsection requiring persons through whose agency the trust derives income or incurs expenditure to keep proper books of account and produce them for inspection. There being no general penalty prescribed by the Act, a penalty of £50 is provided for a breach of this requirement. Clause 7 amends section 32:—

- (a) by conferring on the trust power to cause or permit to be done such things as the trust itself has power to do to conduct the cemetery as a public cemetery;
- (b) by re-enacting subsection (2) incorporating the additional power to cause or permit the erection of buildings and the making of improvements necessary or expedient for the conduct of the cemetery; and
- (c) by re-enacting subsection (3) incorporating the additional power to cause or permit a crematorium to be erected and maintained within the cemetery.

Clause 8 amends section 33 by enacting a new subsection which precludes the trust from utilizing any part of the cemetery for any purpose other than that for which it is set apart, unless the Governor's consent is obtained.

Clause 9 clarifies the provisions of subsection (1) of section 38 by specifying to whom the fees and charges are payable. Clause 10 clarifies the provision of section 39 by specifying that the general power of the trust with respect to the upkeep, maintenance, improvement and management of the cemetery is limited to the doing of anything (not inconsistent with the Act) that the trust considers necessary or expedient to do. Clause 11 is a consequential amendment to section 42 arising out of the amendment proposed by clause 7 (c).

The Bill gives effect to the unanimous decision of the trust, which consists of responsible persons who represent all religious denominations as well as the Enfield Municipal Corporation. The wider powers conferred on the trust are balanced by adequate safeguards necessary for the protection of the public and of the trust itself. As the Bill is a hybrid Bill under Joint Standing Orders on Private Bills, it would be required to be referred to a Select Committee after the second reading.

Mr. JENNINGS secured the adjournment of the debate.

## STATUTES AMENDMENT (PUBLIC SALARIES) BILL (No. 2).

Second reading.

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

*That this Bill be now read a second time.*

This Bill, which provides for increases in salaries of certain public officers whose remuneration is fixed by Act of Parliament, follows the form of the Bill which was enacted last year. Members are already aware that the Public Service Board reclassified the salaries of officers within the Public Service earlier this year prescribing a scale of general increases ranging from £54 to £260. The reclassification was gazetted and the Government has been paying the prescribed rates as from and including the date fixed by the Board, namely, March 7, 1960. The present Bill will increase the salaries of the Agent-General, the Auditor-General, the Commissioner of Police and the Public Service Commissioner by £260 each as from March 7, 1960. As members know, the salaries of these officers are fixed by Statute, as are also those of the President and the Deputy President of the Industrial Court, for whom the appropriate increases to bring them into line with the Public Service generally are £275 and £250 respectively.

The effect of the Bill will be to accord substantially similar treatment to the officers mentioned to that accorded to members of the Public Service. The Bill also contains the usual provision concerning the salaries of the South Australian Railways Commissioner, the Commissioner of Highways and the Deputy Commissioner of Police, whose salaries are by law fixed by the Governor. As the Government considers it just that these officers should receive increases based on the last scale laid down by the Board with retrospective effect to March 7, 1960, clause 8 enables the Governor to make retrospective alterations of their salaries. Clause 9 contains the appropriation of moneys for the payment of arrears.

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

## CELLULOSE AUSTRALIA LIMITED (GOVERNMENT SHARES) BILL.

Second reading.

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

*That this Bill be now read a second time.*

Its object is to enable the Treasurer to take

up at par a number of notes and shares proposed to be issued to existing shareholders by Cellulose Australia Limited. Members will recall that in 1938 the Government, following statutory authority, took up some £23,273 worth of shares in this company which was formed for the purpose of setting up a factory to manufacture cellulose paper and board. The object of the Government's action was to assist in the establishment of an important industry in the South-East. In pursuance of its policy, the Government gave further assistance to the company during the early years of its existence and by 1951 the company, being in a position to seek fresh capital and release the Government from a guarantee which it had given, offered to its shareholders additional shares which the Government, again following statutory authority, duly took up.

Since 1951 the company has operated successfully and has expanded. In 1957 Parliament authorized the Treasurer to participate in an issue of shares on a one for two basis in the company and the total holdings of the Government now stand at 69,342 shares. The company has now intimated to its shareholders that it proposes to expand still further and proposes to issue within the next few months three £1 convertible notes at par for every two ordinary shares held or the equivalent in notes of 5s.; the notes would carry interest at 8 per cent and would probably have a duration of four years. In addition, the company proposes to offer towards the end of next year new ordinary £1 shares or the equivalent in 5s. shares at par on the basis of three for two. On these proposals the Government would be entitled to convertible notes of a total face value of £104,013 and ordinary shares of the like total face value at par at a total cost of £208,026. Although the market value of the Government's rights is conjectural, the present market indications are that they could be worth over £250,000 as the £1 shares have lately been quoted and sold at over £6 each. It is the view of the Government that it should exercise its rights rather than sell them.

As I have said, the company has operated most successfully. It is a considerable user of our forestry products and an important employer of labour in the South-East. It requires capital for expansion, plans for which have been shown by careful investigation to be commercially sound and in the interests of development of the State's resources. I commend the Bill, which will enable the Government to take up its rights, the cost to be paid

out of moneys standing to the credit of the Loan Fund. I should like to enumerate one or two matters mentioned in this report. This activity is one that the Government deliberately sponsored in the first place and it took considerable risks in the introduction of this company in its initial stages.

Mr. O'Halloran—You had to prop it up on one occasion.

The Hon. Sir THOMAS PLAYFORD—Initially, the company got into considerable difficulty, and the Government, under the Industries Development Act, came to its assistance by making guarantees and finance available. It assisted in the organization of the company, and I believe was at least partly responsible for the ultimate success achieved. I am not saying that to lessen in any way the very valuable assistance the company received through private enterprise in its establishment, but it is true to say that the Government played an important part in the establishment of this company. I remind members that the Government's assets in this company are probably more than £300,000, so it has obviously been a profitable venture for the Government, and has paid good dividends. More important still, it is a very important adjunct to our successful forestry operations.

Mr. O'Halloran—Are we able to appoint any directors?

The Hon. Sir THOMAS PLAYFORD—Since the reorganization of the company we only have the rights of ordinary shareholders, but the directors the Government appointed have been maintained in office ever since. Sir Fred Drew was one of the directors originally appointed. The directorate has always worked in close harmony with the Government and the Woods and Forests Department. This company is now operating on the stock exchange as an ordinary commercial company. The Government does not normally have any specific right to appoint directors, but as a large shareholder it has, of course, some influence.

Mr. Lawn—What percentage of the shares is held by the Government?

The Hon. Sir THOMAS PLAYFORD—It is not a controlling number. We are the largest shareholder, but we probably do not hold more than 15 per cent. It is now a big public company, and in fact is so successful that it has itself been able to invest in Apcel, a subsidiary company which has been established in the area and which is also doing a magnificent job. I believe there is no ground whatever for any criticism of the Government's

remaining a shareholder in this company and taking up the shares which it is legitimately entitled to through having been a foundation member of the company and through having played such an important part in its establishment. In fact, it would be very culpable on the part of this Government if it neglected to take up, on behalf of the taxpayer, that which legitimately belongs to it. More important than the direct pecuniary effects of this industry on Government finance is the great part this industry will play in the future development of our State forests.

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

#### PUBLIC FINANCE ACT AMENDMENT BILL.

Second reading.

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

*That this Bill be now read a second time.*

It is a very insignificant one, and no question of policy is involved, but it is necessary because of the altered circumstances of Commonwealth legislation. It makes two amendments to the Public Finance Act. The first is the substitution of the Reserve Bank of Australia for the Commonwealth Bank of Australia in the principal Act, consequent upon the Commonwealth banking legislation which came into force earlier this year. Under that legislation the Commonwealth Bank of Australia has been continued under the name of the Reserve Bank of Australia. Clauses 3 and 4 (b) of this Bill accordingly substitute "Reserve Bank" for "Commonwealth Bank" in the principal Act.

The other amendment is designed to give effect to the procedure adopted some time ago whereby payments from trust funds which were previously made by orders on the Treasurer are now made by orders drawn upon the Reserve Bank which has thus taken over the functions of a paying bank previously exercised by the Treasury. Clause 4 (a) of the Bill inserts the necessary amendments in section 34 (1) of the principal Act to give effect to this procedure. At the same time the right to issue orders on the Treasurer, if this should at any time be deemed necessary, has been retained.

The Federal banking legislation came into force on January 14, 1960, and accordingly clause 5 of the Bill provides that it shall be deemed to have come into operation on that

date. Honourable members may ask what advantage the State enjoys in the altered procedure which the bank has accepted. The advantage to the State is that the Government has a cash advantage with outstanding cheques. Under the old procedure the departments drew their cheques each day to meet their requirements; those were paid to my order, and I drew a cheque to cover the amounts. All outstanding cheques were debited against our account, before they had actually been presented to the bank. The new procedure means that when the cheques are paid into the bank they will be debited against our account and the outstanding cheques will therefore be to our credit. Our cash position, which normally fluctuates fairly widely, will probably be £1,000,000 to £3,000,000 higher than under the old procedure. I do not think it would be less than £1,000,000 higher, and on some occasions when we have been making heavy payments it could be as much as £3,000,000 higher, so our cash position has improved to that extent.

We have an arrangement with the bank whereby cash credits can be held at short-term interest. Some material financial advantage therefore accrues to the State through the new procedure. In some instances we avoid paying interest, and sometimes, of course, we actually receive interest on our outstanding cheques. I assure honourable members that there is no disadvantage in the new arrangement. It is highly advantageous to the State for the reasons I have mentioned, and I commend the Bill as one which this House may safely pass.

Mr. LOVEDAY secured the adjournment of the debate.

#### ADMINISTRATION AND PROBATE ACT AMENDMENT BILL.

Second reading.

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

*That this Bill be now read a second time.*

Its object is to make necessary amendments of a practical nature to the Administration and Probate Act which, as honourable members know, has been amended on only two occasions since the last consolidation in 1936 and which has remained in virtually its original form since as far back as 1891. Generally speaking, the Act has stood the test of time and the present amending Bill is the result of consideration by the Government of a number of suggestions which have been made during the last two or three

years. The Bill relates almost entirely to those parts of the principal Act which relate to the functions and duties of the Public Trustee. I pass over clauses 3, 4 and 5 of the Bill, which are consequential upon the later amendments effected by clauses 6 and 7, and deal with these last-mentioned clauses first.

Clause 6 amends section 56 of the principal Act. That section requires every administrator within six months from the date of administration to deliver to the Public Trustee a statement and account. It is proposed to amend this requirement by providing for discretion in the Public Trustee to allow a longer period to file a satisfactory statement and account and, accordingly, subclause (a) of clause 6 will permit any administrator to apply for an extension of time.

(Clauses 4 and 5 effect consequential amendments to sections 18 and 31 (b) concerning the duty of administrators to give a bond covering among other things the delivery of the statement and account required by section 56.)

Subclause (b) of clause 6 will exempt limited companies (which are all trustee companies) from the requirements of section 56. Such companies are already exempted from the provisions of section 65 of the principal Act, which requires administrators to pay over moneys and deliver property to the Public Trustee to which persons under disability or not resident in the State are entitled, and no good purpose appears to be served by requiring the filing of statements and accounts by these companies with the Public Trustee. I deal with clauses 7 and 8 which are of a drafting nature at the end of my remarks and pass to the remaining clauses concerning matters of substance.

Clause 9 of the Bill amends section 65 of the principal Act requiring administrators to deliver to the Public Trustee all property to which persons under disability or not resident in the State are entitled. Subclause (a) will make it clear that this requirement does not apply to property outside the jurisdiction. It appears somewhat anomalous to require an administrator to deliver to an officer within the State property or moneys which are situated outside the State.

Subclause (b) effects an amendment of a not dissimilar nature. It will exempt from the requirements of section 65 what may be termed "foreign" administrators—that is to say,

administrators who have obtained probate in another State or elsewhere and have obtained a re-seal in this State. Section 65 has created difficulty and inconvenience in its application to foreign administrators and it cannot be said to be part of the duty of this State to compel such administrators to carry out duties in relation to persons domiciled in other States and countries. Moreover, it is embarrassing to require a foreign administrator to transfer part of a foreign estate to the South Australian Public Trustee. Clause 3 effects a consequential amendment to section 17. Clause 10 repeals section 68 of the principal Act. This section empowers the Public Trustee or any administrator of an intestate estate to provide for the maintenance, education and advancement of persons under disability. The Trustee Act already makes provision in sections 33 and 33a for ordinary trustees to provide for maintenance, advancement and education, and there seems to be no good reason why the Public Trustee and administrators of intestate estates should not come within the more general terms of the Trustee Act which covers substantially the same subject. To this end it is proposed to repeal section 68 of the Administration and Probate Act, leaving the Public Trustee and administrators of intestate estates in the same position as other trustees.

Clause 11 deals with what is known as the common fund reserve account. Section 102 of the principal Act provides that all moneys belonging to estates received by the Public Trustee are to form a common fund which is invested as a single fund at interest, each estate being credited annually with an amount of interest at a rate to be approved by a judge. The difference between the total interest received by this common fund and the interest credited to the various estates is retained by the Public Trustee and kept in the common fund reserve account which in turn becomes invested as part of the common fund. Moneys in this common fund reserve account can be applied only towards making good losses incurred in connection with that fund and not otherwise. The fund at present stands at over £77,000. It is proposed to make different provision in respect of this common fund reserve account. Instead of leaving these moneys in an account kept by the Public Trustee, it is proposed that the whole fund, together with future credits, should be kept in the Treasury and not invested as part of the common fund or carrying interest. The fact is that these

moneys do not belong to any person or any estate. They represent simply interest received from time to time and not credited to individual estates. The only charge upon them is that they may be applied towards making good losses incurred in connection with the common fund itself. Paragraphs (a), (d) and (e) of clause 7 make the necessary provision for the transfer of the reserve account to the Treasury.

At the same time it has been suggested that the common fund reserve account which, as I have said, is not the property of any estate or any person, should be available (if necessary) to make good losses incurred in connection with specific estates. These losses would in any event fall upon the Treasury because the Government is in the last resort responsible for all losses incurred by the Public Trustee. Subparagraph (c) makes the necessary amendment to section 102 (7) of the principal Act.

Clause 12 of the Bill will increase the amount which the Public Trustee may borrow from the State Bank with the approval of a judge from £20,000 to £100,000. Section 102a was inserted in 1932 and the amendment is designed to take account of the change in the value of money since that date. Clause 13 (a) of the Bill will amend section 106 of the principal act by removing the provision that the Public Trustee cannot sell or deal with real estate without the court's approval. Removal of this limitation will put the Public Trustee in the same position as any other trustee. Subclause (b) of clause 11 is designed to make it clear that the limitation upon the powers of the Public Trustee to dispose of securities in which funds held by him are invested extends also to investments in which the common fund is invested. The object of this amendment is merely to make clear what has been doubted in some quarters.

Clause 14 of the Bill amends section 110 of the principal Act. That section empowers the Public Trustee to make advances for the purposes of administration with the approval of a judge. It is proposed that the Public Trustee should be empowered to make such advances up to 40 per cent of the value of any estate without approval. As the Act now stands, the Public Trustee is required to obtain the court's approval in every case, even where an advance is of a purely temporary nature. Paragraph (a) of clause 12 makes the necessary provision in this respect, while paragraph (c) validates advances which have been made in the past. Paragraph (b) is designed to obviate the need for a judge's order fixing

interest rates in each and every case by empowering the fixing of a general interest rate from time to time to cover all cases. This will avoid a multiplicity of applications and consequent loss of time.

Clause 15 amends section 116 of the principal Act which requires the Public Trustee to pay unclaimed moneys held on behalf of intestate estates to the Treasurer after six years. It is proposed to extend this provision to cover testate estates where the sums involved do not exceed £500. Under the Act as it now is, where there is a will the appropriate procedure is set out in the Trustee Act under which unclaimed moneys are paid into the Supreme Court and an affidavit and various notices must be filed and given. The procedure is time consuming and expensive and it is considered desirable to empower the Public Trustee to pay amounts up to £500 directly to the Treasurer.

Clause 16 will amend section 117 of the principal Act which now provides that parties subsequently claiming unclaimed moneys must apply to the court for an order. The amendment will empower the Treasurer at discretion to repay moneys received by him under section 116—that is unclaimed moneys to the credit of intestate or testate estates—on the Public Trustee's certificate that the identity and whereabouts of the persons entitled have been ascertained.

Clause 17 will insert a new section in the principal Act making the Public Trustee's certificate that administration has been granted to him either alone or jointly with others evidence of his appointment. (A similar provision is provided in the Queensland legislation and under our own Mental Health Act a certificate by the Public Trustee is evidence of his appointment as committee.) The new section will save considerable time as at present an original grant of administration has to be produced to a large number of persons, companies and societies in the ordinary course of administration.

Clauses 7 and 8 of the Bill effect two drafting amendments to sections 61 and 62 of the principal Act. Section 61 was taken from the original Act in 1891 when the reference to administration by the Public Trustee was to section 49 which referred back to section 48. These two sections, 48 and 49 of the 1891 Act appeared in the 1919 consolidation as sections 79 and 80 respectively, but when section 77 of the 1891 Act was incorporated



in the 1919 consolidation as section 61, the reference was to section 87 of the new Act and not as it obviously should have been, to section 80. This reference to section 87 was reproduced in the 1936 edition of the consolidated statutes and this seems an opportune time to make the necessary correction. Since however section 80 of the existing Act, corresponding to section 49 of the original Act refers in turn to section 79 which is the section under which the court is empowered to grant administration to the Public Trustee, it is thought desirable to amend section 61 by substituting section 79 for section 87 now appearing therein.

A similar slip appears to have occurred in relation to section 62 of the principal Act which corresponds with section 78 of the original Act and again makes a reference to section 91 of the principal Act instead of section 85 which is the section corresponding to section 50 of the original Act which was referred to in section 78 of that Act. The opportunity is accordingly being taken of correcting this anomaly. Both of the foregoing clauses are, as I have said, merely in the nature of corrective amendments to cover matters which appear to have been overlooked.

I believe that honourable members will be in agreement with regard to the amendments proposed in the Bill, all of which (except the drafting amendments in clauses 7 and 8) are designed to streamline procedure, to save unnecessary delay and expense, and which should operate to the advantage not only of the department but also to the benefit of the estates which come under its control. As I have said, the Bill does not effect any serious amendments to the general law.

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

#### AMUSEMENTS DUTY (FURTHER SUSPENSION) BILL.

Second reading.

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

*That this Bill be now read a second time.*  
This short Bill will further suspend the levy of amusements duty under the Stamp Duties Act until July 1, 1964. Under the existing legislation amusements duty will automatically come into force again on July 1 of next year. As honourable members know, the collection of this duty has been suspended since entertainment tax was imposed by the Commonwealth

as a wartime measure in 1943. Although this tax was abolished in 1953 the State did not re-enter the field and therefore since it is not the policy of this Government at present to re-impose amusements duty this Bill is introduced for the further suspension until the end of June in 1964.

This type of revenue-collecting legislation has never appealed very strongly to the Government but, apart from any other reason, at present the people who would be most affected by the re-introduction of amusement tax would be the picture theatre people and they at present are under a heavy disability because of the introduction of television. I believe that many picture theatres today are carrying on only with great difficulty. Some have already closed and in those circumstances the Government does not feel that it is good public policy to re-introduce this form of taxation. I ask the Opposition to give favourable support to this measure.

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

#### MILE END OVERWAY BRIDGE ACT AMENDMENT BILL.

Second reading.

The Hon. D. N. Brookman, for the Hon. G. G. PEARSON (Minister of Works)—I move—

*That this Bill be now read a second time.*

The Mile End Overway Bridge Act of 1925 was enacted to give effect to arrangements made by the Municipal Tramways Trust, the Railways Commissioner, City Council and the Government regarding an overway bridge at Mile End known as the Bakewell bridge.

Briefly, the arrangements were that the existing level crossing and roadway from Hindley Street were to be closed and the overway bridge constructed at the joint expense of the Tramways Trust, the Government and the City Council. The Act provided not only for the closing of certain roads but, so far as the present Bill is concerned, that the bridge and all its abutments should be maintained by the Municipal Tramways Trust at all times. The trust has recently approached the Government asking that it be relieved of further responsibility in regard to this bridge, a certain bridge at Bowden and the subway at Millswood. None of these structures are, as honourable members are aware, now used for tramway purposes in view of the changeover from trams to buses. The trust has thus become a minor

user of the bridges and the subway and the Government has agreed that, in view of the changed circumstances, as well as the fact that the trust makes contributions towards road maintenance by way of road and diesel fuel, the Commissioner of Highways should assume responsibility for maintenance of the two bridges and the subway. No legislation is required in regard to either the Bowden bridge or the Millswood subway, but it is necessary to amend the 1925 Act to cover the position of the Bakewell bridge.

The present Bill therefore reverts certain pieces of land in the corporation of the town of Thebarton as part of a public street and, by clause 4, substitutes the Commissioner of Highways for the trust as the responsible authority for the maintenance of the bridge.

Mr. LAWN secured the adjournment of the debate.

ADJOURNMENT.

At 4.01 p.m. the House adjourned until Tuesday, August 16, at 2 p.m.