HOUSE OF ASSEMBLY.

Tuesday, November 15, 1960.

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

QUESTIONS.

SOUTH-WESTERN SUBURBS DRAINAGE.

Mr. FRANK WALSH—Many residents in the southern suburbs will be affected by the south-western suburbs drainage scheme. The Minister of Education and I are greatly affected in our districts. I have received many complaints involving thousands of pounds worth of damage to household property. It is impossible to estimate the amount of damage done to roads in the area. Certain work is in progress in my area on the first drain in the scheme. In view of the representations made, can the Minister of Works, representing the Minister of Roads in this House, say whether this project could be speeded up in order to relieve the position in case there should be an early recurrence of this trouble?

The Hon. G. G. PEARSON—I shall be pleased to refer the matter to my colleague and ask him for a report.

INSTITUTE OF TECHNOLOGY.

Mrs. STEELE—Earlier this session I asked the Minister of Education a question regarding the appointment of a woman or women to the South Australian Institute of Technology Council. In his reply, the Minister stated that appointments would not be made until the new year, and that this suggestion might be considered then. At the Minister's suggestion, I am now asking my question again as this session is almost at its end, so that the matter may be considered at the beginning of next year.

The Hon. B. PATTINSON—When the School of Mines was raised to the status of the Institute of Technology, the council was enlarged to 15 members and its personnel changed. In the transitional stage, five members were appointed for one year, five for two years, and five for three years. The term of those serving a one-year period expires in January next year and, consequently, there will be five vacancies. I shall be pleased to consider the honourable member's representations that a woman or women be appointed. As a former member of the Council of the Adelaide University, I remember that two or three women were members of that council, and it may be proper for Cabinet to consider appointing some woman or women to the Council of the Institute of Technology. I shall bear it in mind in considering nominations at the beginning of next year and make some submissions to Cabinet at the appropriate time.

CHILD GUIDANCE CENTRE.

Mr. HUTCHENS—Not prominently displayed in this morning's *Advertiser* is an article headed "Child Guidance Centre", which states:—

> A child guidance centre would start in Adelaide this week as part of the mental health services of the State, the Superintendent of Mental Institutions (Dr. H. M. Birch) said last night. The centre, at the eastern end of Wakefield Street, would chiefly treat children suffering from emotional and behaviour disorders. Some mentally retarded children would also be treated.

The article then lists the staff that will be in attendance at the centre. I believe that this is a good move and will have a desirable effect on the exaggerated child delinquency in this State. Will the Minister of Education, through the circulars and pamphlets issued from departmental schools, advise parents of this service for children who may need it, thereby possibly reducing the child delinquency in South Australia?

The Hon. B. PATTINSON—Although it is named a child guidance centre it is being established under the authority of the Minister of Health and not of the Minister of Education. I consider that its establishment is a matter of immense importance and I strongly applaud the move because I believe that numerous children, who are somewhat retarded or merely emotionally unstable, are slandered as delinquents. I think that, because of a lack of understanding, sometimes even by parents of the children and certainly by those with whom they come in contact, they are wrongfully branded as delinquent as if it were an evil of their own creation, whereas they are suffering from some physical or mental handicap. I welcome the establishment of this centre and I shall be pleased to give prominence throughout the Education Department to it. I hope that it will be availed of by many teachers and I am sure it will be by the Psychology Branch in particular.

PINUS RADIATA.

Mr. HARDING—My question relates to the use of *pinus radiata*, particularly that which is impregnated. It is pleasing to note that this is now used extensively for fence posts, railway sleepers, and even telephone poles. Will the

Minister of Forests say to what extent it is being used for building by the South Australian Housing Trust?

The Hon. D. N. BROOKMAN—*Pinus radiata* is used widely by the trust. I cannot tell the honourable member precisely to what extent it is used, but I will obtain a report.

TRAFFIC SIGNS.

Mr. RYAN—Section 373 of the Local Government Act gives councils power to erect "prohibited area" and other signs. This section was amended in 1959, when it was provided:—

A sign which is in conformity with any specifications prescribed by regulation shall for all purposes be deemed to comply with the requirements of this section.

I have been approached by the Port Adelaide council, which is now having new traffic signs (especially for parking and prohibited areas) erected in its area. The council is rather confused because, on making representations to the Highways Commissioner as to the uniformity of parking and other signs, it has been told that this matter will be dealt with by regulation on a uniform basis. I do not know whether that is correct or not, but will the Minister of Works obtain a report from the Minister of Local Government on whether this will be done by regulation and, if so, when?

The Hon. G. G. PEARSON—Yes, I will seek that information.

TELEVISION SALES.

Mr. MILLHOUSE—Has the Minister of Education obtained a reply from the Attorney-General to a question I asked on November 2 relating to the practices of a firm selling television sets?

The Hon. B. PATTINSON—The Attorney-General has supplied me with the following report from the Crown Solicitor:—

I agree with the member for Mitcham that this can be regarded as an "extreme sales gimmick". I consider that the initial advertisement is misleading in that it proclaims that the set is to be not only "installed" free, but "supplied" free. However, a full consideration of the advertisement and other literature has led me to the conclusion that by the time a member of the public was finally brought face to face with the necessity of deciding whether to take in a set or not, he would have a clear idea what was expected of him. The scheme (in which I can see nothing actually illegal) is to place the householder in the position where he must "make a sale" amongst his friends (for which he is credited with 10 per cent commission) within two months or else have the set taken away (unless retained on hire) and thereafter he can keep the set, and, if he "makes" a sufficient number of sales, earn by commission enough to buy it for himself. I can well understand everyone who considers participating saying to himself eventually, "Well, I'm not going to act as a sales promotion expert among my friends for a T.V. company." The whole idea is in poor taste, and will repel anyone who values the respect of his friends, but (as I said above) I do not see any way in which this scheme is in breach of the criminal law.

GAUGE STANDARDIZATION.

Mr. RICHES—I read in the press that the Premier was going to Canberra for some discussions at a high level. Will he say whether he has had discussions with the Prime Minister or the Commonwealth Minister of Transport (Mr. Opperman) on the standardizing of gauges in the northern areas of the State? If so, has he anything to report?

The Hon. Sir THOMAS PLAYFORD—No. The last information I received on this matter was to the effect that it would be submitted to Cabinet and, after Cabinet has considered it, there would be discussions with the South Australian Government. I have seen in the press that the matter would be submitted to Cabinet this week; however, until Cabinet has given a decision a discussion would not be fruitful. I expect there will be a discussion, possibly next week or the following week at the latest.

MILLICENT PRIMARY SCHOOL.

Mr. CORCORAN—The members of the local school committee, and particularly the chairman, are becoming impatient about the failure to reach finality regarding an alternative site for the proposed new primary school at Millicent. Will the Minister of Education say whether any finality has been reached and, if it has not, when it is likely to be reached?

The Hon. B. PATTINSON—If the residents of Millicent are impatient, might I say with becoming modesty that they are in good company, as I also am becoming impatient because, unless finality regarding an alternative site for the Millicent school is reached soon, we will be late in commencing the construction work and we will ultimately be late in accommodating the children. I have been waiting for some weeks to obtain a final report on the matter. If it does nothing else, the honourable member's question will act as a spur to the two or three departments to try to finalize the matter. I will see if I can obtain a report by Thursday next.

EYRE PENINSULA ROAD.

Mr. LOVEDAY—Has the Minister of Works a reply to a question I asked on November 1 relating to the authority to maintain roads at Iron Knob and Iron Baron?

The Hon. G. G. PEARSON—The Minister of Roads has advised that inspections of the various roads at present maintained by the Engineering and Water Supply Department are currently being made by an engineer from the Highways Department accompanied by the Engineering and Water Supply Department's district engineer. It is expected that the Highways Department will soon maintain the roads on Eyre Peninsula which are at present being maintained by the Engineering and Water Supply Department. As my own department is involved, I can say that the question is rather larger than the matter to which the honourable member referred. The Engineering and Water Supply Department believes that if a change is to be made we should consider handing over to the Highways Department not only the roads the honourable member mentioned but also many roads in the north-west of the State. This would not justify the Engineering and Water Supply Department's maintaining road gangs for part of the work only, so negotiations are in hand regarding the majority of roads in the north-west. Roads in the north-east are not affected, and are not being considered.

HOUSING FINANCE.

Mr. FRANK WALSH—My question relates to a block of land purchased for £595 through Powell & Company Limited on which a deposit of £350 was paid, leaving a balance of £245. A temporary loan of £2,710 to build a house was arranged through Reid Murray Developments (S.A.) Proprietary Limited. The people took a temporary loan for six months and, I understand, undertook to pay £18 10s. a month for the term of that loan. They have received the following notice (dated October 26):—

This is to formally notify you that the six months period of your temporary finance will expire on November 24, 1960. On that date, under the terms of the mortgage, the principal sum of £2,710 will be due and payable. Will you please advise—

1. When you expect to receive your long-term bank loan?
2. Whether you wish to extend the present mortgage?

In the event of the mortgage being extended, the monthly interest payments will be £33 10s. (as provided in clause 10 of the mortgage). The first payment will be due on December 24, 1960, and thereafter on the same day of each month until such time as the mortgage is discharged.

These people bought their land on deposit and still owe money on it. They were advised by an agent to consult Reid Murray Acceptance Limited, which made temporary finance available. In the meantime these people (and there is a group of them in the area) have arranged to apply to the State Bank for finance. As I understand it, the bank cannot make finance available, other than in strict order of applications being received. In the interests of people who desire to obtain houses, will the Premier investigate the operation of this type of agreement? Will he also see whether these people can be relieved of this outrageous interest charge and whether the State Bank could consider their applications immediately in order to relieve their financial burden?

The Hon. Sir THOMAS PLAYFORD—I have always advised people not to take on a commitment until their loan is definitely approved by the bank and is available. If a person takes on such a commitment before his loan is approved, obviously he will be charged high interest rates on that temporary loan. The grant of temporary finance does not result in the house being classified as an old house, and we do not debar it from eligibility for finance, but, obviously, until the person's turn comes he should not enter into such an agreement. As the Leader has said, once he does so he is up for a heavy monthly interest charge, a charge which, on the face of it, appears very excessive. On the other hand, I think the Leader will concede that the Government could not properly put one application ahead of another, out of turn, because that would not be fair to other applicants. If he will give me the papers I will look at the matter and see if I can help.

SHORT TERM INVESTMENTS.

Mr. HARDING—I have in my hand details of what appears to be a very attractive business proposition. This pamphlet, which is circulating throughout the country, deals with the most topical question today, namely, finance and investment. It states:—

Enclosed you will find one of our pamphlets for your perusal. We would appreciate your reply by return mail. A pre-paid envelope is enclosed for your convenience.

The proposition, headed "Short-term Investments", offers the following interest rates:—12½ per cent per annum for five years, 11 per cent per annum for four years, 10 per cent per annum for three years, nine per cent per annum for two years, eight per cent per annum for one year, and six per cent per

annum for money on 90 days' call. The interest is payable quarterly. Further information on the back of the pamphlet states:—

We can advise you how to get satisfactory returns from under par stocks and bonds.

Will the Minister of Education ask the Attorney-General to have this company's *bona fides* checked and, if necessary, take action?

The Hon. B. PATTINSON—Yes, I shall be pleased to comply with the honourable member's request. I do not know to what extent the *bona fides* of that company can be investigated merely because of the information the honourable member has read out. However, it may be that the company is making improper solicitations, which is contrary to the law. The contrast between the rates he mentioned and the interest rates to bondholders is, I think, a matter of great public importance when thousands of members of the public, who at the specific pleading of the Commonwealth Government have invested and reinvested their money in Government bonds, are being placed in an absolutely impossible position by this rising tide of interest rates.

NAMING OF SUBURBS.

Mr. LAUCKE—I recently referred to the indiscriminate and superfluous naming of new suburbs in and around the metropolitan area, and asked that a more orderly approach to such naming be considered. Has the Premier a reply?

The Hon. Sir THOMAS PLAYFORD—The Director of Lands reports:—

The Town Planner has reported on the matter, but as the Nomenclature Committee is also interested, the Attorney-General has referred the matter for comment. The Surveyor-General, as Chairman of the Nomenclature Committee, which is an advisory committee, has furnished a report in which he sets out the action taken by the committee. Since 1940, the committee has endeavoured to exercise some measure of control over the problem of superfluous names of suburbs and by 1945, with the co-operation of local governing bodies and postal authorities, a plan was drawn up in which boundaries of suburbs of a reasonable size incorporating numerous small subdivisions were laid down, and in 1950, in view of the spread of subdivisions, the plan was added to, and since that time the only new names approved by the committee have been in new areas not included in the plan and not known by a locality name. The names approved by the committee are adopted for official purposes, but this does not debar an area being offered for sale under any name selected by the owner. The telephone directory appears to accept the name of the subdivision supplied by the telephone subscriber.

SCHOOL BOOKS.

Mr. RYAN—I believe the Minister of Education has a reply to my recent question about the payment in advance for school books?

The Hon. B. PATTINSON—The Acting Superintendent of Rural Schools has supplied me with a detailed report, in which he quotes a circular letter which the head teacher of the Leigh Creek primary school had forwarded to the parents in conection with the books which would be needed by the pupils in 1961. The circular reads as follows:—

Book sales for 1961. Books for 1961 will be available for distribution soon after the final examination. I urge that, *if you can see your way clear to do so,* you purchase these before the holidays. I assure you that it will be to our mutual benefit. I regret that some book prices have increased, and I cannot promise any decrease in your overall bill. Parents of secondary students, however, will receive an £8 progress allowance refund.

The head teacher and the seven members of his staff have testified in writing as follows:—

At no time has pressure been brought to bear upon parents of children of this school to purchase school books by any specific date.

The Acting Superintendent adds:—

Many parents are quite prepared to make the necessary purchases before the end of the year. Such a practice allows the school to start more successfully on its new year's work. As the head teacher has stated in his letter, "it is a practice which will be to our mutual benefit." No coercion was used, and no-one who was not in a position to do so was asked to take the action suggested. The practice referred to previously is one which is followed in some but by no means all schools. It is certainly not confined to schools in the outback areas, and is practised, to a limited extent, in schools in the metropolitan area.

The statement that a parent has been asked to provide £25 for her children's school books for next year appears to be an unusual one. The average price for school books for children in primary grades would not average £2 per child. If the parent concerned had a child in each of the seven grades, the account for books would not be greater than £14. Children in secondary grades receive a departmental allowance of £8 a year for the purchase of books.

PUBLIC SERVICE ACCOMMODATION.

Mr. FRANK WALSH—An article that appeared in the *Sunday Mail* recently about Public Service buildings referred to the office of the Registrar-General of Deeds Department in Victoria Square. In the investigations being made by the Reserve Bank for a building, could provision be made for a better type (not an emergency type) of building, to give more reasonable accommodation for those working in that section?

The Hon. G. G. PEARSON—As has been stated, as soon as accommodation is available in the proposed new building—and, indeed, before it is available—the Public Service Commissioner will, as usual, investigate the requirements of departments and allocate available space accordingly. I have no doubt that the department to which the honourable Leader refers will be considered. It is necessary to retain groupings of departments according to their various functions, and to provide accommodation for those most needing it in the light of their present working conditions. So, without referring to any other authority, I think it would be correct to say that the Public Service Commissioner will consider the requirements of every department and allocate space to the best advantage, having regard to all the conditions involved.

Mr. FRANK WALSH—I think the Minister may have misunderstood me. I do not want to interfere with the Public Service Commissioner's administration, but in fairness to the staff accommodated in this building will the Minister of Works ask the inspector to examine the building and, if conditions are as reported in the *Sunday Mail*, will he make representations to the Public Service Commissioner or to the responsible Minister to have suitable accommodation provided?

The Hon. G. G. PEARSON—What I intended to convey in my reply was that I had no doubt that if the conditions under which these officers were working were disadvantageous in comparison with other office accommodation it would naturally create a priority for this division in the allocation of new space. Even if the officers were not able, because of physical circumstances in the arrangement of departments, to occupy new space, space created always makes space available and it does enable departments to be accommodated progressively in better accommodation. In that vicinity are several temporary buildings that the Government hopes to move as soon as possible. Consideration is being given, and has been given for some time, to improving buildings in that area. I am sure that the responsible authorities will consider the honourable member's representations. Indeed, I doubt whether any further inspection is necessary at this stage because I am sure that the department and the Minister are aware of the conditions referred to which, I think, are probably somewhat exaggerated in the article. I work in the area and I make it my business to go through the buildings to examine the accommodation. In the basement of the Engineering and Water Supply Department building people are working under unsatisfactory conditions. Three or four months ago steps were taken and Cabinet approved the installation of air-conditioning there to improve working conditions. Cabinet has also approved the installation of cooling and air conditioning devices in the temporary office blocks in Wakefield Street. This matter has been in hand for several months and it has reached the stage where a proposal has been formulated and Cabinet approved it about two weeks ago. We are not unmindful of these problems and every effort is being made to overcome them as soon as possible.

NARACOORTE SOUTH PRIMARY SCHOOL.

Mr. HARDING—Recently, I asked when water would be made available to the proposed new primary school at Naracoorte South. Eight acres has recently been purchased for the establishment of a new primary school, which will not be built and occupied until 1963. This land is pure white sand covered with low stringy bark and much ground flora. As it is pure white sand, it is believed locally that, unless this land is cleared for several years prior to the use of it by school children, it will be absolutely impossible to get grasses to grow on the ground once it is occupied. Can the Minister of Works say when water will be made available for this site?

The Hon. G. G. PEARSON—The Engineer-in-Chief advises that, so far as he can ascertain from departmental records and from the Public Buildings Department, no request has yet been made for a water supply to the new primary school at Naracoorte South. Consequently, he is unable to say when a main will be laid to it. If I may amplify that, the honourable member drew attention to the type of soil on which this building was to be situated, asserting that it was loose and would require some conditioning before grasses could be established on it. I point out to him that such a circumstance is not unique; indeed, at present we have built one school at Taperoo and are building others on land that was until recently severely undulating sandhills. The technique adopted is to level the sand and cover it with some better type of loam soil, which of itself provides two things: firstly, stabilization to prevent wind erosion of the sandy soil and, secondly, something with nutriment in it to sustain grasses.

That method is proving successful. Indeed, it would not be wise to establish grasses on the land before the building had been erected because inevitably damage would occur during building. The department is aware of what is required and has ample techniques to overcome the problem.

WATER CONSUMPTION.

Mr. HARDING—Has the Minister of Works figures for the per capita consumption of water in the various capital cities?

The Hon. G. G. PEARSON—The honourable member asks this question having regard no doubt to the fact that the consumption of water in the Adelaide metropolitan area has increased steeply per capita over the last 10 to 12 years from an average of about 70 gallons a person a day each year in the post-war years to the present figure of about 108 gallons a person a day. The figures available are from Perth and Sydney. In 1958-59, the average consumption a head in Sydney was 90 gallons a day while in Perth it was 119 gallons a day. They are the only figures I am able to obtain for the honourable member.

SLEEPER BOOKINGS.

Mr. RALSTON (on notice)—How many sleeper accommodation bookings, both to and from Melbourne, were made on the overland express during the months of July and August, 1959, and 1960 respectively?

The Hon. G. G. PEARSON—The Railways Commissioner has supplied the following table:—

	July, 1959.	August, 1959.	Total.
Adelaide-Melbourne .	2,862	3,202	6,064
Melbourne-Adelaide .	2,368	3,266	5,634
	July, 1960.	August, 1960.	Total.
Adelaide-Melbourne .	2,652	2,923	5,575
Melbourne-Adelaide .	2,702	2,980	5,682

INDUSTRIAL ELECTRICITY.

Mr. RALSTON (on notice)—

1. Does the Electricity Trust of South Australia supply industrial power and lighting at a special rate not shown on the published tariff schedules?

2. If so, what industrial concerns in the South-East are receiving electricity at a special rate and what is the price charged per kilowatt hour?

The Hon. Sir THOMAS PLAYFORD—The Chairman of the Electricity Trust reports:—

1. The trust does arrange special tariff rates for industry where the circumstances justify it.

2. The trust has always regarded any arrangements made as above as confidential between it and the consumer.

SHEARERS' ACCOMMODATION.

Mr. Frank Walsh, for Mr. McKEE (on notice)—

1. What number of properties has been inspected by the Police Department since the Shearers Accommodation Act was amended in 1958 when the section requiring accommodation to be inspected once a year was deleted?

2. Is it the responsibility of police officers to check accommodation in their districts?

3. Will consideration be given to the appointment of an inspector to police this Act to see that the section relating to provision of wardrobes, refrigeration and other items required to be supplied is enforced?

4. If not, is it the intention to re-insert the condition requiring that accommodation be inspected once a year?

The Hon. Sir THOMAS PLAYFORD—The replies are:—

1. The 1958 amendments to the Act were proclaimed to come into operation from August 27, 1959. Inspectors are only required to submit a report once each calendar year of inspections made by them (see section 9 of the Act) so the information requested is not available. There have only been three complaints received since August 27, 1959, regarding accommodation not complying with the Act.

2. Yes, as and when considered necessary.

3. Every member of the police force who is in charge of a police district or of a police station is an inspector under the Act and therefore has the power to see that all requirements of the Act are being observed.

4. Vide No. 3.

FIRE BRIGADES.

Mr. FRANK WALSH (on notice)—What was the labour turnover and the total labour force in the South Australian fire brigades in each of the years from 1957-58 to 1959-60 respectively?

The Hon. Sir THOMAS PLAYFORD—The Chairman, South Australian Fire Brigades Board, has supplied the following table:—

Permanent Employees.

	Total Strength.	Turnover during year. Appointments.	Resignations and dismissals.
Officers and Firemen—			
1957-58 . . .	270	22	22
1958-59 . . .	269	28	29
1959-60 . . .	271	21	19
Workshop Staff—			
1957-58 . . .	9	1	—
1958-59 . . .	12	3	—
1959-60 . . .	11	2	3
Maintenance Department Staff—			
1957-58 . . .	14	4	3
1958-59 . . .	15	1	—
1959-60 . . .	14	2	3

PARLIAMENTARY SUPERANNUATION ACT AMENDMENT BILL.

The Hon. Sir THOMAS 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 Parliamentary Superannuation Act, 1948-1957.

Motion carried.

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

The Hon. Sir THOMAS PLAYFORD—I move—

That this Bill be now read a second time.

Over the last two or three years the Government has received requests from members for an examination of the Parliamentary superannuation fund that has been provided for the retiring allowances of members, and it has examined the rates paid in this State compared with those paid in other States. It has also compared the pensions paid to members with those paid to officers in other services and it has found that there is a case for members to receive an additional amount of pension. Consequently, this Bill has been introduced. Its objects are, firstly, to increase the maximum pension for which members may contribute by 50 per cent; secondly, to enable members now contributing at the lowest and medium rates to elect to contribute at £100 per annum and members now contributing at the maximum to contribute at the new maximum of £150 per annum, with corresponding increases in benefit; thirdly, to reduce the minimum qualifying period from 12 to 10 years; fourthly, to provide certain benefits for members less than 50 years old at retirement or resignation; and, lastly, to increase current pensions by 12½ per centum.

Clause 3 accordingly amends section 9 of the principal Act relating to contributions by providing for four rates, viz., £58 10s., £72, £100 (as at present), and £150 a year. New members may contribute at any of the rates except the lowest and if they do not elect will contribute at the maximum rate. Present members contributing at £58 10s. or £72 are given a new option to change to £100 a year and those contributing at £100 a year may elect to take the maximum, contributing at £150 a year. Any such election will operate as from December 1, 1960. Present members who do not elect will continue at the present rates.

Clause 4 amends section 11 by reducing the basic qualifying period to ten years and removing the requirement as to age. But in order to retain the provision now in force that a member over 50 is eligible after 18 years' service, a consequential amendment is made in subsection (1) of section 11. Clause 5 makes consequential amendments to section 13 of the Act. The last paragraph provides for the pension appropriate to the new maximum contribution—£585 after 10 years, £630 after 11 years, £675 after 12 years and an additional £45 a year for each year over 12, with a maximum of £945. The new maximum is, as will be seen, 50 per cent higher than at present. The other paragraphs of clause 5, while not reducing pensions now payable, make the amounts of pension payable after 10 and 11 years' service proportionately lower than those payable after 12 years and, in fact, confer benefits where none now exist, since no pension is now payable for less than 12 years' service. Members will see that, whilst the period of qualification has been shortened, the amount of the pension has also been correspondingly shortened for the two years below 12 years.

Clause 6 does two things. Subclause (*b*) makes it clear that the provision that a member with 18 years' service need not show good reasons for resigning or retiring does not apply is limited to members over 50 years of age. This is a consequential amendment. The more important amendment is made by subclause (*a*). This will entitle a member under 50 years of age to a pension after 20 years of service. I should point out that no qualifying period for enjoyment of the new benefits is laid down so that a member who elects to contribute at a higher rate becomes immediately entitled to the benefits applicable to that rate. The reduction of the basic qualifying period of 12 years to 10 will benefit some members and widows of any who should die before completing a fourth term. Lastly, the Bill liberalizes the

present provision in regard to members under 50 years of age. Clauses 7 and 8 are consequential only.

To make the position quite clear, perhaps I should set out in more detail what the foregoing amendments mean to members. While a member over 50 years of age, with 11 years' service, is not eligible for any pension now, but must serve for 12 years, he will, after passage of the Bill, qualify after 10 years subject to compliance with section 14—that is, if he retires, he must show that there were good and sufficient reasons for his retirement or that he was defeated in an election. If he has had 18 years' service he can, as at present, resign or retire without complying with section 14.

As regards members ceasing to hold office and under 50 years of age, who at present do not qualify at all, the Bill will entitle them to a pension after 10 years of service if they retire for sufficient reasons—for example, invalidity—or after 20 years if they have been defeated at an election. It is considered that some provision should be made in respect of younger members, and the Government believes that the present proposals are fair and reasonable. The last amendment, effected by clause 9, explains itself. Recently this Parliament approved of an increase in existing police pensions of 12½ per cent and it is considered that a similar increase in Parliamentary pensions is justified.

Mr. FRANK WALSH secured the adjournment of the debate.

POLICE OFFENCES ACT AMENDMENT BILL (No. 3).

The Hon. Sir THOMAS PLAYFORD (Premier and Treasurer) obtained leave and introduced a Bill for an Act to amend the Police Offences Act, 1953-1960. Read a first time.

The Hon. Sir THOMAS PLAYFORD—I move—

That this Bill be now read a second time.

Its object is to confer on drivers and conductors of omnibuses a statutory power to remove objectionable persons from omnibuses, and, incidentally, to vest members of the police force with the same power. Representations have been received from the Metropolitan Omnibus Operators' Association seeking the enactment of legislation empowering persons in charge of private omnibuses to remove passengers whose behaviour is objectionable. A number of cases have occurred where the aid of a police officer has been necessary in order to deal with a difficult situation. The association has been advised that the driver or owner of an omnibus, in attempting to eject a person from his vehicle, may be technically guilty of assault and runs the risk of becoming liable for damages in consequence of his action. The members of the Country Road Passenger Service Operators' Association are similarly placed. They operate country passenger omnibus services under licence from the Transport Control Board and are without any statutory power to remove objectionable passengers from their vehicles. By-laws made under the Municipal Tramways Trust Act govern the conduct of persons travelling on its vehicles, but those by-laws do not extend to private omnibuses operating under licence from the trust, and it is felt that an enactment with general application in this regard would be desirable.

The amendment adds to the principal Act a new section 58a. The new section makes it an offence for a person referred to in subsection (1) thereof to fail to leave an omnibus when requested by the driver or conductor or by a member of the police force to do so. The maximum penalty for such failure is £20 or three months' imprisonment. Subsection (3) empowers the driver, conductor or member of the force to remove such person from the omnibus with the assistance of any other person. Subsection (4) provides for a maximum fine of £20 if such person fails to give his correct name and address when required by the driver, conductor or member of the force.

Subsection (5) provides that if the driver, conductor or member of the force has reasonable cause to suspect that the name or address given by the person is incorrect or false, the person shall, if required, produce evidence of the correctness of the name or address so given. A fine of £20 is provided for non-compliance. Subsection (6) provides for a penalty of £20 or imprisonment for three months if such person produces false evidence with respect to his name or address. Subsections (4), (5) and (6) of the new section contain provisions similar to those contained in section 75 (2) and (3) of the principal Act.

Mr. HUTCHENS secured the adjournment of the debate.

NATIONAL PLEASURE RESORTS ACT AMENDMENT BILL.

The Hon. Sir THOMAS PLAYFORD (Premier and Treasurer) obtained leave and introduced a Bill for an Act to amend the National Pleasure Resorts Act, 1914-1935. Read a first time.

The Hon. Sir THOMAS PLAYFORD—I move—

That this Bill be now read a second time.

The object of this short Bill is to increase the penalties for offences against the principal Act and regulations. Section 17 of the principal Act sets out a general penalty of between £1 and £5 for a first offence and between £2 and £20 for a subsequent offence. In keeping with the general provisions of section 17, section 21 of the Act empowers the Minister to make by-laws fixing penalties of up to £20 for offences against the by-laws. These penalties have been in the Act since 1914 and are clearly out of line with present-day monetary values. It is accordingly proposed to set the maximum penalty for an offence against the Act or under the by-laws at £50. This would, of course, be a maximum, and it would be a matter for the court to decide under the circumstances of each case what the appropriate penalty should be. It will be seen that the offences set out in section 14 of the Act cover various acts of vandalism. I should perhaps point out that while the Bill will make a maximum penalty for a breach of the Act £50, so far as by-laws are concerned the Bill does no more than authorize by-laws fixing penalties of up to that amount.

Mr. FRANK WALSH secured the adjournment of the debate.

BOTANIC GARDEN ACT AMENDMENT BILL.

The Hon. Sir CECIL HINCKS (Minister of Lands) obtained leave and introduced a Bill for an Act to amend the Botanic Garden Act, 1935-1940. Read a first time.

The Hon. Sir CECIL HINCKS—I move—

That this Bill be now read a second time.

The Board of Governors of the Botanic Garden is very concerned with the frequent acts of vandalism that are being committed in the Botanic Garden and Botanic Park which are under its management and control, and the objects of this Bill are to prescribe an adequate and deterrent penalty for such acts and to raise the maximum penalty prescribed for a breach of any by-law made by the board.

Under section 13 (1) of the principal Act the board may make by-laws, *inter alia*, for the safety and preservation of the public property in the garden as defined by section 3; and section 17 provides that a person who commits an offence agains a by-law shall be liable to a fine not exceeding £10 and to imprisonment for a term not exceeding three months. He is also liable to pay the amount of damage done by him, and in default of payment of the amount, to be imprisoned for a period not exceeding three months, unless the amount is sooner paid. These penalties have been unaltered since 1860 and the Government considers that the maximum fine should now be increased from £10 to £25. It is felt, however, that a maximum fine of £25 is not adequate and will not serve as a deterrent for acts of vandalism for which a higher penalty would be more appropriate. Clause 3 accordingly inserts in the principal Act a new section which provides that a person who wilfully and without the authority of the board destroys or damages any property belonging to or under the care, management or control of the board is liable to a maximum penalty of £50 or three months' imprisonment. The section goes on to provide that the convicted person may be ordered to pay to the board such sum as the court considers just by way of compensation for the destruction or damage, or to be imprisoned in default of such payment (as is provided in section 17) for a period not exceeding three months.

Clause 4 increases the maximum fine for a breach of a by-law from £10 to £25. The Bill is primarily designed to deal with and check the wanton acts of vandalism that are committed all too frequently within the Botanic Garden and Botanic Park by irresponsible persons who have no respect or regard for public property, and I am confident that it will receive the support of every member of this House.

Mr. FRANK WALSH secured the adjournment of the debate.

NATIONAL PARK AND WILD LIFE RESERVES ACT AMENDMENT BILL.

The Hon. Sir CECIL HINCKS (Minister of Lands) obtained leave and introduced a Bill for an Act to amend the National Park and Wild Life Reserves Act, 1891-1955. Read a first time.

The Hon. Sir CECIL HINCKS—I move—

That this Bill be now read a second time.

Its objects are—

(*a*) to bring up to date the designations of certain persons who, by virtue of the offices they hold, are commissioners as provided by section 2 of the principal Act;

(*b*) to increase the maximum penalties that could be fixed under the by-laws from £5 to £100;

(*c*) to empower the commissioners to demand and accept a payment not exceeding £1 by way of expiation for a prescribed minor offence from persons guilty of such offence; and

(*d*) to require extracts or summaries of by-laws relating to wild life reserves to be exhibited for the purpose of inviting public attention to such by-laws.

Clauses 3 and 4 give effect to the first two objects referred to. Clause 5 adds a new section 7a to the principal Act whereby the Governor may make regulations fixing an amount not exceeding £1 as an expiatory payment for any specified offence. The amendment has been specially sought by the commissioners who recommend that such regulations be made to apply to such minor offences as driving vehicles on ovals, lighting fires at places other than the prescribed places, remaining in the park after closing time, picking flowers, etc. Such regulations will, under the Acts Interpretation Act, be laid before Parliament and be subject to disallowance.

Section 8 of the principal Act requires copies of the by-laws prescribing any penalty for an offence relating to the park to be exhibited at the principal entrance gates of the park. The section does not apply to by-laws relating to wild life reserves which, the commissioners point out, have no principal entrances. It is also unnecessary and unduly expensive to exhibit all the by-laws at all the entrances to a reserve. The Government feels that a summary or extract of relevant by-laws, printed in large characters and displayed at prominent places on the boundaries of a reserve, would better serve to invite public attention than a comprehensive display of all the by-laws in small print at the principal entrances, if any. Clause 6 of the Bill adds a new subsection (2) to section 8 of the principal Act, making provision accordingly.

Mr. BYWATERS secured the adjournment of the debate.

PUBLIC SERVICE SUPERANNUATION FUND (ARRANGEMENT) BILL.

Returned from Legislative Council without amendment.

PASTORAL ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from November 8. Page 1703.)

Mr. LOVEDAY (Whyalla)—An examination of this Bill shows that its purposes are: firstly, to place the rentals of pastoral land on a more realistic basis; secondly, to make the machinery for future revaluations more flexible and capable of reflecting more frequently the actual position; and, thirdly, to remedy certain weaknesses in the principal Act of 1936 with a view to securing the most progressive development of our pastoral lands, which lie mainly in the north-west, north and north-east of the State. This particularly affects my electorate as tremendous areas are devoted to these purposes. The extremely difficult position of the pastoral industry at the time of the 1927 Royal Commission on the Pastoral Industry led to its recommendations that all future leases should be for a term of 42 years, subject to revaluation of rent after 21 years, and that no revaluation should be more than 50 per cent up or down on the previous rent. These recommendations were adopted in the 1929 Act during a disastrous drought with wool at about 10d. lb. These circumstances led to the fixation of rents over long periods with limited machinery for adjustment—and circumstances changed much during that period, so that present rents are low.

I wish to summarize briefly the new amendments proposed and comment upon them in so doing. In so far as new leases granted after the passing of this Bill are concerned, provision is made for the revaluation of leases for each seven-year period of the term of the lease instead of, as previously, only after the first 21 years. An existing lease will continue to be revalued as before unless the lessee elects to surrender his lease in consideration of being granted a new lease for a 42-year term of the whole or part of his present holding at a revised rental. The lessee would have 12 months to make this decision and six months to consider the Minister's offer of a new lease. These provisions not only appear to give reasonable time for the lessee to make a choice, but also would ensure in future that rents would over a long period more nearly reflect the value of a lease and enable adjustments to be made either up or down as circumstances demanded—and the State, of course, would derive extra revenue.

A provision in subsection (6) lays down conditions regarding the area of the new leases to be granted and the inclusion of the homestead. That is a safeguard for the pastoralist and appears to be reasonable. The principal Act makes provision for lessees to appeal against decisions of the Pastoral Board as regards rents, revaluations and forfeiture

of leases, and there appears to be no evidence that pastoralists have had to exercise their rights of appeal at all frequently. In fact, there is every evidence that they have seldom had to avail themselves of these rights. I think that indicates that the Pastoral Board has taken a reasonable view in regard to all these matters.

The proposed amendments also deal with improvements on leases. The provisions of the principal Act bound the lessee to spend up to certain amounts on improvements by the end of the fifth, thirteenth and twenty-first years of the lease. It is proposed under the Bill to increase these to bring them more into line with present circumstances. For example, the figure that previously applied to the fifth year was £10, and that is to be increased to £25 a square mile. The figure that applied to the thirteenth year was £15, and it is proposed to increase that to £40 a square mile; and for the twenty-first year the figure is increased from £20 to £60 a square mile. In other words, improvements had to be made up to those amounts. There was no provision that these improvements be maintained in good order in the principal Act, and the Bill remedies this defect.

Regarding leases outside of dog fences, the Pastoral Board has indicated that with few exceptions these are reported to be inadequately developed and in the case of future leases in this category the Bill makes provision for lessees to make specified improvements within specified periods, but the obligations are limited so as not to impose an unreasonable demand on the lessees. Under the principal Act the Minister had certain powers of acquiring leases, and these powers under the Bill are extended. By agreement with the lessee, the Minister can acquire the lessee's interest in the whole or part, paying for interest and improvements, and a new provision is inserted giving the Minister power to acquire in consideration of a further period of seven years extension of lease in respect of all or any of the remaining land in the lessee's run. This also increases, in my opinion, the flexibility of the machinery of the Act and facilitates closer settlement. Of course, where the Pastoral Board feels that allotment is necessary to the lessees of other pastoral lands, it would facilitate that also. The Bill contains a provision regarding the maintenance of the dog fence. In the past it has not been the responsibility of a lessee inside the dog fence, whose lease is bounded by it, to maintain that portion on his boundary, but the new provision makes it obligatory, which seems eminently desirable.

Two new provisions are included relating to water supplies. One is aimed at preventing an unreasonable lessee from making it unduly difficult for stock travelling through leased land to obtain water by insisting that it must take water at a point that is virtually inaccessible. The present section will be amended to provide that the water supply must be reasonably accessible, although not necessarily the nearest to the most direct route. The second reference to water supplies deals with the obligations of lessees who have artesian bores on their leases. The Pastoral Board's powers regarding the prevention of waste from and the improper use of bores only apply to artesian bores constructed after December 12, 1929. It is proposed to delete the reference to this date to ensure that the board's powers apply to all artesian bores irrespective of the date of construction. The same date restricts the board's powers over permitting a lessee to supply another lessee with water from an artesian bore on his property and that date reference, too, is to be omitted.

Provision is made for a special revaluation of a pastoral run through the execution of public works on or near that run. Under the principal Act revaluations in such cases have been unduly restricted because they could not be made within five years of the commencement of the lease, or within 10 years of the previous revaluation. That provision will be altered because the old conditions are inconsistent with the new seven-year interval to be provided for revaluations. The restrictive words are to be struck out.

The other amendments mentioned by the Minister are mainly consequential. All amendments seem reasonable and not unduly hard on the pastoralists. They bring the legislation into line with present conditions, making it more flexible in every respect. It is important legislation covering the conditions of tenure of an area amounting to almost 75 per cent of the State's occupied area. Information that pastoralists in the past have had little or no cause to exercise their rights of appeal indicates that the board has adopted a reasonable view on revaluations and the forfeiture of leases.

The question arises as to whether some of the extremely large pastoral holdings should be regranted in their entirety to existing lessees on the expiration of present leases, but it must be remembered that these holdings require considerable capital for development

and many are subject to varying conditions of climate and hardship. From the State's viewpoint, the objective should be the settlement of the greatest number of pastoralists on the holdings, consistent with efficient management and maximum production. The Pastoral Board recognizes this. The attainment of these objectives depends on the board's administration and this amending legislation provides improved machinery for the purpose. The Bill is based on the Pastoral Board's recommendations and seems reasonable and necessary. I have pleasure in supporting it.

Mr. RICHES (Stuart)—I support the Bill and congratulate the Minister on his speech in explaining it. The member for Whyalla proved that he had thoroughly examined its provisions and he obviously devoted much time to research. His speech has aided our constructive examination of the legislation, and I shall not traverse the ground he covered. We should remember that the existing legislation was founded on the report of a Royal Commission. We have much to thank that Royal Commission for: the thoroughness of its investigations and the soundness of its recommendations. Successive Governments have legislated on that report. It proves to me the value of Royal Commissions and of full inquiries. This Bill is not like other legislation that we normally have to consider. By this Bill we will authorize the Pastoral Board to make decisions that will stand for at least another 42 years. In many respects this legislation cannot be amended next session or in future. It has to do with the leasing of large areas, and it could relate to the leasing of almost all of our pastoral lands because, irrespective of the unexpired term of existing leases, it provides that leaseholders can approach the Government for the issue of new leases for 42 years under terms and conditions to be arranged under the provisions of the Act, and once that is done no subsequent action can interfere with the leases. Whilst I do not see any objection to the Bill, I nevertheless appreciate its importance. We have much to thank the Lands Department and the Pastoral Board for in relation to the sound and effective development of our pastoral areas. I do not think anyone could go north and say that there are large areas of undeveloped land that could have been developed. I hope (and I think the board hopes) that under this legislation further development will take place. Full appreciation is given to the difficulties in the way of that development. We have seen land, which is subject to long periods of drought and which has little water, produce cattle and sheep. I think this legislation will make development somewhat easier.

The original legislation was introduced to encourage development and in many areas such development has taken place. It is appropriate that the Government, on behalf of the people, should now be able to say that a revaluation of rentals is necessary, particularly as the rental paid is a deductible item for income taxation purposes. The pastoralist will have little to lose, and this Government will have an opportunity to recoup some expenditure involved. In the past the Government has been concerned to see not only that the land is adequately developed and placed on a productive basis, but that that development is economically sound. We realize that there should be areas of sufficient square mileage to permit the operations to be carried out profitably and to enable lessees to develop other country. On the other hand, it is not good to have too large areas in the hands of too few people. The gradual disappearance of the owner-occupier in favour of companies should be avoided if economically possible. I would not like to see any of our large holdings become larger. In the re-allocation of areas some smaller holdings should be enlarged, and, if possible, opportunities should be created for more people to go into the pastoral industry.

The Hon. Sir Cecil Hincks—That is provided for.

Mr. RICHES—It is left entirely to the Pastoral Board, and rightly so. I should have liked it to be possible for some of our returned soldiers to take up pastoral leases, but that has not been possible, and I do not know whether it would be easy to bring many more people into this industry. However, if it is possible, I am sure the Pastoral Board will examine it. We have every reason to be satisfied with the board's work. I think the House can accept this Bill in its entirety without any misgivings.

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

SEWERAGE ACT AMENDMENT BILL.

The Hon. G. G. PEARSON (Minister of Works) obtained leave and introduced a Bill for an Act to amend the Sewerage Act, 1929-1955. Read a first time.

The Hon. G. G. PEARSON—I move—

That this Bill be now read a second time.

Sewerage rates in country drainage areas are at present fixed by the Minister pursuant to

subsection (1) of section 74a of the Sewerage Act. Subsection (2) of that section fixes the minimum amounts payable in a country drainage area as £4 per annum in the case of land, or land and premises, drained by sewers, and £1 per annum in the case of other land or other land and premises. These minimum amounts were fixed by legislation passed in 1955 on the recommendation of a committee appointed by the Government of the day to consider country sewerage charges. When making that recommendation the committee unanimously resolved, *inter alia*, that it was "satisfied that the economics of country sewerage must be placed on a more realistic basis by deriving increased revenue either by way of an increased rate or increased assessment".

Members are aware of the substantial economic changes that have occurred within the State since that recommendation was made, and the Government considers that the minimum amounts fixed by the 1955 legislation are unrealistic today and should be capable of revision from time to time to enable them to be brought up to date in relation to current values and costs. Under the Waterworks Act, the Minister has power to fix a minimum water rate payable in respect of any land or land and premises comprised in any assessment and under the Sewerage Act as at present in force the Minister has power to fix a minimum sewerage rate within the Adelaide drainage area while the minimum sewerage rates for country drainage areas are fixed by the Act.

The object of this Bill is to amend the Sewerage Act so as to bring it into line with the Waterworks Act and the other provisions of the Sewerage Act so far as the fixing of minimum sewerage rates in country drainage areas is concerned. The Government feels that, as the Minister has authority under the principal Act to fix ordinary and minimum sewerage rates within the Adelaide drainage area and has under the Waterworks Act a similar discretion in fixing ordinary and minimum water rates throughout the State, it is reasonable that he should also have power to fix the minimum sewerage rates for country drainage areas at such amounts as are appropriate.

Section 74a (1) of the principal Act provides that, subject to subsection (2) of that section, the sewerage rate in a country drainage area shall be an amount not exceeding two shillings and sixpence in the pound fixed by the Minister by notice published annually in the *Gazette*. Subsection (2) of that section, as I have mentioned before, fixes the minimum amounts payable in a country drainage area as £4 per annum in the case of land, or land and premises, drained by sewers, and £1 per annum in the case of other land or other land and premises. Clause 3 repeals subsection (2) of that section and makes a consequential amendment to subsection (1). The clause has the effect of removing the statutory amounts fixed by the section as the minimum sewerage rates payable in country drainage areas.

Section 75 (1) of the principal Act provides that, subject to subsection (3) of that section, the Minister may fix a minimum sewerage rate payable in respect of vacant lands and lands and premises (other than vacant lands) comprised in any assessment. Subsection (3) of that section precludes the Minister from fixing, under subsection (1), a minimum sewerage rate payable in country drainage areas, that rate having been fixed by section 74a (2). Clause 4 accordingly repeals subsection (3) of section 75 and makes a consequential amendment to subsection (1) of that section. As the Government thinks it desirable to have new minimum rates fixed for country drainage areas with effect from the commencement of the current financial year, a new subsection (3) is inserted by clause 4 into section 75 of the principal Act in place of the one repealed. Under that new subsection express power is conferred on the Minister, with respect to those areas, to fix a minimum sewerage rate payable in respect of the current and the succeeding financial years.

Mr. FRANK WALSH secured the adjournment of the debate.

DAIRY CATTLE IMPROVEMENT ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from November 9. Page 1734.)

Mr. BYWATERS (Murray)—I support this Bill, which I believe clears from the legislation a matter that has been hard to police. It appears to be foolish to burden police, who are already overworked in the country, with the job of issuing a licence when no fee is payable. This was the case where beef cattle breeders kept correct herd books. It also seems anomalous that beef cattle breeders should pay a licence fee which would be paid into a fund for dairy cattle improvement. This appears to be a straightforward, sensible Bill, and I support the second reading.

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

TOWN PLANNING ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from November 3. Page 1658.)

Mr. FRANK WALSH (Leader of the Opposition)—Although I have certain amendments on the file I do not desire at this stage to speak on their subject matter. I should like the House to seriously consider the amendments, for they relate to roads damaged as a result of certain subdivisional activity, some of which has not been in accordance with councils' normal specifications regarding road-making. Clauses 8 and 9 provide for an appeal committee to hear appeals against refusals of approvals of plans, and specify that the committee is to consist of a legal practitioner of not less than seven years' standing and the members of the Town Planning Committee other than the Town Planner. This is a desirable amendment. Clause 5 provides for the appointment of an acting Town Planner when the Town Planner is unable to carry out his duties, and this, too, is desirable.

Clause 13, on the face of it, seems very innocent, but it firmly indicates that the Government is to sanction all and sundry in the building of home units. I have spoken previously on this question, for I am concerned about the title to the land. Companies build these home units and individual unit owners merely receive shares or enter into leases, either short or long term. The Housing Trust builds and lets flats of this type, but the trust remains the owner; it has the title because it is the owner, and it carries out the normal maintenance work. I do not object to that type of flat. However, when a number of flats are erected and sold as home units, we are getting away from the usual practice of registering titles to land. Is not the title of the land important in regard to finance? Where there is one owner the title can be clear and the maintenance provided more satisfactorily. What is the Government's intention in the matter? It seems to be right behind this type of home unit. Do the individual tenants in these unit houses become the owners of the land? No, for they are merely shareholders of the company. The time will come when these flats will be on the second and even the third storey, and control will be harder to exercise. Who will do the necessary maintenance? Will the Government explain its attitude on home units?

Clause 10 deals with compensation. Under the Highways Act compensation is payable when the frontage of property is acquired for road-widening, but under this legislation no compensation is payable in those circumstances to a person who subdivides his property so as to get an additional two or three building blocks. He may want to dispose of that land for one reason or another, yet under this Act the Highways Department or a council could acquire land for road-widening without the liability to pay compensation. I believe that is a hardship.

Representations have been made to me by the Marion Corporation regarding a certain matter. Both the Marion and West Torrens corporations are concerned with the Morphettville racecourse. The West Torrens corporation loses £600 a year in rates on the land used as a car park, but the annual loss to the Marion corporation is about £4,000 a year, and this amount has to be made up by the ratepayers. There is another way to overcome this difficulty. The South Australian Jockey Club contends that, to compensate the ratepayers of Marion in some small way, at least portions of the Morphettville Park racecourse should be allowed to be used for organized sport by amateur bodies. It has been suggested that in the middle of the racecourse on non-racing days sport should be played. In the Marion Corporation area people consider that, if sport can be played on the Victoria Park racecourse, which is in the parklands, the same type of sporting accommodation can be provided at the Morphettville Park racecourse.

Mr. Fred Walsh—The city council has not spent 2s. on the flat at Victoria Park for years.

Mr. FRANK WALSH—I agree that there is room for further expenditure on the Victoria Park racecourse. Reasonable opportunities should be provided for residents to play cricket and tennis in the summer on the Morphettville Park racecourse without interfering with any racecourse buildings. Any buildings and conveniences necessary for this sport could be provided with financial assistance from the sporting bodies.

For many years there has been an agitation for the provision of sporting areas on the racecourse. The Corporation of Marion has asked me to move an amendment to exempt the Morphettville Park racecourse from the provisions of this Act and, if the South Australian Jockey Club is agreeable, to permit organized sport on the racecourse. This would quell the current agitation. If this problem could be solved, there would not be the open hostility

that there is in the Marion district council area today. The Government, the corporation and the South Australian Jockey Club should confer to see whether my suggestion could be implemented. The racing track need not be interfered with by such sport. The South Australian Jockey Club has improved the facilities available to racing patrons at Morphettville. Much money must be spent on maintaining the racecourse, including painting and the upkeep of fences throughout the year.

Some time ago, a drive-in theatre was suggested, but I do not know how that would have squared up with this Act. However, no drive-in theatre has been provided. Surely ratepayers, who must find the £4,000 not collected from this area, are entitled to some compensation by way of opportunity to play sport on the racecourse. I shall move certain amendments in Committee.

Mr. LOVEDAY (Whyalla)—Whilst supporting most of the provisions set out in the Minister's second reading explanation, I regret that some matters are not dealt with in this Bill in accordance with certain recommendations by the Municipal and Local Government Association of S.A., particularly in relation to road-making in new subdivisions and matters relating to water and sewerage mains and recreational areas. The Municipal Association has circularized members and constituent bodies on these matters. Personally, I fully support all its recommendations. In them, it points out that the Association has asked that councils be given power to require the making of roads in new subdivisions to be deferred for a period of up to two years, and that a suitable bond be provided by the subdivider that he will make the road at the end of that period. This recommendation is being made on the grounds, firstly, that several roads in new subdivisions have already deteriorated to the stage where they are unusable and will have to be remade by the local council even though no development has occurred on the area; and, secondly, that a delay of this nature will give an opportunity for councils to attend to the drainage and possibly for the Engineering and Water Supply Department to provide the necessary mains. Those of us who have looked at various subdivisions where roads have been built far ahead of actual requirements know that the deterioration mentioned in this recommendation does occur in circumstances of this kind. There seems no reason why the local governing body should not be given the power to require such road-making to be deferred until it is obvious that those areas will be built on. It is unnecessary to labour this point; it should be evident that this would be a particularly good move for economy in road-making and to the general satisfaction of those who are to occupy the area at some future time. We know that this situation has arisen because of the excessive subdivision of land in the metropolitan area, far in excess of requirements for the development of the city.

The second recommendation made by the association is with reference to water tabling, kerbing and footpaths. It is that a subdivider should be made responsible for the construction of water tables, kerbing and footpaths, as well as the road proper. It is pointed out that these amenities are an essential part of the roadway, and in any case a contribution would have to be made by the inhabitants of the area in the future. There seems no reason why these facilities should not be provided in the first instance. Those of us who have had some experience in local government are well aware of the fact that in most instances it is much better to be able to construct the road as a whole, with the kerbing and water table included in the first instance, than have them put in subsequently. The provision of only a sealed strip without the kerbing and the water table invariably leads to scouring at the side and further unnecessary expenditure later on that could be saved if the job were done properly and efficiently in the first place. Here again the cost of this is eventually passed on to the inhabitants of the area, and it would seem more economical and more efficient to have the cost imposed on the land initially and the job done efficiently and more economically than would otherwise be the case.

The third recommendation relates to water and sewerage mains. The Municipal Association points out that the Public Utilities Advisory Co-ordinating Committee has joined with it in urging that the Town Planning Act be amended to give legislative authority to the Engineering and Water Supply Department to require a subdivider to install water and sewer mains under roads in new subdivisions where the existing mains are within a reasonable distance from the new subdivision. At present there are some voluntary agreements with certain subdividers whereby they receive a repayment from the department in respect of each building in connection with the establishment of these facilities. It is generally accepted that this would be a most desirable provision in the interests of future inhabitants of that area. It would help preserve new roads. There could be much greater co-ordination in

the laying of water and sewer mains and road construction to avoid the digging up of roads. We know that this is an old problem and that it has been difficult to obtain co-ordination between various departments. We now have an excellent opportunity to secure that co-ordination by providing that the mains and the roads shall be laid at a time when it would be economical and more satisfactory.

The fourth recommendation of the association was to the effect that 10 per cent of all subdivisions should be ear-marked for recreational purposes. It is pointed out that at present five per cent is normally required by the Town Planner as an administrative act. I understand that the percentage is not specifically laid down in the Act as such, but that under the Act the Town Planner has administrative power in that direction. The Municipal Association would like to see it written into the Act and increased to 10 per cent. It points out that this only represents about half of the total area that it is expected will be required for recreational purposes in a particular subdivision. Recently it has been publicised that the areas allocated for recreational purposes will obviously be far below the actual requirements of the population and that we shall be looking for space for future recreational areas which will have to be provided some distance from the persons who wish to use them: a distance which, of course, will prohibit the fullest and proper use of the areas. This matter needs attention while this Bill is being considered.

I have heard the member for Barossa (Mr. Laucke) speak on this subject and I am sure that he agrees with me. We should not delay consideration of this matter. We have the opportunity to amend the Bill. It might be suggested that this could be a burden on subdividers, but that suggestion cannot be supported. We have had the spectacle of about 10 times the amount of subdivision that is actually necessary to meet the demands of our increasing population. This proves that there could be some check on subdivision and if this could be a check then it would be desirable, particularly as additional recreational areas are necessary. In view of the tremendous profits being made from the subdividing of land I believe that the subdividers could easily stand the 10 per cent limit for recreational areas, both in relation to 10 per cent of the area, where larger areas are involved, and 10 per cent of a monetary equivalent where smaller areas are involved. We should be consistent on the question of percentage and I believe an excellent case can be put forward for providing adequate recreational areas before we lose the opportunity and all the good areas are built upon. Once the opportunity is lost we cannot, except at great expense, provide sufficient recreational areas. The four points I have mentioned are most important and should receive the full support of the House. I shall move amendments along those lines at the appropriate time.

Mr. LAUCKE secured the adjournment of the debate.

NURSES REGISTRATION ACT AMENDMENT BILL.

Received from the Legislative Council and read a first time.

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

That this Bill be now read a second time.

Its object is to make some amendments mainly of an administrative character to the Nurses Registration Act. The first proposed amendment (clauses 4 and 5) is to alter the constitution of the board, which consists of seven members, by removing the nominee of registered nurses who are not members of the Royal British Nurses Association or the Royal Australian Nursing Federation and substituting an extra representative of the Royal Australian Nursing Federation. There has been some difficulty in finding a non-member of either of the associations mentioned and it has been generally agreed that the way out of the difficulty is to have an extra member of the Royal Australian Nursing Federation so that the board will still consist of seven members.

The second amendment (clause 6) is to extend the existing provision empowering the board to order persons to refrain from acting as midwives for a specified period in the interests of the prevention of the spread of disease. Clause 6 will extend this provision to cover all branches of the nursing service. The amendment which is designed to cover prevention of the spread of disease is a reasonable one and has been recommended by the Nurses Board.

The third amendment which is effected by clauses 7, 8, 11 and 13 will empower the board to require a person who has not practised for five years to undergo a refresher course before being registered in any branch of the nursing service. At present the law provides that any person who has passed the prescribed course of training and generally

complied with the qualifying requirements is entitled to registration. Cases occur where persons cease to practise for a number of years, perhaps because they have been married or have left the State, and then desire to become re-registered or where they have qualified overseas some years previously seek registration in South Australia. The board feels that, having regard to the changes in nursing techniques which are constantly going on and the use of new drugs, provision should be made for the board in its discretion to require these persons to undertake refresher courses to ensure that they are up to date before being registered.

The next amendment (clause 9) concerns section 26 of the principal Act which provides that only one fee shall be payable by a person whether registered on one register or more. In all the other Australian States a separate fee is charged for each certificate of registration and the board proposes to adopt the same practice. The amendment will remove the provision concerning one fee.

The principal Act provides that the board may cancel a person's registration for non-payment of the annual retention fee. It is however a condition of such cancellation that the board must notify the persons concerned by registered post. This procedure is costly. Last year only 82 out of 300 nurses who were advised of the board's intention to cancel forwarded their retention fees and some £60 odd was received as against the cost of postage amounting to £55. In some States only six months are allowed for the payment of annual retention fees.

Clauses 10, 12 and 15 will provide that cancellation of registration or enrolment will be automatic after 12 months following a notice from the board given by ordinary post. The last amendment is effected by clause 14. When the principal Act was amended last year by the addition of provision for nurse aides it was provided that a nurse aide must be 19 years old before registration. This was based on a two-year course commencing at 17. Certain changes are under consideration whereby the training period will be one year instead of two as is the case in other States. Clause 14 accordingly amends section 33k of the principal Act by substituting 18 years for 19 years.

Mr. HUTCHENS secured the adjournment of the debate.

LANDLORD AND TENANT (CONTROL OF RENTS) ACT AMENDMENT BILL.

Consideration in Committee of the Legislative Council's amendments:

No. 1. After Clause 2, insert new clause 2a as follows:—

> 2a. Section 40 of the principal Act is amended by striking out the word "four" in subsection (1) thereof and inserting in lieu thereof the word "six".

No. 2. After new clause 2a, insert new clause 2b as follows:—

> 2b. *Amendment of principal Act, s. 42—Restriction on eviction.*—Section 42 of the principal Act is amended by adding the following new subsection:—
>
> (3a) In any legal proceedings taken by a lessor for the recovery by him of any premises to which this Act applies (or of any furniture or other goods leased therewith) on the ground prescribed in subsection (6) (*a*) of this section the provisions of Part VIII of the Local Courts Act relating to signing judgment and confession of judgment and such other provisions of the said Act as relate to rights, powers, duties and liabilities of parties to a personal action and of the Court and officers thereof, and to procedure so far as they are applicable shall apply *mutatis mutandis* to any such legal proceedings.

Amendment No. 1.

The Hon. Sir THOMAS PLAYFORD (Premier and Treasurer)—Section 40 of the principal Act exempts from rent control caravans let for holiday purposes for a period of up to four weeks. The amendment increases the period to six weeks. It was not opposed by the Government in the Legislative Council. Frequently caravans are hired for holiday purposes for longer periods than four weeks. I move that the amendment be agreed to.

Amendment agreed to.

Amendment No. 2.

The Hon. Sir THOMAS PLAYFORD—New clause 2b, which was inserted in the Legislative Council, deals with an entirely different matter. The effect of this clause is to provide that, in proceedings for the recovery of possession of premises on the ground that the tenant has failed to pay rent, the provisions of the Local Government Act concerning enforcement of judgments and other provisions of that Act relating to the rights and duties of the parties in personal actions are to apply. The amendment will provide a method of recovery of possession where a defaulting tenant has not entered any appearance to a summons for recovery of possession which has been issued against him. In other words, a tenant can sign judgment in the form of an appearance.

Although at first sight the new clause, which is procedural, appears to effect a radical change, the Legislative Council felt that there were adequate safeguards under the ordinary law whereby in a proper case judgment for default could be set aside. Shortly stated, the effect of the amendment is to facilitate recovery of premises where a tenant has failed to pay his rent. The ordinary rules applicable to actions in local courts will apply to proceedings for recovery of premises.

I do not oppose the amendment. The whole basis of the Act is to protect a tenant who complies with the terms of his lease. It was never considered that a tenant should be protected if he were not complying with the terms of the agreement or those set out by the Housing Trust. This merely provides that the local court can deal with these matters. It will simplify the proceedings and facilitate the procedure. At present there is some delay before a landlord can take action even when the tenant is gravely at fault. I move that the amendment be agreed to.

Progress reported; Committee to sit again.

PRICES ACT AMENDMENT BILL (No. 2).

In Committee.

(Continued from November 2. Page 1644.)

Clause 3—"Land transactions".

Mr. FRANK WALSH (Leader of the Opposition)—Members of the Opposition oppose this type of legislation, and I oppose the clause.

Mr. RICHES—This legislation will have a far-reaching effect. Once this power is taken away from the Government it will, except in cases of serious emergency, probably never be given back. The Government has not abused this power; in fact, by proclamation it has not operated for many years. The Government has often pointed out the value of retaining prices legislation so that it may be exercised in cases of abuse. In States where price control is not operative, prices legislation is retained so that the Government will have power to implement control if necessary. The sections sought to be repealed give the Government power to control land sales, and I think that power should remain.

Last year the member for Mitcham sought the permission of this House to move an amendment, and advanced arguments similar to those used on this occasion. Although this House has had the benefit of those arguments since last year, it has passed legislation re-enacting the sections that this clause repeals. Nothing has happened since last year to alter this Committee's mind. Many members of my Party are concerned about the present high prices of land. The Government may have to consider taking the action that many people think is necessary now. It is wrong to ask this Committee to reverse a decision it made a few weeks ago.

Mr. QUIRKE—I oppose this clause, principally on the ground advanced by the member for Stuart. I think it is dangerous for the Leader of the Government to introduce a measure which contains no reference to the repeal of the sections mentioned in this clause, to ask for an extension of the prices legislation for 12 months, and then to agree to the repeal of these sections by a private member's Bill. I should like the Treasurer to explain this. I am not wrapped up in price control, and would like to see it abolished altogether, but while we have price control I think these sections are necessary within that control, for even though they are not now operative they are there should the emergency arise. I should say the emergency has come and gone, and that all necessity for price control has gone, but while price control is still on the Statute Book these sections should be retained. I want the Premier to explain why it is that no mention was made of the repeal of these sections when the House approved the operation of the whole Act for another 12 months, and why a few weeks afterwards such a major subtraction as this can be allowed by the Government without any comment.

The Hon. Sir THOMAS PLAYFORD (Premier and Treasurer)—In fairness to the member for Mitcham, he tried last year to have this measure passed, and again this year he was anxious to move for an instruction for its insertion in the principal Act. It was only because the Government called on the Bill when he had other duties that he missed his opportunity of having it considered. Whether the honourable member is right or wrong in this matter, he has never hidden his light under a bushel and has always been most anxious to have not only these sections but all price control abolished. I think I am correct in saying that if the honourable member could repeal all price control he would try to do that, too. He attempted to move this amendment last year, and would have done so again this year had not other duties precluded him from being in the House when the second reading vote on the earlier Bill was taken.

This clause is the whole Bill. For years the Government has found it impracticable to control the sale of land. Even during the war, when the Commonwealth National Security Regulations were in force, the effectiveness of this control was doubtful. Control could be avoided in so many ways; it was subject to grave abuse throughout Australia, and many public scandals eventuated. It is not a type of control to which it is possible to give effect. So many things can be intruded to alter a land transaction that it has not been practicable—and no State has found it practicable—to exercise this control over a period of years. The Government has not, in fact, exercised the control now for more than 10 years. These sections have not been put into operation, and I do not believe they could be put into operation effectively. The question may be asked: why has the Government itself not moved to have these sections deleted?

Mr. Quirke—That is the question I ask.

The Hon. Sir THOMAS PLAYFORD—Many items not under control are, of course, covered in the principal Act; they can be brought under control by proclamation if so desired. The fact that they can be subjected to investigation has been, in my opinion, probably more valuable in the ultimate effect of price control than the actual control itself. The restraining influence is the fact that they can be brought under control, and I believe that has had a more advantageous effect than the direct control itself. Direct control has only been placed on a limited number of items, but I believe the fact that the Act can be invoked has on many occasions led to people closely examining whether what they propose can be justified, and that this has maintained a desirable stability. Even with items not subject to direct control, the Government has had to inquire into certain transactions. Only today the Leader asked for an inquiry into a transaction involving land and house purchase. The Act gives the Government power to inquire without being told to mind its own business. That is the reason the Government has not up to now of its own volition removed these sections from the Act. I have no objection to the deletion of these sections.

Mr. LOVEDAY—I am rather puzzled by the Premier's statement that the member for Mitcham was unable to attend to this matter when the first Bill was before the House. We find from *Hansard* that on October 12 the honourable member asked a question, and on that day the Bill was read a second time and taken through Committee without amendment. Had the honourable member so desired, he could have raised the matter on that occasion, so that hardly seems a good reason for extending him some unusual privilege in allowing him to bring this matter forward after the first Bill passed all stages, seeing that he was in the House on the day it passed all stages.

The Premier also said that the fact that a number of items could be dealt with even though there was no direct control under the Prices Act, exercised a restraining influence, and that is surely a good reason why these sections should remain. If it is a good enough reason for a restraining influence to be exercised even though direct control is not actually in operation, then it is a good reason why these sections, which have not been made operative, should remain as a restraining influence. In fact, the argument the Premier put forward was a good argument for what the Opposition is saying. The only reason the member for Mitcham wants the sections removed —if we grant the validity of those arguments —is that he wants to tidy up the Act. Surely, what is the most important thing: to have something there which, as the Premier said, can act as a restraining influence, or to remove it in order to tidy up the Act? I think there is only one answer, and that is that these sections should be kept there as a restraining influence.

We are today at a stage where the whole Commonwealth is concerned and alarmed about inflation, yet the honourable member wants to remove something which can be used and which is probably a restraining influence on one of the most important factors in inflation, namely, speculation in land. No-one will deny that speculation in land is one of the most important factors in the present inflation in this country. I submit that neither the honourable member nor the Premier has advanced one solid reason for the removal of these sections, and I am surprised that the Premier supports the proposal. I hope that in the interests of the State and all concerned the Committee will see that these sections remain in the Act.

The Hon. Sir THOMAS PLAYFORD—I was correct when I said the honourable member for Mitcham was not present when the second reading vote was taken. Actually, no vote was taken, and I should have said that he was not here to declare against it, and that would have been the time for him to move for an instruction to have this matter considered. Had the honourable member been here, I am sure he would have called for a division.

Mr. HUTCHENS—I oppose the clause, because I believe that the very argument advanced by the Premier for the deletion of these sections is an argument for their retention.

The Hon. Sir Thomas Playford—I was not aware that I had advanced an argument. I stated what I considered to be facts.

Mr. HUTCHENS—I thought that the Premier tried to advance an argument, but perhaps he did not advance one, and is being honest about it. This type of legislation tries to curb inflation. We have inflation today; our economic position seems at last to be causing the Commonwealth Government some concern, and when that Government becomes concerned about inflation it is a sound admission that we have inflation. I appreciate the difficulties of putting certain legislation into effect, but the fact that there are difficulties is no reason to argue for its repeal. The Premier has said that the threat of putting something into effect, even if it is only to deal with individual cases, has the effect of stopping people from committing acts detrimental to our financial system. I have heard the Premier express concern at land prices today. If these sections are removed there will be no brake on land prices, and chaos will eventuate.

I urge the Committee not to pass this clause, for I believe that such action would be dangerous and would lead to further inflation, with the result that those desiring to purchase land would be placed in a most precarious position. Genuine house-owners will find that the price of land is being forced up, and they will have to borrow money at exorbitant interest rates in order to purchase land on which to build a house. It is a serious matter. If any Act will make people think twice before they indulge in exploitation, it should appear on the Statute Book.

Progress reported; Committee to sit again.

EARLY CLOSING ACT AMENDMENT BILL.

Received from the Legislative Council and read a first time.

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

That this Bill be now read a second time.

Its main objects are to remove many of the anomalies found in the principal Act and to amend that Act to meet the growing needs of the public. The Bill will also iron out many of the difficulties that have arisen in the administration of the Act in its present form. Clause 3 of the Bill makes two amendments to section 4 of the principal Act. The first amendment relates to the definition of "shop", which at present means *inter alia* the whole or any portion of a building or place in which goods are offered or exposed for sale by retail or by auction and includes a building or place in which the business of a hairdresser, pawnbroker or undertaker is carried on. The Government feels that a place where the business of an undertaker is carried on should not be included within the definition of a shop unless it is a place where goods are offered or exposed for sale, and paragraph (*a*) of clause 3 accordingly deletes from that definition the reference to the business of an undertaker. The second amendment relates to the definition of "shop assistant". While a shop is defined as including a building or place in which the business of a hairdresser is carried on, hairdressers are not included in the definition of "shop assistant" although clerks and messengers are. Paragraph (*b*) of this clause accordingly rectifies this omission. Subsection (2) of section 5 of the principal Act exempts from the application of the Act any shop erected and carried on at any industrial exhibition or agricultural or other similar show so long as no goods other than goods of the prescribed kind are sold at that shop. This imposes an unnecessary restriction and clause 4 seeks to exempt from the application of the Act any shop erected and carried on at any industrial, agricultural or horticultural exhibition or show or at any other exhibition or show approved by the Minister, without any restriction on the kind of goods that may be sold or the hours at which goods may be at that shop.

Section 6 of the principal Act empowers the Governor to suspend the operation of the Act in so far as it applies to the closing times for shops. Under subsection (2) (*a*) of that section the suspension can apply only to the whole of the State or to such shopping district or districts as are specified in a proclamation. Some shopping districts are quite large: for instance, Wallaroo and Kadina are in one district. Clause 5 seeks to extend the application of such suspension also to such part or parts of a district or districts as are specified in the proclamation. The definition of the metropolitan shopping district in section 8 (3) of the principal Act is in need of revision as most of the district council districts referred to are now municipalities and one is no longer in existence. Clause 6 defines the metropolitan shopping districts as it now exists.

Under section 10 (1) a petition may be presented praying that an area defined therein be constituted a shopping district, and section 14 (1) provides that, if a counter-petition signed by more petitioners than the number who signed the petition is not presented within the prescribed time, the Governor may by proclamation constitute that area a shopping district. Section 15 (1) provides that, if a counter-petition is presented within the prescribed time in accordance with the relevant provisions of the Act, the petition shall not be granted and shall be deemed to have been finally dealt with. Section 14 (2) provides that a petition shall also be deemed to have been finally dealt with (*a*) upon the publication of the proclamation, or (*b*) if no proclamation is published within a period of two months after the expiration of the time within which a counter-petition may be presented, then at the end of that period of two months. Paragraph (*b*) of the subsection serves no useful purpose. As I have already mentioned the Act provides that if no counter-petition as required is received, the petition will be granted by the publication of the proclamation and if a counter-petition is presented in accordance with section 15 (1) the petition shall not be granted and it shall be deemed to have been finally dealt with. The paragraph further gives rise to many administrative difficulties. Each petition and counter-petition has to be referred for examination to the Crown Solicitor, the returning officer for the State and usually to the town clerk for the district in question, and the time limit imposed by the paragraph could present considerable difficulty when petitions and counter-petitions are received at or about the time of a Parliamentary election. Clause 7 accordingly simplifies the provisions of section 14 (2) by re-enacting the subsection omitting paragraph (*b*). Clause 8 repeals section 16 as the same subject matter is dealt with in section 14 (2) as amended by clause 7.

The object of clause 9 is to empower the Governor to re-define by proclamation the boundaries of any shopping district whenever in his opinion those boundaries are or have become uncertain. This is a desirable provision especially where a shopping district is defined with reference to a municipal or district council area the limits of which are subsequently altered.

Clause 10 (*a*) amends section 25a (1) to enable a petition to be presented praying that part of a shopping district be excised from that district. Paragraph (*b*) of that clause makes a consequential amendment to subsection (2) of that section by requiring a petition for the excision of a part of a shopping district from that district to be signed by a quorum of electors residing in that part. Paragraph (*c*) of that clause adds a new subsection to section 25a which will ensure that no part of a shopping district will be excised from that district unless both the part to be excised and the remaining portion of the district are of a minimum size consisting of the whole of any municipality or municipalities or, if outside a municipality, of an area of at least 36 square miles. Clause 11 and clause 12 (*a*) correct two printing errors in sections 25b and 25c of the principal Act, and paragraphs (*b*) and (*c*) of clause 12 make two consequential amendments to section 25c.

Clause 13 makes two consequential amendments to section 25d arising out of the provision in clause 10 enabling a petition to be presented for the excision from a shopping district of a part thereof. Paragraph (*a*) of clause 14 clarifies the wording of the first part of section 25e (1) while paragraphs (*b*), (*c*) and (*d*) of that clause make consequential amendments to that section arising out of clauses 10 to 13. Paragraph (*e*) of the clause substitutes for subsection (2) of that section a provision similar to that proposed by clause 7 and my remarks relating to clause 7 also apply to this provision.

Clause 15 repeals and re-enacts section 25f of the principal Act with a consequential amendment arising out of clauses 12 (*c*) and 13. Clause 16 adds a new subsection to section 25g. The new subsection applies the same restrictions as are imposed by that section in relation to a petition for the abolition of a shopping district to a petition for the excision from a shopping district of part thereof.

Clause 17 (*a*) makes a consequential amendment to section 26 (1), while paragraph (*b*) of that clause corrects a drafting error in subsection (2) of that section. With the increasing number of migrants now being employed in shops it has been found most desirable to enable inspectors and members of the Police Force, who now have power to enter and inspect shops, to take with them interpreters. Similar powers are contained in sections 228 and 296 of the Industrial Code. Clause 18 accordingly inserts in section 29 of the principal Act two new subsections which have been modelled on those sections of the Industrial Code. Paragraphs (*a*), (*b*) and (*c*) of clause 19 make consequential amendments to section 30 of the principal Act arising out

of clause 18, while paragraph (*d*) increases the penalty for an offence under that section from £5 to £50. This penalty has been unchanged since 1911.

Section 31 of the principal Act, *inter alia*, requires a person who goes into occupation of a shop to apply to have his shop registered and to apply annually for renewal of the registration. The application is to be made in the prescribed manner and within a prescribed time and each applicant must furnish the registrar with certain particulars to enable the registrar to classify the shop. The provisions relating to closing times and working hours in relation to a shop are contained in Part V of the Act. The closing time of a shop, however, depends on its classification as determined by the registrar, but section 31 at present does not empower the registrar to classify a shop until application has been made for registration and the required particulars are furnished to the registrar by the applicant.

Thus it is not possible to prosecute a shopkeeper under section 38 for selling goods after closing time if he has not applied to have his shop registered under section 31. In order to meet such a case clause 20 proposes to insert in section 31 a new subsection which will empower the registrar in his discretion to determine the class of a shop, application for the registration of which has not been made. The subsection requires the registrar in such a case to serve on the occupier of the shop a notice of his determination and provides that on such service the provisions of Part V shall apply to that shop as if it belonged to that class although the shop itself has not been registered.

Under section 34 it is an offence to occupy or use an unregistered shop after the period allowed by the Act for effecting the registration or the renewal of registration. Clause 21 seeks to make it an offence also to sell from any unregistered shop any goods whatsoever. The clause also raises the daily penalty from £2 to £5. Clause 22 raises the penalties prescribed by section 37 from £10 to £20 for a first offence and from £25 to £50 for a subsequent offence.

Under section 37a of the principal Act, a shopkeeper of any shop outside the metropolitan shopping district in which only the members of his family and a manager are employed may at any time sell any goods to any person who resides at least five miles from the shop and has within six hours previously travelled from his residence to the shop. Thus a tourist or traveller holidaying or staying in a country town cannot be served from such a shop unless he has within the six hours previously travelled from his residence to the shop. Clause 23 clarifies the application of section 37a to any shop, whether or not it is an exempted shop, and strikes out the requirement that the customer must have travelled from his residence to the shop within the preceding six hours.

Paragraph (*a*) of clause 24 makes an amendment to section 38 (1) which had been overlooked when section 37a was enacted in 1945. Paragraphs (*b*) and (*c*) of that clause remove the undue restriction imposed by subsections (1) and (3) of that section on the delivery of goods from shops, while paragraphs (*c*) and (*d*) raise the penalties from £10 to £20 for a first offence under the section and from £25 to £50 for a subsequent offence. Clause 25 (*a*) clarifies the first part of section 39, while paragraphs (*b*) and (*c*) of that clause bring the penalties into line with section 38 as amended by clause 24.

Section 40 of the principal Act provides that the Minister or any authorized officer may permit a shopkeeper in the metropolitan shopping district to employ any shop assistants on one compulsory weekly half-holiday in each year for the purpose of stocktaking. The application of this provision only to the metropolitan shopping district cannot be justified. The section also provides that application must be made by the shopkeeper for this purpose and that it is a condition of the granting of the application that the shop in question must be kept closed in the morning of the half-holiday. It is considered that these provisions serve no useful purpose nor does the condition in paragraph (*d*) of subsection (1) of the section requiring the shopkeeper to pay the shop assistants so employed the minimum rates of pay as the relevant awards by which shopkeepers are bound take such cases into account. Clause 26 accordingly repeals section 40 and substitutes a new section under which a shopkeeper is not obliged on one compulsory weekly half-holiday in each year to allow each shop assistant that half-holiday if the assistant's services are required on that day for the purpose of stocktaking and the shopkeeper complies with such conditions as may be prescribed with respect to the employment of assistants for that purpose.

Section 41 makes it an offence for a shopkeeper to require or permit an assistant to work for him or remain in the shop after closing time. Section 43 makes it an offence for a shop assistant to work for his employer or remain in the shop after closing time and section 44 empowers the Minister or an officer authorized

by him to suspend the operation of sections 41 and 43. It is considered that these provisions are no longer needed. Employment of assistants after normal working hours is now governed by appropriate awards and clause 27 accordingly repeals these sections. Clauses 28 and 29 raise the penalties provided for in sections 45 and 46 (1) respectively.

Provision is made in section 47 of the principal Act for the Chief Inspector to grant a licence permitting the sale of goods after normal closing time if the proceeds are to be devoted to any benevolent, charitable, religious or public purpose or in aid of any friendly or benefit society, or permitting a commercial traveller to expose samples for the purpose of securing wholesale orders, or permitting the sale and delivery of goods for provisioning a ship. There appears to be no reason why a licence should have to be granted in these cases or why the sale of goods after closing times should now be allowed in aid of friendly or benefit societies under conditions prevailing today, and clause 30 accordingly repeals section 47 and substitutes a provision whereby the acts for which a licence was hitherto required could be done without licence if the Bill becomes law. Subsection (2) of the new section is designed to exempt from registration places where goods are sold on special occasions (such as fetes and functions) for raising funds for benevolent and charitable purposes. Clause 31 raises the amount of the fee for a licence provided for in section 48 from 2s. 6d. to £1.

By section 49 (1) of the principal Act power is conferred on the Minister, by licence, to permit a shopkeeper to sell motor spirit and lubricants for motor vehicles on week days after closing time and on Sundays. Paragraphs (*a*) and (*b*) of clause 32 extend the application of the section to the sale of spare parts and accessories for motor vehicles on week days after closing time and on Sundays and to the sale of all these commodities on public holidays. Paragraph (*c*) of the clause inserts in that section a new subsection which provides that the licence may authorize the licence holder to sell the motor spirit, lubricants, spare parts and accessories, or such of them as may be specified in the licence, in any one or more of the following ways:—

(*a*) by means of coin-operated machines or pumps;

(*b*) in accordance with such roster system as the Minister determines;

(*c*) in such other manner as the Minister thinks fit.

There has been a continuous and growing public demand for such a service in the metropolitan area and the Government feels that under this provision a system of distribution could be evolved that is fair to all sections of the community. Paragraphs (*d*) and (*e*) of clause 32 are consequential amendments arising out of the earlier provisions of this clause and the repeal of sections 41 and 43 by clause 27. Clause 33 raises the penalties prescribed by section 50 of the principal Act.

Paragraph (*a*) of clause 34 amends section 72 (1) of the Act by making it an offence for a shopkeeper to sell goods, other than exempted goods, on a public holiday. This provision appears to have been overlooked when the section was originally passed. Paragraphs (*b*) and (*c*) of that clause raise the penalties for an offence under subsection (1). Paragraph (*d*) brings the wording of subsection (3) (*b*) of that section into line with the wording of subsection (1) of this section.

Section 72 (3) of the Act provides that in any proceedings for an offence under that section, evidence that goods were covered or screened merely with a cloth, paper, or other similar material shall be conclusive evidence that the goods were exposed for sale. Such a provision in most cases is a reasonable one, but there are occasions when the provision could result in hardship. For instance, when the Apollo dining room at the Myer emporium is used at night, persons using the dining room have to enter the ground floor of the building and it is felt that some provision enabling the Chief Inspector to approve of goods being covered or screened on such occasions would not be contrary to the spirit of the section. Paragraph (*e*) of clause 34 has been designed accordingly.

Section 90 of the Act provides that any petition shall be deemed to be duly presented if delivered at the Minister's office to the Minister or his secretary personally. Clause 35 simplifies the procedure by enabling a petition to be delivered to any responsible officer employed in the office of the Minister or the Secretary for Labour and Industry.

The second schedule to the Act contains a list of exempted goods under the Act. Paragraph (*a*) of clause 36 re-enacts paragraph 1 of that schedule with the addition of margarine. Paragraph (*b*) of the clause includes seeds, fertilizers and garden pesticides in small quantities in paragraph 5 of the schedule. Paragraph (*c*) of the clause includes the following items in pargraph 8 of the schedule: razor blades, shaving creams, toothpaste and

toilet soaps, sanitary napkins, hot water bags, and films for use in cameras. Paragraph (*d*) of the clause includes greeting cards and envelopes for greeting cards in paragraph 9 of the schedule and paragraph (*e*) of the clause adds a new paragraph 12 to the schedule listing therein eggs, bacon, sausages, uncooked rabbits and uncooked poultry. The third schedule to the Act contains a list of exempted shops under the Act. To this list clause 37 adds greeting-card shops. The Bill seeks to make necessary and desirable amendments to the existing law and for the most part reflects the needs and demands of all sections of the community and I commend the measure for favourable consideration by all members.

Mr. HUTCHENS secured the adjournment of the debate.

ADJOURNMENT.

At 5.39 p.m. the House adjourned until Wednesday, November 16, at 2 p.m.