HOUSE OF ASSEMBLY.

Tuesday, October 13, 1964.

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

STATUTES AMENDMENT (STAMP DUTIES AND MOTOR VEHICLES) BILL (No. 2).

His Excellency the Governor, by message, intimated his assent to the Bill.

QUESTIONS.

GIDGEALPA GAS.

Mr. FRANK WALSH: Last Saturday morning I read in the Sydney press a report stating that the Delhi-Santos group had indicated its intention to construct a pipeline from Gidgealpa. I perused the local weekend papers here but found no reference to that matter. Can the Premier explain the situation?

The Hon. Sir THOMAS PLAYFORD: I saw that report (I think it was in the Sydney *Daily Telegraph*), which was to the effect that Mr. Bonython had stated that, in the event of sufficient gas being found, the Delhi-Santos group would install a pipeline. I have not checked on whether a similar report appeared in our local press, and I have not had an opportunity to check on the origin of the report to which the Leader refers. The report I saw certainly was not precisely in accordance with facts. The Delhi-Santos group has made overtures to the Government for the establishment of a company, the object of which would be to install a pipeline from Gidgealpa to Adelaide and to provide for the conveyance of gas from the gas field to the metropolitan area, subject, of course, to a sufficient supply of gas being found to warrant the project. The outline of a Bill was submitted to me; it merely conveyed the general thoughts of the group concerned in this matter. The proposal was that the company would, as a carrier, convey the gas and receive a certain return irrespective of the quantity of gas taken through the pipeline. As I understood the document, it would mean that, in the event of a small quantity of gas coming down the pipeline, the charges would be much higher per million cubic feet than for a large quantity of gas. The document was not conclusive and it did not go into figures to support the proposition.

The Government is examining the matter and is giving careful thought to what would be the proper procedure in the event of sufficient gas being found at Gidgealpa or in any of the surrounding fields to warrant a pipeline. Two alternatives are open: one would be the establishment of a private company, and the other would be the establishment of a public utility similar to the Electricity Trust. In either case the matter would have to come before Parliament, because there is no authority in the State today that has the right to establish this pipeline. I have told the companies to prepare data concerning their proposals and that in the meantime the Government would prepare the data concerning the proposals it could give effect to, and the one that could do the work more cheaply would be the one in the best interests of the companies, the consumers, and the State as a whole.

The answer to the Leader is that there is no basis for a statement that the companies could install a pipeline at present. No legal sanction has been given for such a move, and it could be given only by Parliament. Also, as honourable members know, the matter would be subject to approval by a Select Committee before Parliament could consider it.

SCHOOL TEXTBOOK.

Mr. NANKIVELL: Today's *Advertiser* contains a report of the remarks of Mr. L. A. Ellis, the President of the Parents and Friends Association of Enfield High School and a delegate from the South Australian Public Schools Committees Association to the Australian Council of State School Organizations at present meeting in Melbourne. Speaking on a motion expressing concern at the bad influence of certain comics and novels on children, he described a certain book in the curriculum of the Leaving course at the Enfield High School as being one of the filthiest novels he had ever read. Can the Minister of Education comment on this statement?

The Hon. SIR BADEN PATTINSON: I am afraid that I have not read the book in question, but I understand that it is a textbook set for the Leaving examination by the Public Examinations Board, which consists of 24 men and women, eight from the university, eight from the church schools, and eight from the departmental schools. I have every confidence in the board and I am sure that it would not put anything filthy into the hands of our schoolchildren. This morning I asked the Director of Education (Mr. Mander-Jones) to

give me a brief description of the book, although it is not necessarily the concern of the Education Department. The Director reports:

I am completely at a loss to understand how the term "filthy" could be applied to such a book. I can only suggest that Mr. Ellis, who is reported to have made this accusation, has not read the book himself. There is no mention of sex at any stage. There are a few examples of bad language of the type usual among schoolboys. An adult reading the book could well find it a parody of modern civilization with the ever-present dangers of anarchy on the one hand and totalitarianism on the other. The book has been set as a novel for study in public examinations on a number of occasions in the United Kingdom, in other Australian States and, previously, in South Australia. On no occasion so far as I have been able to ascertain has it ever been called in question. The book has received favourable notice from such newspapers as the *Observer* and the *Listener*.

The Director was good enough to send a copy of the book for me to read and I notice that the author, William Golding, amongst other accomplishments, is a schoolmaster and that, since 1945, he has been schoolmaster at Bishop Wordsworth's School at Salisbury, England, and has remained there ever since. If the debates become too boring either this afternoon or this evening I intend to read this book for relaxation.

FRUIT FLY.

Mr. CURREN: In Saturday's *Advertiser* appeared a report on negotiations between the Premier of South Australia and the Premier of New South Wales (Mr. Renshaw) regarding the ban on South Australian fruit entering New South Wales. The report referred to the fact that some officers of the New South Wales Agriculture Department would be coming to South Australia to discuss this problem with South Australian departmental officers. Can the Premier add any further information to the rather sketchy press report?

The Hon. Sir THOMAS PLAYFORD: May I say at the outset that I have not issued any report to the press on this conference. I think that Mr. Renshaw did, in fact, issue a short report on the conference. The conference took place between the New South Wales Premier and his Minister, two officers from South Australia (the Director of Agriculture and Dr. Morgan, of the Waite Agricultural Research Institute) and me. The conference was called to discuss the virtual prohibition that New South Wales was placing, because of fruit fly, upon fruit entering that State from South Australia. Under the regulations, before fruit could enter New South Wales it was subject to a fruit-fly trapping project that would have cost £500,000 in the honourable member's district alone, and this project would not have been conclusive. This type of fruit-fly trapping programme has not been carried out in any other country or in New South Wales. I pointed out to Mr. Renshaw that we had always given the utmost consideration to the importation of New South Wales fruit into South Australia, although New South Wales was an area badly infested by fruit fly and although the New South Wales Government had prohibited some fruits from entering other areas of its own State. For instance, bananas from New South Wales are prohibited from entering the Murrumbidgee area although, under inspection, South Australia, has allowed them to enter this State.

The discussion started at 4.30 p.m. and continued until 6 p.m. when it was decided, first, that the New South Wales Government would send two officers to discuss with officers of the South Australian Agriculture Department the fruit-fly regulations that should be promulgated by both State Governments. Secondly, agreement was reached that, in the meantime, the fruit-fly regulations that had been imposed by New South Wales against South Australia should be held in abeyance. Thirdly, it was agreed that Broken Hill should not be regarded, for purposes of the fruit-fly regulations, as a part of New South Wales, but should be a separate area adjacent to South Australian territory. I have no doubt that when the position was explained to Mr. Renshaw he realized that the regulations were not only unnecessary in their terms but were disadvantageous to New South Wales. I hope we will be able to reach an amicable agreement to enable the present trading conditions to continue.

ELECTRICITY TARIFFS.

Mr. HARDING: Can the Premier indicate the relationship between the city and country electricity tariffs of South Australia and the comparable figures in Victoria?

The Hon. Sir THOMAS PLAYFORD: Some time ago it was announced that a uniform tariff would operate in Victoria from January 1 next. I had these tariffs analysed by the Electricity Trust and the comparative tariff cost figures are available. I have been hoping that a member would ask a question on this topic, as it is a matter of particular interest to South Australian people, and perhaps some Victorian people. The following is a list of figures I have taken out in connection with users of electricity under the various schedules:

Annual Electricity Account.

	Victoria.	Adelaide.	Maximum E.T.S.A. country.
	£	£ s. d.	£ s. d.
Domestic consumers	10	8 8 4	9 4 3
	20	16 7 2	17 19 7
	40	31 8 9	34 12 11
	50	41 1 2	45 2 10
Farm consumers	40	29 7 4	32 2 9
	100	88 17 3	97 8 5
Commercial consumers	25	20 15 10	22 15 10
	100	79 6 8	86 19 1
	1,000	714 7 8	777 11 3
Industrial consumers	100	97 19 10	107 5 11
	1,000	587 4 5	629 14 5
	100,000	90-105,000 depending on load factor	similar to Adelaide

SOUTH-EAST ELECTRICITY.

Mr. CORCORAN: I believe that it is almost three years since the Electricity Trust commenced work on the extensions necessary to carry electricity to an area west and north-west of Kalangadoo (including the Wattle Range area). In fact, for some time now this work has been almost at a standstill. As the prospective consumers are extremely anxious to avail themselves of the supply, will the Premier have this matter investigated with a view to speeding up the completion of the work?

The Hon. Sir THOMAS PLAYFORD: I will certainly have the matter investigated. I do not know whether an alteration in the time factor of the schedule has occurred but I know that the trust is engaged in a big programme in various parts of the South-East. I will get a report and let the honourable member know as soon as possible.

JUSTICES.

Mr. COUMBE: Has the Minister of Education received from the Attorney-General a reply to a question I asked last week regarding the appointment of retired officers of the Police Force as acting justices of the peace?

The Hon. Sir BADEN PATTINSON: My colleague reports:

For many years it has been the policy not to appoint retired police officers as justices of the peace. It is felt that, having served as members of the force, there is a possibility that, even with the best intentions, a retired officer may not be regarded as being completely unbiased in his approach to cases which may come before him. It will be appreciated that not only must justice be done, but it must appear to be done.

GAUGE STANDARDIZATION.

Mr. McKEE: Has the Premier anything to report on the survey work being carried out regarding the layout of a standard gauge line at Port Pirie?

The Hon. Sir THOMAS PLAYFORD: Not yet. It may be some time, because these matters depend on Commonwealth concurrence. I shall inform the honourable member as soon as the information is available.

PARAFIELD GARDENS SCHOOL.

Mr. HALL: This morning I looked at the half-completed Parafield Gardens Infant and Primary School and was impressed by the standard of building and the design incorporated in that school. As it is urgently needed in the locality, can the Minister of Education say whether it will be completed and ready for use at the beginning of the next school year?

The Hon. Sir BADEN PATTINSON: Yes, I hope that it will be completed by then. I have given up making prophecies on these matters because I often obtain the best possible information only to be disappointed later. However, I will try to obtain an accurate forecast for the honourable member.

SEMAPHORE PARK SEWERAGE.

Mr. HURST: Can the Minister of Works say how work is progressing on the Semaphore Park sewerage scheme?

The Hon. G. G. PEARSON: The Engineer-in-Chief reports:

The construction of sewers for the Semaphore Park sewerage scheme was commenced about six weeks ago. Work is now progressing with the construction of the 12in. diameter trunk main sewer in Sansom Road and, after this is completed, the reticulation sewers in the various side streets will be proceeded with. A temporary pump has been installed at the pumping station site and the construction of the permanent pumping station, along with the rising main, will be commenced within the next few months.

EGG MARKETING.

Mr. FREEBAIRN: The legislation before the House dealing with the Council of Egg Marketing Authorities plan provides for a

levy on the owners of poultry flocks of 50 and more hens. Can the Minister of Agriculture state the percentage of poultry numbers in this State on which the levy would be paid?

The SPEAKER: Before the Minister answers, I point out that he cannot anticipate the subject matter of a Bill before the House.

The Hon. D. N. BROOKMAN: In any event, Mr. Speaker, I do not know the answer and I do not think anybody else does.

CRIMINAL PROSECUTIONS.

Mr. LAWN: Has the Premier a further reply to my recent question regarding the prosecution of people carrying offensive weapons?

The Hon. Sir THOMAS PLAYFORD: The Commissioner of Police reports:

If charges against accused persons are dismissed in the Supreme Court, and it is proper with due regard to the attendant circumstances surrounding the commission of the alleged crime, it is not unusual for the police to proceed with a lesser charge in a court of summary jurisdiction. In many instances, however, the dismissal of a charge by a jury renders any further prosecution impracticable by proper legal means as the principles of *autrefois acquit* would render a successful continuance of such an action most improbable. In the commission of an alleged murder Giovanni Carbone used a pocket knife of the type that could probably be found on many persons following absolutely normal and lawful pursuits, and in the absence of sinister circumstances surrounding the possession of same it could not in itself be classed as an offensive weapon. His acquittal by a jury quite clearly placed him beyond any such charge, as they found that the weapon he used was one of defence rather than offence, and it necessarily follows that any such action against him could not succeed.

PATAWALONGA ACCIDENT.

Mr. FRED WALSH: Yesterday a near tragedy occurred as the result of an accident at the Patawalonga boat haven at Glenelg. According to the report in today's *Advertiser*, when the steering gear of a motor boat broke the owner of the boat was offered a tow and a line was thrown to him, but before the gate dividing the passage and the haven could be lifted the northern gate was raised to let water from the haven flow out to the sea. The sudden current caught the two boats, and Mr. Cornish (the owner) was forced to drop his end of the line. The boat was carried a short distance towards the sea before it crashed against the wall, throwing Mr. Cornish and his son into the water. The boy was rescued by an onlooker who reported the accident. Will the Minister of Marine obtain a report on why the northern gate at the boat haven was opened at that time and in those circumstances?

The Hon. G. G. PEARSON: I read the report quoted by the honourable member. The Harbors Board was involved in the design and construction stage, when it offered its advice, but the boat haven is not operated by the board. However, I think the matter is sufficiently important to justify inquiry, and I will ask the General Manager of the board to give me a short report on it, although I doubt very much whether he will be prepared to apportion blame or praise in the matter. Speaking purely as a layman, I would assume that as the water built up inside the basin it was necessary to release it at some time because the pressure might have been too great for the lock to operate successfully. If the General Manager of the board has any comment to make on the matter I shall convey it to the honourable member.

TRAFFIC LIGHTS.

Mr. LANGLEY: The *Advertiser* of October 8 contained a report that the Minister of Roads had stated that on the proclamation of main roads (or other roads of which notice is given) the Highways Department is sharing the cost of traffic lights with the councils concerned. I believe that the Premier recently saw a deputation and that a petition by residents was also submitted concerning traffic lights at the southern side of the Goodwood Road subway. Two years ago a petition was received by the Unley City Council from over 100 people living in the Clarence Park subdivision. As the Government is sharing the cost of traffic lights on main roads to 75 per cent and the council is paying the remainder, could the Minister of Works, representing the Minister of Roads, indicate when work will be commenced at the southern end of Goodwood Road subway on these urgently required traffic lights?

The Hon. G. G. PEARSON: I will ask my colleague for a report.

WALLAROO WATER SUPPLY.

Mr. FRANK WALSH: Recently, on behalf of the member for Wallaroo (Mr. Hughes), I asked a question of the Minister of Works regarding the water supply at Wallaroo. Has the Minister a reply?

The Hon. G. G. PEARSON: The Engineer-in-Chief has received the following report from the Regional Engineer (Northern):

A check has been made with the District Superintendent, who reports that there has been some recent discolouration of the water at Wallaroo. This discolouration occurs in most years at about this time, when increased flows have the effect of agitating sediments deposited

in the main during periods of low flow during the winter. A flushing programme is at present in progress, and it is expected that the water will soon clear. However, should there be any particularly bad area, further flushing can be carried out if we can be advised of the location.

"SEMI-DWARF" WHEAT.

Mr. HARDING: On September 29 I drew the attention of the Minister of Agriculture to an article concerning the possibility of growing what is known as "semi-dwarf" wheat in South Australia. From my inquiries at the Waite Agricultural Research Institute I think the future appears bright. Has the Minister of Agriculture further information on this matter?

The Hon. D. N. BROOKMAN: The Director of Agriculture states:

Semi-dwarf wheats are noted for their short straw, high yielding ability and low ratio of straw to grain. The tallest of the group in which most interest has been shown are little shorter than the variety "Insignia" while the shortest of them are only two feet high under average growing conditions. Most varieties are fully bearded. It is of interest to note that in one variety currently under trial in Australia the length of the ear, including the beard, is one third the total height of the plant. American wheat breeders began work with semi-dwarf varieties some 16 years ago and the first United States-bred variety incorporating this characteristic was released in 1961. This is the variety "Gaines", which set yield records of 132.1 bushels per acre and 155.5 bushels per acre for non irrigated and irrigated crops respectively, and commonly yields over 100 bushels per acre. Semi-dwarf crossbred wheats became available to Australian wheat breeders 8 years ago, with the introduction of crossbreds from the United States and later of varieties from Latin America. The most advanced breeding programmes involving the use of semi-dwarf are probably those of the New South Wales Department of Agriculture. However, there is wide interest in their potential under Australian conditions. The South Australian Department of Agriculture is testing two varieties in a small scale trial this year. One of these is a variety from Mexico and the other from Chile. These varieties are also contained in the large wheat collection at the Waite Agricultural Research Institute. There is at present no conclusive evidence regarding the value of these wheats under our conditions but there are good reasons for believing that their use in breeding programmes will result in substantial yield increases, at least under some conditions.

GRAPE PRICES.

Mr. CURREN: On August 12, at the request of the Upper Murray Grapegrowers Association, I read to the House a letter setting out the association's views on wine-grape surplus problems and, in particular, the effect that sultanas, taken in as wine grapes, had on the overall situation. The Premier, in replying on August 27, quoted from a report compiled by the Prices Commissioner, which stated:

The surplus of wine grapes last year mainly resulted from accumulated stocks of wine and spirit made from all grape varieties following the record 1962 vintage and the above average vintage of 1964.

Intake figures for sultanas in the years 1959 to 1963 inclusive totalled, in round figures, 127,000 tons. The intake of 43,000 tons of sultanas in 1962 was the largest tonnage of any single variety in that year. From these figures it can be seen that sultanas had a considerable influence on the build-up of stocks of wine and spirit in those years. In view of the present situation, I have been asked by the President of the Upper Murray Grapegrowers Association to again ask the Premier to have the Prices Commissioner further consider the desirability of increasing the price of sultanas as requested by the Upper Murray Grapegrowers Association in its letter of August 12.

The Hon. Sir THOMAS PLAYFORD: The matter raised by the honourable member is not without problems. It is clear that not only prices are involved. Since the honourable member raised this matter, I have discussed it with wine interests and with dried fruit interests. I find that, at present, the wine-grape price is not equal to the price returned to the grower if he uses his grapes for dried fruits. Therefore, growers are prepared, because of the convenience given to them and other advantages such as less risk, to sell to wineries at a price less than the return would be from dried fruits. So even if the price were raised I have no doubt that many growers would continue to supply sultanas to the wineries at the present prices. The mere raising of prices to an unrealistic level would not prohibit the grower from selling grapes to wineries. If the present price were lower than the price for dried fruits, there might be some ground for an alteration.

Another matter, about which I was not aware but which I discovered in my discussions with wine-making interests, was that sultanas, for certain interests, have a unique value and are necessary for certain types of wine production. That is an important matter and I was informed by the wine interests that sultanas are useful in assisting to make a certain type of wine that is in short supply. It has not been possible to supply certain oversea orders

for this wine. Therefore, this is not a simple matter. I will refer the honourable member's question to the Prices Commissioner for further consideration.

KEITH AGRICULTURAL ADVISER.

Mr. NANKIVELL: Can the Minister of Agriculture say when Mr. Peter Marrett, Assistant Agricultural Adviser for the South-East, is likely to take up permanent residence in Keith?

The Hon. D. N. BROOKMAN: I will get the required information.

HIRE-PURCHASE CONTRACT.

Mr. HALL: A constituent of mine at Para Hills has told me of a hire-purchase agreement entered into by his wife and a company which operates in this State, but which is incorporated in another State and has an address in Canberra. The agreement was signed on August 27, 1963, but it was signed only by the wife and the agreement has no provision for a signature by a spouse. The deposit, made up of £3 10s. cash and £1 10s. trade-in value, was £5 on a price of £61 10s.—less than the 10 per cent deposit provided in the Act. Therefore, two things were wrong in the agreement: a deposit of less than 10 per cent of the price was required, and the agreement was signed only by the wife. After this contract was shown to the husband he did not go on with the payments. I believe he was involved in legal difficulties that cost him £10 in expenses before the set was repossessed and the matter cleared up. He has asked whether such a contract can be entered into by a company which claims that it does not have to observe the laws of this State concerning hire-purchase agreements. If I give the Premier a copy of the agreement, will he have it investigated to see whether any South Australian law is being broken?

The Hon. Sir THOMAS PLAYFORD: If the honourable member gives me a copy of the agreement, I shall have the Prices Commissioner examine it to see whether it is in accordance with South Australian law. I should think that, although a company had headquarters in another State, that would not affect the validity of a transaction undertaken in South Australia. However, I will obtain an opinion and inform the honourable member.

DAVCO.

Mr. FRANK WALSH: A report was presented this year to Parliament about the Development and Vending Corporation Limited. In August, 1962, the Auditor-General was asked to investigate this company and made some unfavourable comments about it, and there were interstate complications, particularly concerning Queensland. Can the Premier say whether this matter will be proceeded with or is the company being wound up because there is no equity in it?

The Hon. Sir THOMAS PLAYFORD: This matter would normally be handled by the Attorney-General, but I will obtain a report for the honourable member by Thursday.

MOUNT BARKER ROAD.

Mr. SHANNON: Has the Minister of Works a reply from the Minister of Roads to my recent question about the construction of the road between Crafers and Aldgate?

The Hon. G. G. PEARSON: My colleague, the Minister of Roads, informs me that the programme of work on the above road is as follows:

1. Crafers-Stirling Freeway (four lanes):
   (*a*) Tenders have been received for the construction of the overpass bridge at Crafers. Work is likely to commence in November, 1964, and be completed in June, 1965.
   (*b*) Road construction should commence in August, 1965, and be completed by the middle of 1967. Construction cannot start on this section until the overpass referred to in (*a*) has been completed

2. Stirling-Verdun Freeway: This is the continuation of the Crafers-Stirling section, and is planned to commence after the completion of the latter. The work is therefore planned to commence in 1967 and may require three years to complete. The time required for completion is dependent on funds available and details of the final design.

3. Stirling-Aldgate section of the main south-east road: The provision of 900 lineal feet of climbing lane (*i.e.*, a third lane) on this section is being investigated, and will be constructed as an interim measure to relieve traffic problems as soon as possible. P.M.G. underground services and access to properties present problems which must be resolved before construction can commence.

BLACKWOOD SCHOOLS.

Mr. MILLHOUSE (on notice):

1. What route was considered most convenient for the suggested access path from the south to the Blackwood Primary and High Schools?

2. Approximately how long and how wide would the said path be?

3. What is the estimate of cost of the said path?

4. What work is included in the estimate?

The Hon. Sir BADEN PATTINSON: The Director of Education reports:

1. The most convenient route would be the direct route across Mr. Ashby's land. This would be about 900ft. long. Mr. Ashby is not prepared to sell or give the land for this route. Instead he has offered a strip 20ft. wide commencing at Fern Road skirting the boundary of his property along the railway and then leaving the railway to cut across to the south-east corner of the primary school property.

2. The length of this proposed route would be ¼ mile. The width would be 20ft.

3. The immediate estimated cost of providing the access road would be £2,800, not including the cost of the land, but as this would create a precedent in many other places, the ultimate cost would be very great.

4. The work included in this estimate provides for—

(*a*) a crushed rock surface on a 4ft. wide footpath and a separate 4ft. wide cycle track.
(*b*) stormwater drainage where both these paths cross the creek bed.
(*c*) a 6ft. high chain mesh fence with a gate on one side of the access road.
(*d*) connecting paths surfaced with crushed rock inside the primary and high school boundaries.
(*e*) a sealed surface for the footpaths and the cycle track.

ROAD AND RAILWAY TRANSPORT ACT AMENDMENT BILL.

Returned from the Legislative Council without amendment.

SOUTH AUSTRALIAN GAS COMPANY'S ACT AMENDMENT BILL.

Read a third time and passed.

POULTRY INDUSTRY (COMMONWEALTH LEVIES) BILL.

Adjourned debate on second reading.

(Continued from October 7. Page 1325.)

Mr. BYWATERS (Murray): I support the second reading. In Committee I intend to move amendments, but I know you, Sir, will not allow me to discuss them at this stage. First, I support the plan of the Council of Egg Marketing Authorities of Australia for a bird levy to replace today's egg levy. The obvious reason for this is that if it is fair to have a levy at all everyone who stands to gain from the egg boards should pay. I believe that every egg producer who sells on any market gains from the existence of the egg boards. If anyone doubts this and now sells on the entirely free-of-levy interstate market he should consider the attitude towards prices of the interstate buyers. When the Egg Board fixes an increase or a decrease in the egg price, so does the interstate buyer. The Egg Board fixes the ruling prices and, if there were no fixed prices, heaven help the producer. Those who market through the board pay a levy but those who sell to interstate buyers contribute nothing at present. The purpose of the C.E.M.A. plan is to ensure that all pay the levy, and this is fair. It does not prevent the interstate buyer from operating but it will make their operations less attractive as at present they have the advantage of the non-payment of the levy.

What concerns me most is that South Australian poultry farmers face severe reprisals from the larger producing States if this State does not enter the scheme. I quote from *Poultry* of October 2, 1964:

In last week's "Listen" column we quoted a letter written by Egg Board candidate, Ken Triggs, to the Minister for Agriculture, Mr. Enticknap, requesting the speed-up of legislation to enable the inspection of all eggs offered for sale in New South Wales, both local and interstate. Mr. Triggs received this reply on behalf of the Minister from the Chief of the Division of Marketing (Mr. C. J. King): "In answer to your recent inquiry I have to advise that already a public announcement has been made that State Cabinet has given approval for certain amendments to be made to the Marketing of Primary Products Act. Briefly, the proposed amendments to the Act will include a particular amendment giving authority for regulations to be made governing the marketing in New South Wales of any product declared to be a commodity" under and for the purposes of the Act, and shall apply to any such commodity marketed in New South Wales, irrespective of whether it is produced outside or inside the State.

When translated into practical terms, this will then mean that eggs imported from other States will have to satisfy the same conditions as to grade, quality and inspection as apply to eggs produced in New South Wales. I have been advised that the Minister proposes that the Act will be amended in the present session of Parliament, which will be completed before the end of the year, and that this is included in the legislative programme. This is my understanding of the present position. I am aware of your personal interest in this matter. (Signed) C. J. King.

Mr. Triggs comments further in *Poultry*:

This alteration to the Act will be a tremendous help to poultry farmers as it will stop interstate evasion in New South Wales and make interstate trade unprofitable. Interstate trade is only profitable because the grade and quality standards are below those in our State. Tests done by the Egg Board some

time ago on interstate eggs showed approximately half of them were underweight or second quality. My hope is that all interstate eggs coming into New South Wales will be inspected at the Egg Board grading floor closest to the border and any eggs not the correct weight or quality will be rejected. All interstate eggs that meet the New South Wales standard will be stamped by the Egg Board accordingly, so that they can easily be identified in the shop. Second-quality eggs will also be stamped accordingly.

Naturally, the Egg Board will have to charge a handling and inspection fee for doing this extra work. This will all mean that the interstate eggs will have to be as big and as good in quality as the New South Wales eggs and undergo the same Egg Board grading procedures. On present knowledge interstate trading would not be profitable on this basis. This alteration to the New South Wales Act when combined with the C.E.M.A. plan will stabilize the egg industry in Australia and enable the egg boards to concentrate on selling more eggs on the local market. After all, this should be the main purpose of the boards. It will be interesting to see how this affects South Australia's attitude to the C.E.M.A. plan. If this scheme is successful in New South Wales, and the Victorian and Queensland Governments do the same, then South Australia could be left in an impossible position. We could then be in the position of the South Australian Government pleading for the quick introduction of the plan!

It is obvious that this will be one way to overcome (at least from the New South Wales point of view) the control of eggs into New South Wales. It will not affect the position so far as South Australia is concerned with interstate eggs coming into this State, so we will be the poorer for it. The following is an extract from a speech by Mr. Noel Beaton, the Commonwealth member of Parliament for Bendigo (an area in which there are many poultry farmers and egg producers), made on April 4, 1963, in the Commonwealth Parliament (after he referred to the situation in his district and to his concern at the necessity for the speedy introduction of the C.E.M.A. plan):

South Australia has come to regard other States—particularly Victoria—as almost traditional markets. The surplus of production over South Australian consumption is sold in other States, and South Australia virtually ignores overseas markets. At the present time South Australian egg pulp is being marketed in New South Wales contrary to a pulp agreement between the States. Does the South Australian board think that it will always live such a charmed life? Does it think that these excursions into the domestic markets of other States will continue to solve the problem of its surplus production? How it has dodged massive retaliation up to now is a mystery. The South Australian board and producers should be warned that they are vulnerable to such retaliation and that their refusal to support this stabilization plan will provoke an egg war which will result only in further financial loss to the hard-working poultry farmers.

I ask the South Australian producers to take a look at the economics of the situation. In 1961-62 South Australian commercial egg production was 11,400,000 dozen. In the same year New South Wales produced 61,600,000 dozen and Victoria produced 29,900,000 dozen. So the South Australian production is dwarfed by the big two in Australian egg production. In the same year the combined production of egg pulp by New South Wales and Victoria was 16,500 tons. The South Australian production was 1,531 tons. In fact, New South Wales and Victoria together export to overseas markets more than twice South Australia's total production, and those overseas markets return net prices as low as 1s. a dozen. Is it not obvious that New South Wales and Victoria would lose nothing by dumping large quantities of eggs on the South Australian market? After all, eggs sell in Britain and Europe for next to nothing.

Mr. Millhouse: It would make quite a mess, wouldn't it?

Mr. BYWATERS: They certainly would have a whip hand over us. What I have just quoted represents the thoughts behind many of those interested in the poultry industry in other States. I believe that if this poll is not carried, many mixed farmers who rely on the returns to any extent will be the losers. I shall briefly trace the history of egg marketing in Australia. I can remember the chaos in the industry pre-war. There were few full-time producers; it was mostly farmers who kept fowls; prices were about 4d. to 6d. a dozen. It was impossible to crack an egg into a pan; one would first crack it into a saucer, or into some other container, and frequently hasten outside to bury the egg. But with the advent of the Egg Board, under war-time regulations, a stable market came about, the quality improved, and now an egg can be cracked with confidence if bearing the Egg Board brand. Since the war, with the States taking over from the Commonwealth, stability has continued for many years, although some interstate buyers have operated. This was mainly due to the Commonwealth still controlling export and a profitable market existing there. However, this market has dried up. The export market is particularly unprofitable but is still necessary to quit the surplus.

In 1961 there was a terrific surplus of eggs in shell and in pulp in Australia. Two of the large interstate buyers gave a week's notice to producers that they would no longer be buying in South Australia. The result was chaotic.

These producers all sent their eggs to the South Australian Egg Board agents and the agents' egg floors could not handle them. Most of the eggs from my district went either to Farmers Union or to Red Comb, but to the surprise of the producers they received returns from other agents. This was brought about by the stock-piling at some depots and the Egg Board's rightly exercising its powers to send to other agents. The returns were poor, some farmers receiving as low as 1s. a dozen.

This must be remembered: the producer who had always regularly supported the board suffered with those who previously sold in other States. While this was going on I was asked to chair a meeting of poultry farmers at Murray Bridge, at which about 400 attended. Representatives of the Egg Board attended and it was not an easy meeting to preside over. Every person there that night would have accepted a plan such as this. Unfortunately, many went out of the industry suffering loss, not only in South Australia but in every State, and to those who remained, when the surplus was used up, not only did those interstate egg buyers return but others also have come in.

In the meantime, the representatives of the Egg Board met and eventually evolved this scheme known as the C.E.M.A. plan. Every State accepted the plan except South Australia. The Minister was honest enough to accept responsibility, and to show how right he was I want to quote from the newspaper *Poultry*.

Mr. Freebairn: It has not been the subject of interstate legislation yet, has it?

Mr. BYWATERS: I understand the position is that the Minister for Primary Industry (Mr. Adermann) is prepared to bring in a Bill provided that all States agree. It will then be up to the various States to introduce their legislation for the collection of the levies. The article to which I referred a moment ago is an editorial dated August 22. It states:

> Some people in the poultry industry fear that the stalling of the S.A. Minister for Agriculture (Mr. Brookman) on the C.E.M.A. plan will send the plan on the rocks. If this came about, Mr. Brookman could just as well set himself up as the dictator of the whole Australian poultry industry. For he, alone, of all the State Ministers for Agriculture—in defiance of the S.A. Egg Board members whom he appointed, in defiance also of the two poultry farmers' associations in his own State, and almost all organizations in other States—has taken upon himself the responsibility of holding up a plan devised by the members of all Australian egg boards as the only possible way of saving the industry from being eaten alive by the giant of interstate trade.

Poultry hopes Mr. Brookman knows what board-evasion through border-hopping does to the Australian poultry industry. We hope Mr. Brookman realizes that it is getting worse and that, each time it grows, it eats a little more of the profits of poultrymen who trade through boards. Forty years ago, Australian poultrymen with brand-new pool organizations were starting to suffer the ill-effects of interstate trade (the files of *Poultry* prove it.)

Do we have to wait another 40 years, or months, or days, to see the wheels of the Federal Government start to close the lock on this drain on our profits forever, Mr. Brookman?

Meetings were held in Adelaide, Murray Bridge, and Nuriootpa at which Egg Board members explained the scheme. These meetings were arranged by the Red Comb Society. The member for Angas (Hon. B. H. Teusner) chaired the meeting at Nuriootpa and I chaired the meeting at Murray Bridge. All of these meetings were well attended, and every meeting carried a resolution supporting the C.E.M.A. plan. From these meetings a deputation waited on the Minister of Agriculture asking him to support it at the meeting to be held in Queensland. However, the Minister did not comply with the wishes of the producers. I want to make it clear that this is not a Party matter. The Queensland, Victorian, and Western Australian Governments are Liberal and Country Party Governments and New South Wales and Tasmanian Governments are Labor Party Governments, yet all have supported it. At the last Commonwealth elections every major Party—the Liberal Party, the Country Party, and the Australian Labor Party—supported the C.E.M.A. plan. I make this clear because some opponents to the scheme has accused me of playing Party politics in this matter. The Minister has claimed that it is the big producers who want it and the small producer who does not. This is not so: it is some of the large producers who condemn the scheme. Carter Bros. in Victoria, who have over 250,000 birds and who run their own transport to New South Wales, are the greatest opponents. What does the Minister consider is a big producer: the man with 2,000 to 3,000 birds? Such a person is not a big producer: he is only making a living for one person. There are 60 producers in my district with that many birds. The Minister's statement of 20 fowls against 50 fowls as a minimum for the levy is a strange one. On the one hand he is prepared to have this apply for the State Egg Board where owners of 20 fowls have to register, but when it comes to the C.E.M.A.

plan he suggests that all with under 50 fowls be exempt. I point out that every egg that is sold on any market helps to provide a surplus for export. It has always been recognized that 20 birds should be the minimum set.

The Minister stated that it was necessary for poultry farmers to know what they would be expected to pay. This seems reasonable, but I would point out that this will vary from year to year, according to the surplus. Taking the year 1962-63 when 109,000,000 eggs were produced in Australia, and taking a 12 dozen eggs average per bird, this meant that 9,000,000 birds could have been levied. Taking as a home consumption price an average of 3s. 4d. a dozen, and the fact that 19,000,000 eggs had to be exported at 1s. 1d. a dozen, this resulted in a loss of £1,500,000, which would work out at 3s. 5d. a bird levy. These figures, however, applied only to the eggs that were sold through the Egg Board: the rest of the eggs produced and sold to interstate traders were sold on the home market. It is estimated that 50 per cent of the eggs produced are sold this way. It is reasonable to assume that in that year the price could be half of the 3s. 5d. as stated. However, next year this estimate is likely to be much higher, and I have heard that the figure of 6s. 6d. could apply, but here again this is only on the known number of eggs sold through the board.

Taking the bird levy against the present egg levy for comparison, again using the 12-dozen average, those selling to the board paying 5d. a dozen are paying 5s. a bird. Those who sell under licence for the board are paying 6½d. a dozen or the equivalent of 6s. 6d. a bird. It is apparent then that those who now pay the levy are not going to be any worse off, but rather to the contrary: when everyone bears his responsibility, the burden must be much less. It is interesting to see the present levies paid in other States as against South Australia. In 1963-64, New South Wales paid 11½d. a dozen; South Queensland paid 11d. a dozen; Western Australia, 1s. 2½d. a dozen; and South Australia paid 6½d. a dozen. For the net return (which, after all, is what mostly matters), in 1963-64 South Queensland received 3s. 6.96d. a dozen; New South Wales received 3s. 7.54d. a dozen; Victoria, 3s. 9.4d. a dozen; Western Australia, 3s. 9.9d. a dozen; and South Australia, 3s. 7d. a dozen. This is an average of 3s. 8.02d. a dozen.

Mr. F. N. Giles, the Assistant Secretary to the Commonwealth Minister for Primary Industry, has prepared an article supporting the scheme. This article was an answer to certain arguments advanced by Mr. James Carter, who wrote an article in *Poultry* on June 19. Mr. Giles's article states:

Producers who sell all their eggs outside of board control (mainly interstate), although their production helps provide this export surplus, suffer no reductions in returns through this export surplus because they sell all of their eggs at the high local prices. Under the proposed C.E.M.A. plan, as all producers will be paying the levy, they will be contributing their share towards returns from the low export prices. Those producers who at present market through their board must benefit. Producers who now sell their eggs at the local price and pay no "pool" levies to the boards, may suffer reduced returns. These are mainly interstate operators, who sell quite legally, but there are many producers who sell illegally within the State.

In conclusion, I appeal to all egg producers to take heed of this: the industry is heading for extremely hard times and, if reprisals come, (and, after all, the other States have been tolerant but their patience with South Australia is wearing thin), then the commercial producer can close down, the side-line producer will have to go without this extra income, and with several million fowls having been taken out of production, we will witness a similar winter to that of 1963 when eggs were unprocurable. It is far better to keep the industry stable and not to have this extreme glut and then extreme shortage that we have had in recent years. I support the second reading but, until I have seen the result of my amendments, I shall reserve my decision on whether I shall support the third reading.

Mr. SHANNON (Onkaparinga): I believe the member for Murray (Mr. Bywaters) got away fom the field somewhat and discussed matters really unconnected with the Bill. The Bill is purely the machinery for taking a vote of producers to decide whether or not they are interested in having the C.E.M.A. plan implemented. I believe that commercial poultry producers are still not thoroughly acquainted with certain aspects of the Bill. I do not think they are fully acquainted with the impact of the Bill on their industry. I do not know whether it is commonly known that in Queensland, for instance, the first proposal put forward by the industry for taking a growers' poll was that only owners of 100 fowls or more should be permitted to vote. However, this Bill makes the limit 50 fowls. No poultry farmers (and the member for Murray quoted a few) want to reduce that number from 50 to 20. It is obvious that those with fewer fowls do not

depend on eggs for a living. To them, this is hardly even a side-line. The backyard fowl-owner who feeds his fowls mainly on scraps can hardly be called a commercial producer. It seems ridiculous to give these people a vote on whether or not the egg industry should be enabled to stabilize itself. However, some of the biggest producers in my district want these people to have the vote. I have told them that I will oppose any move for this.

Mr. Riches: The Minister made it clear that this would apply only to voting.

Mr. SHANNON: I shall make two points in the Bill clear. The title states:

An Act to authorize the holding of a poll of certain owners of poultry relating to a scheme to be implemented by the Commonwealth in respect of the poultry industry for imposing levies on those owners and for other purposes.

Clause 4 is the operative clause and sets out the method in which the poll shall be taken, as follows:

For the purposes of this Act, persons qualified to vote at the poll shall be persons who satisfy the Minister that on the date on which the notice referred to in section 3 of this Act was published in the *Gazette* they were the owners of not less than fifty hens.

Those are the two points that will decide whether or not the poultry industry shall be put on a stable basis. Let me make it quite clear, as one who knows a little about the marketing side of the egg producing industry, that I am completely in favour of solidity. Any industry that has the peculiar set-up of this industry, where large surpluses of eggs over and above normal requirements in Australia are produced, must have an organized system of marketing. At the moment the oversea market is calamitous from the point of view of profitable poultry producing and therefore some form of control is essential. I am completely in favour of that, but I do not want people who are not vitally concerned in the poultry industry to have a say in deciding whether those making a living from the industry should have it conducted properly.

In other words, I think it is fair to say that the small backyarder is riding on the backs of those making a living from the industry. All the production of the backyarder goes to the local grocer and is used to pay for groceries or for some part of them. The backyard producer does not pay a penny in levies to support the industry. He may and should take a little less than the price given by the Egg Board for a first quality egg, but he can well afford to. He can afford to take 6d. a dozen less and still be well on the right side when it comes to the poor person making a living producing eggs.

For that reason, I believe it is unfair to permit these people to have a vote on a poll to decide whether or not to stabilize the egg industry and to introduce the C.E.M.A. plan. I believe this should be decided by people who make their living from producing eggs because they are the proper people to decide whether the Commonwealth proposition is fair. I believe the proposition has much to commend it, but I regret that the Minister was unable to say what the poll tax on a hen will be; not even an approximate figure is available. That is one feature that the plan should have set out.

I wish to say something about interstate trade and about the steps being taken by Mr. Enticknap of the New South Wales Government. I have grave doubts about the constitutional powers of the New South Wales Government to over-ride section 92 of the Commonwealth Constitution. I know that this problem has been faced in practically every industry in Australia until in an industry, such as the wheat industry, a Commonwealth-wide scheme has been supported by Commonwealth legislation. Until that stage is reached I do not think that any steps any State takes will over-ride the Commonwealth Constitution concerning freedom of trade between the States. I do not think action by a State will have any bearing whatever. I agree with the statement of the member for Murray that South Australia is in a difficult position because of the weight of production in New South Wales and Victoria. Those States produce surpluses far in excess of this State's surplus. Unless this State enters a scheme, such as that suggested, it seems that we are in jeopardy. For the sake of argument, if eggs were selling overseas at 1s. or 2s. a dozen and could be sold in this State for an extra 6d. a dozen, then the eggs would be sold here. Our commercial growers would lose heavily because their prices would be undercut. It would pay other State producers to sell here for 2s. 6d. a dozen rather than sell overseas at 2s. a dozen, and this would wreck the South Australian market. That is an obvious and glaring possibility that should be realized by people in South Australia but I am sure that most egg producers, are aware of it.

The Queensland idea of limiting the vote to people who have 100 hens or more is better than our idea of 50 hens or more. It is still a sideline for a man with 100 hens. This

legislation sets the standard for the poll that should be taken, but we should be careful that we do not let in the little fellow. He would have one vote that would have the same effect as the vote of the man with 10,000 hens. After all, an industry that is dependent on stability in its marketing system should not be shot to pieces by the little fellow who has virtually no interest at all. He is not, really, a sideliner, but a backdoorer, and hardly qualifies in any way. I believe that the interests of all will best be served by having the poll carried. This State should join any Commonwealth-wide scheme although at this stage knows what levy will have to be paid. It will be necessary to vote without knowing that, but I am prepared to agree to that. If this scheme works as it is designed to work, all money collected, whether 5s. or 10s. a bird, will be used to stabilize the industry and provide an equalization fund that the industry is asking for.

I am sure that the fund will not be frittered away because I understand the poultry industry has arranged for the C.E.M.A. plan, and it has no intention of allowing any material amounts to be frittered away on overhead or other costs. I believe that it would be in the interests of the South Australian producer to constrict the voting strength of people who have a few hens. I would favour an amendment along those lines because I think that the figure of 50 is too low a figure. I would not allow a man with 50 hens to have a say in this because he cannot reasonably be called a man making his living out of eggs. He may make enough for pin money for his wife but there would be no commercial use in it at all. There are many people in this State with a few hens in the backyard, and this would apply particularly to the farming community. We are not amending the Egg Marketing Act and the 20 hens limit will still apply and be law in this State.

Mr. Riches: The Minister made it clear that 50 would be the figure, not 20.

Mr. SHANNON: The Minister made it clear that the limit of 50 would be for the poll purposes, but I do not agree with it.

Mr. Riches: He also said that there was a compromise.

Mr. SHANNON: He said:

It is intended that the poultry owners who are qualified to vote will, in the event of a favourable poll, be the persons obliged to pay levies in this State.

Mr. Riches: He said more than that.

Mr. SHANNON: That is the point the honourable member raised. He may have said more. If I can be impolite to the Minister, he is damned with un-faint praise hence my vociferous support for the carrying of the poll, because I see some virtue in it. I believe that if we do not do something in South Australia about a poll our industry will be in jeopardy because of the bulk of eggs that can come in cheaply from the Eastern States. Local producers would be struggling to make ends meet. Further consideration should be given in Committee as to who should be permitted to vote in this poll to decide whether there should be a Commonwealth egg marketing scheme. The Commonwealth Government cannot act until all States agree, and this State should not hinder the scheme but should be prepared to agree to the C.E.M.A. plan. We should pass legislation so that this can be done, and I do not care whether it is for 50 or 200 hens. Some growers who have been misinformed about this matter have thought that we are amending our own Egg Marketing Act.

Mr. Riches: I know that we are not.

Mr. SHANNON: That is not being done with this legislation. If a Bill were to be introduced on those lines we could discuss it. We are providing for machinery to take a vote of people who own a certain number of fowls about whether they desire to enter the C.E.M.A. plan. That is all this Bill sets out to do.

Mr. Riches: If you convince me of that I shall support it.

Mr. SHANNON: I suggest that the honourable member read the Bill.

Mr. Riches: I have read it, and I have read what the Minister said.

Mr. SHANNON: I want to see the Bill passed, and I want to see the people in South Australia, who are interested in commercial egg production, getting a fair deal and joining their fellow members in the Eastern States in a Commonwealth-wide scheme.

Mr. McANANEY (Stirling): I support the Bill, which deals only with the voting procedure to be used by producers, which I heartily support. In every case when a marketing scheme is to be introduced, the growers should have the right to vote on the issue. Past experience shows that, when a board is to be set up, growers should comprise a majority of members of that board, and this has always proved successful. The number of hens that should be stipulated before

a grower should have the right to vote is difficult to determine. Most poultry farmers are in the group that owns from 20 to 50 birds, and they produce more eggs than one would normally think. Those eggs are produced in the flush season and are, of course, sold then. It is during this period, when the eggs have to be made into pulp and sold overseas, that the Egg Board makes its losses. Growers who will not be called on to contribute to the levy will be those who produce a large proportion of their eggs on which losses will be incurred. This does not seem at all just. This question of voting should receive much consideration. It has been suggested by one large egg-producing organization that a fair way of voting would be to give all poultry farmers the right to vote, on a *pro rata* system, according to the number of hens they owned.

This would perhaps give a fair indication of growers' reactions to the C.E.M.A. plan. Although the member for Onkaparinga said that the plan was not under discussion, I heartily support it because it is a step in the right direction towards stabilizing the industry. Naturally we can see weaknesses in the scheme but, as it progresses, plenty of opportunities should arise to correct any difficulties, and we trust that the scheme will benefit primary producers generally, as other stabilization schemes have done in the past. South Australian egg producers must be careful, in exporting a much smaller percentage of their production than New South Wales and Victoria, because as the member for Murray indicated from the figures that he gave they will be paying a levy to cover the losses on greater exports from other States. Over the past few years the retail price of eggs in South Australia has been considerably below the price in the other States. If this plan comes to fruition consumers will be paying more for their eggs than they do at present, because they will also be paying more towards levies in relation to eggs produced in other States, and we must consider this aspect. I have pleasure in supporting the Bill, and I hope that growers will support the plan by carrying it at a vote.

Mr. FREEBAIRN (Light): Although I have some private misgivings about the working of the C.E.M.A. plan, I support the second reading of the Bill. As other honourable members have pointed out, it sets up the machinery enabling owners of poultry to decide for themselves the way in which losses on exported eggs should be shared. Eggs and egg products exported from Australia, particularly from the three big producing States of New South Wales, Victoria and South Australia, are sold at a substantial loss. At the same time the various State egg boards try to return reasonable prices to the poultry farmers. State boards impose a per-dozen egg levy so that export losses can be shared by all producers equitably. This levy creates the umbrella under which interstate traders work, and the greater the levy, the greater the margin for interstate traders to work on. The C.E.M.A. plan is designed to ensure that every farmer will pay a fair share of export losses by way of a levy in respect of each bird owned.

The word "stabilization" has been mentioned this afternoon, but I think it is the wrong word to use in relation to the C.E.M.A. plan, because all the plan aims to do is to ensure that losses on exported eggs are shared equally. If this Bill becomes law it will permit South Australian poultry farmers to decide for themselves whether or not the C.E.M.A. plan should be introduced.

Mr. RICHES (Stuart): I support the Bill and compliment the member for Murray on his excellent exposition of the difficulties facing the poultry industry. I think the House is indebted to him for his research and for the way he has placed before honourable members the views of men engaged in the industry. I did not intend to speak on this measure, but have been compelled to do so by the remarks of the member for Onkaparinga. I have always been a keen advocate for orderly marketing, and I hope that, as a result of this Bill, we shall have further evidence of South Australian support for, and participation in, orderly marketing. If a poll is to be taken, and if a decision is to be arrived at by men engaged in the industry, the producers should know what they are voting on. I think the member for Onkaparinga this afternoon clouded the issue somewhat in his attempt to over-simplify the decision that will have to be reached by those men. True, under the Bill only those producers with 50 birds or more will be allowed to vote, but I think it is implied in the passing of the Bill, as well as in the House's support for it, that Parliament is unmistakably being asked to agree to an alteration in the C.E.M.A. plan by raising the number of birds (owned by people who will be taxed under the scheme) from 20 to 50. The Minister was honest enough to give us his views and to explain to the House that that was the Government's intention. Before the Minister referred to the Bill, he stated:

The present proposal (the C.E.M.A. plan) of the Commonwealth Government is that levies should be made on all owners of 20 or more hens, the amount of the levy being prescribed annually. The purpose of the levy is to cover any losses on export sales, but this Government considers that for various reasons it would be unfair to impose these levies on small poultry keepers when the benefit accruing from the levies would go to the larger poultry keepers. The Government has therefore decided that in this State, in the event of a favourable poll, the levies to be collected by the Egg Board will be restricted to the owners of not less than 50 hens.

I concur with the Minister in the provision concerning 50 hens for both purposes, although I do not want it to be thought that we are going to have 50 for the purposes of voting but that all over 20 are going to be brought into the scheme when clearly that is not the Government's intention. I think the Government should make its intentions clear. The Minister explained the provisions of the Bill, and he went on to explain that this was a compromise scheme and an alternative to the C.E.M.A. plan. He said that he was confident that C.E.M.A. would accept this compromise scheme. I venture the opinion that unless members express their views to the contrary the Government is entitled to take it that this House, by carrying this Bill, is endorsing the scheme the Minister has outlined and is endorsing the measure as an alternative to the C.E.M.A. scheme.

Mr. Freebairn: You must remember that the Parliaments in Victoria and New South Wales have not considered the matter yet.

Mr. RICHES: How does that affect the issue? A Commonwealth scheme has been placed before us and South Australia has an alternative to it.

Mr. Freebairn: Each State must pass legislation.

Mr. RICHES: As the Minister said, he hopes that the South Australian proposal will be accepted by C.E.M.A. as an alternative scheme. Many people in this State fear that C.E.M.A. will not budge. I hope that that will not be the attitude, for I do not like a gun being levelled at anyone's head.

Mr. Freebairn: The Parliaments of New South Wales and Victoria may decide on a 100-bird minimum.

Mr. RICHES: That is their prerogative. However, the Commonwealth scheme at present is a 20-bird minimum. The present Bill provides only for the number of birds necessary to entitle a person to vote. However, the Minister has made it clear that the present mind of the Government is to make that number of 50 the limit of operation of whatever legislation is passed as an alternative to the present C.E.M.A. scheme being submitted to the States. The issues are vague, and the poultry producers are being asked to sign a blank cheque. They know that they have nothing to gain by following the old principle of the law of the jungle or (as I think our Liberal friends so often phrase it) free and unrestricted rights of private enterprise. I was about to quote the member for Barossa (Mr. Laucke) in order to get the phrase correct, for he said last week that that should be fought for above everything else. However, apparently that does not apply to egg producers with fewer than a certain number of hens. I maintain that orderly marketing—working together for the common good and pooling all resources and ideas—always works out to the benefit of the producers, and of manufacturers, for that matter, who engage in orderly marketing. If it is properly controlled and if there is no exploitation, it is good and essential. There must be some compulsion, for there is no such thing as free and unrestricted rights of private enterprise in any orderly marketing scheme. How the member for Barossa is going to reconcile the two things when he votes on this measure, it will be interesting to see. However, I know he has his mind made up and will not have any difficulty in the matter at all. In the meantime, the egg producer is faced with the necessity, in the interests of egg production, the whole poultry industry, and the State as a whole, of voting for this board which might well be controlled very largely in other States and about which he has conflicting opinions from protagonists of the scheme. He cannot be sure as to many of the details of the scheme or as to how they will apply in South Australia. Despite that, in his own interests he would be well advised to support the scheme, and I am happy to give my vote in support of the Bill which will give him an opportunity to support the scheme. At the same time, I feel that the Government and the protagonists of the scheme should be honest with the producers and let them and the House know exactly what we are being asked to support.

Mr. LAUCKE (Barossa): I assure my friend from Port Augusta that when I say that I believe I am a very strong protagonist of individual enterprise I am definitely just that. However, I know that enterprise by the individual is definitely affected by those things provided within the laws of our country. Mr.

Speaker, we have many utilities in this State which enable the individual to carve out his own existence freely and in his own way. Orderly marketing systems are just that sort of framework in which the individual can freely work, and that is why I have always supported orderly marketing. I support this measure because it will provide for a rationalization of an industry without which I can see no future for the industry. For far too long we have had the spectacle of an unrestricted movement of eggs between the States. We have seen eggs going to Victoria in one vehicle and being brought back to South Australia on the same vehicle. Now, Sir, who is paying ultimately for that unnecessary movement of eggs?

With wheat we note that where States have given the Commonwealth certain powers to stabilize the wheat industry each State's usage of wheat is directed by a head office of the Wheat Board, and there is no stupid interstate movement. If it is necessary to have wheat brought into this State from Victoria in sufficient volume to meet the immediate demand, that is good, sensible and businesslike. I can see within the plan set out by C.E.M.A. that we can arrive at a situation where this unnecessary movement of eggs as between States will be avoided, and we will have a situation in which all producers are participating in providing a rationalization of the industry. As it is now, we find that there are fewer and fewer loyalists to orderly marketing providing levies for a certain purpose and more and more, whilst shielding under an umbrella of an orderly marketing system through our Egg Board, taking advantage of the levies paid by loyalists today to ensure some degree of stabilization. I have no time for that sort of parasitical stand taken by those people who say they believe in an orderly approach to any given primary industry. The Bill provides for a poll to be taken by egg producers in South Australia to say "Yea" or "Nay" to certain plans to be submitted, I presume, in a Bill or to take the form of suggestions by C.E.M.A. I believe that it is absolutely vital that this State is not the "one man out" in this matter. I can see that the purpose of the Bill is to enable the growers to decide whether they wish to participate in a certain scheme. This is a good provision. I support the Bill wholeheartedly and I trust that ultimately the producers will carry, in a poll, their intention to have a stabilized egg industry. Without a rationalized egg industry I see chaos occurring in this important industry, not only in South Australia but throughout the Commonwealth.

The Hon. D. N. BROOKMAN (Minister of Agriculture): I thank honourable members for the attention they have given to the Bill. I think that all members in this House agree on the desirability of holding a poll of producers for an organized marketing scheme. If schemes are to affect producers, such producers should have the right to vote. The member for Murray read some comments that said I had been arbitrarily holding up the scheme. All sorts of quotations have been read and I can tell honourable members that much more has been written in the Eastern States about me, some of which I have not seen. Every other State Minister has agreed to the scheme without seeing any need to consult the poultry industry about the matter by way of a poll. That is entirely the concern of each Minister. They have ascertained to their own satisfaction that the scheme is to be supported without further reference to producers. Since I have made my attitude known, the intensity of criticism towards me and towards the Government has mounted considerably. It is rather interesting that much of the correspondence about this scheme comes from other States and is against the scheme. I have read it carefully and I do not accept it as being necessarily a widespread point of view, but it is interesting that much of the correspondence from other States is against the scheme.

Mr. Riches: Is it from individuals?

The Hon. D. N. BROOKMAN: In every case it is from individuals, not from organizations. I have had much correspondence from within this State against the scheme, but that is understandable because the producers do not know all its provisions. I do not think that producers in other States know all the provisions of the scheme either.

By passing this Bill we will be following a policy that the House has decided upon many times before: that we should consult the producers. It has been said that the Commonwealth has not come into this matter greatly. It has lent the services of an officer of the Primary Industry Department to help C.E.M.A. prepare the plan. I believe that the Commonwealth is anxious to see the plan implemented. I have had correspondence from the Minister for Primary Industry and I think I am correct in saying that he would like the scheme to go through. We are not preventing anything legally by holding a poll. The Commonwealth

does not depend constitutionally upon consent from us to bring in its own Bill. Whilst the Commonwealth has drafted legislation with the idea of enforcing the payment of levies, I have said that we are not prepared to collect levies from the owners of a few hens. When the enormous development of bureaucracy is considered in collecting these minute levies and, what is worse, perhaps chasing the owners for collection of the levies (because there would be widespread evasion), I think that 50 is still a low number, but it is reasonable.

I should be much happier if other aspects of the egg industry had been dealt with by C.E.M.A., although I recognize that it is in difficulties. The old Egg Producers Council failed to get agreement and, following that, C.E.M.A. was formed. It consists of all the members of the boards in all the States. That is a large and unwieldy organization; it is expensive to run, and should have a proper constitution and executive committee. However, instead of straightening out that problem, C.E.M.A. decided to put out a plan first. I think that possibly, one day, it will work towards having an executive committee. It seems a pity to me that C.E.M.A. does not have a better set-up. Nevertheless, it is at least working and the members of the State boards are meeting together. I had something to do with bringing this about. Not all State Ministers attended the conferences in other States to establish C.E.M.A., but I did. I have never regretted that, even though I am now saying that certain aspects of C.E.M.A. are not completely satisfactory. I hope that these problems will be solved in time.

The size of the levy is still not known and the member for Stuart (Mr. Riches) rightly said that producers should know what they are voting for. If the Bill is passed it will be my duty to do what I can to establish all the relevant facts about the scheme before it is put to the vote of the producers. I cannot say whether I shall be able to obtain a firm statement on the size of the levy. I have asked, first, why the size of the levy for the first year cannot be stated honestly and frankly, and secondly, why some indication cannot be given as to the likely changes, if any, in the future levy? I recognize that the scheme depends on a variation of the levy and that no firm guarantee can be given for a long time ahead. But there is nothing to stop the initial levy being stated and further information being given later. If that were done, producers would be happier.

The stabilization of primary products is something that everyone in this House has supported at some time or other. This scheme is not, in the full terms, a stabilization scheme. It will do certain things and it is hoped that if it succeeds it will settle the poultry industry. At worst, if it did not succeed we would not be any worse off. We are not introducing a stabilization scheme the same as that at present enjoyed by the wheat industry. This scheme is working in so many different ways that it could not be called a stabilization scheme in the ordinary sense. That does not necessarily condemn it, but it is different. Everything I have done in the last year in this matter has been in the interests of the poultry farmers and not, in any sense, in order to prevent the poultry farmers from solving their problems. Unfortunately, I think that the problems faced by the poultry farmers are so big that the C.E.M.A. plan will not necessarily solve them. I believe that these problems are so bound up with the large export surplus that we will be in difficulties until something is done about that. There is more than one authority in Australia exporting eggs. The New South Wales authority chooses to export eggs under its own authority, and not in conjunction with other States. I believe that that is an aspect that should be considered as soon as possible, because it is time that Australia looked for markets as a nation should look, rather than by having different authorities doing it. South Australia depends heavily on export. We do not consume much of our egg production, and I agree that it is desirable that the industry should be settled and satisfactory solutions provided in respect of these problems. I believe that the passing of this Bill will give producers a chance to vote on a question when we have sufficient information to put before them.

Bill read a second time.

In Committee.

Clauses 1 to 3 passed.

Clause 4—"Persons qualified to vote at poll."

Mr. BYWATERS: As I have several amendments that are not yet prepared I ask that progress be reported.

The Hon. D. N. BROOKMAN (Minister of Agriculture): The member for Murray has explained his amendments briefly to me, but I have not seen them in writing. I hope that the honourable member will make them available soon so that they can be considered.

Progress reported; Committee to sit again.

NURSES REGISTRATION ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 8. Page 1358.)

Mr. CORCORAN (Millicent): I support the Bill, which will give legal status to dental nurses by providing for their enrolment by the Nurses Board following a formal course of training. Those eligible to enrol will enjoy the exclusive right to hold themselves out as enrolled dental nurses, and also the right to wear a distinctive uniform and badge, and this will, no doubt, add to the prestige of their profession. The course of training that persons will have to undergo before becoming eligible for enrolment and the subsequent examination they will have to pass will increase the high standard of efficiency which now exists in this profession and which, I believe, is desirable in any profession. Section 33nb states:

(1) Every person shall be entitled to be enrolled as a dental nurse who proves to the satisfaction of the board that—

(*a*) such person has passed such examination and has undergone such course of training as are prescribed—

At this stage I am not aware of the form that this training would take, but I should imagine that it would consist of training and supervision under a dentist or dental surgeon, as well as of a series of lectures. Of course, the examination at the end of the course would possibly be held in a central location, and I am concerned for girls living in country areas and desiring to follow this occupation. I should like to see the board give consideration to them. A girl living in the country and wishing to undertake the course would be involved in much expense and inconvenience in having to attend lectures in the city. I hope that, if and when a course of training is established, due consideration will be given by the board to this problem.

The same difficulty does not exist in the training of nurses for hospital service, because training centres are established in hospitals in certain country areas, but, with the small number of dentists in the country, it might be necessary for a girl to come to the city to attend lectures. I notice that a person who has already been employed for three years as a dental attendant is automatically eligible for enrolment in this course, which is desirable because such a person would then be experienced enough to be entitled to such a privilege. The Bill further provides that a girl who has been employed for two years as a dental attendant, and who has passed a dental examination approved by the board would also be eligible for enrolment. I was pleased to note, during the second reading explanation, that the examination would be one that had been approved and conducted by the Dental Association. Some girls have already passed it, having put in much time, effort and expense in doing so, and I am pleased that they are receiving due recognition for that. The Bill also provides for interstate qualifications to be considered and recognized, if approved by the board, in which case the person concerned would be entitled to enrol for the course. This will indeed work well for the profession, and I have pleasure in supporting the Bill.

Mrs. STEELE (Burnside): I support the Bill with pleasure, because for a long time this branch of nursing has been the Cinderella branch, and this Bill does much to raise the standard of, and to give status to, dental nurses. I was interested in what the Minister of Health had to say when explaining the Bill in another place, namely, that the Bill contained numerous amendments which he knew would take some time to study before their implications were realized. I could not agree more with that because, when one comes to study the Bill and to compare it with the principal Act, it is almost impossible to see what is intended, because of the sections that have been deleted, amendments made, and various references inserted. Perhaps it is rude to refer to the wording of a Bill introduced into this place as "gobbledegook", but I found it impossible to familiarize myself with the Bill's provisions when I came to study it.

Mr. Hutchens: Are you blaming the Parliamentary Draftsman?

Mrs. STEELE: I am sorry that he is not here because I should like to pay a tribute to him and to his assistant for their assistance to honourable members. Many Acts on the Statute Book are badly in need of consolidating, and I hope that this work will be undertaken soon. However, any aid that can be given to qualified dentists, whether in private practice or in Government health departments, is necessary, because we often read in the press of the great shortage of dentists obtaining in the community today. We often hear of the poor enrolments in the Dental Faculty at the university; indeed, only the other day

the Premier stressed the need for some kind of overhaul of the dental profession, to try to provide more people to care for the dental health of the community.

As honourable members know, I am a member of a Select Committee at present considering fluoridation. I shall not mention anything that has been said in evidence before the Select Committee, but we frequently see press reports of members of the dental profession referring to the great shortage of qualified dentists, not only in South Australia but throughout the Commonwealth. Therefore, these dental nurses, who for many years have given an excellent service to their employers and to patients, have done much to ease the great burden of work that falls on qualified dentists. This is not the most enviable of professions, although I think that these days their conditions are much better than obtained previously, because advances in dental science have led to improved conditions, making nurses' conditions much more hygienic and more pleasant. However, I think that for a long time the status of dental nurses has been neglected. I am glad to see that provision is being made to give them improved status and to do something to raise their standards. By this Bill, nurses who have had more than three years' service are automatically eligible for registration as dental nurses, with all the advantages that will accrue to them as a result of that registration. If they have had two years' service they will have to take an examination to satisfy the board that they are eligible for registration. Those eligible ones who want to apply without having to take an examination will have to do it within 12 months of the Act's coming into force. Therefore, it gives those girls who have rendered good service to the dental profession an opportunity to take advantage of this privilege and this higher status without having to undergo a special examination.

I was pleased to see in the report of the Public Works Committee (on the necessity of building a new dental hospital or additions thereto) that facilities were to be provided not only for lectures but for courses of instruction to nurses who wanted to improve their standards and to benefit from this higher status. I understand that this course will be integrated with the courses given in the nursing schools of the general hospitals. I am indebted to my colleague in another place for having investigated just exactly what made up the course of subjects necessary for a dental nurse to pass an examination to qualify her for registration. It is a most comprehensive course, and I think it points to the fact that in almost every branch of every profession these days a higher standard is being set. Educational standards have to be much better to enable young men and young women to embark on certain sidelines of the various professions. I refer to dental nursing as a profession where one does not have to do a full nursing course: those nurses can do that course in their spare time.

Mr. Corcoran: This will overcome the problem of the girls from the country to whom I referred.

Mrs. STEELE: Yes, it is a good thing, and I am pleased to see that incorporated in this Bill. I am interested to see that once these girls become eligible for registration they are entitled to wear a certain cap. This follows the American pattern. I am not sure what fashion this is, and it has intrigued me, because apparently it is a custom in America to have this kind of cap for people in professions similar to that of dental nursing in Australia. I understand that it is a status symbol, and in this day of status symbols I imagine this is important. With those few remarks, I support the Bill.

Mr. COUMBE (Torrens): I support the Bill, which sets out, amongst other things, to raise the standard of the dental nurses' professional calling by making provision for registration. That is perhaps the main object of the whole Bill. This means that those nurses will be brought to a similar level to that required of registered medical nurses, who practise in medicine in our principal hospitals, in training, lectures, and nursing facilities. It should tend to raise the standard of dental surgery itself. I believe it should help raise the standard of the professional man in his chairside manner and technique. It should also help the patient, if not financially, certainly technically, for many patients today need the expert attention not only of the dentist himself but of the nurse. It is often necessary for these nurses to calm patients down, for patients today spend much more time in the chair because of the more advanced dental surgery being undertaken. Great advances have been made in dental surgery, and much more orthodontic treatment is being given. This treatment consists of correcting the alignment of the jaw, and it results in patients spending more time in the chair. A much higher professional level is

required of the dentist and a correspondingly higher level is required of the assistant. Although the dental faculty enrolments have been low, I understand they are increasing and that they did increase somewhat this year.

I know that some hospitals now have a waiting list for girls wishing to become medical nurses. These girls have to undergo the Nurses Registration Board's examinations. In fact, girls are required to hold the Public Examinations Board Intermediate certificate before they can be accepted for training at the Adelaide Children's Hospital.

Mr. Corcoran: That raises the standard again, doesn't it?

Mr. COUMBE: Yes. Although that qualification is necessary, there is still a big waiting list. I suggest that this Bill will not in any way cause a shortage of trainees in the dental nursing profession. I know this because my daughter is nursing now and she has told me that there is a long waiting list of people with these qualifications to get through the entrance examination, but they still cannot get a position. The Public Works Committee's report, which is on members' files, recognizes the need for registered nurses. That report contains a provision not only for practical work but for classrooms and lecture rooms for training these dental nurses. This Bill will mean that we will be able to attract more girls (and a better type of girl) to this profession. The status of this profession should be raised, in the interests not only of the nurses and the dentists themselves but of the general public of South Australia.

Mr. HALL (Gouger): Clause 2 of this Bill states:

This Act is incorporated with the principal Act, and that Act and this Act shall be read as one Act.

Mr. Speaker, that is impossible. If anyone reads the amendments to this legislation, I defy him to read this Bill in under a week. The Bill was amended in 1938, 1949, 1954, 1956, 1958, 1959, 1960 and 1963.

Mr. Jennings: That is nothing, compared with the Local Government Act.

Mr. HALL: I have a consolidated copy of that Act, and it reads well. I make a plea that the legislation we are now discussing should be similarly treated. Part IIIc, under the heading "Enrolment of Dental Nurses", states:

33ne. The provisions of sections 23, 24, 25, 26, 27, 28, 31, 32, and 33 of this Act shall apply *mutatis mutandis* to the enrolment of dental nurses.

How do members know what is contained in those sections that applies to this? Have members considered what is noted? I have taken one look at the Bill, but I have not had time to consider it fully. Is it not the responsibility of members to at least read the Bills that come before this House? On this occasion, we are asked to pass a Bill on faith. Members appreciate the second reading explanations, but we should not be asked to pass Bills on faith and nothing more. In this Act sections 23 and 24 have not been amended; section 25 has been amended twice; section 26 has been struck out and I believe the new section has been amended; section 28 has been amended; section 33 has been struck out; and so it goes on. There are amendments to amendments. It is completely wrong, both for the operation of the Act and for its consideration by this Parliament, to have something unreadable. Unless one has legal training it is almost impossible for one to read the Act. We know the idea behind the Bill.

The Hon. G. G. Pearson: We are not reviewing the whole Nurses Registration Act; we are only adding a new category to it.

Mr. HALL: We are giving the same conditions to dental nurses as apply to other nurses, but how do we know what are the conditions that apply to the other nurses unless we can read the amendments?

Mr. Corcoran: You said that they are the same conditions.

Mr. HALL: I do not know what they are.

Mr. Corcoran: They have been there a long time.

Mr. HALL: I admit that. If I had taken a week off earlier in the session I could have read the amendments, but I do not have time to do so now. Have other members read them? I support the Bill and in doing so I take the second reading explanation to mean what it says.

Mr. MILLHOUSE (Mitcham): I entirely agree with what the member for Gouger has said: the Nurses Registration Act, which we are amending by this Bill, is a botch. It has been amended, re-amended and so on, and in this Bill we are inserting new clauses numbered 33na, 33nb, right through to 33nh. This Act requires consolidation and amendment because legal people and members of Parliament will not be the only ones to read these Acts. Acts of Parliament should be in simple language and should be able to be easily followed by members of the public. I think that if any Act calls out for re-drafting and consolidation by the Parliamentary Draftsman, it is this

one. I have no objection to any of the substantive measures contained in the legislation, but I think that in the interests of clarity and in the interests of public relations (because Parliament becomes a laughing stock if legislation cannot be followed), the Parliamentary Draftsman should be asked to do something about this.

Bill read a second time.

In Committee.

Clauses 1 to 7 passed.

Clause 8—"Enactment of Part IIIc of principal Act."

Mr. HALL: Can this Act be consolidated and put in a form that laymen can read?

The Hon. G. G. PEARSON (Minister of Works): The honourable member is not actually criticizing the Bill or the clause: he is saying that the Nurses Registration Act has been amended so many times that it is difficult to follow the present position. I accept his complaint as having validity.

The Hon. P. H. Quirke: It is in 10 volumes at present.

The Hon. G. G. PEARSON: Like several of our Acts, it is, perhaps, badly in need of consolidating, but it has been amended from time to time, which means that it has been kept up to date and that the conditions of enrolment and employment of nurses generally are satisfactory.

Mr. Millhouse: If you can follow what they are!

The Hon. G. G. PEARSON: I have no doubt that the Nurses Board and the nurses themselves can follow what they are, because they work under them. I join issue with the member for Mitcham on this point because I know something about the nursing profession. I have a daughter, who has just completed her second certificate and therefore I know that nurses know very well what are their conditions, rights and privileges under the Act. I cannot say to the members for Gouger and Mitcham that we will consolidate this Act. This is a matter that is raised from time to time concerning several of our Acts. Nobody denies that it is difficult to follow them through and that consolidation would be desirable. The Government recognizes that certain of our Acts need consolidation, but that is a very expensive task. Consolidation of Acts means that the existing Statutes and law books are rendered obsolete and we are involved in supplying the legal profession with copies of the Acts.

Mr. Millhouse: They pay for them.

The Hon. G. G. PEARSON: Possibly, but many copies have to be supplied for which we do not get paid. The comments of the members for Gouger and Mitcham will not go unnoticed and I hope that in due course we will consolidate not only this Act but others as well.

Mr. CORCORAN: I said that I could see some difficulty in facilities being made available to girls in the country to take advantage of the training that would be offered and of the subsequent examination they would have to pass. The member for Burnside said that she thought this training would be integrated with the nursing training at hospitals. Can the Minister enlarge on this point?

Clause passed.

Remaining clauses (9 to 15) and title passed.

Bill read a third time and passed.

POLICE PENSIONS ACT AMENDMENT BILL.

Returned from the Legislative Council without amendment.

CITY OF WHYALLA COMMISSION ACT AMENDMENT BILL.

Received from the Legislative Council and read a first time.

WORKMEN'S LIENS ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 8. Page 1359.)

Mr. MILLHOUSE (Mitcham): This is only a short measure and, as I understand the debates in another place, it has been introduced rather quickly to overcome a matter that became obvious during a debate on another Bill. I agree with the member for Adelaide, who spoke last Thursday, that it is only right that changes in money values should be acknowledged, and there has been a great change in the value of money since the Bill was first passed in 1893. Unless we are going to adopt some blanket practice, in 18 months or two years' time we will have another amendment of this Act and amendments to many other Acts that will necessitate much work for the Parliamentary Draftsman in converting all references to money from pounds into dollars. However, that is something that will be taken care of in the fullness of time.

I suggest to the member for Adelaide that this legislation is used much more than he apparently believes it is, because under the definition in the principle Act of contract, contractor and contract price, it is possible to lodge a lien and take proceedings under the Act for money well in excess of the wages

at present set out or proposed under the present Bill. I remember that not long before I went out of amalgamated practice I caused a lien for £11,000 to be lodged. Although the Act has a limitation that is being cleared up by this Bill, the present Act can be used and has been used in many cases, to my knowledge, over the last few years in the case of work done by contract. I have always dreaded using the Act because it is technical and rather restrictive. If one looks at the footnotes to the original Act one finds that it has been the subject of much judicial interpretation, and as things stand at present it provides much work for a profession for which the member for Adelaide has such affection, that is, the legal profession. It is almost impossible, as the Act is at present worded, for it to be used without the assistance of a legal practitioner. There must be registration of the lien in the General Registry Office and proceedings have to be taken within 14 days after registration of the lien for a lien to be effective. I refer particularly to section 10 (1), which states:

A lien under this Act with regard to land shall be available only if registered before the expiration of 28 days after the wages or contract price in respect of which such lien has arisen shall for the purposes of this section have become due.

Section 16 provides that, unless an action is brought against the owner or occupier for enforcement of lien within 14 days of the registration thereon, the lien shall cease. That does not leave one much time to get moving, and one of the things that I have dreaded is that in some way these short time limits may be overlooked and one's client robbed of his remedies under the Act. Therefore I think a good case exists for a complete overhaul of the Workmen's Liens Act to bring it 70 years up to date and to make it simpler and less technical so that it will be used even more in the future and with less trouble than it is at present. With those few remarks, hoping that they do not fall on deaf ears in the front bench, I support the second reading.

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

BOOK PURCHASERS PROTECTION ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 8. Page 1361.)

Mr. CLARK (Gawler): Last year I think honourable members were in complete agreement that something needed to be done (which, in fact, was done) to curb the activities of a certain section of unscrupulous door-to-door booksellers. Many of us have had the experience of seeing how these people seem to have cunning advisors who formulate schemes to get around the law. Indeed, it has been found necessary to close up several loopholes that have occurred in the Act, of which certain people have taken advantage. As a matter of fact, at least four instances have been brought to my notice, and undoubtedly other honourable members have heard of some. I do not say for one moment that all booksellers who go from door to door are unscrupulous, but I do say (and the Bill implies it) that many of them are.

Mr. Loveday: We have received some further lessons in salesmanship.

Mr. CLARK: Yes. Even by closing up these loopholes, we may find people uncovering others and we may again be forced to introduce amending legislation but I hope that will not be necessary. Apparently the particular type of salesman against whom the Bill is aimed is adept at evading the law. Section 4 (*c*) of the Act provides:

. . . there is printed on that contract in capital letters of size not less than 18 point face the words "This contract is unenforceable against the purchaser unless and until the purchaser notifies the vendor in writing not less than five nor more than 14 days after the date hereof that he confirms it . . .

We all thought that that would be a safe provision, but it seems to have been proved otherwise. One would think that 18 point was an adequate size of print; it is far from being a small print. A contract worded in quarter inch capitals should be clearly legible. However, apparently it has been proved that this is quite inadequate in the case of schemers who have adopted a system of using print of such light type that one would probably need a powerful microscope to see it. This amendment would provide that the words must be printed conspicuously in heavy type of a size that would be clearly seen, and I support it, hoping that it blocks up that particular loophole.

The principal Act requires that a purchaser must confirm his purchase in not less than five nor more than 14 days after the date of the contract. That seemed safe enough, too. We realised that salesmen had been using all sorts of persuasive methods, but it has been discovered that they have adopted different tactics altogether and have persuaded purchasers to appoint them as agents so that the vendor can give this notification himself. Thus it can be seen that the Act was being evaded altogether. This amendment will prohibit a vendor, his

agent, or any of his employees from obtaining or attempting to obtain any authority to act as a purchaser's agent, which should therefore close up another loophole in the Act.

I do not want it to be thought that I have any opposition to genuine booksellers. I hope people will not be confused over this and think that this House in general opposes genuine booksellers, because I know that the members of this House do not oppose those people. However, I still fear that other loopholes could be found in this legislation, and I am afraid that in future we could be forced to do either one of two things: first, we may be forced to license all door-to-door book salesmen; this suggestion was put forward, I think by the Leader of the Opposition, when we debated this measure last year. The other alternative (and I am not sure that this might not be the wiser policy for the future, although I know that members would be reluctant to adopt it unless they had to) is that the time might come when we might have to ban these door-to-door booksellers altogether. I cannot see around the machinations of some of these people, who seem to think that they must sell things at all costs. However, I think the present proposals are the best we can do at the moment to close up these avenues of operation of booksellers who are a nuisance to purchasers, and I am very pleased to support the Bill.

Mr. MILLHOUSE (Mitcham): Last year when the member for Gouger (Mr. Hall) introduced the Bill on this subject into the House I was not over-enthusiastic about it. However, as members will recall, we all set to and did what we could to make it a workable Bill, because there was no doubt that the overwhelming feeling in the House was in favour of the proposal made by the member for Gouger. I personally felt (and I still feel) that it is impossible to protect a fool against himself, and however hard we try, as the member for Gawler has just said, unscrupulous people will find some way of getting round a measure. We all remember, too, that our colleagues in the other place took a particular interest in this piece of legislation, and we all thought by the time it had been amended up there that we had it sewn up and that this would be a workable piece of legislation with no loopholes.

This is a very good lesson, of course, in the difficulties of passing legislation through which people cannot pass if they want to defeat its intention as well as the letter of the law. I myself raised this matter during the Address in Reply debate and pointed to precisely the two matters which are being remedied in this Bill. I said then that if the Government was not prepared to do anything about it, I was. I subsequently asked a question on notice as to the Government's intentions on amending the Bill, and I received an answer which incorporated a report from the Director of Education recommending against any amendment, from which I took it that the Government did not propose to bring in an amendment. I am very glad indeed that the Government has seen fit on this occasion to over-ride that recommendation and to bring in the amending Bill. There is, however, one matter which I feel is not quite as satisfactory as it could be even under this Bill as it is at present drafted. I refer to the question of the print. Members will see that the effect of the Bill would be to require that the printing (which in the Collier's contract which has been mentioned in this House and which I mentioned in the Address in Reply debate is so faint as to be almost unnoticed, even though it complies with the strict letter of the Act as at present stated) would have to be in heavy type. There is no doubt at all that Colliers made a deliberate attempt to get round the Act. The effect of clause 3 of this Bill would be that such a contract has to be printed conspicuously in heavy type so that it will be clearly seen.

Now all those things are good, of course, as far as they go. However, I have spoken to a friend of mine who is a master printer and asked him whether or not those things are sufficiently definite to make sure that there still could not be an attempt to get round the provision which we intend, and I am told that it would be possible, because of the inexactness of the terminology, to get round it in one way or another. I think that after the lesson we have had in the last 12 months with the attempt that has been made, we should do everything we possibly can to make this as definite a direction as possible.

Mr. Clark: What about having it printed in red?

Mr. MILLHOUSE: That would be one way of doing it. I have circulated three amendments which I think will fill the bill, as it were. I must say quite frankly that I prepared these after a telephone conversation with this friend of mine, and I think they are all right. I also consulted with the Parliamentary Draftsman, of course, and he in fact has put the amendments into proper form. I do think that this is a little matter, perhaps, which will lock the thing up as far as we can see now, and we hope that it will not be necessary to have another look at the Act

again next session. A number of most reputable selling organizations are doing their best to observe the quite stringent provisions, which were set out last year, in the spirit as well as in the letter, and it is utterly unfair that less reputable organizations should be able to get round the Act as they are at present doing. With these few remarks, and foreshadowing certain amendments in Committee, I support the second reading.

Mr. HALL (Gouger): I, too, am pleased to support the second reading, and I will read with interest the amendments proposed by the member for Mitcham when they are available to me. I am conscious of the fact that many attempts are made to evade legislation such as this, and during the year I heard of another type of evasion by a firm which was reputed to be selling a questionnaire service, with which it would give the books. I do not know whether or not this would come within the ambit of the original Act. Under this transaction, the purchaser had a certain number of questions which he could send to some organization in another State and receive what were supposed to be qualified answers, and with this purchase of the questionnaire service he would receive a set of books. Obviously, this is just another means of circumventing this Act. I do not know how such a thing can be rectified under this legislation. I feel that if this firm's method of selling is closely examined it may be found to be illegal, and I would hope that that was so. I support these two amendments to tighten up this Act, and I will read with interest the honourable member's amendments as they become available.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—"Amendment of principal Act, section 4."

Mr. MILLHOUSE: I move:

In paragraph (*b*) to strike out "heavy" and insert "bold".

I received my information over the telephone this morning from a master printer. I believe that it is correct, but I should be happier if the terminology could be checked. The amendment provides that the printing of the notice to the intending customer that he has a right to avoid the contract should be in such type that it can be seen, and obviously seen, by the intended purchaser. I am told that the term of art in the trade is "bold" type and my first amendment is to make the legislation conform with the terms of the printing trade. I have also provided that the words shall be "not less than 18 point Times Bold", which I understand is a well known type of print that will be known by all printers. This would mean that there will be certainty in the Act, which there is not at present, concerning the type of printing, its size and what it looks like.

The Hon. Sir BADEN PATTINSON (Minister of Education): I am not too clear as to the exact meaning of the amendments. No doubt there is some subtle distinction between "bold" and "times bold" with which I am not sufficiently familiar. I move that progress be reported so that we can get some authority on these words.

Progress reported; Committee to sit again.

MENTAL HEALTH ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 8. Page 1366.)

Mr. JENNINGS (Enfield): I support the Bill, which I think is unexceptionable, but it is nevertheless important legislation. It is one of a number of amending Bills that have been introduced to amend the Mental Health Act in recent years and it is completely in accord with a more enlightened, humane and yet realistic approach to the problems of mental health. Several times in the Bill and in the Minister's second reading explanation, an attempt has been made (and I think made fairly) to create a clear distinction between those who are mentally ill and those who are intellectually retarded. The Bill goes further than other Bills of this type often have done in making proper definitions of those two types of illness.

Mr. Coumbe: The wording is fairly wide.

Mr. JENNINGS: Yes, but it is clear and a much more genuine attempt than has previously been made to describe something that is hard to describe. Irrespective of what the member for Torrens said about them being wide interpretations, I believe they get as close as is possible to create the distinction between the mentally ill and the intellectually retarded. I applaud the attempt in legislation of this nature to properly describe the conditions. Frequently we do not see such a courageous attempt being made in legislation. The Bill also gives the opportunity to provide, by proclamation, training centres for the intellectually retarded. This is

extremely important. However, I give warning that that portion of the legislation will be a completely empty shell if we do not do anything about it. These centres must be established, but I have not seen so far any thing being done in this matter.

Under the legislation, the mental health authorities in the State will be able to receive Commonwealth pensions and child endowment for intellectually retarded patients. That is introducing a mercenary consideration to something that is probably beyond that. But we know that the institutions cannot be established—

Mrs. Steele: The word "institution" is to be deleted under this Act.

Mr. JENNINGS: I have not caught up with that yet. These training centres are entitled to much more finance than has been provided in the past. If this is a method of gaining extra money for services for these unfortunate people, so much the better. Another safeguard in the legislation is that concerning the admission of patients to mental hospitals. This has been a great bone of contention, and we have heard of people who could not be admitted, even though their relatives wanted them to be, because of certain formalities. We have heard details, although probably grossly exaggerated, of people who have been wrongfully admitted and retained in mental homes. Under this legislation, a person must be examined within a certain period of admission and unless the responsible person gives a certificate that they should be kept there and by keeping them there some improvement in their condition can be reasonably expected, they are automatically released.

The offensive words "idiots" and "imbeciles" will not be used in legislation in the future. These terms which are violently offensive to the relatives of patients, are probably offensive to the patients. It is all right for people to say that these patients are of low understanding and sensitivity. Perhaps their expression is not adequate but they are as sensitive as the rest of us, and in many instances are aware of their condition. As language is everchanging, these words would be better used as terms of vulgar abuse, and no doubt in time will become terms of endearment. I thoroughly applaud this legislation, and hope that the training centres will be provided as soon as they possibly can be.

Mrs. STEELE (Burnside): I, too, support the Bill. This is the kind of legislation that we all like to see, and I, in particular, am pleased that Bills of this kind are introduced. I concur with what the previous speaker said about the trend of modern legislation and of the public attitude to people who are not quite so fortunate as ourselves, and, in particular, with reference to mental health. We all know what tremendous strides have been made in recent years both in our attitude to these people and in our attitude to legislation. I rather rudely interjected during the speech of the member for Enfield when he referred to "institutions". I did it in the nicest possible manner, but this is the kind of thing that we continually hear. People refer to these places as "institutions" and "loony bins", and cause great embarrassment and hurt to people who unfortunately have members of their family as patients in a mental hospital. I am sure that it is better to hear "mental hospital" than it is to hear "mental institution". I am reminded that it is not so many years ago that people referred to places where deaf people were housed as "deaf asylums", because those people were regarded, because they were deaf and mute, as imbeciles and were incarcerated in places known as "deaf asylums". We have seen more enlightenment in recent years in our attitude to these afflictions..

Mr. Shannon: Of course, we still have the Royal Institute for the Blind.

Mrs. STEELE: It is not so much the harm that the word itself does, but the idea it conjures up in our minds. I see the member for Mitcham frowning at me; what I have said applies not only to South Australia but it is a world-wide trend to call such places by the name that they should rightly bear. As a person who knows a little about this subject, I am glad to see such words as "imbecile", "idiot", "mental defective", and "institution" taken out of our Statute Book. The member for Enfield referred in particular to training centres which, of course, is another thing in which I am interested. I am also interested to know whether the proclamation of a place as a training centre implies that the Government is setting up its own training centres, or whether it refers to a centre which it already has in existence (I think, in the district of the member for Norwood). Honourable members may know that this has been the set up under the Education Department and that it caters for young people who previously, having attended an occupation centre and having reached the age of 16, were kept on at the occupation centre through the grace of the Education Department until they reached the age of 21, when they then became the responsibility of the Mentally Retarded Children's Society

of South Australia and were transferred (if they were suitable) to the society's sheltered workshop at North Unley. I am not sure how long this centre has been functioning but—

The Hon. Sir Baden Pattinson: Within the last two years.

Mrs. STEELE: —in that time the Norwood centre has been converted to a sheltered workshop (or training centre) and takes in children who reach 16 years of age and are transferred from the occupation centres. This is desirable, for in any educational establishment it is necessary to segregate people according to age, and therefore we have 16 to 20-year old people attending this particular training centre at Norwood. I was interested to read the speeches of honourable members in another place in reference to this Bill, particularly to the remarks of one, to the effect that two sheltered workshops were conducted by Bedford Industries and the Phoenix Society. These do not cater for mental defectives at all but for physically handicapped people, and the only training centres for mentally retarded people to my knowledge are the two carried on by the Mentally Retarded Children's Society, one at North Unley and the other at Brompton, which I had the honour of opening about 10 months ago. Therefore, with the centre at Norwood we have three training centres available to mentally retarded children. We also have Minda Home setting up its own training centre for its inmates. We have, too, the Ashford Spastic Centre setting up its own facilities for the same purpose, but for physically handicapped young people.

Mr. Jennings: This Bill does not refer to mentally retarded children.

Mrs. STEELE: I realize that and I thank the honourable member for that interjection, but the people at present benefiting from sheltered workshops of this special nature are young people regarded as mentally retarded children, anyway. I should like to know whether the Government intends to set up centres for intellectually retarded adult people. I should like to know, too, whether the centres of the Mentally Retarded Children's Society will be proclaimed as centres to which intellectually retarded people can be referred. If these training centres are to be established, a great need will arise for many more occupational therapists to staff them, because the training would not be the same as for people in full possession of their faculties. These centres will be for people who have only limited faculties to put to good account. It will, therefore, be specialists who are needed for their training, and it will be necessary for the Government to decide whether we can afford not to have some kind of training establishment in South Australia for occupational therapists. I think the provision in the Act regarding admission and whether people are suitable to be admitted is necessary, because we know that sometimes, even in centres of this nature where a certain type of disability is being catered for, people who do not measure up to the required standards can be a deterrent in many instances to people who might otherwise make some progress with the particular training facilities that are available. We see a provision in the Bill to the effect that the distinction being made between mentally ill and mentally retarded will make a difference in relation to the application of Commonwealth benefits. I should like to know whether this refers only to inmates of Government hospitals, because, to the best of my knowledge, people in private hospitals already come under this provision. For instance, a person who has a child at, say, Minda Home must, when having that child admitted, relinquish his child endowment payments to the home and, if a family is able to, it must pay the cost of boarding the child at the home. Then, when the age of 16 is reached, the child endowment payments automatically cease but the inmate becomes eligible for an invalid pension. I am rather interested to know the full meaning of what the Minister said in his explanation of the Bill, because, as I say, to the best of my knowledge this already exists with private institutions such as Minda Home.

Generally speaking, I consider that this is a good Bill, for it brings us into line with current thought on these matters; it follows the lead that has been set in other Bills dealing with legislation of a similar nature, and generally speaking this legislation is right and proper. I consider that this is a good piece of legislation, and I have much pleasure in supporting it.

Bill read a second time.

In Committee.

Clauses 1 to 3 passed.

Clause 4—"Interpretation."

Mr. JENNINGS: What is meant by the "proclamation of a training centre"? Does this mean that special training centres are to be established, or that certain existing hospitals or institutions are likely to be proclaimed as training centres? There is a centre at North Unley and one at Brompton. Can the Premier say whether those schools, as they might be described, run by the Mentally Retarded Children's Friends Association, are likely to

be proclaimed as training centres, or will this legislation in some other way lift the burden of voluntary work from the people who are mostly the parents of mentally retarded children?

The Hon. Sir THOMAS PLAYFORD (Premier and Treasurer): At present the inmates of our mental hospitals are not eligible for pensions or other Commonwealth social service benefits, whereas if they were in ordinary hospitals or ordinary institutions they would be eligible for those benefits. The Commonwealth Government has indicated that mentally retarded persons in a suitable institution are eligible to receive such benefits. Queensland treats many mental health patients in the general hospitals. However, our authorities here believe that is not the best way of treating those persons, and they have recommended that we set up and proclaim a number of centres for mentally retarded people. I know that Cabinet has approved of negotiations for the establishment of two different premises, and I believe that both purchases have been completed. Such centres will be able to provide help and guidance for mentally retarded patients during a period of adjustment. I think the real answer to the question is that if retarded children are being trained and are living at home this Act will not affect them, but if they are in an institution it could affect them considerably.

[*Sitting suspended from 6 to 7.30 p.m.*]

Mrs. STEELE: Are the mental health authorities referred to in the Bill represented by the mental hospitals in South Australia?

The Hon. Sir THOMAS PLAYFORD: The Bill does not affect the position unless the children or adults are inmates in our institutions. If they are inmates and are classified as being intellectually retarded, certain benefits would be received and the children would be paid child endowment. If they are mentally defective we get none of these benefits and children are not paid any child endowment.

Mr. JENNINGS: I appreciate the Premier's latest explanation, which certainly makes the position clearer. He talked about intellectually retarded children. As I understand it, the Bill restricts the operation of this provision, not to intellectually retarded children but to intellectually retarded people.

The Hon. Sir Thomas Playford: Yes.

Mr. JENNINGS: In which case we can benefit from the Commonwealth by the payment of pensions. Is it, then, envisaged under clause 4, where we make it proper to proclaim places as training centres, that separate training centres will be established in South Australia or will the position be that certain already existing mental institutions within the State will merely be proclaimed as training centres?

The Hon. Sir THOMAS PLAYFORD: I believe that the existing institutions will be retained as such under the present Mental Health Act. These will be new premises that will be proclaimed. I pointed out earlier that the Minister of Health has been authorized by Cabinet to negotiate for the purchase of certain premises. I believe the purchases have been successful and those premises, when set up, will be proclaimed. But I do not think we have any accommodation in our existing premises that can be used for any other purpose than the present.

Clause passed.

Remaining clauses (5 to 15) and title passed.

Bill read a third time and passed.

ROAD TRAFFIC ACT AMENDMENT BILL (GENERAL).

Adjourned debate on second reading.

(Continued from October 8. Page 1361.)

Mr. FRANK WALSH (Leader of the Opposition): I believe that when this matter was introduced it was more for the purpose of correcting anomalies in the present Road Traffic Act. Dealing with driving licences, when a driver of a motor vehicle produces his licence on request by a police officer, it is examined by the police officer and handed back to the driver, usually with the comment, "Is this your licence?" That is not the proper way to deal with a driver of a motor vehicle after he has produced his licence as required. There is no necessity for the police officer to ask this question after the licence is produced for him. This matter should be considered by the Police Department

It is obvious that with the introduction of "don't walk" signs pedestrians should pay more attention to them in order to avoid trouble. These signs will be an improvement and should assist the movement of traffic, particularly if pedestrians obey the signs and move accordingly. Under the present legislation a motorist when approaching a school crossing zone should travel at 15 miles an hour to the point of the zone and for a further 75ft. at this speed after crossing the zone. The amendment provides that vehicular traffic must travel at 15 miles an hour for 100ft. before reaching the zone but after crossing it, the speed can be increased to 35 miles an hour. This amendment may have some merit, but perhaps the 75ft. on either side of the zone should be

retained at zones adjacent to school crossings in order to provide more safety for school-children. I think perhaps it would be preferable to retain the existing provision, as people have become used to it. In the suburban area, lights at school crossings tend to slow down traffic too much. Once there were three entrances on Goodwood Road to the Westbourne Park school, and as a result traffic was unnecessarily slowed down. However, two of these entrances were closed. I do not think it is necessary for traffic to slow down for the full length of a school.

I believe that clauses 12 to 14 aim at increasing the safety of our highways. Clause 12 relates to "give way" signs. As members are aware, at "give way" signs a driver is obliged to yield to any vehicle whether it is approaching from either the right or the left. At some intersections and junctions this is desirable, and all the present amendment proposes to do is apply this rule to "give way" signs at crossovers. There is enough confusion now on multi-lane highways in determining which is an intersection and which is a crossover, and I believe the application of the "give way" rule at designated crossovers will be an improvement. West Terrace provides a good illustration of this. Drivers proceeding west approaching West Terrace at each junction or intersection, particularly between 7 a.m. and 9 a.m., force their way through, and "give way" signs could be erected at all these streets to advantage. This applies also to the Port Road.

Clause 13 prohibits the making of U turns at intersections where traffic lights are in operation. In my view, the performance of this manoeuvre is generally a hazardous operation involving many people in danger besides the driver of the vehicle in question, and I have no objection to its use being prevented by legislation. Section 74 of the principal Act deals with signals appropriate for right turns, slowing down, and stopping, and clause 14 amends this section so that the driver also may not diverge his vehicle to the right in addition to the manoeuvres I have mentioned of turning right, slowing down and stopping without giving the appropriate signal. With modern vehicles, the traffic stream is continually speeding up, and the more indications we can give to the following traffic the less the risk of accidents.

Clause 15 is another clause with which I am not entirely happy. "Stop" signs, unless they are followed strictly, create traffic hazards instead of reducing them, and consequently I believe the Bill in the form in which is was introduced in another place was the correct method because it was obligatory for a driver to stop his vehicle at the stop line and if there was not any stop line the vehicle had to be stopped on the boundary of the carriageway which it was entering. The amended version of clause 15 provides:

> Section 78 of the principal Act is amended—
> (*a*) by striking out subsection (1) thereof and inserting in lieu thereof the following subsection:
> (1) A driver approaching a "stop" sign at an intersection or junction from the direction in which the sign is facing shall stop his vehicle—
> (*a*) if there is a stop line—before it reaches the stop line; or
> (*b*) if there is no stop line—before it reaches the nearer boundary of the carriageway which he is about to enter.

Although this is not as definite as having provided that a vehicle must stop at a "stop" sign immediately before the stop line or immediately before the boundary of the carriageway, it is an improvement on the existing legislation because it has demonstrated an intention in which direction the motorists' duties lay at "stop" signs, and I am prepared to support its introduction. Occasionally, however, a motorist reaches a "stop" sign when travelling in a westerly direction in the evening. After stopping, the driver should be able to proceed if no vehicle is coming from the right, but should a driver have to stop at the "stop" sign if he has been the second or third car in a queue waiting to cross at that "stop" sign? For example, a motor vehicle may cross the North Adelaide railway crossing before going to the Port Road. Such a vehicle must stop again at the Port Adelaide railway line where there is a "stop" sign at the Bowden crossing. If the vehicle is sixth in a queue waiting to cross that line, must it stop six times before crossing at that "stop" sign? Surely we should take a reasonable view of this matter.

Clause 17, by the enactment of new section 94a, makes it an offence on and after January 1, 1966, for any person to permit any portion of his body to protrude beyond the physical confines of the bodywork of the vehicle whilst it is travelling. The only exemptions are the various signals laid down in the Act as well as reversing and turning manoeuvres which cannot be carried out satisfactorily without protruding a portion of the body. This is definitely a move towards the

reduction of accidents on the roads and I support it. In this connection, owners of cars with indicators should have their mechanism checked occasionally so that the indicators work in accordance with the way in which the car is to be turned.

I consider clauses 18 to 26 to be drafting or machinery amendments, and I do not propose to take up the time of the House other than to endorse them, but I cannot support the provisions of clause 27 (*a*), which states:

Subsection (3) of section 175 of the principal Act is amended—

(*a*) by inserting after paragraph (*b*) thereof the following paragraph:

a document produced by the prosecution and purporting to be signed by the Commissioner of Police, or by a superintendent or an inspector of police, and purporting to certify that any electronic traffic speed analyser specified therein had been tested by comparison with an accurate speedometer on a day mentioned therein and was shown by the test to be accurate to the extent indicated in the document, shall be *prima facie* evidence of the facts certified and that the electronic traffic speed analyser was accurate to that extent on the day on which it was so tested:

I am completely opposed to reckless and irresponsible driving which is causing so many serious accidents on our roads, but also I am opposed to any legislation that places the onus on a prosecuted person of proving his innocence. I believe that much of the electronic equipment is still in the experimental stages and that quite minor adjustments may cause substantial variations in the readings. No doubt other honourable members have been aware of instances where television sets have developed intermittent faults which appear to be most difficult for a trained technician to locate, let alone to remedy. My understanding of the position is that these electronic traffic speed analysers come into a somewhat similar category.

Without doubt the intention of the amendment is for the prosecution to be able to submit *prima facie* cases to the court that a particular instrument registered correctly when an alleged offence was recorded on the machine. No doubt it would be argued that if the machine were tested and found to be registering correctly, say, in the morning, the inference would be that it was registering correctly later in the day, but, as I said before, my understanding of electronic devices is that they sometimes develop intermittent faults which are often difficult to predict and to trace, and consequently I oppose the provisions of this clause. I think that in some cases this device is being used for only a revenue-producing purpose, because unless one is aware that the device is situated at a certain location (to check motorists travelling in excess of the speed limit), and unless one regulates his speed to the requirements of the Act, then, according to the electronic device, a breach of the Road Traffic Act has automatically been committed. Just how much revenue is being produced I cannot say but I do know that the device is causing much inconvenience and that it is being used for only the one purpose I have mentioned. I am opposed to the use of this device but I support the second reading of the Bill, nevertheless.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—"Interpretation."

Mr. HALL: This clause adds to the definition of "owner". Section 174 of the principal Act appears now to protect a servant who is hiring a vehicle from his employer, for that person is deemed to be a servant of the owner even though he is hiring the vehicle from him. How does this definition affect section 174?

The Hon. G. G. PEARSON (Minister of Works): The explanation, which no doubt the honourable member has read, is as follows:

Clause 3 revises the definition of "owner" so as to extend its meaning to include the "lessee" of a motor vehicle. At present the definition extends only to the hirer under a hire-purchase agreement. The amendment is designed to cover the growing practice of "leasing" motor vehicles from finance companies.

The purpose of the clause is quite clearly to deal with the new class of person who is, in effect, an owner and controller of the use of a vehicle. It is becoming a popular practice for companies to lease a vehicle to a person on a monthly or weekly or even a daily basis. The person who is the lessee of the vehicle is neither a hirer in terms of the hire-purchase conditions nor is he the owner insofar as he is the sole owner and only person having a financial interest in the vehicle. The clause brings such a person within the category of owners, and to that extent I think the amendment is justified. The amendment is designed to meet a new condition of affairs where a new type of owner, in effect, is operating, and I suggest that the provision is proper.

Mr. MILLHOUSE: I point out that the definition of "owner" that we are now inserting in this clause is precisely the same as

we inserted last year in the Motor Vehicles Act. I had forgotten that until I checked with the Parliamentary Draftsman this afternoon. There is one thing I would like to say about it and I am sorry I did not say it last year because it is equally applicable to the other Act: the definition of "owner" as drawn under this amendment is a very wide definition indeed, and it means that if the member for Onkaparinga or any other member goes along to Avis Rent-a-Car or any other hire car organization and hires a car for a day or a week or a longer period he will be deemed under this clause to be the owner of the vehicle. I do not know whether that matters very much, and I have not had a chance to go right through the Act to see if it does, but it is the effect of it.

Mr. Shannon: After all, we are only out to get the person who commits an offence.

Mr. MILLHOUSE: As I say, I do not know whether it matters very much, but it does mean that the definition is much wider than it appears in the matters raised by the Minister of Works. I agree that people who get vehicles from hire-purchase companies and other companies under some arrangement, not a hire-purchase agreement, should be the owners but whether we want it as wide as it is in the Bill remains to be seen. This may have to be amended later.

Mr. HALL: I appreciate the Minister's explanation, but it still does not explain what will happen to section 174 of the Act. As the Minister said, undoubtedly there is a good reason for including this clause. Will the operation of section 174 be altered by the definition?

Mr. SHANNON: Under this clause it is intended to bring those who drive a car under certain arrangements and offend against the traffic laws under the same provisions as apply to owners of motor vehicles. I believe that this is a wise provision because we do not know what new arrangements may be entered into by people who provide others with vehicles.

Mr. HALL: Under section 174 of the Road Traffic Act a person having a car on hire would be termed the owner. Is not there that clashing in drawing up these provisions?

The Hon. G. G. PEARSON: In section 174 (1) "owner" is used in a different context from the "owner" that we are now considering, although I agree that "owner" is defined in section 5 of the principal Act in a certain way. Section 174 deals with different sets of circumstances as between a person being a lessee of a vehicle and a person who may sub-let it on hire or employ somebody to drive a vehicle temporarily. The word is used in different contexts. Therefore, there is no conflict between the two sections.

Clause passed.

Clauses 4 to 6 passed.

Clause 7—"Duty to stop and report in case of accident."

Mr. MILLHOUSE: I do not see the point of this amendment, which makes little sense to me. If this clause is passed, section 43 (3) will read:

> If owing to the presence of a vehicle on a road an accident occurs the driver of every vehicle concerned in the accident shall . . .
>
> (*b*) if requested so to do by any person having reasonable grounds for such request, state his name and address and the registered number (if any) of his vehicle.

That is as it stands at the moment; that is all right. Then follows the amendment:

> and any other information necessary to identify it.

I cannot get any meaning out of that clause. What other information can possibly be required to identify a vehicle, apart from its registered number? Of course, under the Act the police and other people are entitled to ask for certain information but they are not entitled to go on and to get a statement from people, although that is often done and people think they are obliged to make a statement to the police. This extra verbiage here may encourage the police and others to go on and ask for more information than they are strictly entitled to, on the pretext that this has some meaning.

The Hon. G. G. PEARSON: The honourable member takes the view that the registered number, if any, of the vehicle is a full and complete identification. This provision is included in the Victorian Act and offers some advantage to the police, or whoever is investigating an accident, in eliciting information about the real ownership of the vehicle. On many occasions vehicles, which are being improperly driven or have been stolen, are involved in accidents. Any facts relating to that vehicle should be disclosable to the police. I shall consult the Parliamentary Draftsman, who may be able to enlighten me, why this has been added to the present Act. It is not in the nature of an improper interrogation or cross-examination but is an effort to elicit essential information. The Bill was considered in another place and received its blessing.

Mr. HEASLIP: I cannot see the need for the addition of further information necessary

to identify a vehicle. A police officer has the right to ask for the name and address of the driver, and the registered number is shown on the vehicle registration disc. I believe that the rights of the individual must be preserved, and I do not think that every Tom, Dick or Harry should have the right to obtain this information.

The Hon. G. G. PEARSON: It is not a matter of any Tom, Dick or Harry being able to stop a driver and seek this information: he must be involved in an accident to do so. Section 43 provides that a driver must give this information if requested to do so by any person having reasonable grounds for making the request. Any Tom, Dick or Harry would not have reasonable grounds.

Mr. Heaslip: He would in the case of an accident.

The Hon. G. G. PEARSON: No, it would have to be someone involved in an accident, or an eye-witness. Registration discs contain the registered number and engine number, but frequently this information becomes obliterated. Of course, the engine number can be seen on the cylinder block, but it may not conform to the number on the disc because the engine may have been changed during the year. I cannot see why we should not include this provision, which has been found to be an advantage in Victoria is providing positive identification.

Clause passed.

Clauses 8 and 9 passed.

Clause 10—"Speed limits."

Mr. FRANK WALSH: The existing provision is for a speed of 15 miles an hour for 75ft. on either side of school lights, and this clause provides for the speed limit to operate only for 100ft. on the approach side. This means that after passing a school a motorist may travel at 35 miles an hour even though he is still passing the school property. Does the Minister think the existing provision is preferable?

The Hon. G. G. PEARSON: Of all the requirements, that of a driver proceeding beyond the crossing at a reduced speed has not much merit as the vehicle is emerging from the restricted speed zone and is slowly regaining normal speed. The most compelling reason for extending the distance on the approach side is to avoid a serious position that frequently arises. That is, the driver of a vehicle approaching a pedestrian crossing, driving more slowly than the main traffic stream and consequently in a position well to the left of the road, sees the lights and the warning sign. It may be necessary for him to stop, especially if people are using the crossing. Another driver may be travelling behind this vehicle, but toward the middle of the road, and thus farther away from the signs. Because of this, the latter driver may not be aware, until too late, that he is required to stop, as he may be unaware of the reason for the vehicle in front slowing down or stopping. He may even think that the driver of this vehicle is slowing down to park, especially if he is not familiar with the locality, and so he enters the crossing at a speed of 15 or 20 miles an hour only to find a child emerging on to the roadway in front of him and he is unable to stop his vehicle. I believe that the extra 25ft. of slowing down on the approach side is a wise provision and is intended to avoid the position to which I have referred.

Mr. FRANK WALSH: I am concerned at the difference between the Bill's provision on the question of the approach to the crossing and the relevant provision in the Act which stipulates a distance of 75ft. on either side of the crossing. As I read it, that will apply only to one side of the road.

Mr. Shannon: It applies to vehicles coming from both sides.

Mr. FRANK WALSH: I maintain that a motorist can approach the crossing from only one way, namely, the near side, and that the Bill does not cover the situation once the crossing has been negotiated. I am not satisfied that the clause will act to the best advantage. The Minister admits that some people will slow down but that others, who might be in a hurry, will not have noticed that the vehicle in front has slowed down. The provision in the Act, which refers to both sides of the crossing and which requires a maximum speed of 15 miles an hour for a distance of 75ft. contains much more merit than does the clause. The relevant provision in the Act should be retained.

Mr. COUMBE: At an ordinary pedestrian crossing which has flashing lights there is no restriction on the speed at which one can approach that crossing, except, of course, the normal 35 miles an hour restriction. Many of those crossings operate, although I think the only one outside the city of Adelaide that operates for 24 hours a day is on Prospect Road.

Mr. Jennings: And people take more notice of it because it is just outside the police station.

Mr. COUMBE: That is so, but even that does not stop some people from approaching the crossing at almost 50 miles an hour. Much

as I applaud this clause, which says that we must slow down for schools, there is considerable danger in the fact that there is no compulsion to slow down when approaching an ordinary pedestrian crossing where there are flashing lights and where signs are erected telling the motorist of the traffic lights or the pedestrian crossing ahead. At such crossings there are no school signs and there is no limit to the speed at which a motorist can approach them, except, of course, that a motorist is supposed to keep below 35 miles an hour and drive with due care. There have been some extremely near misses at these crossings. As the Minister has said, one vehicle pulls up and another vehicle speeds past, and that is where the danger occurs. Although some of the signs displayed are good, they are often obscured by delivery trucks pulled up at the kerb on the near side. This happens even though in some areas there is a restriction on parking within a certain distance of the crossing. This question of speed approaching pedestrian crossings will have to be further considered. At times on an ordinary week night it is almost impossible for a motorist and pedestrians to get across the Main North Road. On the Main North-East Road at Walkerville there is an old folks home, and the people from it are too frightened to walk across the road at most times of the day. The type of crossing mentioned in this clause is most necessary, and I believe we shall have more of them. I commend to the Government, the State Traffic Committee, the Road Traffic Board and other relevant authorities the further consideration of the matter I have raised.

Mr. FRED WALSH: I am inclined to agree with the Leader's version of how the clause should be worded, but I go a little further than what most members suggest. If we have any regard for the protection of schoolchildren we will prescribe a speed limit within a distance of 50yds. of a crossing, for this is no distance at all in a motor vehicle. I agree with the Minister that it is the approach that counts because after leaving a crossing a motorist increases speed if the road is clear. Most motorists are careful in their approach to crossings and 50yds. is enough to give a motorist a clear view of what is likely to happen. This applies especially to children, because one never knows when they will run across the road, particularly near a playground. Most members tend to consider this question from the point of view of schools on main roads, but many are off main roads and have no flashing lights, only childen's crossing signs. At times these signs are left out when the children are inside the school buildings. Under the clause it could be an offence to drive past these schools at faster than the permitted speed when the signs are there and the children are inside the buildings. I suggest to the Minister that public schools should be informed of the necessity to see that these signs are taken in when the children go into classes. The Minister mentioned the matter of vehicle's obstructing the view of an approaching car. That often happens in my area. At Cowandilla I have seen cars pull up, not to allow children to go over the crossing, but merely to stop at the playground, and that has obscured the view of approaching motorists. People who do not know the locality would not be able to see whether or not this was a crossing. The Committee should accept the clause but leave out the word "approaching".

Mr. HALL: This debate has shown that the signs indicating flashing lights ahead are not good enough. Most of the people who travel along a road where these signs are situated are first aware of the lights when they see them; they do not see the signs. If traffic is heavy, as it often is, the lights can be obscured. I have seen cars travelling at the legal speed, the drivers of which have seen cars ahead stop and not know why they have stopped. They simply thought they were parking at the roadside or slowing down to turn left, and have gone straight on through a school crossing. Any increased awareness by the driver of the presence of these crossings is beneficial. There is insufficient warning of crossings on the Main North Road before a motorist reaches them. With the extension to 100ft. there is further need for more efficient warning of crossings ahead. We should leave the first part of the clause as it is, but insert words to draw attention to the need for a better warning sign. It would be better to delete "erected" and insert "prominently placed" to allow for suspension warning signs or warnings painted on the road itself in conjunction with roadside signs, but I do not say that this will accomplish anything definite.

The Hon. G. G. Pearson: This is in accordance with the Uniform Traffic Code. That is why it is drafted in this way.

Mr. HALL: If the signs remain where they are and the distance is increased from 75ft. to 100ft., the position will worsen. These signs should be taken back at least 25ft. considering the extension we make under this

clause. We need better and more warning signs.

Mr. SHANNON: On this point I agree with the member for West Torrens (Mr. Fred Walsh). The difficulty in apprehending a motorist who offends at school crossings is the short period of time in which the police can check his speed. The honourable member put his finger on the spot when he said we could, in effect, take the sign back 50yds. We should not be altering the present laws as regards the 15 miles an hour limit. We are putting in 75ft. where it is most appropriately required—on the approach side of the crossing where caution is absolutely necessary. After a motorist has passed over the crossing, there is no need to worry him as long as he has obeyed the ordinary traffic rules, be it a pedestrian or a school crossing. The Uniform Traffic Code, now commonly adopted throughout the Commonwealth, will provide a suitable warning device at a point where the 15 miles an hour speed limit has to be observed. I support the proposed extension to 150ft.

Mr. FRANK WALSH: I move:

In paragraph (*d*) to strike out "when approaching and".

I ask the Committee to consider this amendment favourably.

The Hon. G. G. PEARSON: Frankly, and with great deference to the Leader, I cannot see the value of this amendment. I have listened carefully, and consider that the Committee would agree with what I said earlier, that is, once the vehicle has passed over the crossing the danger is over. It is not a problem arising after leaving the crossing, because the driver has slowed down or stopped at the crossing. At that stage the driver is alerted to the danger, has seen the crossing, has slowed down the vehicle and is aware that at this spot children are crossing. For that reason there is no need to impose on the driver an unnecessary embargo. I agree with the members for West Torrens and Onkaparinga that there could be some merit in extending the distance on the approach side in which speed could be reduced. The legislation recognizes that principle and increases the distance by 25ft. on the approach side; it recognizes that it is the approach side that matters, and that it would be wise to extend the distance in the interests of safety. With that in mind, it would be better to leave the clause as it is drafted. This Bill will be before the House in another year, and if it is found to be wise to extend the distance to 150ft., that could be altered. The emphasis I am anxious to make in this legislation is the mental awareness of the driver of a vehicle that he is approaching a danger spot, and the extra 25ft. allows him another split second to recognize the danger and take appropriate action. There are good reasons for leaving the clause as it is.

Mr. COUMBE: I oppose the Leader's amendment. I use these crossings every day and invariably one sees conscientious people who slow down or stop, but, in the main, people are impatient to get away. If a law is to work effectively it must be mechanically and physically possible to observe it. Today children are trained to cross the roads at these crossings, but in some cases they are half way across when an impatient motorist places them in a dangerous situation. The present clause is satisfactory and one which would be observed because it is realistic and not artificial.

Mr. FRANK WALSH: I accept the Minister's explanation, and ask leave to withdraw my amendment.

Leave granted; amendment withdrawn.

Clause passed.

Clause 11 passed.

Progress reported; Committee to sit again.

ADJOURNMENT.

At 8.58 p.m. the House adjourned until Wednesday, October 14, at 2 p.m.