HOUSE OF ASSEMBLY.

Thursday, September 20, 1962.

The SPEAKER (Hon. T. C. Stott) took the Chair at 2 p.m. and read prayers.

QUESTIONS.

ABATTOIRS OVERTIME BAN.

Mr. FRANK WALSH: Under the heading of "Urgent Moves on Meat 'Emergency'", the following report appeared in this morning's *Advertiser*:

The State secretary of the Meat Industry Employees' Union (Mr. W. W. Pirie) claimed yesterday that the Metropolitan and Export Abattoirs was not slaughtering lambs to its full capacity. . . . "The Minister might be interested to know that there is a mutton chain at the abattoirs that has not been used this season, and on which an additional 10,800 lambs a week could be slaughtered in ordinary hours from Monday to Friday inclusive," he said.

I have not had a chance to check these statements with Mr. Pirie today, but will the Minister of Agriculture say whether there is at the abattoirs a mutton chain suitable for the slaughter of lambs that could be used, as I believe this would result in a saving in costs if used instead of employing men on overtime?

The Hon. D. N. BROOKMAN: Knowing that this matter was of interest to members, I obtained a report from the Secretary of the Metropolitan and Export Abattoirs Board which I shall read. This statement came from the Secretary: it is not the Chairman's statement; and I do not know whether the Secretary conferred with the Chairman. The statement is as follows:

No. 4 lamb chain, capable of handling 2,160 lambs a day (that is, 10,800 lambs a week), has not been used so far this season. At the time of the imposition of the overtime ban on September 12, the stock position had not warranted the use of the No. 4 chain. Due to the inability of the union to supply suitable and sufficient labour, it is doubtful if No. 4 chain could have been manned Monday to Friday. The arrangement with regard to labour is that the union supplies labour on the job at the request of the management and if the union is unwilling or unable to fill the required quota the board can engage its own labour. Until the ban, of course, it was not necessary for the board to consider seeking outside skilled labour, if this was possible. The board will probably have to consider this aspect in view of the present events but it is felt that difficulty would now arise in obtaining any outside labour at all away from the union.

No. 4 chain is, and has been regarded as, a weekend chain. At the weekends, it has in the past been manned by slaughtermen from the beef, pig and calf sections, and this could be done now but for the overtime ban. It is pointed out that it is more economic on some occasions to work overtime at weekends than engage a considerable quantity of labour for spasmodic week-day work and this is most obvious in this type of seasonal industry.

The board was given an assurance by the union that it could retain key personnel, that is, slaughtermen and others, out of their union seniority on the job, but due to pressure the year before last, when labour was being retrenched at the works, the South Australian Trades and Labour Council forced the board to retrench key personnel who would normally have been retained and would have been the nucleus for No. 4 chain. This is the position at the moment.

Mr. HEASLIP: Following on the question asked by the Leader of the Opposition of the Minister of Agriculture regarding the unmanned chain at the abattoirs, and the answer he received from the Minister—

Mr. Lawn: What is the question?

Mr. HEASLIP: —which was more or less as anticipated, will the Leader of the Opposition take up with the State Secretary of the Meat Industry Employees' Union (Mr. Pirie) the matter of supplying suitable slaughtermen to man the chain and to work overtime on the remaining chains? I ask this question because—

Mr. Riches: Objection!

The SPEAKER: Does the honourable member for Rocky River desire to continue with his question?

Mr. HEASLIP: I was trying to explain.

The SPEAKER: Objection having been taken, the honourable member must ask his question.

Mr. HEASLIP: Will the Leader of the Opposition take up with the State Secretary of the Meat Industry Employees' Union (Mr. Pirie) whether he can and will supply suitable and competent slaughtermen to man that chain to enable sheep to be slaughtered in South Australia, which sheep were only yesterday sold for 6s. a head?

Mr. Lawn: Objection! What is the question?

The SPEAKER: Does the Leader of the Opposition desire to reply?

Mr. FRANK WALSH: I am prepared to discuss further with Mr. Pirie the question of labour at the abattoirs.

Mr. Heaslip: Suitable labour.

Mr. FRANK WALSH: I am prepared to do it, concerning the working of the chain already mentioned. Any other industrial matter that is in dispute is entirely a matter for the union concerned, and I do not interfere.

COUNTRY ELECTRICITY CHARGES.

Mr. HARDING: In the *Border Watch* this week appeared a statement by Mr. Sanders, Engineer for the Electricity Trust at Mount Gambier, in which it was stated that electricity charges would be reduced at Mount Gambier, Millicent, Kalangadoo and Glencoe. My question concerns the Corporation of Naracoorte, the District Council of Lucindale, and a private undertaking at Penola. Can the Premier say whether the reduction in tariffs that is to take place at Mount Gambier after October 1 is also to apply where there is a private supply in adjacent towns and districts?

The Hon. Sir THOMAS PLAYFORD: Honourable members will know that the legislation that has been passed by this House and also by the Legislative Council provides for the Government to give a subsidy to the Electricity Trust for two purposes—first, to reduce country electricity tariffs to bring the trust's charges down to within 10 per cent of the metropolitan tariff, and secondly to provide for private suppliers that have a public franchise also to make reductions. For the trust it is comparatively simple to bring in the arrangement immediately. It will come into operation as from October 1, and it will probably be retrospective for up to three months, because I understand that meters are read every three months. Anyone who comes into the category after October 1 will automatically get the reduction. As regards private franchise, I have pointed out to honourable members that it is necessary to make an arrangement with every individual franchise holder. The trust is busy on this work and I am not in a position to say whether it will come into operation in any particular franchise or whether all franchises will be reduced at the same time. We have to make private arrangements with each one and there are some 20 or 30 of them. It may take some time to get results, but the trust is on the job and will do it as quickly as possible.

COUNTRY ABATTOIRS.

Mr. CASEY: In view of the increased numbers of sheep and lambs in this State and the likelihood of further increases in future years, does the Government intend to proceed itself, or to assist other organizations, with the establishment of meatworks in country areas? I understand that the Industries Development Committee has been asked to collate evidence on this matter over the past two years. Can the Premier say when a report from the committee is likely to be available?

The Hon. Sir THOMAS PLAYFORD: The answer to the second question is "No". The answer to the first question is that the Government has made a public offer available for the last four years to any authority beyond 80 miles from the General Post Office to assist it financially to establish an abattoirs, to provide the public utilities necessary for the establishment of an abattoirs and to give it a franchise to bring a percentage of its meat into the metropolitan area, but no proposition has been submitted to us in that respect. I repeat that the Government is prepared to make substantial financial contributions towards the establishment of a country abattoirs, to provide houses for employees, to see that electricity, water and sanitary arrangements are available, and to give a franchise for the importation into the metropolitan area of 50 per cent of the total killings on a weight basis, provided it does not exceed one-seventh of the metropolitan area's total consumption.

Mr. RICHES: I refer to some letters that have been appearing in the press from Penola in connection with the agitation for the establishment of an abattoirs in that area. According to the letters, some representations have been made to the Industries Development Committee extending over two years, and, if I understand the complaint aright, it is that no decision has been reached in the matter. Has the Premier received from Penola any proposition for reference to the Industries Development Committee as such and, if so, has such a proposition been referred? I am a member of the committee and, as far as I know, no application from Penola has been before it. The committee, sitting as a special committee, visited Penola and submissions were made from the town, and just about every other town we visited in the State, suggesting country abattoirs, but Penola suggested that the Government should establish a Government-owned and controlled abattoirs at Penola, and it was suggested that representations should be made to the Government on the matter.

Mr. Heaslip: Question!

The SPEAKER: Objection having been taken, the honourable member must now ask his question.

Mr. RICHES: Will the Premier say whether he has at any time received an application from Penola for the establishment of an abattoirs there and whether he has referred that application to the Industries Development Committee?

The Hon. Sir THOMAS PLAYFORD: I have received from Penola on many occasions applications for an abattoirs to be established there. A committee in that area frequently applies to the Government for the establishment of an abattoirs there, but none of these applications has been referred to the Industries Development Committee because they do not, in the Government's opinion, qualify for a reference. As to abattoirs at Penola and other country areas, unless there is a substantial local population the establishment of abattoirs becomes dependent to a large extent upon the export market. As honourable members know very well, the export meat market is frequently unattractive because of prices, and the local market frequently has a much better price. I think that in the main it would be true to say that meat is exported overseas only when it is below a certain price locally. Lamb buyers only operate when the price is below export parity and, when it is above export parity, there is no suggestion of export taking place.

So, any abattoirs established in the country which is not backed by rural consumption depends on the export market. The member for Frome (Mr. Casey) has an abattoirs operating in his district and practically the whole of its production is consigned to America. Meat bought is of a type that is profitable to consign to America. The project that has been suggested to be established at Penola has been on the basis that the Government would erect an abattoirs and hand it over, but there was no assurance that sufficient stock would be provided for it and that supplies would be sufficiently stable to ensure that it could be worked, nor was there any assurance of financial support or direction. I think that the management would be provided by the local people, but there would be no financial responsibility.

In the Government's opinion two essentials for the establishment of abattoirs, which have not been provided in this case, are an assurance of a continuity of stock and the assumption of some financial responsibility. The Government would put up most of the finance, but not all, nor would it be responsible for losses. Although the Government has received general applications, it has not referred them to the Industries Development Committee because in the Government's opinion the projects could not be successful.

INTERMEDIATE EXHIBITIONS.

The Hon. B. H. TEUSNER: Can the Minister of Education now give me the information I sought yesterday about Intermediate and continuation exhibitions?

The Hon. Sir BADEN PATTINSON: The Education regulations have been amended to provide for a 50 per cent increase (from 394 to 600) in the number of exhibitions awarded on the results of Intermediate examinations. Intermediate exhibitions will be increased from 144 to 200 and Intermediate continuation exhibitions from 250 to 400. In addition, the continuation exhibitions, which at present are of one year's duration only, will in future be for two years. Intermediate exhibitions are decided on results of the Intermediate examinations of the Public Examinations Board; 150 will be available to students of schools throughout the State, and the other 50 will be reserved only for students attending country schools. The 400 continuation exhibitions are awarded on the results of either the Public Examinations Board Intermediate examination or the Education Department area school certificate examination. Technical high schools are not included, because 60 Intermediate technical exhibitions are awarded annually to students of those schools. The exhibitions, which are valued at £25 for the first year and £30 for the second, are tenable at any Government or private secondary school. There is no minimum qualifying standard prescribed and all 600 exhibitions, plus the 60 Intermediate technical exhibitions, will be awarded.

DEEP CREEK RESERVE.

Mr. BYWATERS: My question concerns the area known as Deep Creek reserve, on the South Coast. Has the Government made any progress in relation to a request by various organizations for acquiring this land for future public reserves?

The Hon. D. N. BROOKMAN: I cannot take this matter any further than I did the last time the honourable member asked this question, but I myself am interested in the area for the purpose suggested. The matter is being thoroughly investigated, the area has been inspected and the owners of the land in question are being contacted.

HYDRO-ELECTRIC SALT WATER SCHEME.

Mr. JENKINS: Last year I inquired whether the Electricity Trust would investigate the impounding and release of seawater along the South Coast for electricity production. Can the Premier say whether that investigation has been made and, if it has, with what result?

The Hon. Sir THOMAS PLAYFORD: This matter will be dealt with in the second reading explanation of a Bill to be introduced next week. I do not want to take the matter further than that at present, except to say that it appears that the proposition is not a very good one.

BIRKENHEAD BRIDGE.

Mr. TAPPING: Has the Minister of Works a reply to my question of August 16 regarding the frequent openings of the Birkenhead bridge?

The Hon. G. G. PEARSON: My colleague, the Minister of Roads, has informed me that it is proposed to ban bridge openings on the Birkenhead bridge for all vessels (except passenger vessels) between 7 a.m. and 8.30 a.m., and also between 4.30 p.m. and 5.45 p.m. every day except Saturdays, Sundays and public holidays. This will be put into effect as soon as practicable, but will be of a temporary nature pending the construction of an alternative crossing to the present Jervois bridge. The Harbors Board raises no objection to the proposal.

PORT PIRIE AIR POLLUTION.

Mr. McKEE: Can the Premier say whether the Mines Department has tested the arsenic content and lead fall-out in the atmosphere at Port Pirie? If it has, what were the findings? If such tests have not been conducted, when are they likely to be carried out?

The Hon. Sir THOMAS PLAYFORD: I shall have to get the information for the honourable member, as it has not been supplied to me.

MARGARINE.

Mr. SHANNON: There is concern in the dairying industry at inroads at present being made into the table butter market by the sale of table margarine in pound packs with the words "Table Margarine" printed in small type at the bottom of the pack. This practice is becoming an increasing menace to the dairying industry. This commodity, no doubt, is masquerading as butter, and many people who consume it do not know that it is margarine. As we are likely to lose a considerable portion of our export market if the British powers-that-be decide to enter the European Common Market, the problem of disposal of the surplus butter will become serious. I realize that South Australia is not an exporter of butter, and I am sure that the Minister is aware of the situation—

The SPEAKER: Is the honourable member expressing an opinion or asking a question?

Mr. SHANNON: I am seeking the Minister's views on whether or not—as South Australia is involved through the Australian Dairy Produce Board in the export of surplus butter and this affects the prices producers receive—the possibility of prohibiting the sale of margarine in pound packs has been examined, as it is obviously an effort to take the market away from butter by a subterfuge.

Mr. Jennings: There must have been a meeting of the South Australian Farmers Co-operative Union this morning!

Mr. SHANNON: No, yesterday.

The SPEAKER: Order!

The Hon. D. N. BROOKMAN: I share the honourable member's concern for the dairying industry on this question of competition from margarine.

Mr. Riches: Would you restrict private enterprise?

The Hon. D. N. BROOKMAN: I only wish members opposite would show the same consideration—

The SPEAKER: Order! Members must maintain order when Ministers are replying to questions. This question was directed to the Minister of Agriculture and not to the member for Stuart.

The Hon. D. N. BROOKMAN: One feature of the competition from which butter suffers is the imitative aspect—the colouring of margarine to make it look like butter. This matter, of course, has been under consideration for a long time. At present the Agricultural Council is engaged in closely studying the question of margarine to determine what should be done in the interests of the dairying industry. One matter concerns the quality of table margarine and its price. Another relates to the labelling of margarine—how it should be labelled. I have not actually had brought to my attention the effects of the packaging of margarine—the quantities in which margarine may be sold in individual packs. I will consider the honourable member's suggestion and at the next Agricultural Council meeting will see that this question is thoroughly investigated.

THEBARTON GIRLS TECHNICAL HIGH SCHOOL.

Mr. LAWN: The Minister of Education will recall that some years ago on behalf of the Thebarton Girls Technical High School Council I made representations regarding an old bakehouse on property adjoining the school which was being used by the students as a gymnasium. This property was owned by a brother and sister. The Minister, Mr. Walker and I inspected the site and the Minister ultimately agreed to purchase the property. The council believed that the old bakehouse would be demolished and a modern building erected as a gymnasium. I have received complaints from parents and others associated with the council regarding this old and dilapidated building, and they have asked me to again raise this matter with the Minister. The council has made representations to the Director of Education without result. Can the Minister say whether it will be possible to demolish the old building and erect a modern structure in its place? Can he supply any information, or will he make inquiries?

The Hon. Sir BADEN PATTINSON: I shall be pleased to do so. I remember, some years ago, at the request of the honourable member, making an inspection with him. As a result the Government did agree to acquire the property. My impression is the same as the honourable member's, namely, that it was the intention of the department to have the old building demolished and a new one erected. I was not aware, until the honourable member told me, that that had not been done, but many more urgent jobs may have crowded it out. I shall be only too pleased to personally investigate the matter, because I consider that that very large school is overcrowded in regard to ground room, and that further improvements are necessary.

BLACKWOOD SEWERAGE.

Mr. MILLHOUSE: Over the years (I think as far back as 1949) my predecessor (the late Mr. H. S. Dunks) and I have made representations to the Government about the desirability of sewerage in the hills areas of the district of Mitcham. I raised the matter as recently as the debate on the Loan Estimates a few weeks ago. There can be no doubt that it is most desirable that this area should be sewered. I understand that the Minister of Works now has a report on the matter. I pray that its contents are favourable, and I ask him whether he will divulge them to the House.

The Hon. G. G. PEARSON: True, representations have been made to the department and to my predecessor over a period of years, as the docket will indicate, requesting sewerage for the area the honourable member has mentioned. It is also correct that some years ago preliminary steps were taken to have contour surveys made, and some planning was done regarding a prospective sewerage scheme. It is also correct, unfortunately, that although relatively rapid development has occurred in that area, development has also occurred much more rapidly in areas which are more subject, if I may say so, to health hazards than the area around Blackwood and Eden Hills. The department has been hard-pressed to meet requirements, particularly in the thickly populated and somewhat low-lying areas in the western suburbs of Adelaide, where intense and complete housing development has occurred, and at present it has a large programme of most pressing projects before it in some of those areas. Therefore, in the light of urgency as it has occurred in the intervening period, the department has not recently revised its plans for the Blackwood and Eden Hills area, for the reasons that I have stated, because until it has some immediate financial prospect of being able to do the work, any planning is somewhat abortive, for later development makes it obsolete. Consequently, I am afraid that I am not able to offer the honourable member an immediate undertaking that the work can be put in hand in that area. At present our commitments do not allow it, and I think he and other residents of that area will appreciate that in the areas where the water table is extremely close to the surface, as it is in many of our thickly populated western suburbs, from the health point of view and from other aspects those districts must have some priority. Although the Government is anxious to extend sewerage to every town in the State as rapidly as possible, I believe South Australia has set a very high standard regarding sewerage and health matters in relation to sewage disposal which perhaps is not equalled anywhere else in the Commonwealth. That does not mean that I am not anxious to extend the provision of sewerage, and that will be done as soon as possible. At present, however, I am not able to give the honourable member an assurance of an immediate commencement of further planning or work in that area.

CASUALTY TREATMENT.

Mr. LANGLEY: It has come to my notice that some people needing medical attention for injuries caused by accidents are taken to

the Queen Elizabeth Hospital, where they are seen by a casualty doctor, and they are then transferred to the Royal Adelaide Hospital. Will the Premier ask the Minister of Health why this is done when beds are available at the Queen Elizabeth Hospital?

The Hon. Sir THOMAS PLAYFORD: I will obtain a report from the Minister of Health on this matter as soon as possible.

MINING.

Mr. QUIRKE: As has been notified in the newspapers and through other channels, a survey is being made by the Mines Department of the known mineral-bearing country of this State, and particular reference has been made to the area surrounding the old Burra mine. Will the Premier say whether it is intended that the investigation in the Burra area is to be proceeded with immediately, or is such investigation contingent on the passing of amendments to the Mining Act forecast on the Notice Paper?

The Hon. Sir THOMAS PLAYFORD: The amendments forecast on the Notice Paper have been brought in by the Government to facilitate the investigation of areas such as that which the honourable member has mentioned, where the mining rights in the original sales of the properties were alienated from the Crown. It is impossible at present on those properties to get prospecting done effectively or to get organizations with sufficient capital to take on the job because of the insecurity of tenure. The amendments before the House will facilitate investigations at Burra and similar places, and I believe they will facilitate greatly the possibility of development taking place in some of the older mining districts of this State.

HAMPSTEAD ROAD.

Mr. COUMBE: Will the Minister of Works ask the Minister of Roads whether the Highways Department intends to reconstruct the Hampstead Road (a main road in my district) between the Enfield Council Chambers and the North-East Road, either on its own behalf or in conjunction with the cities of Enfield and Prospect, which adjoin this road? If such a programme is contemplated, will he ascertain when it is likely to be carried out?

The Hon. G. G. PEARSON: I will take up this matter with my colleague.

NAVAN WATER SCHEME.

Mr. FREEBAIRN: Will the Minister of Works indicate whether plans for the reticulated water scheme for Navan have been completed?

The Hon. G. G. PEARSON: I have received a completed plan, a copy of which is available if the honourable member wishes to peruse it.

KANGAROO ISLAND WATER SCHEME.

Mr. FRANK WALSH: This morning's *Advertiser* reported that the State President of the Australian Primary Producers' Union said on returning from a trip to Kangaroo Island that farmers there faced a desperate shortage of water for stock if heavy rains did not fall before summer. He is also reported to have said:

As the Works Committee has approved the construction of a water reticulation system which would benefit much of the island, it is urgent that this work begins as soon as possible.

As a resident of Kangaroo Island telephoned me about this matter, I feel that I am competent to raise it, but I assure the Minister of Agriculture that I do not desire to interfere with his district. Will the Minister of Works say when this work is likely to be commenced?

The Hon. G. G. PEARSON: The Public Works Committee has examined and reported on the scheme and Cabinet has approved it in principle, but I am unable to say just when the major scheme can be commenced. That will depend on survey work and finance.

SWIMMING POOL SUBSIDIES.

Mr. LAUCKE: A recent criticism by Mr. Hicks Ives, the President of the Amateur Swimming Union of Australia, that South Australian authorities were slow to recognize the need for more swimming pools was ill-founded and not in accordance with facts. Will the Premier say how many pools have been provided in South Australia with Government assistance since the inception of the subsidy schemes; whether all applications for assistance have been granted; and how many schoolchildren are being taught to swim each year through the good offices of the Education Department?

The Hon. Sir THOMAS PLAYFORD: I read the report about the visit to South Australia in connection with swimming pools, and I noticed that the criticism was somewhat qualified later in the statement when it was pointed out that we did not have heated pools in South Australia, whereas some of the other States did. I think this man mentioned that

one State had three pools that were heated in winter. Obviously, he did not know that many pools had been established throughout country areas which, although they may not be of the superior Olympic standard he had in mind, were giving a good service to the community. To be more specific, I believe that about 30 swimming pools have been established under the subsidy scheme. As far as I know, no project that would stand up to investigation was turned down. Recently, we have had to amend slightly the procedure under which we are working. Members know that the Government gets its money through the Estimates once a year and that it is not possible in every instance immediately to approve of a project that may be submitted after the Estimates are tabled. In such instances we may say that we cannot go on with the project until the next financial year, but at the most there were three or four such cases, if that many. The answer to the question is that no worthwhile project has been refused.

RAILWAY FREIGHT RATES.

Mr. BYWATERS: Has the Premier a reply to my recent question regarding the transport of a utility from Murray Bridge to Victoria on the railways?

The Hon. Sir THOMAS PLAYFORD: The Railways Commissioner has advised me that on November 10 one of the constituents of the honourable member forwarded a vehicle from Murray Bridge to Melbourne and had to pay £59 17s. 2d.; of this amount £50 4s. 6d. went to the Victorian Railways Department and £9 12s. 8d. to the South Australian Railways Department. The Railways Commissioner took up this matter with the Victorian Railways Commissioners to see if he could get a reduction of what appeared to be a very excessive charge, but he has now informed me that the Victorian Commissioners would not agree to a reduction. I regret that under these circumstances I am not able to assist the honourable member's constituent, but he will see that the major part of the charge has been incurred on another State's transport system.

WHITE ANTS.

Mr. LOVEDAY: About the middle of August I asked the Premier a question regarding the activities of a firm of white ant exterminators known as All Pests and he supplied me with a report from the Chairman of the Housing Trust. The facts are that two inspectors from the trust have since thoroughly examined the house in question and found no trace of white ants. The Premier will remember that in my first question I asked whether action could be taken against these people. Has this aspect of the question been considered, and in view of the trust officers' report will action be taken because of the serious nature of the activities of this firm regarding misrepresentation and pursuing people with high pressure sales tactics?

The Hon. Sir THOMAS PLAYFORD: The question involves two things. The first is whether the Government would take action regarding misrepresentation. I point out that the Government is not directly concerned with the decision made and the grounds for it. I have not yet seen the report, but I should think that the best action I could take would be to have the report examined and, if necessary, to refer it to the Prices Commissioner to see if he can get some redress.

Mr. LOVEDAY: Does the Premier realize that there are two aspects of misrepresentation involved? One is the matter of misrepresentation to the person purchasing the trust house, that there were active white ants when, in fact, there were not. The other is the alleged statement by the representative of All Pests that the measures taken by the Housing Trust to protect its houses against white ants were only effective for a period of nine to 12 months. The purchaser of the house in question is prepared to give evidence on oath on that statement.

The Hon. Sir THOMAS PLAYFORD: In my opinion, misrepresentation becomes serious if it involves a person in financial loss or (I will take it as far as this, if the honourable member likes) in loss of reputation. But the people who suffer the damage eventually are not the Housing Trust. If it suffers damage, it has a right to take action, but I have assumed that the person concerned was a constituent of the honourable member. I will have the matter examined.

FRUIT FLY CONTROL.

Mr. CASEY: Approximately 12 days ago several of my constituents travelled to Broken Hill, which is just outside the South Australian border. It is common for such people to visit Broken Hill regularly and on this occasion when returning south-west they pulled up at the fruit fly road block at Cockburn to declare fruit and other perishable goods. Strangely enough, a tin of ham procured in Broken Hill was involved. It was handed over voluntarily to the officer in charge of

the road block. It seems to me that tins of ham—

The SPEAKER: The honourable member is not in order in expressing opinions. He must seek information.

Mr. CASEY: The position is that in the eyes of the owner this tin of ham was not of a perishable nature, and he was somewhat reluctant to hand it over, but did so on the advice of the officer. Will the Minister of Agriculture take up this matter with his department to ascertain what commodities should be handed over at these road blocks, because I think that where a person has a sealed unit it should not be involved, especially when, as in this instance, foodstuffs (many of them of South Australian origin) are often purchased from Broken Hill?

The Hon. D. N. BROOKMAN: Among the duties of the Agriculture Department is the protection of the State from many possible diseases and pests. The fruit fly block was acting only to safeguard the State's pig industry. Several outbreaks of swine fever have occurred in the Eastern States. It is a particularly contagious and serious disease for pigs. It can be transmitted by pig meat. No doubt the incident referred to by the honourable member arose from a fear of swine fever being introduced from the Eastern States. I shall be happy to get a full report on the matter for the honourable member.

KAVAM LIMITED.

Mr. FRANK WALSH: I have received from the South Australian Dairymen's Association some advertising literature of a company registered and known as Kavam Limited. It is a firm of insurance brokers registered in 1958. I understand that the principals are K. Anderson and his family, and I have reason to believe that they were connected with the ill-fated Australian Medical and Accident Insurance Company Limited. The nominal capital is £50,000 and the paid-up capital is £5, that is, £1 from each of five directors. At one time the firm was represented by a Mr. van Mingen. I raise this matter because there is an element of doubt in my mind whether all claims can be met, as I know some of the past history of these people. I have been requested by the secretary of the organization I have mentioned to take up this matter in Parliament with a view to trying to assist members of that association. If I give the Premier the information I have, will he examine the facts I have given?

The Hon. Sir THOMAS PLAYFORD: I shall have the cases investigated.

SEACOMBE HIGH SCHOOL.

Mr. FRANK WALSH: Has the Minister of Education a reply to my recent question about land for Seacombe High School?

The Hon. Sir BADEN PATTINSON: The Housing Trust has supplied me with the following answers to the questions asked by the Leader:

(1) The valuation of the 36 blocks sought is estimated at £1,100 each, or a total of £39,600, and this is approximately the cost of any land for replacement to the trust of the area lost.

(2) The type of house to be erected by the trust would be similar to those erected on nearby allotments by the trust, *i.e.* brick single units.

(3) The present price range of these houses in the current group areas varies from £3,750 to £5,500. These costs would include the purchase price of the land itself.

The Public Buildings Department has estimated the cost of levelling the ground to a suitable grade for use as an oval based on a 12ft. excavation and filling programme at £13,000. In answer to the further question on which the Leader subsequently requested information, I have ascertained that the cost of the portion of the present Seacombe High School used for recreation purposes was £18,327. The cost of the earthworks necessary to make it into an oval was £5,500. The total cost of £23,827 was met fully by the Government.

I have not yet decided whether I shall recommend to Cabinet the purchase of the land proposed. I have the highest regard for, and appreciation of, the importance of providing school ovals for sport, recreation and physical education purposes. The Leader's question, the questions of some other honourable members and my replies thereto have drawn attention to the rapidly increasing costs of purchasing the land for these ovals and the very heavy cost of earthworks in developing them. Although a large sum has been set aside this year, and in previous years, for education purposes, there is necessarily a limit to it, and any large sums paid out for the purchase of land for recreation purposes must diminish the total amount available for the building of schools.

To mention a couple of cases at random, the Leader of the Opposition has been waiting patiently for several years for the erection of a solid construction primary school at Edwardstown, and I have been waiting with equal or even greater patience for the erection of a solid construction primary school at Brighton. I have been assured by both the Director of Education and the Director of

the Public Buildings Department that neither of these schools has been possible because of lack of finance. I could cite a score or more of other school projects held up for the same reason. As Minister, I must finally decide how much of the total funds can be allocated for the provision and development of school ovals at the expense of new schools, additions to existing schools, or additional classrooms. Taking all these factors into account, I shall decide soon whether I shall recommend to Cabinet the purchase of this land.

PUBLIC LIBRARY ADDITIONAL BUILDING.

The SPEAKER laid on the table the final report by the Parliamentary Standing Committee on Public Works, together with minutes of evidence, on Public Library Additional Building.

Ordered that report be printed.

METROPOLITAN AND EXPORT ABATTOIRS ACT AMENDMENT BILL.

The Hon. D. N. BROOKMAN (Minister of Agriculture) obtained leave and introduced a Bill for an Act to amend the Metropolitan and Export Abattoirs Act, 1936-1958, and for other purposes. Read a first time.

The Hon. D. N. BROOKMAN: I move:

That this Bill be now read a second time.

The purpose of this Bill is to provide for the Minister to be able to grant licences for slaughtering stock and the sale of meat within the metropolitan area. The policy of the Government is to create conditions whereby the interests of all sections of the community are properly observed and it is felt that these interests would be furthered by permission being granted for the establishment of more slaughtering facilities. The Government has for some years had a stated intention of providing killing licences for country abattoirs where these can be established. However, this has not been availed of. The reason is partly due to the ready market to be found in the metropolitan area.

The Metropolitan Abattoirs has been for many years in a favoured position in regard to the Adelaide market as the introduction of meat slaughtered by other interests is strictly controlled. Many of the installations at Gepps Cross are sufficiently large to cater for a population increase in the Adelaide area. It is felt, however, that difficulties of management and operation make it advisable for licences to be granted to other persons for the killing of stock. Any reduction in output has a highly deleterious effect on the interests of primary producers in the first place, and also the consumer is affected and the State's economy suffers as a result of loss of export killing. All members are aware that at the present time there is a ban on overtime imposed by the union at Gepps Cross. This ban has been placed at a time when it is of the greatest urgency to kill as many stock as are offered. Lambs reach a peak of condition and quickly deteriorate if not slaughtered at the right time. The same applies, though to a lesser extent, to sheep. As a result of the present ban, there has been a serious loss to producers. I do not propose to discuss the merits of the question on which the overtime ban has been imposed. I can briefly outline the position. The union approached the Metropolitan and Export Abattoirs Board seeking an extra week's sick leave in addition to the week already allowed. The board informed the union that this was a matter that should be heard by the Abattoirs Industrial Board. It is understood that the overtime ban has been imposed by the union until the extra week's sick leave is granted.

In a report brought in by a statutory investigating committee on June 30, 1958, it was pointed out that the Abattoirs Board had made a concession relating to sick leave. These provisions are more generous in some respects than most other sick leave provisions and they provide, amongst other things, that unused sick leave can be accumulated and at retirement or resignation the unused leave can be taken as a cash sum. This is all that I wish to say about the present dispute. The purpose of this Bill is to make it possible for other persons to slaughter stock in the interests of the community. The operating clauses permit the Minister, if he considers it is expedient in the interests of the public, to grant a licence elsewhere than at the Metropolitan Abattoirs to slaughter any stock for sale. Provisions are made whereby the term of the licence can be made of appropriate length and whereby the Minister can set out requirements dealing with branding and inspection. It will most probably be felt necessary to see that all carcasses are branded (clause 3). It is not proposed to provide for other sale yards but authority is provided in the Bill for auction sales to be allowed with the Minister's consent as an alternative to the consent of the Metropolitan and Export Abattoirs Board (clause 4).

Members will recognize that this legislation, in providing competition for the Metropolitan and Export Abattoirs, could embarrass it in some respects. The public investment in the abattoirs is considerable. It is made up in the following way:

	£
Debenture funds (almost entirely Treasury advances)	842,823
Grants (some Commonwealth largely concerning sale yards)	44,433
Internal provisions and reserves reinvested	951,963
Total funds employed in the undertaking	£1,839,219

Whilst this is a considerable sum, it has to be considered in relation to the total value of the State's livestock industry. Moreover, there is no reason to assume that this public investment will be lost. The effect is subject to the extent of killing licences that would be granted. It is proposed that these will be studied carefully in order to safeguard the best interests of the public. This is a matter on which the Minister would naturally take careful advice.

Mr. FRANK WALSH secured the adjournment of the debate.

ORIENTAL FRUIT MOTH CONTROL BILL.

The Hon. D. N. BROOKMAN (Minister of Agriculture) obtained leave and introduced a Bill for an Act to provide for the control and eradication of oriental fruit moth and for other purposes. Read a first time.

The Hon. D. N. BROOKMAN: I move:

That this Bill be now read a second time.

I regret that I have not a prepared second reading speech to supply to the Leader of the Opposition. I think it is advisable for me to explain the Bill now so that members can properly consider its provisions before it next appears on the Notice Paper. The Bill relates to the oriental fruit moth, a pest of deciduous trees. Although it is not found extensively in South Australia, its presence has been noticed during the last few years in some Upper Murray areas. Vigorous efforts have been made to eradicate it by the Agriculture Department and by a committee formed in the Renmark area, but it has not been eradicated. Two methods of action are necessary to achieve its eradication, the first being the application of suitable and timely sprays and the second the strictest attention to orchard hygiene.

With assistance given to the local committee by the department much money has been spent on sprays and their application in the last two years, but unfortunately entomological requirements have not been completely fulfilled. It is difficult in a horticultural area to secure the complete co-operation of all growers. Some persons are happy to live with a pest and do not attempt to eradicate it, but others are desperately keen to destroy it. Up to the present no direct contribution has been made by the industry as a whole. Individual horticulturists have expended much time and money, which is in accordance with the practice of most primary producers of protecting their properties from pests and animal diseases. Many individuals have spent heavily in combating this pest, but the industry generally has not been able to organize a full-scale effort.

The Government has spent about £12,000 in the last two years in combating this pest. This has certainly reduced its incidence considerably in some places, but the pest has spread in others and the area now infested is somewhat greater than previously, although less intensive. Various organizations have approached the Government about the problems arising from this pest and from red scale in citrus trees and have asked for legislation to enable the appointment of boards to deal with these pests. The object is that these boards will be enabled to raise money from the growers to undertake a concentrated attack on the pests. This request has been carefully considered but the Government believes that such legislation, dealing with boards in general, would be too wide in some respects, so it has been decided to deal with the pests separately. It is proposed that similar legislation will be introduced regarding red scale; but this Bill deals specifically with the oriental fruit moth.

The clauses of the Bill are easy to understand and the Parliamentary Draftsman has done well in preparing the provisions. Clause 3 deals with interpretation, definitions and so forth. Clause 4 enables the Governor, by proclamation, to declare any area in the State to be a district for the purposes of the Act. Clause 5 provides for the registration of orchards within a district. Clause 6 provides for a poll to be held on the question of whether an oriental fruit moth committee shall be appointed in a district. Clause 6 prescribes the conditions under which a poll shall be conducted. Members will note that in order to appoint a committee it will be necessary for at least 60 per cent of those persons

who voted on the question to favour such an appointment, and not less than 30 per cent of all persons qualified to vote and entitled to vote must have voted on the question. The constitution of the committee is dealt with in clause 7 which provides that such committee shall consist of five members, four of whom shall be persons who are entitled to vote at the poll and who may, in the Minister's discretion, be nominated by such organizations or associations within the district as the Minister shall approve. The fifth member of the committee shall be nominated by the Minister and shall be the Chairman of the committee. The term of office will be three years. Power to make regulations dealing with appointments and other matters is vested in the Government. Clause 8 provides for the same process in reverse. In other words, this legislation will not apply unless there is a favourable poll within a district. This clause also provides for the dissolution of a committee by a poll. Growers may request a poll on the future of the committee. It is necessary for 10 per cent of the registered growers to petition for a poll, and the Minister shall hold a poll not more than once in three years if so requested by petition. The petition will determine whether or not the growers wish the committee to continue. Certain provisions deal with the winding up of the committee should the growers vote against its continuance.

Clause 9 provides that the committee shall take what steps it deems fit for the control and eradication of oriental fruit moth. It has the power, if authorized in writing, to enter upon land and premises to do its lawful task; and to paint, spray, fumigate and so on. It can establish and administer a fund; purchase and hire equipment; borrow money; appoint liaison officers; and it can demand and recover payment of fees and charges from owners, and so forth.

The committee has a number of other powers, all of which are self-explanatory. Clause 10 provides for contributions to the committee by the growers within a district following the successful holding of a poll. The committee, by notice in the *Government Gazette*, may from time to time require persons registered under this Act, in the district to which the committee is appointed, to pay to the committee contributions of such amounts or at such rates as the Minister shall from time to time approve towards the general cost of the administration of this Act. In other words, the committee has the power to levy contributions, provided it has the Minister's approval. The other clauses dealing with obstruction of the committee, protection, general penalties, and the power to make regulations are self-explanatory.

Mr. FRANK WALSH secured the adjournment of the debate.

WATERWORKS ACT AMENDMENT BILL.

Second reading.

The Hon. G. G. PEARSON (Minister of Works): I move:

That this Bill be now read a second time.

Its object is to amend the Waterworks Act along the same lines as the second part of the Bill dealing with the Sewerage Act. Section 51 of the Waterworks Act provides that no municipal or district council shall plough or dig the surface of any road or street without giving 14 days' written notice of its intention to the Engineer-in-Chief; if any council does not give any such notice and proceeds to do the work, thereby injuring any fittings, it is conclusively deemed to have injured the fittings carelessly and is liable to a penalty and for any damage caused. As I have pointed out in connection with the Sewerage Act (which contains not dissimilar provisions), in the case where a council creates a risk of damage the cost of any necessary works is not covered. The practice of the department in these matters has in the past been to ask the council concerned to give an order for any necessary works to be done, thereby undertaking to pay the cost. The practice has worked generally in the past, but recently at least one council has refused to give such an order, claiming on legal advice that it is not entitled to do so.

Clause 4 accordingly repeals the present section 51 of the principal Act and inserts a new section in its place which will require 14 days' notice to the Minister with 28 days within which the Minister must approve of the work, either unconditionally or subject to any specified alterations. If the work involves any alterations to any existing mains, waterworks fixtures, or fittings, the council is liable to pay the actual cost except where it is of a nature for which a specific charge is fixed by regulation. Clause 3 will empower the making of regulations fixing specified charges for certain alterations, the cost of which does not vary greatly from case to case.

Mr. FRANK WALSH secured the adjournment of the debate.

HOMES ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from August 15. Page 554.)

Mr. FRANK WALSH (Leader of the Opposition): The principal effect of this Bill will be to extend to a substantial degree the benefits that prospective house purchasers may obtain under the Advances for Homes Act. The principal Act was amended in 1958 to extend the maximum finance available from £2,250 to a maximum of a 95 per cent advance up to £3,000, and a maximum of 85 per cent advance on loans up to £3,500. These amendments were in accord with the provisions of the Advances for Homes Act, but the maximum loan period of 30 years was not altered at that time. By this Bill, it is proposed to extend the maximum loan period to 40 years. However, the Advances for Homes Act was amended in 1958 to provide for a maximum loan period of 50 years, and I can see no reason why the provisions of the Homes Act should not be kept consistent so that it would be possible for prospective house purchasers to obtain exactly the same conditions either from the State Bank under the Advances for Homes Act or from the co-operative building societies and lending institutions which are registered under the Homes Act.

The Premier has made a point about extending the loan period so that it will reduce the weekly commitments of the prospective purchasers. I agree, but the prospective purchasers must realize that because of the longer term they will have to pay considerably more for their property in the long run. If they realize this I see no disadvantage in extending the loan period, but consider that the Act should be kept consistent with the provisions of the Advances for Homes Act. Therefore, in Committee I shall move an amendment to clause 3 (*a*) to provide for a maximum loan period of 50 years instead of the 40 years provided.

There is one matter on which I do not agree with the Premier. It is that prospective house purchasers can expect to pay 12s. to 14s. a week for water, sewerage and council rates. If the amount is that which the Premier mentioned I can only assume that the land will be in an undeveloped area, and most likely an outlandish place. It will not be close to where industry is established. I know of constituents in many districts who have built houses costing from £3,000 to £4,000, and the commitments for rates and taxes, except land tax, on these properties total about 17s. 6d. to £1 a week. Information I have from other sources indicates that this charge is fairly general on most houses of reasonable standard in the metropolitan area. I do not think the Premier should mislead prospective house purchasers by stating that their commitments for rates and taxes will be less than what they will be.

This matter of the payment of rates is an important phase in house ownership. I have made no calculations, and I do not think the Premier has either, about the average cost of maintenance of a house. It depends, of course, on the quantity of timber used in the construction. If this maintenance is left for more than five years it becomes costly to do the painting. As an illustration of how costs increase, people who bought houses 30 or more years ago were able to live on Anzac Highway and pay reasonable rates, but a person living there now would pay a great sum in council rates alone. I doubt whether he would get away with £100 a year in council rates. The value of the land for industrial purposes would be considerable. I do not think it possible for the rates to be as low as 12s. to 14s. a week, as stated by the Premier. I think the total would be nearer 17s. 6d. to £1 a week.

In a speech in this House recently the Premier attempted to belittle the activities of co-operative building societies in both New South Wales and Victoria, and sought to prove that we were doing better in this State without building societies. The speech had some truth in it, but the arguments were without substance. His main criticism was that my earlier arguments in favour of co-operative building societies did not cover all the facts. During my speech I did not go into all details, but I point out to the Premier that I have considered all the details and my conclusion is that there is a strong case in favour of co-operative building societies.

Under prompting from the member for Angas (Hon. B. H. Teusner) the Premier agreed that the per capita building rate in South Australia was substantially greater than that in other States. I do not know where the member for Angas obtained his figures, but if the Premier examines the official figures issued by the Commonwealth Bureau of Statistics he will find that the per capita building rates in Victoria, New South Wales and South Australia are approximately equal. In any case, this only gives a lead on how we are progressing in house building in comparison with other States, because many other factors

need to be considered. For example, considering the much greater percentage population increase in this State than in New South Wales and Victoria our per capita building rate should be substantially greater than that of those two States in order to cope adequately with our housing shortage. I will be honest: I do not know whether New South Wales and Victoria have overcome their housing shortage, but I do know that the position in South Australia is still bad. If the Premier cares to check with the Housing Trust he will find support for my view that the position today is not much better than it was immediately after the Second World War.

The recent Commonwealth electoral redistribution justifies a further examination of what is occurring. We should ask ourselves why it is that South Australian representation in the Commonwealth Parliament remains static. Certain municipal organizations and a political organization apparently do not agree on redistribution in this State. In New South Wales the representation is being reduced by one member, which verifies my view that South Australia's population is increasing at a proportionate rate greater than that of New South Wales.

Further criticism levelled by the Premier was that the interest rates charged by the co-operative building institutions were excessive when compared with the schemes in operation in this State. This is not a fact, because my information is that the societies in the Eastern States charge about 5½ per cent, and I think the Premier will agree that this rate is fairly comparable with the rates charged by lending institutions in South Australia.

Another factor that is of importance is that, in round figures, during 1961-62 the comparable figures of Commonwealth-State Housing Agreement funds for the States of New South Wales, Victoria and South Australia were £17,000,000, £13,500,000 and £9,000,000, respectively. In accordance with these figures, New South Wales should have completed about twice as many houses as, and Victoria about 50 per cent more houses than, South Australia, but the figures were nearly four times as many in New South Wales and nearly three times as many in Victoria. Perhaps the Premier may care to say where the additional funds are coming from if they are not coming from private lending institutions in the other States in co-operation with the co-operative building societies.

I had intended introducing an amendment to this Bill to provide for the guaranteeing of co-operative building institutions and lending institutions similar to what is provided in both New South Wales and Victoria. However, the Premier made it quite clear that he would be antagonistic to such an amendment, so I am not pursuing it at this stage. However, the Government would be well advised to investigate and consider this matter fully with the object of introducing this legislation soon.

The principal Act relates to 16 organizations estimated to operate under it, but only three have seen fit to take part in the scheme: namely, the Co-operative Building Society, the South Australian Savings Bank and the South Australian Superannuation Fund. What is wrong with our scheme that prevents all the other building institutions from taking part? I can think of one reason, and it is a good one—that the Government makes a charge to the institutions of about 1 per cent per annum for its guarantee. In practice, it has been found that the guarantee costs the Government nothing. The Governments of New South Wales and Victoria make no charge for the guarantee because they have found that no expenses are involved.

The fund that has been built up by this Government as a result of the charge to the three institutions previously mentioned is called the Home Purchase Guarantee Fund and, at the end of June, 1961, it stood at about £120,000, and it is increasing at the rate of about £20,000 per annum. However, the fund became an embarrassment to the Government because no claims were made, and during 1961-62 it transferred £100,000 out of this fund to the Housing Trust. The money was used for a worthy cause, admittedly, but there is no justification for imposing a charge on the lending institutions when no expenses are incurred; therefore, section 5 (2) of the principal Act should be deleted.

I recommend to the Premier that, in the event of this Bill's passing the second reading today, the Government should amend its own legislation to provide that the sum that has already accumulated in the fund could be retained for some unforeseen emergency. It is my view that the deletion of section 5 (2) of the principal Act would give the Government the opportunity to stand up to its responsibility on the same basis as the other States. In Committee I intend to move a slight amendment to clause 3 to provide for a maximum loan period of 50 years instead of 40 years.

Mr. LOVEDAY (Whyalla): This measure is another device to make it possible for a

person on wages to purchase a house. It has obviously been introduced because it has become apparent that a term of 30 years for the payment of instalments on a house is now too short for a person on wages. That is borne out by the figures given in the second reading explanation. Although the term is being extended from 30 to 40 years, the weekly payments will be reduced by only 7s. 5d. The proposed amendment will give another 10 years to make repayments and, although I have not worked out the effect of this, I think it would have a similar effect to the Bill's provisions and that it would be of considerable value because, after all, although a reduction of 7s. 5d. a week is a help, it is not such a great help as the reduction resulting from our amendment. This is particulaly so when one considers the Premier's estimate of what must be added to the weekly payments for water, sewerage and council rates; his estimate was 12s. to 14s. a week. I believe that is far less than is paid on these three items. I think their cost is nearer £40 or £50 a year and, when that is added to the repayments on a 40-year loan, the total weekly payment is between £4 11s. 6d. and £4 12s. 8d. That is obviously more than 20 per cent of a week's wages for many wage-earners. That percentage is regarded as a maximum that a wage-earner should have to pay to purchase or rent a house, and there is no doubt that this Bill provides another instance of a measure introduced to try to meet the serious position that has arisen regarding the purchase of houses, particularly by wage-earners.

I hope the Committee will support an amendment to provide for an extension of loans to 50 years because obviously this will be of considerable assistance to people in this position, but, after all, it is difficult to see to what stage we can proceed. In recent years the cost of houses has been rising far more than wages have risen. In addition to water, sewerage and council rates, the Premier also mentioned insurance and maintenance, so the figures I mentioned of weekly repayments and water, sewerage and council rates do not even cover the actual weekly outgoings of a wage-earner purchasing a house. I emphasize that point, hoping that the House will agree to our amendment, because another 7s. 5d. is a particularly valuable help in such a case. I noticed in the Bill that it is not mandatory on the lending institution to grant the extended term. It provides for such an institution to decide what it thinks would be the best term of lending in the particular circumstances. Clause 3 of the Bill provides:

> If, before the commencement of the Homes Act Amendment Act, 1962, the Treasurer has executed a guarantee in favour of any institution for the repayment of any loan or the payment of any purchase money, and it is desired by the institution to extend the term of the loan or, as the case may be, the period for the repayment of purchase money, beyond the original term or period thereof . . . the Treasurer may consent to such extension of the said period or term by the institution . . .

This indicates that it rests with the institution whether it extends the term as suggested. I hope the amendment will receive full support.

Mr. LAUCKE (Barossa): I express my pleasure at the introduction of the Bill. At first sight the amendment would appear to be only of minor significance, but it assumes importance when viewed from the angle of the domestic budget. Anything we can do to lighten the burdens in respect of ownership is to be welcomed, because the family unit is the basis of our way of life and of sound society. If legislation facilitates house ownership, it is good legislation. As to the suggested extension of the term beyond 40 years provided in the Bill, I doubt its wisdom, because we should as far as we can have uniformity by all those who finance houses, so that there would be a degree of uniformity in the weekly payments by house purchasers. An extension of 10 years would result in a reduction of about 8s. a week in weekly commitments on a house valued at about £3,000. This 8s. could possibly be 12s. or 14s. if the term were extended to 50 years. I point out that what governmental institutions could guarantee might not be matched by financiers who look for a return on their capital in a given period to enable them to support further house building.

Mr. Loveday: You have missed the point. It still rests with the institution.

Mr. LAUCKE: That is true, and I appreciate that point. Let it have the choice of 50 years if it wants to. Until I look more closely at the repercussions of the proposed amendment on the financial position generally, I shall have to give the matter further thought as to my support. Where we can relieve the burden of house payments to enable the family unit to do certain things for its happiness, it is good legislation. I support the Bill in its present form.

Mr. HUTCHENS (Hindmarsh): I support the Bill. The honourable member for Barossa mentioned the need for uniformity: that is what the Bill provides for. That is the reason for the

amendment suggested by the Leader of the Opposition. We have always said that it is advisable wherever possible to provide for a man and his wife to have a house of their own. This creates good citizenship and civic pride. I appreciate that it is impossible for people engaged in certain types of employment to purchase a house because of the necessity of their transferring from one area to another. Wherever a person has stable employment, it is advisable to encourage him to purchase his own house. I am surprised and a little disappointed in respect to certain statements, because I think that as stated by the Leader of the Opposition on the figures given by the Premier the added cost for rates would be about 12s. or 14s. I happen to live in an electorate where there are predominantly working-class houses. I live in a very modest house and my council rates are about £21 a year and about the same is paid for water and sewerage rates. For the total to be only 14s. a week, such a house could be built only in a distant area. Added to this would be costly transportation to and from employment. Therefore, I think that the figures given are somewhat incorrect.

Mr. Loveday: Sewerage rates in the country are double those in the metropolitan area.

Mr. HUTCHENS: That is so. I hope that members will seriously consider the amendment, because 7s. 5d. a week would make a big difference to a couple in determining whether or not they would purchase a house. If it is at all possible to reduce the payment, many more would purchase a house. As indicated by the members for Whyalla and Barossa, we should provide people with houses in which they would have an equity.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Progress reported; Committee to sit again.

INSTITUTE OF MEDICAL AND VETERINARY SCIENCE ACT AMENDMENT BILL.

Second reading.

The Hon. G. G. PEARSON (Minister of Works): I move:

That this Bill be now read a second time.

Its object is to make a necessary amendment to the principal Act to enable the pooling of resources between the Institute of Medical and Veterinary Science and the Department of Medicine of the university in the creation of an isotope laboratory. There is inherent danger in the storage, disposal and misuse of radioactive isotopes and the equipment involved is expensive. The council of the institute desires, therefore, to create an isotope laboratory in the Department of Medicine at the university for the use of both institutions. This will clearly enable the avoidance of the duplication of expensive equipment, the availability of a wider range of equipment and proper control of isotopes and staff required for handling them.

However, while section 17 (1) (*e*) enables the institute to provide the university with the use of the institute's equipment in accordance with any agreement or arrangement made under the Act, section 18 limits the power of the institute by expressly excluding scientific equipment. There is, of course, no doubt that isotopic equipment is scientific equipment and the council of the institute thus finds itself unable to enter into the proposed arrangements with the university. Accordingly, this Bill will strike out the exclusion and will, additionally, enable the institute to agree to permit the university to use plant or equipment of the institute at such places as the institute itself decides. I am sure that honourable members will agree that an administrative amendment of this kind is desirable in the interests of efficiency and economy.

Mr. BYWATERS secured the adjournment of the debate.

FOOD AND DRUGS ACT AMENDMENT BILL.

Second reading.

The Hon. G. G. PEARSON (Minister of Works): I move:

That this Bill be now read a second time.

It amends the Food and Drugs Act by inserting into section 61 (which covers the making of regulations) power to make regulations providing for the inspection and analysis of drugs by the Central Board of Health before the sale thereof and power to prohibit, regulate, restrict or control the sale of drugs unless they have been inspected and analysed. Section 61 of the Act already provides for extensive regulation-making powers for the purposes of the Act, but the Government has been advised that these powers are not sufficiently wide to provide for the inspection and analysis of new drugs before they are put on sale.

The advisory committee appointed under the Act has recently considered a recommendation of the National Health and Medical Research

Council for the control of new drugs—a recommendation that, before any new drug is marketed, it should be submitted to State authorities for examination and decision whether it should be freely available to the public or should be restricted in any way, for example, saleable only upon prescription. The proposal is intended to lessen the dangers that can arise with new drugs when first put out on sale. With the constant issue of new drugs; it is difficult for health authorities to be aware of all of them when they first come on the market, and any restrictions which may become necessary are invariably somewhat delayed. During the intervening period it is considered that there is a distinct possibility of danger to the general public. Inspection before sale would enable not only consideration to be given to the question of restriction but advertising claims to be checked before publication. I mention incidentally that a registration system prior to sale applies already to stock medicines and agricultural chemicals in the State but not to human medicines. A registration system for human medicines operates in Victoria while in Canada and the United States of America new drugs may not be sold until they have been submitted to health authorities. In the United Kingdom medical and pharmaceutical authorities are, I am informed, pressing for similar provisions to be made. The Bill is designed to extend the regulation-making power to enable appropriate regulations to be made on the subject and I am confident that the Bill will commend itself to honourable members.

Mr. CLARK secured the adjournment of the debate.

CIVIL AVIATION (CARRIERS' LIABILITY) BILL.

Second reading.

The Hon. G. G. PEARSON (Minister of Works): I move:

That this Bill be now read a second time.

Its object is to give effect in this State to the provisions of the Commonwealth Civil Aviation (Carriers' Liability) Act, 1959. The Commonwealth Act was passed primarily to approve ratification and give effect to an international convention establishing uniform international rules governing the liability of international air carriers to passengers in respect of death or injury and loss of baggage and goods. The Act, however, went further in that it applied the international rules with some modifications to domestic airline operators in so far as they were engaged in interstate or interterritorial carriage. It did not, as it could not, apply to intrastate carriage.

Following upon discussions between the Commonwealth and the States, a draft uniform Bill was prepared for enactment by the several States with a view to applying the general principles of the convention and the rules governing interstate carriage to intrastate carriage. The desirability of having uniform rules applying to all classes of carriage within Australia will, I believe, be obvious, especially since the one aircraft freqently carries passengers in the course of interstate and intrastate journeys. This Bill is based upon the uniform Bill which has already been enacted in Victoria and Western Australia and is under consideration in the other States. The passage of the Bill by all of the States would result in uniform treatment in regard to international, interstate and intrastate air carriage. It will be noted that clause 2 of the Bill provides for its commencement on a date to be proclaimed. The intention would be to proclaim the Act as soon as a sufficient number of States had passed their legislation.

Clause 3 concerns interpretation and clause 4 provides that the Act shall bind the Crown. Clause 5 provides that the Act is to apply to intrastate carriage, not being part of an interstate journey or an international journey, in which cases of course the Commonwealth provisions or the provisions of the international convention would apply. The main operative part of the Bill is contained in clause 6 which applies Part IV. of the Commonwealth Act and regulations as if the Commonwealth Act referred to this Act. In other words, the effect of clause 6 is to make applicable, by reference, the provisions of Commonwealth law but of course not as Commonwealth law but as law enacted by this Parliament. Similarly clause 7, in its reference to stowaways, applies to section 42 of the Commonwealth Act.

It will be necessary for me to refer in great detail to the provisions of Part IV of the Commonwealth Act so that members will know what the effect of the Bill is. I may state now, however, that in short terms the effect of the Bill will be to provide for a limitation of carriers' liability to £7,500 a passenger or such higher amount as may be agreed; liability for baggage and goods will be limited to £100 or a higher agreed sum. A carrier by air will be unable to contract out of his liability or to fix liability lower than that referred to. Actions must be brought within two years and special provisions

cover death where members of a deceased passenger's family can sue. Other provisions deal with the ascertainment of damages and incidental matters.

I refer at this stage to two alterations that enactment of this Bill will make to the general law in this State. Firstly, while in the ordinary course an action for damages can be brought within three years, the period will be two years in the case of carriage by air. Secondly, there is no limitation of liability for damages under the general law of this State, but this Bill will limit the possible damages to £7,500 where the action arises out of carriage by air. I mention these two points at this stage because they are important and while I believe that the first, relating to the time for bringing an action, is not perhaps as important as the second, I point out that the effect of the Bill, while it limits the recoverable damages, is to make the liability of an air carrier almost absolute. Under the general law it is necessary to prove actual negligence; under the Bill the right to recover does not depend upon the proof of negligence, which would be a difficult thing to establish in the case of an air accident.

I come now to those sections of the Commonwealth Act, which this Bill will apply in this State, that is, the provisions of Part IV of the Commonwealth Act (other than sections 27, 40 and 41 which concern the application of the Commonwealth Act to interstate carriage and certain specified regulations). Section 28 of the Commonwealth Act makes a carrier liable for damage for death or personal injury of a passenger resulting from an accident on board an aircraft or in the course of any of the operations of embarking or disembarking. Section 31 limits the liability of the carrier to £7,500 or any higher agreed amount subject to any regulations on the subject. Section 32 prohibits and makes ineffective any provision for contracting out of liability. Section 33 provides that a servant or agent of a carrier may have the benefit of the limits of liability, while section 34 fixes the time for bringing actions at two years. Section 36 provides that liability for injury is in substitution for any civil liability under any other law subject, however, to the right of contribution or workmen's compensation indemnity. Section 35 covers liability in respect of a passenger's death. It gives a right of action to members of the deceased passenger's family and provides that loss of earnings to date of death, and funeral, medical or hospital expenses incurred before death may be recovered for the benefit of the deceased's estate. "Member of family" embraces a wide range of persons all, I believe, at present embraced in the general law of this State in the case of ordinary accidents. The section provides how the action is to be brought and how damages are to be assessed.

Section 38 provides that any damages assessed shall not be reduced by any insurance moneys payable to a passenger, any superannuation or friendly society benefits, any pensions payable on death or injury, any acquisition of a dwelling-house by a spouse or child consequent upon the death, or any premium payable under an insurance contract on the life of the deceased. Section 39 provides for a reduction of damages where a passenger has been guilty of contributory negligence. Sections 29 and 30 deal with baggage: they provide for liability for destruction, loss or injury to baggage at any time during the period of the carriage unless the carrier proves that all necessary measures were taken or were impossible. Various provisions, which I will not go into in detail, cover the way in which actions are to be brought, and exceptions to liability in respect of baggage. It will be seen that Part IV of the Commonwealth Act, which is applied by this Bill, sets out in some detail what may be recovered for personal death or injury or loss or damage to baggage arising out of air accidents.

Under the Commonwealth Act power exists to make regulations, and this Bill will apply such regulations within this State as if they had been made by the Governor in Council. Clause 8 of the Bill, which is modelled on a similar clause in the Victorian Act, provides for any Commonwealth regulations that are made to be laid before Parliament where they can be disallowed, thus importing in relation to such regulations the general principles and procedure that apply in this State to regulations made by the Governor in Council. Without this provision the Commonwealth regulations would be applicable in their entirety without any reference to this Parliament. Clause 8 (4) empowers our own Governor in Council to make regulations that will prevail over any inconsistent regulations that have been made by the Commonwealth in their application within this State.

As I have pointed out, the object of the Bill is to secure uniformity of rules governing the liability of air carriers in interstate and intrastate carriage. Although the

amount of damages recoverable is limited passengers or their dependants are given a right to recover all damage suffered up to the limit without proving negligence on the part of the operator. More especially, the Bill deprives carriers of their present right to contract out of liability however caused, thus substituting a system of absolute liability for a voluntary system under which an operator can vary or limit his liability as part of his contract of carriage.

Mr. HUTCHENS secured the adjournment of the debate.

HOSPITALS ACT AMENDMENT BILL.

Second reading.

The Hon. G. G. PEARSON (Minister of Works): I move:

That this Bill be now read a second time.

Section 16 of the Hospitals Act empowers the board of management of any public hospital to make regulations on a variety of subjects including all matters affecting the general management, care, control and superintendence of any hospital. Section 19 provides for a general penalty for a breach of any regulations made under Part II of the Act (which includes section 16). Section 22 provides that the Director-General of Medical Services shall have and may exercise with respect to public hospitals such duties and powers as are imposed or conferred upon him by the Act or any other Act or by the Governor. The Crown Solicitor has advised that while the conferring upon the Director-General of power to control and manage a hospital would include power to make regulations for the management of the hospital, it is doubtful whether regulations made by the Director-General are covered by the penalty provisions of section 19.

The Bill accordingly amends section 16 of the principal Act by expressly empowering the Director-General to make regulations for a public hospital without a board of management. Any regulations so made by the Director-General would come within the description of regulations under the provisions of Part II. I would mention to the House that the particular matter which has brought the anomaly to notice is the control of parking in the grounds of the Mount Gambier Hospital. This hospital has been proclaimed a public hospital and if it had a board of management the board could make regulations controlling parking in the hospital grounds and offences against them would be punishable under section 19 of the Act. However, the hospital has no board of management but the care, management, control and supervision of it is vested in the Director-General. As I have said, the Crown Solicitor has advised that while the Director-General would have power to make parking regulations, it is doubtful whether the sanction of the penalty provisions of section 19 would apply to them.

Mr. LAWN secured the adjournment of the debate.

REGISTRATION OF DEEDS ACT AMENDMENT BILL.

Second reading.

The Hon. Sir BADEN PATTINSON (Minister of Education): I move:

That this Bill be now read a second time.

Its object is to give express power to the Registrar-General of Deeds to register memoranda of appointment of new trustees which relate only to personal estate and to accept for deposit deeds poll or statutory declarations evidencing a change of name. Both amendments are of a technical character and will require some explanation.

The first of the amendments, which is made by clause 3 (with a consequential amendment in clause 4) covers memoranda of appointment of new trustees. Part V of the Trustee Act applies to all trust estates and the latter term is defined as including real and personal estate of every description held on trust. Section 75 of the Trustee Act provides that on the appointment of new trustees a memorandum thereof may be registered in the General Registry Office or the Lands Titles Office. While this provision does not present a problem where the trust estate consists of land, since registration of instruments affecting land may be registered in the Lands Titles Office or, in the case of old system land, the General Registry Office, where the trust estate consists only of personal estate there is an anomaly because neither the Registration of Deeds Act nor the Real Property Act makes any provision for the registration of documents which do not affect land. It is, of course, open to argument that the Trustee Act, being later in point of time than the other Acts, by making express provision, empowers the Registrar-General to take and register a memorandum of appointment of new trustees despite the fact that the trust estate concerned does not include any land. The matter is not, however, free from doubt and

clause 3 amends the Registration of Deeds Act by expressly empowering the Registrar-General to register a memorandum of appointment of new trustees under the Registration of Deeds Act, even though only personal property is concerned.

Clause 5 governs the deposit of deeds poll or statutory declarations evidencing a change of name. It has in fact been the practice of the Registrar-General over the years to receive these documents on deposit although there is no provision in the Registration of Deeds Act empowering him to do so. Clause 5 will give statutory authority to the practice and will ensure that due effect is given to the deposit.

Mr. HUTCHENS secured the adjournment of the debate.

SALE OF HUMAN BLOOD BILL.

Second reading.

The Hon. Sir BADEN PATTINSON (Minister of Education): I move:

That this Bill be now read a second time.

It is designed to prohibit unauthorized trading in human blood. The need for such a Bill arose out of the expiry late last year of the Commonwealth patent relating to the process of extracting and separating the various fractions of human blood. The blood which has been, and is being, used for this process is that which has been donated by voluntary blood donors to the Red Cross blood transfusion service and is available to the public free of charge for blood transfusion and other essential purposes. Since the expiry of the Commonwealth patent, the possibility that commercial interests may be willing to buy blood and engage commercially in the fractionation of blood has caused the Commonwealth and State Governments some concern, as the entry of commercial interests into this field would wreck the Red Cross Society's blood donation scheme and deprive the public of the readily available free blood for transfusion and other purposes.

Commonwealth and State Ministers have been considering the matter for some time and have recommended that legislation be introduced throughout Australia prohibiting the sale or purchase of human blood and any advertisement to purchase human blood except on the authority of the Minister. This Bill has been drafted in accordance with that recommendation. Clause 2, in effect, prohibits a person from buying, agreeing or offering or holding himself out as being willing to buy, human blood or the right to take blood from the body of another person unless he has been granted a permit by the Minister. The penalty for contravention of this clause is £100 or three months' imprisonment or both. The clause also provides that a person who fails to comply with any conditions specified in the permit is liable to a penalty of £50.

Clause 3 prohibits a person from knowingly: (*a*) publishing or disseminating by newspaper, etc.; (*b*) exhibiting to public view in any place; or (*c*) depositing in the area, garden or enclosure of any place, any advertisement relating to the buying of human blood or the right to take blood from the bodies of persons unless the advertisement and the form and wording of the advertisement have been approved by the Minister. The penalty for contravention of this clause is £100 or three months' imprisonment or both.

Clause 4 prohibits a person from selling human blood (including his own blood) or the right to take blood from his body except to a person authorized by the Minister to buy blood. The penalty for contravention of this clause is £50. Clause 5 contains procedural and evidentiary matters and, among other things, provides that proceedings for any offence against the Act shall not be taken without the written consent of the Minister.

Mr. LOVEDAY secured the adjournment of the debate.

MOTOR VEHICLES ACT AMENDMENT BILL.

Second reading.

The Hon. G. G. PEARSON (Minister of Works): I move:

That this Bill be now read a second time.

It makes four amendments to the Motor Vehicles Act. The first amendment, dealt with in clause 3, is a drafting amendment. Section 21 of the Motor Vehicles Act provides that a motor vehicle cannot be registered in the absence of a certificate of third party insurance which will remain in force throughout the period of registration and 14 days thereafter. Prior to last year motor vehicle registrations ran from the first day of the month of registration. However, last year, as honourable members know, amendments were made to the principal Act to provide that registration should date from the actual day on which it took place, bringing the law in this State into line with that in other jurisdictions where day-to-day registration applies. In view of the

provisions of section 21 concerning certificates of insurance, a consequential amendment was made to section 26 to enable the Registrar to reduce the period of registration without adjustment of the fee where the date of expiration of the registration would not accord with the certificate of insurance. The object of this provision was to enable the Registrar to register a vehicle for a shorter period than a complete year (or six complete months) where an owner had omitted to renew his registration on the due date. Thus if the current registration of a car expired on, say, July 15 and thus became due for renewal on July 16, the renewed certificate of insurance would run only until the next July 15, and 14 days thereafter. If the owner renewed his car registration on the due date, the certificate of insurance expiring 14 days after the next July 15 would comply with section 21. If, however, the owner did not renew his registration for, say, seven days, it would still not be possible for the Registrar to renew the registration to a date after the next July 15 because of the date of expiration of the certificate of insurance. The object of last year's amendment was to enable the Registrar to register the vehicle on a day commencing on the actual date of renewal and ending on the July 15 next, being a period of less than one year, and to do so without making any adjustment by way of refund to the owner for the seven missing days. Unfortunately the amendment as made has proved to be defective and clause 3 of the present Bill amends the amendment made last year with effect from the time of the passing of last year's Act, so as to express in more direct terms what was intended.

Clause 4 relates to section 48 of the principal Act, prohibiting the driving of a registered vehicle without a registration label. Where a registration label is destroyed on cancellation of registration and a refund is applied for, an owner must either return the label to the department or have its destruction witnessed by a police officer, justice of the peace or an officer appointed by the Registrar, or satisfy the Registrar by other evidence that the label has been destroyed. Where destruction is witnessed by a police officer, justice of the peace or an officer of the department, an owner must either arrange for his vehicle to be towed away from the place in which the label was destroyed or call a police officer or justice of the peace to the place where the vehicle is kept. In practice, many owners comply with the requirements by calling a police officer. Owing to the heavy increase in the volume of work involved, the Police Department has felt compelled to make a charge where a police officer is called away from his station for the purpose, and this reacts to the detriment of the owner. It has accordingly been decided to ease these requirements by making a regulation which would enable a vehicle to be driven without a label from the police station to the place where the vehicle is to be kept or stored (or shipped). The amendment to the Act provides that it shall be a defence to a charge of driving without a label if it is shown that the vehicle was being driven under circumstances in which the Act or regulations provide that a vehicle may be so driven.

Clause 5 amends section 98a of the principal Act by providing that police officers acting in the course of duty shall not be required to hold instructors' licences. Police officers instruct one another in the ordinary course of their duties, and it is considered unnecessary to require them to go through the formal process of obtaining instructors' licences to cover them in carrying out their ordinary functions.

Clause 6 is of a different order from the other clauses and is of great importance. It is designed to remove doubts that appear to exist regarding the operation of the third party provisions which enable actions for damages for bodily injury or death to be brought directly against insurers where the wrongdoer has died. This particular provision has been in our law since 1936, when it was inserted in the Road Traffic Act as section 70d (2). The provision, shortly stated, is that where an insured person has caused death or injury by negligence in the use of a motor vehicle covered by third party insurance, and the insured person is dead or cannot be served, any person who could have obtained judgment against the insured person if he were living or had been served with process, may recover directly from the insurer. The provision was re-enacted in substance in the consolidating Motor Vehicles Act in 1959, where it appears in section 113.

In 1940 there was enacted the Survival of Causes of Action Act, which provided that on the death of a person all causes of action subsisting against him should survive against his estate. It was also provided that where the person liable died before or at the time of the damage the cause of action should be deemed to have been subsisting against him before his death. But proceedings for torts—

that is, civil wrongs, such as negligence—could be taken only if the cause of action arose not earlier than six months before the death, and the proceedings must be taken not less than six months after grant of probate or letters of administration of the wrongdoer's estate.

As I have said, the Survival of Causes of Action Act was passed in 1940. I think that it has been commonly thought that the provisions of that Act did not affect those of the Road Traffic Act enabling proceedings to be taken against the insurer where the wrongdoer has died, but, however that may be, it has recently been held by the High Court (under similar legislation in New South Wales) that the effect of the legislation on survival of causes of action in that State was to take away the right of direct action against the insurer. As one of Their Honours explained it, when the third party legislation was passed, the law was that causes of action in tort did not survive the death of the wrongdoer, and the provision in the third party legislation proceeded on that assumption and provided a remedy for that situation. But with the passing of the legislation permitting the survival of causes of action against the wrongdoer's estate, the old rule was displaced and the condition necessary for the operation of the earlier legislation no longer existed. In short, the Survival of Causes of Action Act operated as an implied repeal of the third party provisions giving a right of action against the insurer, so that plaintiffs had the right only to sue the estates of the deceased wrongdoer. This could result in injustice since, as I have said, actions against the estate are subject to limitations as to time which do not apply in the case of actions for damages generally. If this is the law in this State, it seems that a plaintiff who believes that he has three years in which to sue for bodily injury may find that the proposed defendant died more than six months earlier, in which case he cannot proceed against the estate, and of course he is not in any position to sue the insurer if the law enunciated by the court applies in this State.

This Parliament has passed the Motor Vehicles Act, 1959, as a consolidating measure, and has re-enacted section 70d (2) of the Road Traffic Act; and it could be argued that, whatever might have been the position before 1959, the express statement of the right to proceed against the insurer in 1959 cannot be affected by an Act passed in 1940. I believe that it was not the understanding of this Parliament when the Motor Vehicles Act was passed in 1959 that section 70d (2) of the Road Traffic Act had been affected by the Survival of Causes of Action Act of 1940, or that the 1940 Act was affected by the Motor Vehicles Act in 1959.

Clause 6 is designed to remove all doubts on this matter by making it clear that the passing of the Survival of Causes of Action Act in 1940 was not intended to and did not affect the operation of section 70d (2) of the Road Traffic Act or section 113 of the Motor Vehicles Act. The clause inserts a new subsection (2) into section 113 of the principal Act, declaring that a right of action against an insurer where the insured is dead exists and has existed since the enactment of section 70d (2) of the old Act and section 113 of the new Act, notwithstanding that the claimant has or had a right of action against the estate of the deceased. The clause is declaratory in form, that is to say, it has retrospective operation and effect. If this Parliament considers that the effect now sought to be put beyond doubt is what the Parliament intended, then I believe that no exception to the form of the clause will be taken. It is simply a statement of Parliament's intention at all times and will obviate the necessity, so far as this State is concerned, of lengthy argument as to what the law is. The Government understands that there are and may be cases in which proceedings have not yet been brought where litigants cannot be sure of their position, and there may be pending cases in which the point could arise—cases which concern accidents that happened up to 10 years ago. In these circumstances I believe this Parliament would wish to set out its intention in clear terms.

Mr. DUNSTAN secured the adjournment of the debate.

UNCLAIMED MONEYS ACT AMENDMENT BILL.

Second reading.

The Hon. Sir BADEN PATTINSON (Minister of Education): I move:

That this Bill be now read a second time.

The Unclaimed Moneys Act enables companies to pay to the State Savings Bank to the credit of the Treasurer for the use of the public revenue any moneys which have been in their possession for six years or more, where no claim has been made by the owner. The Act contains provisions requiring companies to keep registers

of unclaimed moneys and publish such registers annually in the *Gazette*. No simple provision exists for the disposal of unclaimed moneys by private persons. For example, there are business people who find themselves in possession of small sums which they cannot dispose of because the owner cannot be traced for one reason or another. Recently it was brought to the notice of the Attorney-General that an amount of 10s. was held in a land agent's trust account. The only way in which this money could be disposed of and cleared from the account would have been by payment into the Supreme Court under the Trustee Act, an unpracticable course in view of the amount of administrative work and costs involved.

The Bill is designed to meet the convenience of persons in this position by enabling them to dispose of unclaimed amounts in the same way as companies without, of course, the requirements as to keeping registers and other administrative procedures. Clause 4 accordingly inserts into the principal Act a provision that any person (not being a company) who has been in possession of moneys for one year or upwards, of which the owner cannot be found, may pay such moneys to the Treasury, provided that when paying the moneys in the person concerned lodges a statutory declaration setting forth the details and circumstances. The receipt of the Treasurer is to be a discharge of the liability of the person concerned.

Clauses 5 and 6 are consequential amendments, which will apply to private persons the existing provisions that if a claimant satisfies the Treasurer that he is the owner of the money it can be paid to him, and that the Treasurer is absolved from further responsibility in case another person should make a claim.

Opportunity is also being taken in the Bill to make a procedural change in the provisions for payment of unclaimed moneys. The principal Act specifies that they are to be paid to the Savings Bank of South Australia for the Treasurer's account. Clause 3 will remove this requirement by specifying direct payment to the Treasurer, thus obviating unnecessary administrative work since the moneys are destined for the Treasury in aid of general revenue in any event. Apart from the procedural amendment made by clause 3, the Bill does not affect the existing provisions concerning companies, which have operated over a number of years. I believe that the Bill effects a desirable change in the law which will meet the convenience of business people and others.

Mr. DUNSTAN secured the adjournment of the debate.

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LOCAL COURTS ACT AMENDMENT BILL.

Second reading.

The Hon. Sir BADEN PATTINSON (Minister of Education): I move:

That this Bill be now read a second time.

Its object is to increase the jurisdiction of local courts of limited jurisdiction (now £30) to £100. Clause 6 accordingly amends three sections of the present Local Courts Act, with which I now deal.

Section 32, which is the main section of the principal Act relating to the limited jursdiction, confers such jurisdiction in various types of action where, generally speaking, the sum claimed does not exceed £30. In this section the amount of £30 will be replaced by £100. It is, however, provided by clause 4 (to which clause 5 is consequential) that contested cases shall not be taken by justices; that is to say, trial of contested actions must be heard by a magistrate.

The amendment to section 196 is consequential. That section empowers the removal of a local court judgment for an amount exceeding £30 into the Supreme Court. It is obvious that if the limited jurisdiction of local courts is to be raised to take into account the change in money values the right of removal of judgments to the Supreme Court should be limited by the same consideration.

However, section 58 of the principal Act relating to appeals has not been amended. Under that section there is a right of appeal where the amount involved is over £30. Although the Bill increases the jurisdiction of local courts of limited jurisdiction to £100, it has been considered desirable to leave the right of appeal to £30 or over.

Section 165 is of a slightly different order. This section provides that a local court may suspend execution of a judgment in the case of sickness, but only where the amount of the judgment debt is under £30. It is considered desirable that this power should be widened by substituting £100 for £30, thereby enabling the court to suspend execution on a judgment for any sum up to £100.

Clause 7 provides that the amendments will apply to all actions commenced after the commencement of the Bill, whenever the cause of action arose. It is unnecessary to speak at length on the reason for the amendments. The limited jurisdiction of local courts has remained at £30 since 1926, and because of the change in money values has operated to

the inconvenience of persons in country districts who, in many cases, are unable to issue summonses for debts exceeding £30, except from a court many miles away, because there is only a local court of limited jurisdiction in their district. The effect of the Bill will enable proceedings in claims up to £100 to be instituted where there is no local court of full jurisdiction established, with the proviso that if the action is defended it must be tried by a magistrate.

Mr. DUNSTAN secured the adjournment of the debate.

METROPOLITAN DRAINAGE WORKS (INVESTIGATION) BILL.

Second reading.

The Hon. G. G. PEARSON (Minister of Works): I move:

That this Bill be now read a second time.

Over the past two years discussions have been in progress between the Government and the Woodville and Henley and Grange councils concerning a scheme for storm-water drainage for certain portions of the two areas. The question was raised by the councils concerned in 1960, following advice from certain consulting engineers who had recommended a scheme estimated to cost slightly more than £207,000. It was suggested that the work should be financed on the basis of a Government contribution of one half and an advance of the other half repayable by the councils over a period of years.

The scheme proposed comprises drains to serve an area of 1,007 acres extending from Kirkcaldy Beach Road on the north to Henley Beach Road on the south, and from Sea View Road on the west to a line slightly east of Tapley Hill Road. There would be a main drain extending from the south of the area to Kirkcaldy Beach Road and discharging into the Port Reach, along which the drainage water would flow to a ponding basin near Fort Street, being discharged thence during period of low tide. Initially the discharge would be to the Port River, but it is contemplated that later it should be to a tidal basin being planned by the Harbors Board in connection with the Greater Port Adelaide Scheme.

Details of the scheme and proposals for division of the cost of the works were forwarded to the Engineering and Water Supply Department, which consulted with the engineers and the Highways and Local Government Department. I do not go into details of the many meetings, discussions and inquiries which have been held in the matter, but mention that the scheme has now been redesigned with a revised estimate of costs of £375,000, which does not take account of any acquisitions that might be required, or other possible developments. Detailed structural designs have not yet been submitted, it being considered that before the expense of this work was incurred the whole proposal should be referred to the Public Works Committee.

The Crown Solicitor has advised that, in view of the definition of "public work" in the committee's Act as any work to be constructed by the Government out of moneys to be provided by Parliament, the present proposal is not a "public work" since it is envisaged that half the capital costs of the work shall be paid by the councils. It is therefore necessary, if the proposed scheme is to be referred to the committee, for statutory authority to be obtained. The purpose of this Bill is to refer the whole question to the Public Works Committee. I deal now with the clauses of the Bill.

Clause 2 is a definition clause in which the proposed scheme is defined by reference to two Government files, and clauses 4 and 5 are consequential provisions. Clause 3 refers the questions therein set out to the committee. Shortly stated they cover:

(*a*) the expediency of the work with or without any variations;

(*b*) whether other works for the same purpose should be constructed;

(*c*) on the assumption that half the capital cost is to be paid by the councils, what should be their respective shares;

(*d*) how and at what rates of interest should each council pay its share; and

(*e*) the means of payment of the annual cost of maintenance of the works and how it should be shared by the councils concerned.

In order that this matter may be fully considered at an early date, I would hope that the Bill would receive the support of all members. It is in the terms almost identical with those of the Act passed in 1957 referring the south-western suburbs drainage scheme to the committee.

Mr. JENNINGS secured the adjournment of the debate.

MENTAL HEALTH ACT AMENDMENT BILL (No. 1).

Second reading.

The Hon. G. G. PEARSON (Minister of Works): I move:

That this Bill be now read a second time.

It makes four amendments to the Mental Health Act. The first amendment is made by clause 4, the purpose of which is to enable the Superintendent of an institution of his own authority to grant to any patient trial leave of absence for up to 28 days. Section 76 of the principal Act deals with this question. While the Superintendent of an institution may of his own authority grant parole to any patient for a period of 24 hours, he may only permit trial leave (or parole) for a longer period with the consent in writing of the Director-General of Medical Services. The Director of Mental Health has reported that these provisions were formulated at a time when the number of patients proceeding on trial leave was relatively small and administration of the provisions was comparatively simple. In recent years, however, the position has changed dramatically and during any weekend there may be from 100 to 200 patients going out from the three hospitals on trial leave for periods exceeding 24 hours: the great majority of these patients go on weekend leave to the care of relatives, and the practice is increasing.

As I have said, trial leave for over 24 hours requires the signature of the Superintendent or his deputy and the counter-signature of the Director-General of Medical Services. This function has, however, been delegated by the Director-General to the Superintendent who, as Dr. Cramond points out, thus signs the same document twice in different roles—in many cases authorizing leave for comparatively short periods of time to patients whom he may not know personally and for the propriety of whose leave he depends on the judgment of the ward doctor and senior nursing staff. Another result of the present provisions is a considerable amount of unnecessary administrative and clerical work.

Dr. Cramond has reported that in his own experience the matter can be administered much more simply at ward level and has suggested that the authority to allow patients out on parole or trial leave for periods of up to 28 days be left in the hands of the Superintendent or his deputies. He considers the practice reasonable and that it works well and saves considerable unnecessary administration. Clause 4 accordingly amends section 76 (4) by enabling the Superintendent of his own authority to permit absence on parole for up to 24 hours at a time, or on trial leave for up to 28 days at any one time. The remaining provisions governing this matter will be untouched; as Dr. Cramond reports, the position is different where periods exceeding a month are involved.

The second amendment is made by clause 5. Members will recall that in 1959 the Act was amended to exempt patients admitted to the Enfield Receiving House from the automatic management of their affairs by the Public Trustee. That amendment provided that the affairs of a patient of the Enfield Receiving House should go to the Public Trustee only on the Superintendent's certificate. Earlier this year two other institutions (Cleland House and Paterson House) were declared to be receiving houses; clause 5 will bring those institutions into line with Enfield.

The third amendment is made by clause 7 (clauses 3 and 6 being consequential). Part VI of the Act, comprising sections 137 to 145 inclusive, provides for the admission and detention of what are called "voluntary boarders", but it is a condition that a person in this category must make and sign a request in the prescribed form containing a statement that he is aware that by signing he is liable to detention for three days after any written application for his discharge. The Director of Mental Health has reported that the idea of purely voluntary admission to mental hospitals has been one of the great steps forward in the treatment of mental illness, and he is anxious to make voluntary admission as simple and informal as possible. As he points out, the actual signing of papers causes difficulty to the extremely sensitive person concerned and many such people baulk at the idea of signing a form, being often afraid that they are signing away their liberty. Furthermore, the agreement to being kept for 72 hours after giving notice of wishing to leave raises the fear, in some minds at any rate, that the patient will not be allowed to leave at all. In any case, the 72-hour delay is very rarely used and, if the idea behind it was to enable certification, the previous Director could only recall some half dozen cases where a voluntary patient had had to be certified in that time.

The other sections in Part VI provide for certificates by the Superintendent of the institution as to his opinion of the case and the making of an order by the Director-General either discharging the patient or consenting

to his detention and providing for other matters which the Director considers unduly formal and unnecessary. He has advised the Government that in his opinion there should be no real difference between entry into an ordinary hospital and entry into a mental hospital in appropriate cases, and reports that in the United Kingdom between 80 per cent and 90 per cent of all patients admitted to mental hospitals do so on an informal basis.

Clause 6 is designed to give effect to the foregoing principle; accordingly, it strikes out all of the provisions in Part VI and inserts a simple section along the United Kingdom lines providing only that nothing in the Act shall prevent the admission of persons requiring treatment for mental disorder in pursuance of arrangements made in that behalf.

Clause 8 makes certain amendments considered necessary to section 153c governing the reception of persons into licensed private mental homes. The effect of section 153c is as follows:

(*a*) Anyone may voluntarily enter licensed premises on making a written application.

(*b*) If the person is under 16 the parent or guardian must make the application and it must be accompanied by a medical recommendation to be signed by the patient's usual doctor.

(*c*) The medical recommendation is valid for only 14 days.

(*d*) A patient may leave on giving three days' notice in writing, or, if he is under 16, the notice must be given by the parent or guardian.

Clause 7 amends the foregoing provisions in the following way:

(*a*) Anyone over 16 may voluntarily enter a licensed private mental home by applying—that is, no written application will be necessary in cases of persons over 16 years of age.

(*b*) Entrance of persons under 16 will be unaltered—that is, will require written application by parent or guardian plus medical recommendation, but the provision that a medical recommendation is valid for only 14 days is struck out.

(*c*) As regards discharge, anybody, whether over or under 16, will be able to leave at any time—that is, the 72 hours' written notice will not apply, but in the case of a person under 16 the request (not written notice) must come from the parent or guardian.

It will be seen that these amendments to section 153c follow on the amendments concerning voluntary admission of patients to mental hospitals and institutions in that much of the formality now surrounding this matter will be removed.

Mr. JENNINGS secured the adjournment of the debate.

ADJOURNMENT.

At 5.05 p.m. the House adjourned until Tuesday, September 25, at 2 p.m.