HOUSE OF ASSEMBLY.

Thursday, October 24, 1963.

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

ASSENT TO BILLS.

His Excellency the Governor, by message, intimated his assent to the following Bills:

Business Agents Act Amendment,
Health Act Amendment,
Metropolitan Taxi-Cab Act Amendment.

QUESTIONS.

SOUTH ROAD PRIMARY SCHOOL.

Mr. FRANK WALSH: Has the Minister of Education further considered the request made by a deputation I introduced to him this week from the South Road Primary School Committee, and can he recommend to the Director or the Deputy Director of Education that this school be placed on the list of permanent buildings to be constructed for the Education Department?

The Hon. Sir BADEN PATTINSON: The Leader has repeatedly raised with me in Parliament and by correspondence the need for a new building at the South Road Primary School. Earlier this week he introduced to me a deputation from the president and members of the school committee, who presented a petition from 468 parents requesting that the present timber buildings be replaced by a solid construction school at the earliest possible date. After investigating the case and considering reports from the Deputy Director of Education and the Superintendent of Primary Schools, I am of the opinion that a new solid construction school should be included in the next building programme. Therefore, when I am preparing the programme for submission to the Premier, I shall include this school.

PANITYA LAND.

Mr. BOCKELBERG: Some time ago I discussed with the Minister of Lands the surveying and allotting of part of the hundred of Panitya. I understand that the Minister now has this information.

The Hon. P. H. QUIRKE: A departmental surveyor is now engaged in the subdivision of the Panitya land into seven blocks. This is an extensive survey and will take several weeks to complete. Although every effort will be made to bring the blocks to the allotment stage as soon as possible, it will probably be at least six months before the land is available for offer.

SUPERVISOR OF SCHOOL LIBRARIES.

Mr. RYAN: During the debate on the lines of the Estimates the honourable member for Burnside referred to the appointment of the Supervisor of School Libraries. This morning at the opening of a new library at a primary school in my district I heard of the difficulty of obtaining the services of a supervisor of libraries. As the libraries in our schools have been developed largely over recent years and as the Minister of Education has said that the school library is now one of the most important educational amenities, will his department consider increasing the number of persons engaged in the supervision of school libraries? If further action is warranted, will he take the matter up with the Public Service Commissioner so that the numerical strength of this section of his department may be increased?

The Hon. Sir BADEN PATTINSON: Yes. I shall be pleased to have further discussions with the Public Service Commissioner and the Director of Education, because I consider it a real deficiency in our system of education that we are, to a large extent, neglecting the important aspect of libraries. It is not only a question of increased staff, however. We would be fortunate if we had an existing staff, because for several years we have had a succession of supervisors with long gaps between them. For as long as six months, or longer, we have had none at all. I have been concerned about the matter for a long time, and have had discussions with the South Australian Teachers' Institute, the Public Schools Committees Association, the Libraries Association of South Australia, and other interested parties, and further discussions with the Public Service Commissioner and with senior officers of the Education Department. I shall be only too pleased to take up the suggestion of both the honourable member for Burnside and the honourable member for Port Adelaide, because I consider it is urgently necessary that this important branch of the department should be brought up to proper strength and kept there.

PORT PIRIE DEVELOPMENT.

Mr. McKEE: The Premier may be getting tired of my continually asking this question, but I know that he is as concerned as I am regarding the establishment of an industry at Port Pirie. Has he received any information regarding the proposition which he said earlier he had submitted to the Prime Minister?

The Hon. Sir THOMAS PLAYFORD: I received a reply from the Prime Minister this morning in connection with the proposition which I had put to him and which had been considered by the Commonwealth Cabinet. The reply was that the Commonwealth Government could not accept the proposition. However, in the last paragraph of the reply it was suggested that I could perhaps put the proposition in a different form. Without going into my reason for saying so, I think my original request, if granted, would have created a precedent; so the Commonwealth Government is looking to me to find a better way of putting the proposition. This will involve my consulting the company with which I have been negotiating, and I have no doubt that should it be necessary for me to be absent one day next week the honourable member will use his undoubted influence with the Leader of the Opposition to ensure that I have a pair then. Although the Prime Minister's reply was expressed in unfavourable terms I took it not as a rejection of the proposition but as a request that I submit it differently so that it would not create a precedent. I will have the matter examined during the weekend when I will have a chance to go into it. If necessary, I will take action next week.

FISHERMAN'S BAY WATER SUPPLY.

Mr. HALL: Will the Minister of Works get for me a report on the present stage of proposals to connect the Fisherman's Bay holiday settlement to a water supply?

The Hon. G. G. PEARSON: This problem, which has been before us for several years, is difficult to solve because of the location, the ownership of the adjoining property, the control exercisable by the district council, and other factors, including the question of getting water to the area. Various solutions have been suggested; one is that a water supply would be unnecessary were it not for the health problem that exists and the need for septic tanks or a similar sewage disposal system. It was suggested that it might be worth while for the district council to examine the possibility of using sea-water to activate the septic systems and that roof catchments with small rain-water tanks would be adequate for domestic supplies. However, I will examine the matter again, consult with the Engineer-in-Chief to see whether further developments have taken place, and inform the honourable member.

GAWLER AREA WATER SUPPLY.

Mr. CLARK: During the last few weeks I have received several telephone calls from constituents complaining about the quality of water from the mains in the southern part of my district. In particular I have received two letters from constituents—one from the Brahma Lodge area and the other from the Salisbury North area. As well as complaining about their water supplies, they revealed themselves to be keen advocates of filter systems. If I supply the Minister of Works with copies of these letters will he have the quality of the water in those two areas examined?

The Hon. G. G. PEARSON: Yes.

INSURANCE BROKERS.

Mr. BYWATERS: Has the Minister of Education a reply to my recent questions about the Oxford Insurance Brokers Company?

The Hon. Sir BADEN PATTINSON: The Attorney-General has informed me that inquiries are still proceeding but have not yet been concluded. In the meantime he has forwarded to me a factual report from the Registrar of Companies, as follows:

On May 23, 1963, the business name of Oxford Insurance Brokers was registered under the Registration of Business Names Act, 1928-1955. The nature of the business is insurance brokerage (the place of business is 26 Anzac Highway, Forest Gardens, and the proprietor is Miss Catherine May Wilkinson of 11 Garden Terrace, Underdale). A report in the *Advertiser* of October 17 referred to Oxford Insurance Brokers Limited. No company by that name is registered under the Companies Act.

Mr. BYWATERS: I ask leave to make a personal explanation.

Leave granted.

Mr. BYWATERS: The Minister said that this concern was registered not as a company but under the Business Names Act. I previously assumed that it was a company, but that was my assumption and was not based on information that I had been given. I apologize for this. I was told that the business address was North Terrace, Adelaide; apparently that was not correct. I did not at any time call it "Limited", as was suggested by the Minister in his reply, and as was reported in the *Advertiser*. They were not my words; I merely said "Company". I assure the Minister that these are the people I am concerned about, and that is my main reason for making this personal explanation. I ask that he pursue this matter with the Attorney-General, because it is definitely causing much concern among constituents of mine and, I know, of the member for Ridley.

KIDMAN PARK LAND.

Mr. FRED WALSH: Has the Minister of Lands a reply to the question I asked on October 22 about Lands Department land in the Kidman Park area?

The Hon. P. H. QUIRKE: I have a report from the Director of Lands, who happened to be in the area yesterday and made a personal survey. He reports:

I have inspected this area which was surveyed and subdivided for sale, but the Land Board felt that disposal should be delayed for the time being. The area is heavily overgrown with grass and weeds which are fairly green at the moment, and it would not be possible to obtain a reasonable burn. This situation has arisen despite earlier action to have the area disced. I have now asked the Chief Inspector to arrange to:

1. Burn off the area—this will be carried out when conditions permit, but not for two to three weeks.
2. Arrange to have the old drain filled.

These measures should remove any cause for local complaint as far as Government land is concerned. However, other areas adjacent are more heavily overgrown than this one. It is probable that the board will proceed with the disposal of the land after the area has been cleared up and the drain filled.

BURNING-OFF OPERATIONS.

Mr. HUGHES: On October 16 I asked the Minister of Agriculture a question about the burning-off operations of the Railways Department. Has the Minister of Works, representing the Minister of Railways, a reply to that question?

The Hon. G. G. PEARSON: My colleague, the Minister of Railways, informs me that the Railways Department intends to continue burning-off operations, and in this connection says that during the present year chemical control of vegetation has been extended to reduce the fire hazard. It is expected that this action will contribute to the progressive reduction of outbreaks of fire on railway land.

BELTANA SCHOOL.

Mr. CASEY: Some time ago I raised the question of the inadequate and unhygienic toilet facilities at the Beltana Primary School. At this time of the year the fly menace is particularly bad in the Far North. I understand that recently officers from the Department of Health inspected the area and that they will submit a report to the Education Department suggesting that these toilets should be improved as soon as possible. I suggest to the Minister of Education that liaison could be established with the Minister of Mines to ascertain whether water from the Government bore, which was used extensively by the Railways Department when it was operating in that area, could not be used for toilets in that area.

The Hon. Sir BADEN PATTINSON: I recall that the honourable member raised the matter with me at the time, and I referred it to the department which in turn, if I remember correctly, referred it to the Public Buildings Department for attention. I do not know what the present position is, but I will look into the matter immediately. I will also examine the suggestion that the department co-operate with the Mines Department, which might solve the problem.

PORT AUGUSTA LAND.

Mr. RICHES: Has the Minister of Education a reply to either one of the questions that I asked last week and early this week concerning the department's building programme at Port Augusta and the suggestion that an officer of his department and one from the Public Buildings Department should examine the question of air-cooling systems for the Port Augusta district?

The Hon. Sir BADEN PATTINSON: No, I have not received a report. The Director of Education is in New South Wales this week on a Directors' conference concerning television and other matters, and the Deputy Director has been engaged on Teachers' Appeals Board hearings and I have not had the opportunity to discuss either matter with them personally. I referred the honourable member's questions to them, but I have not yet received a reply. I hope to have something for the honourable member next Tuesday.

BARLEY DELIVERIES.

Mr. HEASLIP: Unfortunately, because of the early close of the rains during this season cereal crops are maturing much earlier than they normally do. I understand that wheat has already been reaped and delivered in bulk to the Port Pirie silos. Barleygrowers are already reaping—and normally barley is reaped before wheat—and they are in a dilemma regarding whether they can deliver in bulk or whether they will have to deliver in bags. I speak particularly regarding the Crystal Brook area, where farmers cannot get an answer about whether they can deliver in bulk, but I think this also applies to the Ardrossan and Wallaroo silos. Will the Minister of Agriculture obtain an answer from the Barley Board as to whether this season it is prepared to receive barley in bulk or whether it must be delivered in bags?

The Hon. D. N. BROOKMAN: I will take the matter up with the Barley Board.

SOUTH-EAST ELECTRICITY EXTENSIONS.

Mr. NANKIVELL: In one of the Premier's very popular Wednesday evening telecasts recently he referred to a proposed high-voltage electricity extension from Keith to Naracoorte. Both the member for Victoria (Mr. Harding) and I are very much interested in this project. Can the Premier say when it is intended to carry out this work?

The Hon. Sir THOMAS PLAYFORD: I will obtain a precise report from the Chairman of the Electricity Trust for the honourable member.

Mr. NANKIVELL: Will the Minister of Works ascertain when work on the Coonalpyn-Bordertown high tension extension line, which is at present being carried out, is expected to be completed? When will the Tatiara electricity undertaking be connected to the Electricity Trust's power supply?

The Hon. G. G. PEARSON: I will ask the Chairman of the Electricity Trust for a report.

ISLINGTON WORKSHOPS.

Mr. FRANK WALSH: Will the Minister of Works obtain a report from his colleague, the Minister of Railways, on the progress that has been made on the installation or the purchase of an electric steel furnace at the Islington workshops?

The Hon. G. G. PEARSON: Yes.

SCHOOL CANTEENS.

Mr. McKEE: Last August, when I asked the Minister of Education what were the total profits derived from the 33 high school canteens throughout the State, the Minister replied that he had no record of it in the department but that he would obtain the information from the various inspectors who inspected these schools annually. Has the Minister that information now?

The Hon. Sir BADEN PATTINSON: I asked the Deputy Director of Education and the Secretary of the department to obtain the information and they informed me that it was not readily available, that they would have to compile it from the records of the various schools, and that this would be undertaken in due course. The honourable member's further request will be a reminder to me to see whether I can get the information early for him.

ISLINGTON SEWAGE FARM.

Mr. JENNINGS: Over the last year or so I have directed several questions to the Minister of Works regarding the future policy of his department about the Islington sewage farm. I have been permitted, with the concurrence of the House, to make explanatory statements prior to asking my questions which have been, if I may say so, very sympathetically received by the Minister. The Minister has also been good enough to promise to keep me abreast of his department's intentions in this matter. Has he anything to report at this stage?

The Hon. G. G. PEARSON: I think the honourable member will appreciate that this is a matter not just for my decision or my department's decision but for the Government's decision, because this publicly-owned land is extremely valuable. As the honourable member knows, many people have their eyes rather enviously upon it for public purposes, for private purposes, for industrial purposes and for other purposes. Regarding the Government's intentions, there is no possibility of its vacating the area completely for some time to come, and therefore there is no point in attempting to forecast what the future needs, requirements and priorities may be at the time when it becomes available. We did make available for sale by tender some small areas of the sewage farm which actually are north of Grand Junction Road and which probably are not the areas the honourable member has in mind, but the response to our invitation to tender was not very encouraging. From memory, I doubt if any of the land has changed hands at all, the tenderers' ideas being very much below the Land Board's valuation. That is the only piece of land which so far we have considered proper and judicious to offer and the tenderers' ideas were very much below the Government Valuator's ideas, so no sale resulted. I think it would be prudent in the interests of all concerned to wait until the evacuation of the main areas for sewerage purposes was nearer at hand, and then to decide as the need presented itself at the time.

NORTH ADELAIDE SCHOOL.

Mr. COUMBE: A year or two ago I made representations to the Education Department to see whether additional playing areas could be obtained for the North Adelaide Primary School in Tynte Street, North Adelaide, which shares its playing area with a special Hard-of-Hearing School in Gover Street. At that time, I was unsuccessful. Can the Minister of Education say whether recent negotiations to acquire additional land adjoining this school have been successfully completed? If they have not, can he say when the negotiations are likely to be completed, and also just how much land is likely to be acquired for additional space?

The Hon. Sir BADEN PATTINSON: The negotiations are still proceeding. I shall endeavour to obtain an up-to-date report for the honourable member, but, as he realizes only too well, even if we are successful the area will be necessarily limited because it is a closely congested district. If I remember correctly, it will involve purchasing some property in addition to the land. Although property is not always valuable, it becomes very valuable in the eyes of the owners when the Government is seeking it.

FORBES PRIMARY SCHOOL.

Mr. FRANK WALSH: My question involves a matter that has been the cause of considerable agitation by the Forbes Primary School Committee. As the Minister well knows, this school, which has an enrolment of about 1,750, has many portable buildings. The Minister indicated that he desired that the enrolment be reduced, that another site be selected for that purpose, and that an attempt be then made to build a solid construction school. The matter depended upon information received from the Railways Commissioner about certain land in Raglan Street, Edwardstown. Will the Minister of Education say whether the Minister of Railways has indicated that this land will be disposed of, or whether the Government intends that, as the land is not required for railway purposes, it will be acquired for school purposes?

The Hon. Sir BADEN PATTINSON: The Railways Commissioner has not yet given any definite indication to the Minister of Railways (if he has, I have not been informed of it) that he is willing to relinquish it. If he is, it would be wholly desirable for urgent educational purposes. I have stated that verbally and in writing to my colleague, the Minister of Railways, on several occasions, but I am not very hopeful that we will obtain a definite answer from the Railways Commissioner soon. As I think it is urgently necessary for us to make some plans soon, it may be necessary to endeavour to build a school on a greatly restricted area of land that is by no means ideal, but I think it would be the lesser of two evils to remove a few hundred of the pupils from the present school to a new school on a new site and on a restricted area.

TORRENS RIVER OVAL.

Mr. DUNSTAN: For a considerable time a new oval in the bed of the River Torrens has been proposed after the present course of the river is diverted to allow for a natural amphitheatre to be formed near the old Gilberton swimming pool. Final arrangements have not yet been made by the Walkerville and St. Peters councils for the transfers necessary to put this project into operation, but I understand that discussions have been had with the Premier about the possible financing of such a project once arrangements between these councils have been completed. As, at the moment, there is no firm proposal for a central swimming pool of the kind about which I asked the Premier last week, will the Premier say whether, if this project is able to proceed, he will consider the suggested Government subsidy for a swimming pool attached to this project, which would be in a very central position as far as sporting facilities in Adelaide are concerned?

The Hon. Sir THOMAS PLAYFORD: The statement made by the honourable member about negotiations between the two councils adjoining the River Torrens and the Government is substantially correct, although he did not go into detail. A deputation consisting of both these authorities waited on me, and the matter had previously been considered on several occasions at the request of the Minister of Local Government. The Minister of Works has a problem regarding the general state of the bed of the River Torrens, which has been giving the Government and, I think, all councils in that area some concern. I told the deputation that the Government would be prepared to assist them. Several projects were considered, some of them fairly limited in extent. However there is some waste land on the northern side of the river that is not suitable for general purposes, and I expressed the view that it would be desirable, if the project went forward, not only to have the area that had been under discussion but to have a somewhat larger area to give some scope for a more satisfactory future proposal. The honourable member was correct in saying that the project had been canvassed for a long time and had been the subject of negotiations. He was also correct in saying that the Government had expressed its willingness to give substantial financial assistance, but this project has never previously been discussed in connection with the central Olympic pool proposal, which has come forward only recently from the swimming association. I would not express a view on that matter. The swimming association knows it can put forward only one proposal to qualify for anything more than the usual subsidy, and I think it should be the subject of discussion by that body before the Government tries to influence the matter. We have not yet

received a proposition from the swimming association, but when it is received it will be considered by Cabinet and, if it fulfils what are regarded as the overall broad requirements, Cabinet will give substantial support to it on the recommendation of Parliament for the appropriation of the money. I suggest that the honourable member's question should logically be taken up by one of the councils concerned with the swimming association.

MOTOR VEHICLES ACT AMENDMENT BILL.

The Hon. Sir THOMAS PLAYFORD (Premier and Treasurer) moved:

That the Speaker do now leave the chair and the House resolve itself into a Committee of the Whole for the purpose of considering the following resolution: That it is desirable to introduce a Bill for an Act to amend the Motor Vehicles Act, 1959-1962.

Motion carried.

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

The Hon. Sir THOMAS PLAYFORD: I move:

That this Bill be now read a second time.

The amendments made to the Motor Vehicles Act by this Bill concern mainly matters of an administrative nature. Under section 12 of the principal Act a tractor may be driven without registration on roads within 25 miles of the owner's farm for the purpose of drawing farm implements. Some modern tractors are fitted with an attachment whereby such implements may be carried, and clause 4 extends the operation of the section to a tractor carrying implements in this manner. Clause 5 inserts a new section in the principal Act to enable motor vehicles, commonly known as "biddies", to be driven on a wharf for the purpose of loading or unloading cargo. These vehicles are required to be insured (clause 14 (*a*), (*b*) and (*c*)), but no driving licence is required of a person who drives them (clause 10). Under section 40 of the Act a person who has registered a vehicle at a reduced fee may pay the balance of the fee and obtain unrestricted use of the vehicle, but there is no provision for the converse to apply; in other words, a person who has paid the full fee and becomes eligible for the reduced fee cannot obtain any refund, except by cancelling the registration, obtaining the full refund and then applying for registration at a concession rate. For administrative purposes this is obviously inconvenient, and clause 6 provides for a refund in such cases, in the same terms as section 45 which allows for a refund when a vehicle is altered during the period of registration.

Section 51 of the Act empowers the Registrar of Motor Vehicles to issue a duplicate label if he is satisfied that the original has not been received or is lost or destroyed. If there is some unavoidable delay in the receipt of the original it would be quite inappropriate and often impracticable to issue a duplicate label. Clause 8 provides that a temporary permit (of the type that may be issued by the police under section 50) may be issued in such a case. Section 61 of the Act provides for the duties of a hire-purchase company on repossession of a vehicle. Under the Hire-Purchase Agreements Act a hirer has certain rights of redemption after repossession. Clause 9 provides that the owner's duties under section 61 will be suspended until those rights are extinguished. New subsection (4) of that section provides for the duties of the owner and hirer where a vehicle under a hire-purchase agreement is voluntarily surrendered. The subsection also covers the growing practice of firms hiring vehicles from finance companies, in keeping with the principle that a motor vehicle should, as far as possible, be registered in the name of the person entitled to possession of the vehicle.

Section 80 of the principal Act provides for the issue of a learner's permit where desirable in the opinion of the Registrar. There is no provision for the issue of temporary permits, which would be more appropriate in the case of aged persons or interstate visitors taking their vehicles to the driving wing at Thebarton for a test. Clause 11 makes such provision. Under section 79a of the principal Act the Registrar may accept a driving test conducted by an approved public authority instead of the police in the case of a person who has not previously held a licence, but there is no corresponding power in the case of a person who holds a restricted licence and applies for a full licence. Public authorities like the Electricity Trust, Tramways Trust, Engineering and Water Supply Department, etc., all have competent persons on their staff conducting such tests and the Registrar considers it desirable that certificates of those authorities be acceptable. Clause 12 provides accordingly. Clause 13 effects a minor drafting improvement to section 98a of the principal Act.

The principal Act provides that in a prosecution for driving an uninsured vehicle the prosecutor may aver that the vehicle is

uninsured. Other offences against the Act exist in respect of an uninsured vehicle, and it is desirable that in those cases the prosecutor have the same power of averment. Clauses 14 (*d*) and 16 so provide. Under section 173 of the Road Traffic Act, the disqualification of a licensee for an offence against that Act may be suspended pending an appeal against the disqualification. No corresponding power appears in the Motor Vehicles Act in the case of an offence against that Act. Clause 15 inserts a new section accordingly, in the same terms as section 173 of the Road Traffic Act.

Clause 17 introduces two new paragraphs into section 145 of the Motor Vehicles Act concerning the making of regulations. The second of these will expressly empower the making of regulations prescribing circumstances under which motor vehicles may be driven without registration labels or permits. Members will remember that last year section 48 of the principal Act was amended to enable the driving of a motor vehicle, after destruction of the registration label, to a place of storage. It was considered that the amendment then made imported the power to make the necessary regulations on the subject. However, some doubts have been expressed by the Crown Solicitor on this point and, to place the matter beyond all doubt, a new paragraph (*c*1) is inserted in the regulation-making powers.

I deal lastly with clauses 7 and 17 (*a*). The second of these provisions will enable the making of regulations providing for the Registrar to determine load capacities of motor vehicles and insertion in registration certificates of such load capacities. Hitherto it has not been the practice to insert load capacities in certificates of registration, but provision to this end is made in the Eastern States. From time to time our own authorities are asked by other State authorities for this information regarding vehicles registered in South Australia. These requests are made mainly in connection with the collection of road maintenance charges. Members are aware of the Government's intention to introduce road maintenance charges in this State, and it is obviously desirable that any legislation enacted here should correspond with legislation the validity of which has been upheld. The new paragraph (*a*1) will enable the necessary action to be taken in this behalf. Clause 7 makes what is, in effect, a consequential alteration in that it will require owners to notify the Registrar in writing containing particulars of alterations or additions by which the load capacity of a motor vehicle may be varied, thus enabling the register to be kept up to date at all times.

Members will see that the Bill relates to administrative matters. Most of the amendments liberalize the provisions relating to the person being insured. One or two amendments enable the department to carry out Parliament's wishes. Primarily the amendments are designed to effect what Parliament intended but what was not possible because of technical defects in the earlier legislation.

Mr. FRANK WALSH secured the adjournment of the debate.

LOTTERY AND GAMING ACT AMENDMENT BILL (TROTTING).

The Hon. Sir THOMAS PLAYFORD (Premier and Treasurer) moved:

That the Speaker do now leave the chair and the House resolve itself into a Committee of the Whole for the purpose of considering the following resolution: That it is desirable to introduce a Bill for an Act to amend the Lottery and Gaming Act, 1936-1956.

Motion carried.

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

The Hon. Sir THOMAS PLAYFORD: I move:

That this Bill be now read a second time.

This Bill, which deals with the sport of trotting in this State, is designed to assist that sport and to render its administration and control more efficient. Following representations to the Government by the various trotting interests in the State, the Government made certain proposals that were unanimously agreed to by the South Australian Trotting Club and the South Australian Trotting League which, as members know, together would represent the trotting interests in the State. This Bill gives effect to those proposals.

Members know that for a long time there has been a wide difference of opinion between the Trotting Club and the Trotting League over the control of trotting, particularly in relation to the levy that has been imposed and which is used to assist country trotting. It has been contended that this levy is not a fair proposal and is beyond the means of the club. Both bodies have approached me and asked for assistance. I offered to arbitrate and submit to them a proposal. I am pleased to be able to announce that the proposal I submitted has been unanimously accepted by both bodies. The Bill has been widely discussed by the authorities concerned who have unanimously

agreed to it. I hope that it will remove the friction that has existed over the control of trotting in this State.

Clause 3 merely defines the expression "the executive committee of the league" and "the league" but the Bill does not alter the constitution of either of those bodies. Under sections 22 and 48 of the Act a trotting race meeting at which the totalizator is used or at which bookmakers are permitted to operate cannot be held unless a permit has been issued by the league, but in section 22a (7) of the Act it is provided that permits under those sections are to be issued by the executive committee of the league. Clauses 4 and 8 remove those inconsistencies by substituting a reference to the executive committee for each reference to the league in those sections. Under section 22a (7) of the principal Act the management and control of the affairs of the league are, subject to directions given by the league, vested in the executive committee. This provision has caused some uncertainty as to the responsibilities of the league and the executive committee. The league generally meets only twice a year, and its directions cannot be readily obtained on unforeseen eventualities, and the Government considers that in order to ensure the smoother and more efficient administration of the sport the executive committee should be permitted to act freely but within the overall policy and rules framed by the league for the regulation of the sport.

Clause 5 accordingly inserts in section 22a new subsections (4*a*), (4*b*) and (4*c*). Subsection (4*a*) makes it mandatory for the league to hold two meetings in each year for the purposes of subsection (4*b*). Subsection (4*b*) gives the league power to define the policies, rules, regulations and other conditions under and subject to which any trotting race, trotting race meeting and the sport is to be conducted and controlled, and subsection (4*c*) recognizes the present rules of trotting, which have been made by the league, as the policies under which trotting races, meetings and the sport in general are to function until new policies have been substituted therefor by the league. Clause 5 also amends section 22a (7) to provide that, subject to the Act and to the constitution or any resolution of the league, the affairs of the league are to be administered by and every trotting race and trotting race meeting shall be conducted under the supervision, control and direction of the executive committee. In order to enable the executive committee to act with authority, a new subsection (7*d*) is inserted to provide that any act done or direction given by the executive committee in the course of carrying out its functions or duties shall be deemed to be done or given on behalf of the league.

For some time the league has, under powers derived from its constitution, levied certain special contributions to its funds from affiliated clubs for the purpose of subsidizing country clubs and approved training tracks. The burden of this levy has fallen heavily on the metropolitan club, and the Government proposes that in lieu of such a levy by the league, 5 per cent of the winning bets tax derived from trotting should be made available to the league for the same purpose. The addition of a new subsection (7*e*) to section 22a will accordingly ensure that such a levy will not be made by the league, and clause 7 inserts a new subsection (3*a*) to section 44b which authorizes and requires the payment of 5 per cent of the winning bets tax to the league. Honourable members will recall that when the winning bets tax legislation was introduced, 25 per cent of this tax was allocated to the racing clubs but only 20 per cent was paid to the trotting clubs. The provision now to be inserted, with the consent of the House, will mean that both the racing clubs and the trotting clubs will receive 25 per cent. Of the trotting clubs' amount, the 20 per cent returned to them in the past will be used in precisely the same manner as previously, but the 5 per cent now proposed to be diverted from the Treasury to the trotting authorities will be applied for the purposes for which the levy was previously made.

Section 24 of the principal Act makes it unlawful to employ any female in any capacity in connection with a totalizator, and prescribes a minimum penalty of £10 and a maximum penalty of £50 for a breach of the section. Racing clubs, particularly in the country, have been experiencing great difficulty in securing competent and suitable casual male staff for manning their totalizators. The shortage of suitable males available for such work is even greater at midweek race meetings. The selling of totalizator tickets and the payment of dividends are duties that could well be carried out by women, and the Government considers that both the clubs and the investors on the totalizator would be better served if section 24 were repealed. I have not checked on this, but I believe that in some of the other States there is no prohibition against women being employed in totalizator duties. I do not know why such a prohibition was ever inserted in the legislation here and, as far as the Government

knows, there is no reason for its retention. Clause 6 of the Bill accordingly repeals that section of the Act. This Bill has been introduced to overcome difficulties that have arisen regarding the maintenance and control of trotting in this State. I have letters here both from the league and from the clubs which indicate unqualified support for the Bill. As its provisions will remove from the club in Adelaide the onerous responsibility of supporting country trotting, I commend the Bill to honourable members.

Mr. FRANK WALSH secured the adjournment of the debate.

ELECTORAL BOUNDARIES.

The SPEAKER laid on the table the report by the Electoral Boundaries Commission.

The Hon. Sir THOMAS PLAYFORD (Premier and Treasurer) moved:

That the report be printed.

Mr. RYAN (Port Adelaide): Mr. Speaker, the Electoral Boundaries Commission was set up by Parliament for the purpose of investigating and reporting to you and the Parliament its findings regarding the electoral boundaries of this State. I draw your attention, Sir, to page 3 of this afternoon's *News*, in which the following article appears:

Big electoral change. Assembly seats to increase. Sweeping changes of State electoral boundaries, including new names for several Assembly seats, are contained in the report of the Electoral Boundaries Commission.

I emphasize the words "are contained in the report of the Electoral Boundaries Commission". Previously I have spoken about the contempt in which this Parliament is held. It is held in such contempt that we are now reading our own business in the newspaper before a report has been tabled. Previously I spoke about the Auditor-General's Report being published before it was tabled and before members had the opportunity to see it, and on that occasion, Mr. Speaker, you said that if there was a leak regarding Parliamentary documents you would make it your business to see that it did not occur again.

I am raising the objection of, I think, every member of Parliament that we are held in contempt when a newspaper prints reports of happenings of Parliament before Parliament receives the reports. I do not know how this matter can be rectified, but I protest about the contempt in which Parliament is held by some people. I do not think the Government is at fault (although I am not sure of that) but members of this Parliament do not want to be treated in future as they are now being treated and as they have been treated in the past. I strongly voice my disapproval, Sir, and ask for an explanation.

The SPEAKER: Before putting the motion that this document be printed I point out that the first I saw of this report was when it was handed to me in the Speaker's room a few minutes ago. I did not see the report in the *News* until the honourable member drew my attention to it, and I have just read it. The honourable member's remarks should, I think, be investigated, and I will certainly make a further inquiry about this matter.

Motion carried.

INDUSTRIAL CODE AMENDMENT BILL.

Second reading.

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

That this Bill be now read a second time.

Of the Acts of this Parliament that deal with labour legislation, the Industrial Code is the most important. It concerns two aspects of relationships between employers and employees—first, it provides the framework within which industrial awards and determinations prescribing rates of pay and conditions of employment are made and, secondly, it deals with working conditions in factories and shops.

Although some amendments have been made to this Act since it was passed in 1920, they have, apart from some made in 1924 and 1925, been generally of a minor nature or limited to particular matters. Over the last 40 years many changes in industrial conditions have taken place in the State. These changes have given rise to requests from interested parties for amendments, especially since the end of the last war. Generally speaking, such requests have related to specific matters and some of them have been dealt with in a number of the amending Bills introduced since 1947. For some years the Government has considered a general revision of the Code, and in 1960 authorized the Secretary for Labour and Industry to discuss with representatives of the United Trades and Labour Council of South Australia, the South Australian Chamber of Manufactures and the South Australian Employers' Federation the possibility of obtaining agreement on amendments.

As I said in this House in October last year, this is "complicated legislation and it is legislation in which it is necessary to get the best we can and to secure substantial agreement between the two parties most concerned with

its successful operation''. To this end several conferences had been held in 1960 with representatives of the bodies I have mentioned, and it was agreed that a number of amendments should be made. Representatives of each of the three organizations agreed to give further consideration to other matters in the light of the discussions that had taken place.

Last year a further series of lengthy conferences took place between the Secretary for Labour and Industry and representatives of the three organizations. These conferences extended over a period of several months, and all aspects of the Code were discussed. As the conferences proceeded, a substantial measure of agreement emerged and, with two exceptions (to which I will refer later), the Bill that has now been introduced embodies the unanimous agreement on behalf of the two employer organizations represented, the United Trades and Labour Council, and the Government. There were many other matters where some, but not all, of the representatives at the conferences agreed that amendments were desirable, but the present Bill contains no amendments on which unanimous agreement was not reached. That the Bill contains over 160 clauses is an indication of the responsible attitude adopted by the representatives of employers and trade unions in the sphere of industrial relations, a matter to which His Excellency the Governor referred in opening this session of the Parliament.

An early draft of the Bill was distributed to members early in June. Following comments received on that draft several drafting amendments were made and have since been agreed to at a further conference. Shortly after the draft Bill was distributed a printed explanatory memorandum of the principal amendments made by the Bill was also circulated to all members. As this general explanatory memorandum has been distributed, it is unnecessary to refer to all of the amendments in detail, and I shall confine my remarks to the main ones.

Clause 2 provides that the Bill shall commence on a date to be proclaimed, and clause 10 provides that the amendments made by the present Bill shall not be construed so as to make any existing award or order binding upon any association or person not already bound unless the court otherwise orders. Clauses 12 and 13 cover the two matters which were not discussed with representatives of employers or unions since they relate to the alteration of the pension rights of widows of the President and Deputy President of the Court and the status of the President and Deputy President. The second of these amendments, which is made by clause 12, provides that the President and Deputy President shall be judges of the Industrial Court, while clause 13 raises a widow's pension from one-quarter of her deceased husband's salary to three-tenths thereof and provides fifty-two pounds a year for each child until it reaches the age of 16. These amendments bring the pension rights of widows into line with those of widows of public servants.

Before dealing with the principal clauses, I shall refer to the drafting provisions designed mainly to tidy up the Code. As members know, the Code contains a number of interpretation sections in its various parts. Clause 6 brings all these definitions of the Code together, with some amendments to which I shall shortly refer. Clauses 4, 5, 7, 8, 9, 30, 52, 59-62, 67, 75-77, 92, 95, 101(*a*), 102, 103, 107-111, 112, 116, 119, 122, 128, 129, 131-134, 136, 137-142, 144-148, 150, 152, 155-157, 160, 161 and 164 all contain amendments, either of a consequential nature or designed to remove provisions that are out of date or redundant. Of a similar order are clauses 19, 97, 121 and 162 which relate to the powers and duties of inspectors, all of the necessary provisions on this subject being re-enacted, in substantially the same form, by clause 163 as new sections 378 to 387 inclusive in Part VI of the Code, which concerns inspectors and their duties. This will ensure that the powers and duties of inspectors will be the same for the purposes of all Parts of the Code. While clause 6, for the most part, merely transposes existing definitions elsewhere into section 5, some definitions have been changed or clarified—for example, the definitions of ''employee'' (subclause (*g*)), which will give the Industrial Court (but not industrial boards) the jurisdiction to make an award in respect of any person employed in an industry on a salary; the express inclusion of the Electricity Trust, Municipal Tramways Trust and Housing Trust in the definition of ''employer'' (subclause (*l*)); and the extension of the jurisdiction of the court to employees in hotels and hospitals not carried on for purposes of gain, by extension of the definition of ''industry'' (subclause (*n*)). Some additional definitions have been included in section 5.

There are four main Parts in the Code. They concern the Industrial Court, industrial boards, the Board of Industry and working

conditions in factories and shops. Clauses 8 to 62 make alterations to Part II which deals with industrial arbitration, particularly by the court. In addition to the extension of the jurisdiction of the court by the alterations in definitions to which I have referred, the amendments in clause 15 will enable the court to make an award in industries where there are less than 20 persons employed, to appoint boards of reference to deal with matters prescribed by an award, and to interpret the Code. Clauses 16, 17, 18, 22 and 23 are of a procedural nature, while clause 21 makes a drafting amendment. The amendment made by clause 24 (*a*) is consequential upon the repeal of section 269a, referring to the quarterly computation of the living wage that no longer operates, while subclause (*b*) inserts a proviso that the provisions of section 45 (1) (*b*), which deals with the method of adjusting wages of juniors consequent upon alterations in the living wage, shall not apply in respect of wages which are prescribed as a percentage of the adult rate.

Clauses 25 and 26 make necessary drafting and procedural amendments. Clause 27 will permit the court, in its discretion, to vary an award which has been in operation for three years. At present it is necessary for a new award to be made after this period has expired. Clauses 28 and 29 make necessary drafting amendments. Clause 31 concerns appeals. The amendments enable a majority of representatives on one side of an industrial board to appeal and reduce the qualification for appeal to 20 employees. Clause 32 will permit the court to suspend the operation of a determination of an industrial board or of any part of it, pending the hearing of an appeal. The present form of the section suggests that only the whole of a determination can be stayed. Clauses 34 and 35 are designed to simplify the procedure regarding appeals.

The Bill provides (clauses 38 to 48 inclusive) for a number of amendments to be made in respect of unions which are registered with the Industrial Registrar. The three most important of these are: clause 38, which will enable the Registrar to register unions which are registered in Commonwealth jurisdiction with the same rules; clause 44, which will require registered unions to file annually a list of officers together with the number of members, instead of being required to submit complete lists of the names of all members; and clause 46, which relates to invalidity of rules of organizations and proceedings in respect thereof. Clauses 49 to 51 inclusive concern industrial agreements, the main alteration being to provide for the term of an agreement in respect of long-service leave to be for a longer period than three years.

Clause 53 brings the existing provisions of section 120 dealing with breaches of awards or orders of the Industrial Court into line with the provisions relating to breaches of industrial board determinations (see clause 89).

Clause 54 brings the onus of proof provisions in proceedings for offences against Part II of the Act into line with those applying to proceedings under Part III (determinations of industrial boards) as amended by clause 99. New section 120b makes more complete provisions regarding payments to employees engaged in different classes of work that are partly subject to different awards and determinations and corresponds with the amended form of section 201 (clause 81). Provisions in both clauses 55 and 85 alter the present requirement that wages shall be paid in full in money, which is as restrictive as the old English Truck Act. The purpose of the amendments is to allow wages to be paid by cheque or into a bank account if the employee concerned agrees in writing or if he is a Government employee. Clause 56, enacting three new sections, empowers the court on conviction of an offence to order payment to an employee any sum that has become due within the preceding twelve months under an award or order of the court; makes it an offence for an employee to acquiesce in a breach of an award or order (new section 121b); and (new section 121c) permits deductions, at an employee's request or if authorized by an award, for specified purposes set out. Some of these deductions have been for many years permitted under section 205 in relation to industrial board determinations: the Bill extends the purposes for which these deductions may be made (but only by the written agreement of an employee), by including subscriptions to medical benefits organizations, insurance or superannuation and other payments. A similar provision to new section 121c is included in clause 84 in relation to Part III of the Act.

Clause 58 will permit employers bound by awards to record hours worked by employees, and the wages paid to them on time sheets, time cards or wages records as well as in time books. The amendments made by clause 93 to section 216, will provide for uniform requirements in both Parts II and III in this respect.

New section 132b, inserted by clause 58, requires that an employer must display a copy of the award applying to his employees in a position where it can be easily read by them. A similar amendment is being made to section 217 by clause 94.

Clauses 63 to 100 concern Part III of the Code which deals with industrial boards. Clauses 63 to 66 make some necessary machinery amendments, concerning the appointment of members of industrial boards, which aim to improve the procedure and to ensure that a fair representation of the interests of employers and employees concerned is obtained. Clauses 68 to 78 make some necessary amendments to the provisions governing the jurisdiction and procedure of industrial boards, mainly of an administrative nature. The most important of the amendments are those made by clause 68 which confers on industrial boards some additional jurisdiction, and clause 73 which makes it clear that where there is an equality of votes the chairman of a board is not to be limited to voting for or against a particular motion or amendment, but can give a decision based on the substantial merits of the case. Clauses 79 and 80 relate to applications to quash determinations of industrial boards. In substance, clause 79 combines the procedures contained in sections 196 and 197 so that two applications will not be required in respect of the same matter. As section 59 of the Code, which lays down a separate procedure on applications to quash determinations, is being repealed, so also is section 197.

I have already dealt with clause 81 in my references to that part of clause 54 which provides for a new clause 120b: this clause deals with the same matter in respect of industrial board determinations. The next two clauses (82 and 83) are designed to make it clear that when an employee is not paid the correct wages as fixed by an industrial board he can recover only any amounts underpaid. When referring to clauses 55 and 56 I also dealt with clauses 84 and 85 which concern deductions from wages and payment by cheque. The provisions in clauses 84 and 85 in respect of employees subject to industrial boards are similar to those in clauses 55 and 56 as also are clauses 93 and 94 similar to clause 58, with which I have already dealt. Clause 91 re-enacts section 226 in a slightly different form in a more appropriate Division in Part III of the Code.

Section 235 of the principal Act requires a defendant charged with an offence under Part III of the Code to prove his innocence. This is a harsh onus to place on a defendant—it does not apply in respect of awards and is removed by clause 99. Clause 100 will permit a magistrate, on convicting an employer of an offence, to order payment of any amount found due to an employee in connection with his employment and not only amounts for wages, overtime or tea money which are the only amounts that a magistrate can now order to be made.

The only amendments to Part IV, which deals with the constitution and functions of the Board of Industry, are made by clauses 101 to 107. The main amendment is in clause 106. Section 145 of the Act prescribes a procedure for constituting a special board as each occasion arises to decide questions of demarcation of work between employees in different trades, occupations or callings. In practice the composition of such boards has proved unwieldy and unsatisfactory, and by clause 106 the Board of Industry, which is considered to be the appropriate tribunal to deal with such matters, has been given this power. The Board of Industry comprises the President of the court and two representatives each of employers and employees. Clauses 104 and 105 make consequential amendments.

A number of amendments which have been made to Part V of the present Act are consequential upon the creation of the Department of Labour and Industry, of which department the Secretary for Labour and Industry is the permanent head, whereas the Chief Inspector of Factories was head of the old Factories and Steam Boilers Department, which department was abolished in 1959 and replaced by the Department of Labour and Industry. The Chief Inspector is still given statutory powers in respect of matters concerning inspection, but the Secretary for Labour and Industry is given those administrative powers at present vested by the Act in the Chief Inspector. (See clauses 20, 33, 96, 98, 120.) New section 388—clause 163—requires him to furnish an annual report to the Minister.

The remaining clauses of the Bill concern Part V dealing with factories and shops. Many of these clauses apply some of the provisions of Part V, to which I shall later refer, to warehouses and offices. Consequently the heading to Part V is altered by clause 108 to read "Factories, Shops, Offices and Warehouses". Clauses 113 and 114 provide for the registration of factories. Instead of the present requirement that a factory occupier must register within 21 days after occupying

a factory, the application for registration will, by section 283 (7)—clause 113—be required before going into occupation. Before registration the factory will be inspected, and this subsection provides for a provisional permit to be issued to a new factory pending registration. Registrations of factories will be renewed annually but separate registrations will not be required for factories and shops carried on in the same building.

Clauses 117 (*b*) and 118 relate to the registration of outside workers and records to be kept by occupiers of factories in respect of such workers. There is at present no requirement concerning the adequate lighting of factories: this is dealt with by clause 123. Clause 124 makes amendments concerning the manner in which notices are to be given to remedy defects—it provides that any inspector (and not only the Chief Inspector) can give such notices. It further provides that if an occupier is convicted for non-compliance the minimum fine will be £50.

Clause 125 deals with sanitary conveniences in factories, shops, offices and warehouses and permits of regulations being made in respect of these matters. Clause 126 extends the provisions regarding the keeping of doorways, passageways and staircases in factories clear and free from obstruction to shops, offices and warehouses. The requirements for fire prevention appliances in factories in section 309 are brought up to date and extended to shops, offices and warehouses by clause 127, while clause 130 extends present requirements regarding ventilation in warehouses and shops to offices. Clause 135 makes provision for the first time for regulations to be made concerning foundaries and welding operations.

Clause 142 brings requirements regarding health in factories up to date and clause 143 brings requirements as to keeping of records and notices of accidents into line with the provisions recently made by the Scaffolding Inspection Act. Clauses 151, 154 and 158 deal with the maximum working hours for juniors not subject to an award or determination, the maximum loads which may be lifted by females and the maximum period between meal breaks for females and juniors. Clause 159 provides that an employer of more than 50 persons shall provide a dining room for his employees unless exempted by the Chief Inspector. As penalties have not been reviewed since 1920 new penalties have been provided by clause 165 and the schedule to the Bill.

Mr. FRANK WALSH secured the adjournment of the debate.

MARKETING OF EGGS ACT AMENDMENT BILL.

Second reading.

The Hon. D. N. BROOKMAN (Minister of Agriculture): I move:

That this Bill be now read a second time.

It extends the operation of the Act for a further three years. It is not considered to be controversial, because it is generally accepted as desirable that the legislation continue. Another Bill now being prepared will provide for certain amendments to this Act, and it is expected that that Bill will be introduced soon.

Mr. BYWATERS (Murray): I support the second reading. I realize that the Minister is anxious for the Bill to be passed because of the present situation in the industry, and I do not desire to delay it. I will, of course, have some comments to make on the other Bill forecast by the Minister, and I should like his assurance that I will be given a little more time to study that Bill when it is introduced because it will deal with matters that vitally affect my district and other members' districts.

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

SUCCESSION DUTIES ACT AMENDMENT BILL.

The Hon. Sir THOMAS PLAYFORD (Premier and Treasurer) moved:

That the Speaker do now leave the chair and the House resolve itself into a Committee of the Whole for the purpose of considering the following resolution: That it is desirable to introduce a Bill for an Act to amend the Succession Duties Act, 1929-1959, as amended by the Banks Statutory Obligations Amendment Act, 1962.

Motion carried.

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

The Hon. Sir THOMAS PLAYFORD: I move:

That this Bill be now read a second time.

Its main objects are, first, to increase the exemptions from succession duty on property derived, on the one hand, by widows and children under 21 years of age and, on the other hand, by widowers, descendants (other than children under 21 years of age) and ascendants of the persons from whom the property is derived; and, secondly, to increase from £50 to £200 the value of certain classes of gift exempted from duty where the donors die within 12 months of the making of the gift or where the donees do not immediately

assume possession and enjoyment of the property to the exclusion of the donors.

Clause 5 gives effect to the increases in the exemptions from succession duty on property derived by widows and children under 21 years of age and by widowers, descendants and ascendants. These increases have taken account of the changes in money values since the rates were last fixed in 1954. At present, where the property derived by a widow or child under 21 years of age does not exceed £3,500, no duty is payable. The clause proposes to extend this exemption to property up to £4,500 in value. Under the present scale property worth £4,500 passing to a widow or child under 21 years of age attracts a duty of £200, and the scale proposed by the clause reflects the same benefit or exemption that is carried through the whole range of the new scale.

So far as widowers, descendants (other than children under 21) and ascendants are concerned, at present no duty is payable where the value of the property does not exceed £1,500. The clause proposes to extend this exemption to property that does not exceed £2,000 in value. Under the present scale, property worth £2,000 passing to a widower attracts a duty of £50. On any property worth £3,000 and more, the benefit a widower will derive from the new scale is about £25. It is estimated that the increased benefits under the new scales to beneficiaries will cost about £200,000 per annum.

Clause 4 amends section 35 of the principal Act. That section brings to duty certain classes of gift where the donors die within twelve months of the making of the gifts or where the donees do not assume immediate beneficial interest and possession, but exempts from its application any gifts up to £50 in value. The figure of £50 has stood for over 40 years. The clause increases the value of gifts so exempted from £50 to £200. The amendment is particularly designed to exempt gifts up to £200 made by persons during the year before their death for religious or educational purposes, to church or school building funds, and to benevolent institutions. The Bill also affords an opportunity of seeking the approval of Parliament to the amendment to the principal Act contained in clause 3, which will close a loophole through which the succession duty, particularly in respect of settlements of large estates, can be avoided with serious loss of revenue to the State.

A settlement is defined, in effect, as a non-testamentary disposition of property which contains trusts or dispositions to take effect upon or after the death of the settler or some other person. As a general rule, a non-testamentary disposition conveying property or an interest in property can be said to take effect in the legal sense when the instrument is executed, but where there is included in such a disposition either—an overriding power of appointment which, if exercised, would result in the property or the right to assume immediate possession of the property accruing to some person only on the death of another; or an overriding power of appointment or revocation which renders the interest conveyed by the disposition incomplete or revocable until the person on whom the power is conferred dies without exercising it (in which event, only, does that interest become absolutely and irrevocably vested in the person to whom it was conveyed)—there is clearly a disposition of property which takes effect on the death of a person and the property should properly be chargeable with succession duty under the Act. The clause is intended therefore to make it clear that, for the purposes of the Act, a trust or disposition will be deemed to take effect upon the death of a person if (*a*) as a result of the exercise of a power of appointment thereunder or in relation thereto, any property or the right to assume immediate possession and enjoyment of any property accrues to any person upon, or by reason of, such death; or (*b*) any incomplete or revocable interest in property vested thereunder in any person becomes absolutely or irrevocably vested in that person upon, or by reason of, such death. The amendment, however, will not apply in any case where property accrues on the death of a person in consequence of the exercise by deed of a power of appointment before the Bill became law or where an incomplete or revocable interest became absolute and irrevocable before the Bill became law.

Mr. HUTCHENS secured the adjournment of the debate.

RURAL ADVANCES GUARANTEE BILL.

The Hon. Sir THOMAS PLAYFORD (Premier and Treasurer) moved:

That the Speaker do now leave the chair and the House resolve itself into a Committee of the Whole for the purpose of considering the following resolution: That it is desirable to introduce a Bill for an Act to empower the Treasurer to guarantee the repayment of loans made or proposed to be made to persons in certain circumstances to assist them in acquiring land for the business of rural production, and for other purposes.

Motion carried.

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

The Hon. P. H. QUIRKE (Minister of Lands): I move:

That this Bill be now read a second time.

Its object is to assist persons to obtain loans for the purpose of acquiring land for rural production by empowering the Treasurer to guarantee the repayment of such loans in cases where those persons would not otherwise have, or be in a position to obtain, adequate financial resources to acquire the land. The Bill, if approved by Parliament, would give effect to the Government's policy of assisting deserving persons in overcoming the difficulties, with which they would otherwise be faced, in obtaining long-term loans for the purchase of land for the purpose of setting themselves up in the business of rural production. Clause 3 authorizes the Treasurer to guarantee the repayment of a loan to an approved borrower. An approved borrower must be a person who, having regard to his ability and experience in the business of rural production, is approved by the Treasurer as a suitable person to undertake or conduct such business.

The main conditions that must be fulfilled before a guarantee is given are as follows:

(*a*) The Land Board must certify that the purchase price of the land in question does not exceed the fair value of the land, having regard to the particular type of rural production to be undertaken or conducted on the land.

(*b*) The loan must not exceed 85 per centum of such value.

(*c*) The board must report to the Treasurer that the borrower has the ability and experience to undertake or conduct such type of rural production.

(*d*) A report must be furnished by the Director of Agriculture, or some other responsible person nominated by the Minister of Agriculture, that the land would be adequate for maintaining the applicant's family after meeting all reasonable costs and expenses.

(*e*) The Land Settlement Committee must recommend that the guarantee be given.

(*f*) The Treasurer must be satisfied that the terms and conditions of the loan are reasonable, and the provisions governing repayment are as set out in the clause.

(*g*) Security must be given by the borrower to the satisfaction of the Treasurer.

Clauses 4 and 5 cast obligations on the board and the committee to carry out the functions assigned to them under the Bill. Clause 6 makes a guarantee subject to certain terms and conditions that are essential for protecting the Treasurer's liability under the guarantee. Clause 7 gives the Treasurer power to agree to the deferment of payment of interest and principal in deserving cases where such deferment would promote the operation or rehabilitation of the business of rural production conducted by a borrower. Clause 8 deals with the application for a guarantee. Clause 9 requires the Auditor-General to include in his annual report a report upon the guarantees given under the Bill. Clause 10 contains the usual financial provisions, and clause 11 contains the usual regulation-making powers. I commend the Bill for the consideration of honourable members.

Mr. FRANK WALSH secured the adjournment of the debate.

ELECTRICITY SUPPLY (INDUSTRIES) BILL.

The Hon. G. G. PEARSON (Minister of Works) moved:

That the Speaker do now leave the chair and the House resolve itself into a Committee of the Whole for the purpose of considering the following resolution: That it is desirable to introduce a Bill for an Act to enable the Electricity Trust of South Australia to supply electricity on special terms for the promotion and development of industry and for other purposes.

Motion carried.

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

The Hon. G. G. PEARSON: I move:

That this Bill be now read a second time.

It enables the Electricity Trust to provide power on special terms in order to encourage the establishment or expansion of an industry or proposed industry in the country. It provides that the Treasurer, after discussing the matter with the Electricity Trust, may declare an approved industry and the trust may then provide power on special terms. An industry may be approved only if it is outside a radius of 39 miles from the General Post Office. This figure has been chosen so that areas along the River Murray at Murray Bridge and Mannum will come within the ambit of the Act. These

areas have all the facilities for the establishment of new industry including water, transport and suitable factory sites. On the other hand, since it is the Government's intention to assist decentralization as much as possible, industries inside this radius will not be eligible for special treatment. It is not expected that frequent use will need to be made of the provisions of this Act. Although electricity is always a vital requirement, it is not a major expense for any normal industry. Present country tariffs are now at such a satisfactory level that they are not normally a determining factor in whether an industry will establish or expand in the country. In a few cases the amount of electricity involved is such that special consideration in terms of this Act might be the factor that would permit an industry to proceed with its plans.

At the present time the Electricity Trust, quite properly, must treat all consumers on a similar basis. This Bill will permit special consideration in any case where an industry is approved for that purpose. I should point out that if, in the terms of this Bill, the Electricity Trust makes a special contract with an industry for the supply of power, this will not be done to an extent that would have any detrimental effect on other electricity consumers. The reason for this is that no conceivable new industry is large enough by itself to affect the trust's plans of development. The turbo-alternators now on order are of 120,000 kilowatts' capacity. An industry with a demand of 5,000 or even 10,000 kilowatts will not affect the power station plant installation programme and will involve the trust only in increased operating costs.

Obviously, if a large number of industries were involved, the trust would be faced with an increased capital programme for power station expansion, but this is not likely. The Bill provides that special treatment of one industry shall not thereby entitle any other industry to the same conditions. I visualize that if this Bill is passed it will be used only on rare occasions, but it may be quite important to the welfare of the State that its provisions should be available in special cases. It will mean that we will be able to offer conditions to a proposed industry which it might find difficult to match elsewhere in Australia and this might well result in the establishment of important decentralized industry in this State.

Mr. FRANK WALSH secured the adjournment of the debate.

ELDER SMITH & CO. LIMITED PROVIDENT FUNDS 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 rules and regulations governing certain provident funds which have been in existence for some years for the benefit of employees of Elder Smith & Co. Limited. While in the ordinary course the Bill would be a private Bill, the Government considered that it would materially assist all concerned if the Government introduced the Bill, which does not, in itself, benefit the company, but which, on the other hand, is designed to protect superannuation rights of the company's employees. In 1913 there was established a provident and guarantee fund in connection with the business of the company, with the object of providing, on a contributory basis, certain pensions and other benefits for male employees of the company on their retirement, or, in the event of their death, their dependants. The provisions of the original deed of trust have been varied from time to time, and at the moment the fund is administered by five trustees.

In 1938 another fund, known as the women's provident fund, was established to provide pensions for certain members of the female staff of the company. This is a non-contributory fund: that is to say, the female employees of the company do not make any contribution to the fund which, in fact, consists wholly of moneys contributed by the company from time to time and of legacies and gifts. This fund is administered by the same five trustees as the men's fund. Members may be aware of the fact that the whole of the issued shares of Elder Smith & Co. Limited have been acquired by a new company called Elder Smith Goldsbrough Mort Limited and under the arrangements the business of Elders, or the greater part of it, will be taken over by or merged with the business of the new company: indeed, a substantial part of the said business has, I understand, already been taken over. In consequence of these arrangements, certain of the male employees of Elders who are members of the men's fund are to be transferred to the staff of the new company. This will, of course, mean that they will cease to be in the service of Elders, and under the terms of the trust deed cannot remain members of the fund. In the absence of any fresh provision they would be entitled only to a pension calculated as at

the date of their transfer or a refund of their contributions, thereby losing at least some of the benefits of their membership.

It is the desire of the company and the trustees to preserve the rights of these officers by transferring the fund to the new company along with the officers who would retain all their existing rights. However, while the regulations under the trust deeds provide for the acquisition by Elders of the business of any other company or the acquisition of a controlling interest in any other company, no provision is made for the acquisition of the business of Elders by another company. In these circumstances it has become necessary that some alteration should be made to the rules and regulations because, without it, not only would existing officers be entitled only to a limited pension, but the fund would have to be wound up and distributed. The trust deeds not having made provision to meet these contingencies, the only way in which proper provision can be made is by Statute.

In the case of the female members of the staff of Elders, while some of them will be transferred to the new company, others will remain. Those who remain will, as members of the fund, of course retain their existing rights, but those who are transferred (with certain exceptions based on age and years of service) would be without any rights at all under the terms of the trust deed. Future female employees will be employed by the new company. This will mean that the women's fund will in due course be more than adequate to provide for the remaining female staff of Elders and there will be a surplus with which the trustees will be powerless to deal.

The new company proposes to establish a fund for its female employees, and it is proposed to transfer the surplus to which I have referred to the new fund in which the transferred female employees will participate without losing any benefits which they would have had as employees of Elders. This Bill accordingly makes provision for what the company regards as the necessary alterations in the rules and regulations governing both funds. Clauses 3, 4 and 5 deal with the men's fund and clause 6 with the women's fund. The regulations are designed to make provision to preserve the rights of both male and female employees and to enable the trustees to take appropriate action to this end. Since the Bill is of a hybrid nature, it was referred, in accordance with Joint Standing Orders, to a Select Committee in another place. That committee, after hearing evidence and considering the matter, recommended the Bill.

Mr. JENNINGS secured the adjournment of the debate.

NURSES REGISTRATION 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 principal object is to provide for the division of the practice of mental nursing into "psychiatric nursing" and "mental deficiency" nursing—the nursing of the intellectually retarded. The Director of Mental Health has drawn attention to the inadequacy of the existing syllabus for mental nursing which permits of some training in psychiatric nursing and some in mental deficiency nursing without dealing sufficiently with either branch of mental nursing. Mental nurses are employed in the hospitals in the nursing of patients in each category and, if duly qualified, they are entitled to undertake private practice in each capacity. However, the two branches are different, patients in each category requiring totally different treatment. For this reason it is most desirable that there should be a distinction between the two branches (both in hospitals and in the requirements for private practice). The division of the mental nursing practice for which this Bill provides will enable the syllabus to be reviewed and greatly expanded so as to cover in full the requirements of each branch. The present syllabus for psychiatric nursing is totally inadequate for modern needs; it comprises 12 formal lectures a year for three years and some 10 tutorials in addition.

The new scheme will ensure that psychiatric nursing will be separately supervised by the Nurses Registration Board. The board will be responsible for the standard of training in psychiatric nursing, for the appointment of examiners, and the conduct of examinations. This will give to psychiatric nursing a status that has hitherto been denied to it. In the same manner the board will supervise mental deficiency nursing. A similar division in mental nursing operates in New Zealand, by the establishment of psychopaedic nursing (corresponding with mental deficiency nursing), and in the United Kingdom.

Clause 9 amends section 18 of the principal Act by abolishing mental nursing, as such, and providing for nurses who undertake mental training to be trained as psychiatric nurses or

as mental deficiency nurses. Owing to the present shortage of hospital accommodation, it is not practicable at present to provide for separate treatment of mental patients in each of the two categories. However, when new hospitals are built, separate wards will be provided for the two types of mental nursing. Clause 17 (*b*) provides for regulations to be made requiring existing mental nurses to elect (after the new scheme of nursing comes into force) whether they will change to one or the other of the two new branches. It is intended that, after the inception of the new scheme, the present mental nurses will have 12 months in which to make the election. Clauses 13, 14 and 16 (*b*) make amendments which are consequential upon the provisions of clause 17 (*b*).

Clauses 4, 6 (*c*) and (*d*), 9, 10 (*a*) and (*d*), 15, 16 (*a*), 17 (*a*), (*c*), (*d*), (*e*) and (*f*), and 18 and the Schedule make amendments consequential upon the new scheme. Clause 5 amends section 3 of the principal Act consequential on the insertion of two new parts in the principal Act some years ago. The principal Act is inconsistent in its references to training undertaken and examinations taken in other States. In some cases the Act extends to a Territory; in other cases it does not. Clause 6 (*b*) inserts a definition of "State" in section 4 of the principal Act so as to remove the distinction between nurses trained in a Territory and those trained in other States. Clauses 6 (*a*), 7 and 12 make drafting amendments of a revisionary nature. Clauses 8, 10 (*b*) and (*c*) and 11 provide for the repeal of obsolete provisions of the principal Act.

Mr. CORCORAN secured the adjournment of the debate.

SECOND-HAND DEALERS ACT AMENDMENT BILL.

Second reading.

The Hon. P. H. QUIRKE (Minister of Lands): I move:

That this Bill be now read a second time.

In 1949 the Second-hand Dealers Act was amended to make provision for objection to be made to the grant of a second-hand dealer's licence to a company or the renewal thereof, and for revocation of any such licence. There is, however, no general machinery for dealing with an application by a company for a licence, and the general tenor of the Act contemplates only a natural person carrying on the business of a second-hand dealer.

Local courts have overcome this difficulty by granting licences to persons on behalf of companies. This practice is not ideal, and the chief purpose of the present Bill is to make clear and definite provision for companies carrying on business as second-hand dealers. The requirements for the issue of a licence are contained in clause 4 and in new section 6b (inserted in the principal Act by clause 5). The company must produce a certificate of character (as is necessary for a natural person applying for a licence) relating to the manager; the manager must reside in the State; he must be employed solely by the company, and the second-hand dealer's business at the premises for which the licence is granted must be conducted under his personal supervision. As in the case of land agents, a licence may not be granted if the court is satisfied that a person who substantially controls the affairs of the company is not a fit and proper person. (New subsection (1b) of section 8 inserted by clause 6.) Clause 7 inserts new sections 8a and 8b in the principal Act. Under new section 8a a company is obliged to appoint a new manager and apply afresh for a licence if, at the premises for which the licence is granted, there is a change of manager. (The change may be by reason of death, the company revoking its nomination of the manager (at any time) or the manager's ceasing to comply with the requirements specified above.) Under new section 8b a company commits an offence if it carries on business without a manager (unless, upon a change of manager, the company complies with new section 8a). The purpose of these provisions is to ensure that there will always be a person to whom the courts can look for the discharge of the personal obligations imposed by the principal Act (as is the case with land agents and publicans). Clause 3 makes consequential amendments.

New section 6a (inserted in the Act by clause 5) makes provision for persons carrying on a second-hand business in partnership. Each partner must apply; only one licence is granted (specifying each partner) and only one fee is payable (clause 9). Clause 3 (*a*) makes a consequential amendment.

Clause 8 gives a court power to revoke a licence if, in the case of a company, the requirements specified above have not been observed or the manager is no longer a fit and proper person to be a second-hand dealer, or if, in the case of a partnership, the conduct of any one of the partners renders it desirable to do so. Clauses 10 and 11 are consequential machinery amendments. Clause 12 increases the maximum penalties, most of which were

fixed in 1919, by roughly 100 per cent. Under clause 13 the amendments will not apply to persons or companies at present holding licences until applications for renewals are disposed of.

Mr. FRANK WALSH secured the adjournment of the debate.

PISTOL LICENCE ACT AMENDMENT BILL.

Received from the Legislative Council and read a first time.

MINING (PETROLEUM) ACT AMENDMENT BILL.

Received from the Legislative Council and read a first time.

LAND SETTLEMENT ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 22. Page 1189.)

Mr. LOVEDAY (Whyalla): This Bill is simply a continuation of a practice over the past years by which the Land Settlement Act has been extended from time to time by two-year periods. The Bill is in terms similar to measures passed in previous years, and, in addition to extending the Act itself, it provides for an extension by two years of the time during which land may be acquired in the South-East, in accordance with the extension of the Act itself.

The Act was first introduced in 1944, and the amendment concerning acquisition of land in the South-East was introduced in 1948. That power, too, has been extended from time to time by two-year periods, so there is nothing controversial in the Bill. It is simply an extension of the Act and of the period during which land in the South-East may be compulsorily acquired. In view of the extra work forthcoming for the Land Settlement Committee, I support the Bill.

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

OFFENDERS PROBATION ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from August 28. Page 732.)

Mr. DUNSTAN (Norwood): I support this Bill.

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

POLICE REGULATION ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from August 22. Page 630.)

Mr. DUNSTAN (Norwood): I support this Bill.

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

ASSOCIATIONS INCORPORATION ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from August 22. Page 631.)

Mr. DUNSTAN (Norwood): This Bill contains the same remarkable amendments, in principle, as did the previous Bills, and it does not call for any debate. I regret that I have had to make as long a speech as I have made. I support the Bill.

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

EXPLOSIVES ACT AMENDMENT BILL.

Consideration in Committee of the Legislative Council's amendment:

Clause 4—in new section 28c after "may" to insert "on the recommendation of the Minister of Mines".

The Hon. D. N. BROOKMAN (Minister of Agriculture): The Parliamentary Draftsman has reported that this is a formal amendment to make it clear that acceptance of surrender of a mining lease or resumption of land comprised in a mining lease under new section 28c of the Act will take place only on the recommendation of the Minister of the Crown administering the Mining Act. It is a machinery provision to ensure that action by another department will not take place without the knowledge of the department concerned.

Amendment agreed to.

ADJOURNMENT.

At 4.48 p.m. the House adjourned until Tuesday, October 29, at 2 p.m.