HOUSE OF ASSEMBLY

Wednesday, March 2, 1966.

The SPEAKER (Hon. L. G. Riches) took the Chair at 2 p.m. and read prayers.

QUESTIONS

STATE AID FOR SCHOOLS.

Mr. MILLHOUSE: My question arises from the answer the Premier gave me yesterday to a question on notice dealing with State aid for schools, in which he said the policy of the Government on this matter had already been stated by the Minister of Education. I presume, although no reference was given to this, that the statement of policy set out was that given by the Minister on February 16 in answer to a question by the member for Gawler when the Minister was asked what assistance was given to non-Government schools. In that answer the Minister began his reply by saying that assistance to parents of students attending non-Government schools was of four main types. However, that is a different matter from assistance to independent schools direct. Can the Minister of Education say, first, whether that is the statement of policy to which the Premier referred in his answer and, secondly, if it is, whether, as spokesman for the Government on this topic, he has anything to add with regard to State aid direct to independent schools and not to parents of schoolchildren?

The Hon. R. R. LOVEDAY: The statement I made on that occasion is the present policy of the Government in relation to independent schools. If the honourable member reads it he will see it is a complete list of all forms of assistance given to independent schools, whether to the parents and students or to the school direct and if the honourable member examines it he will see the details. I have made public statements to the effect that these forms of assistance will be continued and that, in 1967, free books will be issued to primary schools, both State and independent. That statement, too, has been made not only here but publicly outside, and there will be no deviation from it.

GRANGE SWAMP.

Mr. BROOMHILL: Has the Minister of Works a reply to my recent question about the problems confronting residents of Grange where the back waters of the Port River have become stagnant following action taken further up the river?

The Hon. C. D. HUTCHENS: Following the honourable member's letter to me dated January 5 and his subsequent question in the House on January 25, I arranged for the matter to be investigated. The General Manager of the Harbors Board assumed that the area in question was south of Terminus Street, Grange, and on this basis arranged for one of his officers to make an inspection. This has been done and the General Manager has now furnished me with the officer's report, as follows:

A search at the Lands Titles Office has revealed that the upper reaches of the Port River between Terminus Street and Grange Road are shown on the plans as the Port River and are not the subject of any title. On all but the western side of the river between Jetty and Terminus Streets the river is adjoined by public road. I inspected the area recently and found it to be most offensive. Since the sluice gates in the Bower Road crossing have been closed, the upper reaches of the river have ceased to be tidal, with the result that the water has become stagnant. The upper reaches are filled with black mud, reeds and all manner of rubbish, and give off an offensive odour. I interviewed residents nearby who confirmed that the river is a breeding ground for rats, snakes and mosquitoes, which are very rife in the area. As stated by the Minister in the House in reply to Mr. Broomhill, the Corporation of the City of Woodville sought to be relieved from payment for mosquito eradication in its area. The area which remains infested is within the boundaries of the Henley and Grange council and is a considerable distance south of the southern extremity of the area already sprayed.

Large-scale drainage works are being carried out in the area, and a large concrete underground drain now terminates at the northern alignment of Grange Road. Water from this drain will be diverted into a ponding basin north of Terminus Street, thence into the sea, presumably through the tidal basin to be created near Estcourt House. The level of the concrete drain is at present below the level of the river bed and the council has commenced lowering the river bed level from Grange Road north to beyond the railway bridge at Terminus Street, which is the southern boundary of the Upper Port Reaches Development Scheme. I spoke to Mr. Tonkin, a consulting engineer engaged on the drainage scheme by the Henley and Grange council, and he informed me that the council has assumed responsibility for the river between Grange Road and Terminus Street and planned to grade the banks and plant lawn, trees, etc., thereon to generally beautify the area. I think the council's acceptance of responsibility of the river between Grange Road and Terminus Street would be under the Metropolitan Area (Woodville, Henley and Grange) Drainage Act, 1964, which provides for the financing of the construction and operation of works for the control and drainage of floodwaters in certain districts of the metropolitan area. Section 7 of the Act states that the council (in whose area the works are situated)

shall, from time to time at its own expense, cleanse, repair and maintain that part of the works for the improvement of the Port River, etc. The river within the district of Henley and Grange is that portion between Grange Road and Terminus Street.

It is assumed that the Henley and Grange corporation is making every endeavour to bring about satisfactory conditions in the area as soon as possible, and that it will later take steps to beautify the surroundings.

HOUSING.

The Hon. Sir THOMAS PLAYFORD: Although I have not been able to check the details, I have received a written communication to the effect that a large enterprise desiring to establish in this State was not able to do so because it was unable to arrange for sufficient houses to be made available for its employees. Can the Premier say whether such a problem at present exists in connection with industrial enterprises wishing to establish in this State?

The Hon. FRANK WALSH: I should be most surprised if anything like that were true. I assure the Leader that in negotiations I have had with large industries concerning housing for key personnel, the industries have been assured that housing will be arranged in order to assist the establishment of an industry whether it be in the country, at Elizabeth, or anywhere else. Only this week I received a communication to the effect that a small industry might possibly be established in South Australia, but it was on condition that a British migrant, who had been here for only two years, could have his fare paid to go to England where he would look around and see whether he could bring out an industry to this State. I do not know how many cases of this nature occur but, because of them, the real issues are sometimes obscured. If I am informed about the possibility of the establishment of an industry in South Australia, I will do my best to arrange for any housing required.

TEA TREE GULLY SEWERAGE.

Mrs. BYRNE: Can the Attorney-General, representing the Minister of Health, say what is the policy of the Central Board of Health in respect of the disposal of septic tank effluent, which is a problem in the Tea Tree Gully area?

The Hon. D. A. DUNSTAN: I have the following report from the Director-General of Public Health:

Although Part VI (insanitary conditions and their removal) and Part VIII (sanitation) of the Health Act, 1935-1963, provide for certain action which could be taken by local boards in regard to conditions which may arise from the discharge of septic tank effluent into a street, regulation 81 of the Health Act deals more specifically with this matter. This regulation requires that septic tank effluent shall be disposed of to the satisfaction of the Central Board of Health. The Central Board of Health policy for disposal of septic tank effluent is that wherever possible this should be disposed of beneath the ground surface within the property where the septic tank is installed. In parts of Tea Tree Gully and in other parts of South Australia soil conditions are such that this requirement cannot always be met. In recent years effluent collecting drains have been installed and effluent piped away and treated, so that it does not create a nuisance or create a condition which could be a danger to buildings and property. In the Tea Tree Gully area alone, some 47 individual common drain schemes serving about 3,000 allotments and comprising about 40 miles of drain are in use. Where drains are not provided, officers of the Department of Public Health are available to give advice on disposal problems and if specific cases are referred to the department, investigations will be made and advice given.

Mrs. BYRNE: The Engineering and Water Supply Department has been examining a scheme to supply trunk sewer mains to which all existing common effluent drainage schemes can be connected in the Tea Tree Gully district. Can the Minister of Works report on this matter?

The Hon. C. D. HUTCHENS: The honourable member was good enough to indicate that she would ask this question. I have received a comprehensive report from the Director and Engineer-in-Chief concerning a proposal to construct approximately 6¼ miles of trunk sewer to provide for the area served by common effluent drains in the Tea Tree Gully district. This area is shown as Area No. 2 on the plan prepared by the department, and I shall be pleased to show this plan to the honourable member if she so desires. Over 700 houses are situated in this area. The proposals, together with the financial implications involved, have been accepted by the District Council of Tea Tree Gully. The estimated cost of the scheme is $240,000. The matter will shortly be considered by Cabinet with a view to referring the proposal to the Public Works Standing Committee for investigation and report. Since we received a deputation some time ago, the department has been continually negotiating with the council on the matter. Our thanks are due to the council for the magnificent work it has done,

and accordingly my department is most anxious to assist in the matter.

WOODS POINT.

Mr. McANANEY: Has the Minister of Works a reply to my recent question regarding the water levels at Woods Point?

The Hon. C. D. HUTCHENS: The area referred to in the honourable member's previous question is on the reclaimed swamp lands below Murray Bridge and the level of the river at this point is dependent on the levels within Lakes Alexandrina and Albert. At the start of the irrigation season the level of the lakes, which are controlled by the barrages at the Murray mouth, was at the designed full supply level of R.L. 109.50, but due to the evaporation losses and diversions exceeding the inflow, the level has now dropped to approximately 9in. below normal at the barrages. It is not anticipated that the level will materially drop further this season. The River Murray Commission is still working under a declared restricted period and is working on the basis of having a minimum reserve storage in Hume reservoir and Lake Victoria combined at the end of April. In view of these drought conditions, the release of make-up water from Lake Victoria to boost the level of the river in its lower reaches would not be in the interests of the State generally and the other States of New South Wales and Victoria, and it is certain that even if the River Murray Commission were approached no approval for additional releases from Lake Victoria would be given.

UPPER MURRAY BRIDGE.

The Hon. T. C. STOTT: I understand that the design of the bridge to be built across the Upper Murray at Kingston or some other place is about to be approved and that it will be similar to that of the Blanchetown bridge. Although surveys have been going on for some time to select a likely site for the bridge, the necessary reference has not yet been submitted to the Public Works Committee. Can the Minister of Works say when terms of reference are likely to be forwarded to the committee?

The Hon. C. D. HUTCHENS: The answer is "No", for a number of reasons. First, this work comes not under my jurisdiction but under the jurisdiction of the Minister of Roads, who is represented in this House by the Minister of Education. Nevertheless, I shall refer the matter to my colleague and, as the House is about to rise, I shall ask him to forward a reply in writing to the honourable member as early as possible.

ECONOMIC ADVISER.

Mr. CASEY: Almost 12 months ago, in the Address in Reply debate, I referred to the advisability of establishing a post of Economic Adviser in the Agriculture Department. I did so because, shortly before that, I had seen the results that accrued from the work of such an officer in California (U.S.A.). I assure the Minister of Agriculture now (as I assured the House then) that such a position, as it applies in California, could be a great asset to our Agriculture Department, because it creates a close liaison between the Government, the department, and the agricultural industry in general. The Minister is aware of the vast scope of intense agriculture in California, not only with citrus trees but with grapes, market garden produce and agricultural commodities in general. Has the Minister considered creating such a post, and will he inquire whether the department intends to do anything about it in future?

The Hon. G. A. BYWATERS: I am indebted to the honourable member for his comments on this subject, and I assure him that the question will receive early consideration. I will personally discuss the matter with the Director of Agriculture and inform the honourable member of possible action.

MENTAL INSTITUTIONS.

Mrs. STEELE. On January 26 the member for Mitcham asked the Premier a question, in which I was very much interested, concerning the Commonwealth grant of one-third of the capital cost of building the new mental hospitals at Strathmont and Elanora, and in his reply on February 1 the Premier said that the Government had made representations to the Commonwealth Government to see whether the period of entitlement could be extended. A few days ago I asked the Commonwealth Minister for Health what the position was, and subsequently he very kindly sent me a message from the Northern Territory, where he was visiting Commonwealth health establishments, that the money had to be spent before June 30, 1967. As it is about a month since he answered the previous question, will the Premier now say whether representations to the Commonwealth Government in this matter have been successful?

The Hon. FRANK WALSH: I have not received any communication from the Commonwealth Minister on this matter, and I do not think the Chief Secretary has received any correspondence.

Mrs. STEELE: In view of the urgency of this problem (and everybody realizes how essential this is to the well-being of mental patients in South Australia), will the Premier undertake to press on with the matter and write again to the Commonwealth Treasurer to see whether action can be expedited so that the State does not stand to lose the Commonwealth grant to its mental institutions, because this would be a tragic loss?

The Hon. FRANK WALSH: When questions such as the one previously asked by the member for Burnside have been asked, it has been my practice to communicate again with those concerned to ascertain the reason for the delay. I do not think the honourable member's second question was necessary because I have customarily followed up similar matters, and this case will be no exception.

EASEMENTS.

Mr. McKEE: Has the Minister of Works a statement to make regarding easement payments to farmers at Nelshaby and Napperby through whose properties the Morgan-Whyalla main runs?

The Hon. C. D. HUTCHENS: I shall be happy to obtain a report and inform the honourable member in writing.

NARRUNG WATER SUPPLY.

Mr. NANKIVELL: Has the Minister of Works a progress report on the Narrung water supply, which I understand is being considered at this stage for inclusion in next year's Estimates?

The Hon. C. D. HUTCHENS: I received a report on this matter from the Attorney-General late this morning and have therefore not had time to study it, but I will study it soon and probably refer the matter to Cabinet with a view to having early action taken.

GRAPE PRICES.

Mr. QUIRKE: Last evening or early this morning, the Premier, when replying to the debate on the fixing of wine grape prices, drew attention to a price list he had which showed that a bottle of port wine was quoted at $1.30. Further, he said that the co-operative wineries selling bulk wine received 60c for a gallon and that, as there were six bottles to a gallon, the winery was making a disproportionate profit. I draw the Premier's attention to the fact that that was a prestige wine that had probably taken 20 years to mature and was well worth the $1.30 and had no relation to the other wines quoted on the list for 70c, 65c and 58c, which are the ordinary charges. I know the Premier to be an honourable man who does not like to make such mistakes, but this is an injustice to an honourable business association and I ask the Premier whether he will now make amends.

The Hon. FRANK WALSH: First, I informed the House last evening or early this morning that I was not here to advocate the business of any proprietary or other winery. I also said that I understood that there were proprietary wineries that were able to purchase wine from the co-operatives for 60c to 80c a gallon. I did not refer to port wine. I said I had a list showing a fortified wine at a certain figure which had been increased by 20c a bottle, but I did not give details and I did not go through the list. My attention was drawn to a certain fact, and that is as far as I am prepared to go. I did not want to incriminate any winery or anyone else. The question was there, the price list was there, and I referred only to the fortified wine.

The Hon. D. N. BROOKMAN: Last night, during the debate on the Prices Act Amendment Bill I criticized the Government for what I thought was bad handling of the negotiations between winemakers and grapegrowers and, among other things, pointed out that when asked to select their nominees for the grape prices committee the winemakers had not been informed that the decisions of that committee would be binding on both parties. I read to the House a letter written by the Premier inviting nominations, and pointed out that I had not seen the letter inviting grapegrowers' nominations. However, I knew that the growers had known at the time of nomination that any decisions of the committee would be binding on them. The Premier having suggested that I ask a question on this matter this afternoon (as he apparently desires to make a statement on it), I now ask him whether the letters inviting nominations for the committee were identical. If they were not, why did not the Premier supply the vital information that decisions of the committee would be binding on both parties? If the letters were identical, can the Premier suggest why one party knew of this important proviso when selecting its nominees, whereas the other party did not? Further, does not the Premier agree that the disclosure of this information in the first place would have avoided misunderstandings?

The Hon. FRANK WALSH: I did not consider myself obliged to inform either party of every detail. The Minister of Agriculture, himself, has said that he knew about the contents of the correspondence to the wine and

brandy producers' organization. A letter dated December 17 which was sent to Mr. Lucas states:

I desire to advise that the Royal Commission into the grapegrowing industry has not yet completed its inquiry but because of the close proximity of the 1966 vintage the Commission has submitted an interim report concerning that matter. The Commission has recommended that the price of each variety of grapes to be paid to the grapegrowers by the winemakers for the 1966 vintage should be the subject of negotiations between the two parties. The Commission has recommended that a committee be appointed to conduct these negotiations. The committee will consist of (*a*) a person to be appointed by His Excellency the Governor as chairman; (*b*) two persons appointed by the Governor who shall be nominated by the Wine Grapegrowers Council of South Australia; (*c*) two persons appointed by the Governor who shall be nominated by the Wine and Brandy Producers Association of South Australia Incorporated.

The Government has considered this interim report and proposes to act in accordance with the recommendations. I shall therefore be pleased to receive from you the names of the nominees for appointment to the committee. These nominations should reach me not later than January 7, 1966.

That letter was signed by me, and an exact replica was forwarded to the Wine and Brandy Producers Association. On January 13 the following letter was forwarded to the Secretary of the Wine Grapegrowers Council of South Australia, 54 Flinders Street, Adelaide, and, again, a similar one to the Secretary of the Wine and Brandy Producers Association of South Australia Incorporated, 230 East Terrace, Adelaide:

I am directed by the Chief Secretary to inform you that His Excellency the Governor in Council has been pleased to appoint the following as members of the Grape Growing Industry Committee: Chairman, Lancelot Horace Baker; nominees of the Wine Grapegrowers Council of South Australia, Stanley Alec Dyer and Allan Douglas Preece; nominees of the Wine and Brandy Producers Association of South Australia Incorporated, Max Edmund Schubert and Thomas Walter Hardy, B.Sc.

That letter was signed by the Acting Under Secretary. The following letter was sent on February 1 to Mr. Hardy:

I have received advice from the Chairman of the Grape Growing Industry Committee that negotiations to establish prices for the 1966 vintage have broken down. You will recall that this committee was appointed following the receipt of an interim report from the Royal Commission which has been inquiring into all aspects of the grapegrowing industry. My Government is of the opinion that the recommendation of the Commission was one of merit and that realistic negotiations in committee by the representatives of the Wine Grapegrowers Council of S.A. and the Wine and Brandy Producers Association of South Australia can result in agreement on prices for the 1966 vintage which will be accepted by the growers and the wineries.

The present position in this matter has been discussed by Cabinet which has requested the Minister of Agriculture (Hon. G. A. Bywaters, M.P.) to confer with the members of the Grape Growing Industry Committee. I therefore request you as a member of this committee to attend this conference with the Minister at Parliament House, Adelaide, at 3.30 p.m. on Thursday, February 3, 1966.

That letter was signed by me, an exact copy having been sent to Mr. A. D. Preece, Loxton North, Mr. S. A. Dyer, Monash, and Mr. M. E. Schubert, Manager, Penfolds Wines Pty. Ltd., Magill. I emphasize that the wine and brandy producers' organization has received the same correspondence as has the grapegrowers' council. I am not responsible for certain information that has been circulating. In fairness to everybody concerned, I ensured that one organization received an exact copy of correspondence that was forwarded to the other organization. That has been the practice in the past and will continue in the future.

The Hon. D. N. BROOKMAN: My question was answered only in part, whereas I thought that as a result of the small courtesy I extended I would have got a complete answer. I ask the Premier now whether he will give me an answer on all the matters I raised. He answered the question by saying that the letters were identical, but he has not yet answered this question:

Why did the Premier not give the vital information that the decisions of the committee would be binding upon both parties?

This was at the time when they were invited to nominate their representatives. Also, can the Premier suggest how one party knew of this important proviso when selecting nominees whereas the other party did not, and does he not agree that disclosure of the proviso in the first place would have avoided misunderstanding?

The Hon. FRANK WALSH: I cannot presuppose what will happen at any of these meetings. As I am not a shorthand writer, I could not take down the whole question, but I did my best to give the required information. If one organization received more information than another did, that information did not come from me, nor do I know whence it came. When the Prices Commissioner was appointed chairman of the committee, I believed that he would indicate what was being considered. At that stage I had not read the Commission's report but, if the honourable member studies

Hansard prior to the last adjournment, he will see that I gave a complete reply to the question.

The Hon. D. N. BROOKMAN: Can the Minister of Agriculture throw any light on why one party knew of the proviso to the effect that the committee's decisions would be binding on both parties, whereas the other party did not?

The SPEAKER: That question has already been asked twice this afternoon.

NURSING HOMES.

Mr. COUMBE: Has the Premier an answer to the question I asked yesterday with respect to subsidies paid by the Government to nursing homes and for the provision of care for the aged and sick?

The Hon. FRANK WALSH: Referring to the Social Welfare Committee, Diocese of Adelaide "Karingal" Nursing Home, New Hindmarsh, on June 30, 1964, approval was given by the Government for the acceptance of a tender of $43,878 plus architects' fees $3,072, for the conversion of the "Karingal" Youth Hostel to a nursing home. Approval was given for a dollar-for-dollar subsidy to be paid. The subsidy was subsequently increased to $2 for $1. An amount of $23,476 was placed on the Estimates for 1964-65. However, payments totalling $31,518 were made on account of that project during 1964-65, which included subsidy on a drying tumbler and provided for the increased rate of subsidy. A final payment of $2,396 on the project was made during 1965-66. On the estimates for 1965-66, an amount of $5,700 was provided for subsidy on the provision of a two-bed ward and sun room, about which an approach had been made to the Government in April, 1965.

In a letter dated October 25, 1965, the Social Welfare Committee, Diocese of Adelaide, submitted details of furnishings and equipment, already purchased, for consideration for eligibility for subsidy. This matter was reported on by the Auditor-General and approval given on December 17, 1965, for subsidy to be paid with the proviso that funds would not be available until 1966-67 as no provision had been made on the Estimates and in fact no request had been made until after the passing of the Estimates. No approval was sought by the Social Welfare Committee, Diocese of Adelaide, prior to the purchase of the furnishings and equipment, although on August 6, 1965, advice was received from the committee that "a claim for furnishings, etc., is in course of preparation." On January 27, 1966, an approach was made to the Government to provide funds for further extensions estimated to cost $120,000, to which the Government replied that this project would be considered for the Estimates for 1967-68.

For the information of the honourable member, I set out the following details:

CHIEF SECRETARY MISCELLANEOUS II.

Provided on Estimates	$10,154,130
Made up as:	
Medical and Health Services—	
Subsidies to Hospitals ..	$5,936,634
Subsidies to Institutions ..	$2,687,192
Sundry Medical and Health Services	$292,404
Total Medical and Health Services ..	$8,916,230
*Social Assistance	$780,680
Other Payments	$457,220

*Social Assistance includes:

Approved on Estimates:		Payments to 2/3/1966.
Aged homes	$16,162	$21,908
Aged nursing homes	$21,700	$5,730
Re Karingal (Church of England Social Welfare Committee).		
Approved on Estimates	$5,700	$5,700
Payments to date		$2,396
(Relates to previous project.)		
Cheque drawn for payment		$3,333
(Current project sun room and two-bed ward)		

Furniture and fittings—$7,992—approved for 1966-67.

During 1964-65 the Church of England Social Welfare Committee received $31,518 as subsidy on approved projects.

SALISBURY EAST HIGH SCHOOL.

Mr. CLARK: As the Minister of Education knows, at the beginning of this year the new Salisbury East High School was opened in a part of the Northmeadows Infants School pending the erection of the new high school. As it is necessary for the new high school to be ready for occupation soon, will the Minister ascertain when the new high school is expected to be ready for occupation? I point out that this cannot be too soon.

The Hon. R. R. LOVEDAY: I shall be pleased to do that.

AFFORESTATION.

Mr. RODDA: Much has been said recently about the need to expand the planting of softwood forests in this State. I point out that in the South-East private plantings by landholders could result in a valuable contribution to afforestation in South Australia

There is much interest in this phase of development. However, many unattractive features exist concerning this type of investment principally on the score of the impact of taxation and succession duties. Can the Minister of Forests say whether, because of the interest shown in the need for forests to be increased, the department has examined this problem (or will examine it) with the Commonwealth authorities?

The Hon. G. A. BYWATERS: The Woods and Forests Department, which is keen on private afforestation, would welcome any growth in this direction. I understand that this matter was discussed at forestry conferences for some time before I became Minister. It has been suggested to the Commonwealth Government that it should make some concession regarding income tax in this connection. Further, it has been suggested that if the Commonwealth Government did this then the State Governments should, in turn, impose succession duties on a different basis. However, all State Governments have felt that the first move should be made by the Commonwealth Government with regard to its income tax and death duty provisions. I am afraid that the States will wait until such action is taken by the Commonwealth Government.

Mr. Rodda: Is the department pursuing the matter?

The Hon. G. A. BYWATERS: Yes, it is.

The Hon. Sir THOMAS PLAYFORD: I noticed recently that considerable anxiety was felt about the availability of land for afforestation purposes. I know that over many years land has not become readily available in the quantity and of the quality the department desires. On the other hand, on a couple of occasions recently, when land was submitted to the department, it appears that a grave delay took place before replies were sent. Therefore, I believe it is necessary to have a more active buying branch of the department to obtain land, particularly as increasing competition exists in the purchase of land, and land is difficult to acquire. Can the Minister of Forests say whether the department could be re-organized so that we would have an authority responsible for purchasing land and so that the processes of examination, valuation and so on could be speeded up to take advantage of any opportunity that might arise? At present land is in keen demand in the South-East and it would be easy to lose what could be available for purchase because of the rather long delay by the department in considering any offer that might be made. Therefore, an authority that would not only accept offers but could also canvass for land to be purchased would be a distinct advantage. Will the Minister look at the problem during the recess to see whether a better method of acquiring land could be arranged?

The Hon. G. A. BYWATERS: I will certainly examine the Leader's suggestion but I should be obliged if he would forward to me any information he has concerning the tardiness that has occurred, as he suggested, and information about the areas of land that have been offered for sale. This information would help me considerably. Since the Government assumed office, the department has purchased small areas. The department purchased land at Mount Crawford which, I understand, was offered to the previous Government but which it did not accept. The department has purchased an area of land in the hundred of Caroline in the South-East and, although it is not a large area, it is a worthwhile piece of land. Another area of over 300 acres was purchased last week adjacent to an area previously purchased at Cudlee Creek. Every time land suitable for forestry has been submitted to the department it has been purchased. If offers did not go through the Forestry Board then I would know nothing of them. I shall be happy to follow up the Leader's suggestion, and if he can supply me with the information he has, on a confidential basis, I shall be happy to examine it.

RENMARK THEATRE.

Mr. CURREN: Some months ago the Ozone Theatre at Renmark was offered for sale to the Education Department for adult education purposes. As I understand that the proposition has been examined, can the Minister of Education say what decision has been arrived at regarding this offer?

The Hon. R. R. LOVEDAY: Cabinet decided about a week ago that the Ozone Theatre at Renmark should be purchased for use as an adult education centre.

LANGUAGE EDUCATION.

Mr. LANGLEY: About a month ago the schools reopened after the holiday break and many pupils attended first-year classes. In the Unley district and in the fringe suburban schools there is a large proportion of first-year pupils who cannot speak English but this does not seem to handicap them in their early school days. Naturally, we are pleased to have these people in our midst, but such families sometimes have older sons and daughters who cannot speak our language. As it seems that no direct means of teaching these people

English is available, can the Minister of Education say whether his Department has considered setting up a class to facilitate their progress in speaking English?

The Hon. R. R. LOVEDAY: I shall be pleased to get a report for the honourable member.

RE-STOCKING.

Mr. QUIRKE: Recently I asked the Minister of Lands a question concerning the re-stocking of the drought devastated areas of the Far North that have now been partially relieved by fairly copious rains. Has the Minister a report on this matter?

The Hon. J. D. CORCORAN: As I indicated to the honourable member when he first asked the question, I had already discussed the matter with the Chairman of the Pastoral Board. As promised, I discussed the matter further with Mr. Johnson, who has now submitted the following report:

The re-stocking of pastoral lands in the Far North of this State, following the recent protracted drought, is likely to be a more than usually slow process. The shortage of suitable breeding stock and their consequential high values render any sudden large-scale introduction of cattle into the area economically impracticable. Further, disease control measures now in existence will impede any attempts at quick re-stocking by those companies whose customary policy has been the transfer of large mobs of cattle from one property to another as seasonal conditions permitted. In the existing circumstances, it is apparent that pastoralists are confronted with little alternative other than that of breeding up their own replacements. This must be considered a long-term process as most properties are carrying far less than their normal numbers and some are virtually de-stocked.

Reliable figures regarding stock numbers are unobtainable at this stage—estimates vary from 40,000 to 70,000 head of mixed cattle, spread over an area of 100,000 square miles. Fears have been expressed in many quarters that hasty re-stocking after the recent drought-breaking rains may lead to serious deterioration of both the annual and perennial cover of our Northern cattle country. The Pastoral Board is, naturally, very concerned that over-stocking be avoided and that the pastoral economy of this vast area be preserved. Indeed, Cabinet has approved the board's request that the services of an additional pastoral inspector be made available for the purpose of ensuring that over-stocking of pastoral lands does not take place. Any suggestion of over-stocking will be promptly and thoroughly investigated. However, for the reasons previously mentioned, it is not anticipated that any appreciable numbers of stock will be introduced into the far northern cattle areas and their impact on available feed will be insignificant.

HILLS SEWERAGE.

Mr. MILLHOUSE: My question follows on one I asked yesterday which the Minister of Works was kind enough to answer regarding the prospects of sewerage for the hills area of my electoral district. At the end of his answer the Minister said that the Belair-Blackwood area would be included in the departmental long-range works budget to commence in the financial year, 1968-69, provided Loan funds were available. On the surface that sounds fairly promising. However, last year the Minister told me that it would be about 10 years before the scheme could be put into operation. I do not want to give publicity to this (because many people would think that maybe it is only two or three years away) if in fact it is going to be a good deal longer than on the surface seems apparent. I remind the Minister that those of us who live in the hills have to install septic tanks and so on, and if people think that a system is coming soon they will put off expenditure which may be necessary if sewerage is going to be longer away. The question I asked the Minister yesterday most particularly was whether the reference to the Public Works Standing Committee of the scheme for the south-western suburbs had meant some shortening of the expected time to elapse before a scheme could be introduced in the hills. The Minister did not exactly answer that, so I ask him now whether he can give me any more definite prospect than he did yesterday and, in particular, if he can say whether or not the estimate he gave last year has been shortened.

The Hon. C. D. HUTCHENS: The reply I gave yesterday indicates, of course (as the honourable member assumes), that the time has been shortened compared with the time indicated in my reply to him some time ago. This, of course, is partially due to the honourable member's very pleasing and charming personality, and also to the fact (as he mentioned previously) that the Labor Party had shown some interest in this scheme. Seeing that the honourable member does not wish to give any false impression (and I think that is a most fair attitude), I shall see whether I can get him something more definite and inform him in writing.

CHOWILLA DAM.

The Hon. T. C. STOTT: Can the Minister of Works say whether tenders have been let for the early construction of the Chowilla dam and, if they have not, when they will be let and when work will commence? Can he also say

when work on the roads leading from Paringa to Chowilla is likely to be commenced?

The Hon. C. D. HUTCHENS: Although I saw a report on this matter only a few days ago, I am speaking purely from memory when I say that tenders are expected to be called in a few months' time. I cannot remember the precise date, but so that the honourable member will have the facts I shall have an investigation made and let him have an answer in writing. I know that tenders will be called soon.

GOOD NEIGHBOUR COUNCIL.

Mrs. BYRNE: The Tea Tree Gully branch of the Good Neighbour Council informed me that it had written to the Public Buildings Department on February 7, after having consulted with the department by telephone, requesting that 10 secondhand tables and 100 secondhand chairs at present in store be made available to it. It made this request because it is establishing a community centre at Tower Hill, Main North-East Road, Holden Hill, which is to be used for language classes, and for church, youth and general community meetings. It will also be used by other organizations such as the Mothers and Babies' Health Association, St. John Ambulance Brigade, etc. Will the Minister of Works consider this request and let me know the result?

The Hon. C. D. HUTCHENS: I am happy to consider the request, but I think it is rather unusual, because it will be realized that the materials owned by and under the control of the Public Buildings Department are public property and are used for public purposes in connection with the State Government. I do not know whether this will present any difficulty, but I imagine it may. However, in view of the nature of the request, I shall have the matter considered and inform the honourable member in writing at the earliest opportunity.

MARINO QUARRY.

Mr. HUDSON: Has the Attorney-General a reply to my recent question concerning the dust nuisance created at the Marino quarry?

The Hon. D. A. DUNSTAN: The Director-General of Public Health, who is chairman of the Clean Air Committee, reports:

Previous complaints about dust from the Linwood Quarries were investigated in March, 1965, by officers of the Mines Department, Marion Local Board of Health, and this department. It was found that dust was being created by crushing, vehicle movement and transference of quarry material. Because adequate dust control had been obtained in other quarries by water spray methods, it was considered that these methods should be instituted at Linwood. However, an adequate water supply was not available and arrangements were made with the Engineering and Water Supply Department to supply water to the quarry area. Following the supply of water, water sprays were tried on the crushing plants, but it was found that the physical characteristics of much of the created dust (that is, its nature and small particle size) was such that the surface tension of the water would not allow wetting. Theoretically this could be remedied by increasing the spray rate and adding to the water a "wetting" agent. However, such a practice would seriously interfere with subsequent processes, especially the screening of ¼in. and ¼in. aggregates, and therefore is impracticable. The quarry management has bituminized some roads to reduce dust due to vehicle movement and has enclosed some of the crushing plant and installed dust collection equipment of the cyclone type, which is collecting about 40 cub. yds. of dust a week. The company is at present undertaking the following additional dust suppression measures:

(*a*) total enclosure of No. 3 and No. 4 crushing plants, including cyclone extraction from the enclosing structures (No. 3, the primary crushing plant, is one of the major sources of dust);

(*b*) extension of the existing cyclones, on the other four crushing and screening plants, to cover all conveyor belts, screens, chutes, etc.; and

(*c*) frequent watering of roadways to control dust raised by motor traffic.

All of these measures are in progress. Completion is expected early in 1967. I feel that the company is earnestly endeavouring to control the environmental dust nuisance arising from its activities.

SOUTH-EAST DRAINAGE.

Mr. RODDA: Some landholders in the Western Division have expressed concern to me about drainage and have asked whether removable weirs can be placed in Drains L and K and in the Wilmot Drain, which I believe is in or adjoining the district represented by the Minister of Lands. Will the Minister or his department investigate the problem and consider the possibility of having removable weirs placed in the drain in a period of excessive dry weather such as we are now experiencing to prevent excessive run-off?

The Hon. J. D. CORCORAN: I am familiar with this matter: in fact, two or three years ago I took it up with the then Minister of Lands in relation to the Reedy Creek Drain in my district. The landholders concerned claimed that much benefit would accrue as a result of having a fairly simple weir placed in the drain at the height of the summer to hold water back. This would have some effect on the water level in the immediate vicinity

and bring about some improvement in pastures in the area. Only last Saturday I was approached by a constituent on this matter, and I promised him that I would have it investigated. I do not know what cost would be involved or how many of these removable weirs would be required, but I think the honourable member will appreciate that cost will have a big bearing on the matter and that if they were provided it probably would not be possible to make them all available at the one time. However, in view of the honourable member's question, in which he has mentioned specific drains, I shall have the matter examined by the South-Eastern Drainage Board and inform him in writing as soon as possible of the result of the investigation.

JUSTICES OF THE PEACE.

Mr. COUMBE: Some time ago the Attorney-General indicated that he had almost completed a list of active justices to be appointed under the term of Justices of the Quorum, and that a booklet was to be prepared. Can the Attorney-General say whether that list is ready and when it will be available? Secondly, when will the booklet be published, as the course he intends that justices should undertake should be undertaken as soon as possible this year if it is to operate advantageously? Also, if that booklet is almost ready, will he arrange for it to be available to members, most of whom are justices of the peace although they do not practise in courts?

The Hon. D. A. DUNSTAN: The honourable member has misunderstood me concerning a list of the Justices of the Quorum. A survey of present active justices has been completed. Members will shortly receive a list of justices in their districts together with the quotas to be established in each district. Appended to this will be a list of exceptions from the quota that have to be made. Apart from any quota, certain people are to be appointed justices to a district, such as those in public positions or in the city of Adelaide where for business reasons a certain number have to be available. Before the quotas are established members will be asked for their views, and thereafter the nominations for justices will be considered in relation to vacancies in the quota. The establishment of Justices of the Quorum will not take place until after the first course has been completed. I have been endeavouring to ensure that the justices' handbook will be available soon, and Mr. Marshall, S.M., who has been preparing the handbook, has been given certain time off from his magisterial duties to complete the book. He told me yesterday he expected to have the draft completed in a fortnight. It will then be examined and sent to the printer, so that it will be some time before it is available as we are making heavy demands on the Government Printer at present. I assure the honourable member I will try to get it published as soon as possible and when it is ready copies will be made available to members.

PORT PIRIE POLICE STATION.

Mr. McKEE: Will the Premier obtain from the Chief Secretary information about when the Port Pirie police station will be completed and ready for occupation?

The Hon. FRANK WALSH: I shall ask the Chief Secretary to notify the honourable member by letter when he has this information.

INADMISSIBLE QUESTIONS.

The Hon. Sir THOMAS PLAYFORD: My question to you, Mr. Speaker, relates to two questions which appeared in yesterday's *Hansard*, and which I submit as an explanation for my question. With respect to nursing homes, the member for Torrens asked this question:

In the daily press last week the Premier was reported as saying that no further subsidies would be considered by the Government for buildings for the aged sick until the 1967-68 financial year. Will he say whether he was correctly reported and, if he was, whether this will mean that such projects now being planned and some of those ready to be presented to the Government for approval in the normal way to satisfy this very urgent need in the community will have to be deferred for a further 12 months? My question does not relate in any way to subsidy payments for work already approved: it deals only with new projects.

You, Sir, then said:

Although I do not intend to disallow the question, I think I said last week that questions asking whether press reports are accurate are regarded by Erskine May as inadmissible. I know it has been the practice to ask such questions, but I bring this to honourable members' attention for future reference.

Later, another question, obviously a Dorothy Dixer, was asked by the member for Adelaide in these terms:

My question arises out of an article in this morning's *Advertiser* headed "Trees not yet replaced". The first paragraph states:

> There has been no attempt by the Education Department to fulfil its promise to plant double the number of trees axed in the West Parklands 18 months ago for Western Teachers College sportsfields.

Has the Minister of Education information on the matter mentioned in this article?

Those two questions seem to me to be based upon a press report; both seem to be asking whether the press report is accurate and for information based on a press report. One of the questions was one which you stated should be disallowed, but the other did not meet with any censure. I have tried to find out what Erskine May's ruling means, and I find that the ruling is based on the grounds that a Minister cannot answer a question on a report of which he could have no knowledge. As it seems to me that neither question transgressed Erskine May's prohibition, will you, Mr. Speaker, during the recess, examine this matter so that we can have a definite ruling for the information of members?

The SPEAKER: Erskine May on Page 353 refers to questions that are inadmissible, and item 15 reads:

Asking whether statements in the press or of private individuals or unofficial bodies are accurate.

Yesterday I did not rule any question out of order, either the question asked by the member for Torrens or that asked by the member for Adelaide. I drew the attention of the House to Erskine May's ruling on the matter for the information of members generally. I thought I made that perfectly clear. Also, I thought I had made it clear on more than one occasion that the practice that has developed in this Parliament over 100 years of its history has a bearing on any ruling I give from the Chair, as well as reference to Erskine May. It is not my desire to interfere in any way with the customs and privileges of members of this House: on the contrary, I want to protect them. The purpose of drawing members' attention to Erskine May's ruling was to inform members generally, because there has been, in recent weeks, a growing practice of asking Ministers questions with respect to newspaper reports, which I thought could lead, in the future, to an undesirable practice in this House. I hope that clarifies the matter to the satisfaction of members. It was not intended as a censure of the member for Torrens at all. I did not disallow his question: on the contrary, I allowed it. However, I again ask for members' co-operation in making it easy for me to allow questions without having to draw attention to fine points of order. That gives me no pleasure at all, and I do not think it makes for the smooth functioning of Parliament. If I err at all, I want to err on the side of leniency.

BLACKWOOD LAND.

Mr. MILLHOUSE: Has the Premier a reply to the question I asked yesterday concerning a demand for land tax being made on Mr. A. K. Ashby, following a gift of his property at Blackwood to the Government on behalf of the Botanic Garden?

The Hon. FRANK WALSH: At this stage the Land Tax Department has made no demand for the special tax required by the Act, but Mr. Ashby has simply been informed through his agent of the provisions of the Act, so that he may make any appropriate arrangements. The Commissioner of Land Tax has no power to remit tax lawfully payable. This case undoubtedly contains an anomaly. A similar case was brought to my notice some months ago, when I instructed that a statutory amendment be prepared for the next session to deal with similar cases in the future. However, in this particular case I believe that we can deal with the matter by the Government's agreeing to bear the sum of the tax as a condition of the gift of the land being made to the Botanic Garden. I assure the member for Mitcham that that will be considered most sympathetically. I do not know whether the Leader desires to throw me off balance by his hilarity—

The Hon. Sir Thomas Playford: I wouldn't for one moment.

The Hon. FRANK WALSH: —but let me remind him that his Party had 32 years in which to clarify such matters as this, whereas we are expected to do it all within 12 months. In September last year Mr. Ashby, in an interview with the Senior Valuer of the Land Tax Department was informed that the prospective transfer of the land by him to the Government would give rise to the payment of this tax, and it was suggested that he or his agents seek agreement with the Government as to which party to the transaction should pay the tax before the matter was finalized. The member for Mitcham may desire to interview Mr. Ashby or his family to ascertain whether they have carried out their side of the obligation.

Mr. Millhouse: An obligation—when they are making a gift of hundreds of thousands of pounds?

The Hon. FRANK WALSH: I should at least have expected to receive the courtesy of being told what the family's intentions were, so that we could avoid all this fuss.

Mr. Quirke: You won't get away with this.

The Hon. R. R. Loveday: They're throwing mud.

The SPEAKER: Order! The Premier is answering a question; he shall be heard in silence.

The Hon. FRANK WALSH: This Government will do everything in its power to come to a satisfactory arrangement. The Act has apparently not been amended to relieve this position, but we shall endeavour to see that that relief is given. If any other matter of this kind arises in the future, I hope it will not be necessary to ventilate it here.

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

Leave granted.

Mr. MILLHOUSE: The Premier, when answering a question I originally asked yesterday with regard to land tax, has suggested that there is no obligation on Mr. Ashby at this moment to pay tax. I desire to explain to the House that I have two letters here, headed "Land Tax Department", in each of which the following paragraph occurs:

In the above circumstances the following amounts must be paid in order to discharge the land from liability for land tax to June 30, 1966. Difference in tax account, 1961-62 to 1965-66, $2,294.05.

The other letter, being in a similar form, states that the amount is $5,874.10. Both letters are dated February 22, 1966, and are signed with initials in the name of K. C. Taeuber, Commissioner of Land Tax.

Mr. LAWN: With the member for Angas (Hon. B. H. Teusner), I am a member of the Botanic Garden Board. This family has granted an area of land to the board, but I point out that it has retained a large area on which cattle graze and on which scrub exists. The member for Angas may correct me if I am wrong, but I believe that the board is approaching the family concerned to see whether it intends to continue to graze cattle and whether additional land can be taken over by the board. Can the Premier say whether the tax referred to by the member for Mitcham applies to the whole of the land, or does it apply only to the area on which the family is still living?

The Hon. FRANK WALSH: I am prepared to inquire further on the matter. I can confirm what the honourable member has said about certain other land being used for grazing purposes, but I have not inquired who owns the stock. I also know that a certain frontage of land was offered for sale to the Government, which it is not able to purchase. If there is anything further on the matter I will certainly have it examined. With regard to the land made available to the Botanic Garden Board, the Government will do everything in its power, even if it means making a special appropriation, to cover the cost of the gift from the person concerned.

SCHOOL TRANSPORT.

Mrs. BYRNE: I have received correspondence from residents of the Kersbrook and Chain of Ponds area who are parents of schoolchildren attending Strathmont and Gilles Plains High Schools, and from parents of students attending the Birdwood High School. These parents are concerned at the present public transport arrangement which is causing some children to have to leave home at an early hour and return late at night. Of course, this makes a long day for them. For the information of the Minister, I will furnish him with all the details I have received in regard to this matter. Will the Minister of Education have the matter investigated with a view to the Education Department considering providing a school bus service to this area? Alternatively, will the Minister ask the department to contact the private bus operator requesting that extra buses be provided at times required?

The Hon. R. R. LOVEDAY: I shall be pleased to have the matter investigated.

SCHOOL BOOK ALLOWANCE.

Mr. COUMBE: Has the Minister of Education a reply to a question I asked about two weeks ago seeking his investigation into the position of the school book allowance that is being made now to students doing matriculation classes in schools, and especially in relation to those that may have to complete a matriculation year under the new proposals now in operation?

The Hon. R. R. LOVEDAY: I am having the matter investigated, and when I obtain the report I will further consider the matter.

NEWSPAPER PRICES.

Mr. MILLHOUSE: On page 6 of this morning's *Advertiser* there appear some comments by the Premier regarding the price of newspapers and indicating that there is no reason for complaint about the price, which has been fixed for the *Advertiser* and the *News* at 5c for each. The member for Glenelg originally raised this matter in the House and complained quite vociferously about the action of the newspapers in converting their price from 5d. to 5c. Can the member for Glenelg say whether he has seen the report of the Premier's remarks or whether he was otherwise acquainted

with it and, if he was, whether he is now satisfied that the price fixed for the newspapers is correct?

The SPEAKER: Does the member for Glenelg wish to reply?

Mr. HUDSON: Yes, Mr. Speaker. I have seen the report but I am not in a position to report on its accuracy. I cannot say whether it is an accurate report of the Premier's statement. The Premier can say whether it was. In view of the Speaker's remarks when quoting from Erskine May earlier this afternoon, however, it would not be appropriate for him to do so. The member for Mitcham may well be interested in figures I have. The following figures are of the consolidated net profits of the *Advertiser* and the *News* for the years 1960 to 1965:

	News.	*Advertiser*.
	$	$
1960	762,000	904,000
1961	464,000	884,000
1962	654,000	976,000
1963	1,304,000	1,354,000
1964	1,428,000	1,618,000
1965	1,252,000	1,868,000

I obtained some of those figures from the press itself. I leave it to the member for Mitcham to judge whether or not the shareholders of either newspaper can confidently look forward to the future.

TEACHER'S RESIGNATION.

Mr. MILLHOUSE: I have had an approach—

Mr. Jennings: We've had you, too.

Mr. MILLHOUSE: Well, question time is surely a time when matters of public interest, and of private interest too, can be raised.

Mr. Clark: You are not in Peyton Place, though!

The SPEAKER: Order! Interjections are out of order during question time. The honourable member for Mitcham.

Mr. MILLHOUSE: I received a letter from Mrs. Janet G. Szorenyi, who was a teacher in the Education Department. Her husband having been given a post in the University of Melbourne, she has been obliged to resign from the department, and is complaining about the loss of wages that she has suffered as a result. Portion of her letter states:

I have been working as a teacher psychologist in the psychology branch for the last three years. I married at the end of 1965, and in the last week of December my husband was offered a post at the University of Melbourne. As we were completely unaware until this time that the position would be offered, I naturally could not resign from December 31, as two months' notice must be given if the resignation is to take effect from this date. I therefore gave notice that I would be resigning from February 25, fully aware that technically this would mean that I could be penalized two months' pay under regulation XXIV 9 (3). As, however, it was unavoidable that I resign at this time, the Chief Psychologist requested that if I worked from January 17 to February 25, I be paid for this period and not for the month during which I actually was on holiday. This was agreed upon, but subsequently I was informed that Mrs. —, also formerly a teacher psychologist, was completely exempted from any penalty for her resignation: her resignation was to take effect on December 31, but because of exactly identical circumstances to mine, she was unable to give the required notice. This means that she too could have been penalized two months' salary under regulation XXIV 9 (3) but because her explanation was "adequate", she was completely freed from this penalty, and without having to work extra time. I submit that I should receive my salary up to December 31.

Mr. Ryan: What's the question?

The SPEAKER: Order! Leave having been refused, the honourable member must now ask the question.

Mr. MILLHOUSE: Very well, Mr. Speaker. The question I ask, naturally enough, as it appears to be a case of hardship, is whether the Minister is prepared to look into it and to review it with a view to remitting the penalty for the resignation of this lady at an irregular date.

The Hon. R. R. LOVEDAY: The honourable member knows perfectly well that I am always prepared to investigate any case such as he has mentioned, and had he approached me without all this explanation it would have been investigated. May I say that the officers of my department are always consistent in their judgment regarding this sort of matter, and the implication that there is inconsistency is, in my opinion, an insult to the officers of my department. Furthermore, I doubt very much whether the full case has been placed before officers of my department.

BRANDS ACT AMENDMENT BILL.

The Hon. G. A. BYWATERS (Minister of Agriculture) obtained leave and introduced a Bill for an Act to amend the Brands Act, 1933-1963. Read a first time.

The Hon. G. A. BYWATERS: I move:

That this Bill be now read a second time.

I thank the House for its courtesy. I have already told the former Minister of Agriculture (the member for Alexandra) of the purpose of this Bill. The honourable member is perfectly aware of the need for it, and I understand that he is happy to co-operate in

its speedy passage, for which I thank him. It is consequential on the repeal of the Travelling Stock Waybills Act effected by the Statute Law Revision Act of last year. Honourable members will recall that when the Statute Law Revision Bill was introduced the Minister stated that, as a more satisfactory measure for detecting any stealing of stock, the Commissioner of Police proposed the introduction of stock movement forms to be completed by police officers whenever stock was observed on the move. Inquiries would then be made at the places of departure and destination of the stock. Accordingly, this Bill confers on inspectors of brands and on members of the Police Force powers to stop and search vehicles conveying stock, to stop stock driven on the hoof and to ask questions relating to the place of departure, the route and the destination of the stock.

Clause 3 inserts three new subsections in section 59 of the principal Act. New subsection (1a) enables an inspector or a member of the Police Force to request the driver of any vehicle which is carrying stock to stop his vehicle, or to request any person driving any stock to stop the stock, to ask questions for the purpose of ascertaining the name and address of the driver or the owner of the stock and the place of departure, route and destination of the stock. Also, he may, with assistance if necessary, search any such vehicle and examine and take particulars of the stock. New subsection (1b), corresponding with a provision of the Road Traffic Act, provides for a penalty of $100 if a person fails to comply with a request made to him under subsection (1a) or to truly answer any question put to him under that subsection. New subsection (5) extends the scope of section 59, as amended by this Bill, to pigs so that the powers conferred by the section may be used in the detection of any stealing of pigs.

Members will realize that there are times when stock are stolen and landowners have great difficulty in proving whence the stock came. Therefore, it was considered that the Act that had been intended to cover this was not the appropriate one. In fact, the Commissioner of Police had asked that this legislation be included in the Brands Act so that the powers would be included in the proper place. I have had frequent complaints from landowners about the theft of stock. Only recently in the South-East stock was being stolen and great difficulty was being experienced in detecting the people concerned. I have been told that frequently people go out on the pretence of spotlight shooting, whereas their main purpose is to steal stock. This being so, I think it is in the interests of the State generally to make sure that every precaution is taken and that every opportunity is given to the police to detect these offences. Although the Bill is a minor one in its context, nevertheless it is a most important one, and I commend it to honourable members.

The Hon. D. N. BROOKMAN (Alexandra): I support the Bill. As the Minister has indicated, I had the opportunity to examine the Bill last night, and I think it is a worthwhile addition to the Brands Act. I took a personal interest in the Travelling Stock Waybills Act when I was Minister of Agriculture. I was concerned at what I thought was the futility of that Act. A form had to be filled in by the owner of the stock, the overseer, or his agent, and frequently this was forgotten. Very often carriers did not carry the form in their trucks and no-one else had one. A person was not allowed to write out particulars on a piece of paper, and as often as not the carrier, if he decided to have a waybill, would fill it in himself. The answer to the question regarding the health of the stock was always written "O.K.", and altogether the amount of information was unsatisfactory. The name of the owner, if it was a company, was rarely written correctly. Indeed, one word to identify the company usually sufficed for the person filling in the form. The only breaches of the Act were breaches of failure to fill the form in correctly, for on no occasion that I can recall was the theft of stock detected.

As a result, I asked the Chief Inspector of Stock what he thought about this, and his reply was that he did not think much of it. He thereupon wrote a recommendation to have the Act repealed. This was forwarded to the Commissioner of Police, who reported similarly that it was of very little use and that the police could institute a more effective system themselves without having people put to the inconvenience of observing the provisions of the Travelling Stock Waybills Act. The previous Government would have repealed the Act if it had been returned to office last year. In fact, the new Government, with the support of the Opposition, went ahead and repealed it. This legislation will assist the Police Commissioner and the Brands Act inspectors to check on the theft of stock. The means of checking on stock thefts should not be minimized and anything that can be done to prevent or detect thefts should be done. This Bill assists in a

material way, but at the same time there are difficulties because the owner cannot usually swear accurately to the number of sheep in a particular paddock at any time. There are other means by which they can disappear. Tracing stolen stock is difficult particularly now that spotlight shooting is so popular and with the increased mobility of vehicles. The provision for police and inspectors to stop any vehicle carrying stock is sensible and should improve the situation.

Mr. CASEY (Frome): This measure is long overdue. Spotlight shooting is prevalent today, but in many areas, particularly alongside other State boundaries, cattle and sheep stealing is rife. Last year I visited a property in the North-East from which many sheep had been taken during the previous 12 months. I saw tyre marks that had been made a week before where the stock had been rounded up, put on a semi-trailer and whisked away. Motor transportation of stock today is so efficient that it is simple for stock to be loaded and within a few hours be many miles away. This Bill gives the police the right to stop and inspect vehicles, which will be no hardship to the general public or to the owners and drivers of these vehicles. The driver will have to produce evidence whence the stock came and its destination. It is necessary for greater liaison between States to be used with respect to interstate transport, as one of the best methods used by sheep stealers is to border hop, because brands are not so easily recognized in other States. I support the Bill.

Mr. RODDA (Victoria): I support this legislation, which is a step forward. Much sheep stealing occurs in my district that is hard to detect and these amendments give police full powers to stop any vehicle. I urge landowners to co-operate with the police by drawing attention to any strange vehicular movements in uninhabited areas. Generally this is where the bulk of the stock is grazed during most of the summer, particularly in the South-East, and this is where stock losses occur. A week ago a grazier in my district lost 20 sheep; these stock losses are usually small. Much spotlight shooting occurs in these areas and this could be the pretext used by sheep stealers. Many landowners are lax and usually do not report the loss of 10 or 20 sheep, but with more liaison with the police these losses could be minimized.

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

Later, the Bill was returned from the Legislative Council without amendment.

COMPANIES ACT AMENDMENT BILL (HOME UNITS).

The Hon. D. A. DUNSTAN (Attorney-General) obtained leave and introduced a Bill for an Act to amend the Companies Act, 1962-1965. Read a first time.

The Hon. D. A. DUNSTAN: I move:

That this Bill be now read a second time.

This Bill is designed to ensure that a grant by a company administering a home unit scheme to any of its shareholders of the right to occupy or use a home unit owned or held on lease by the company does not amount to an unlawful return of capital to the shareholder or reduction of capital of the company, if the grant is in pursuance of, or authorized by, the memorandum or articles of the company. It is a well recognized and long established rule that a company cannot make a return of capital to a shareholder or cause a reduction of its capital to be made except within the limits prescribed by legislation and in a recent case in New Zealand it was held by the Court of Appeal of New Zealand that a grant by a home unit company to one of its shareholders of the right to occupy a specified flat in a building owned by the company pursuant to a provision in the company's articles of association entitling the shareholder to occupy that flat, amounted to a return of capital to the shareholder which had not been made in the manner required by the Companies Act of New Zealand and was therefore unlawful.

If that decision were followed by the Australian courts it would have the effect of inhibiting the sales of home units and of causing considerable loss to home unit owners and financiers of home unit schemes. The matter has been of some concern to the Governments of the Commonwealth and the States and has been discussed by the Standing Committee of Attorneys-General which has considered the need for legislation to protect home unit owners and financiers from the possible impact of the New Zealand decision. Clause 3 of the Bill accordingly amends section 64 of the principal Act by adding at the end thereof new subsections (12) and (13).

New subsection (12) provides that where (*a*) a company makes or has made a grant to a shareholder of the right to occupy or use any specified land, building or part of a building owned or held on lease by the company; and (*b*) in the case of a grant made

before the Bill becomes law, the grant was in accordance with or authorized by the memorandum or articles of the company; or in the case of a grant made after the Bill becomes law, the grant was in accordance with or authorized by a provision of the memorandum or articles whereby the shareholder is entitled as the holder of shares in the company to such a grant, the grant shall not, for those reasons alone, be regarded as invalid and shall be deemed not to amount to, and never to have amounted to, a return of capital by the company to the shareholder or a reduction of the company's share capital.

New subsection (13) extends the application of subsection (12) to grants whether by way of lease, underlease or otherwise and whether or not, in the case of a grant in respect of a building or part of a building, the grant entitles the shareholder to other rights of user associated with its occupation or use. The provisions of new subsection (12) draw a distinction between grants made before the Bill becomes law and grants to be made after the Bill becomes law. This has been necessary because hitherto home unit schemes have been promulgated in a variety of ways and the Bill seeks to validate them so long as they were consistent with and authorized by the promoting company's memorandum or articles. After the Bill becomes law, however, only those grants to shareholders will be validated which are in accordance with, or authorized by, a provision of the company's memorandum or articles whereby the shareholders are entitled, as the holders of shares in the company, to such a grant. This means that certain companies whose memoranda or articles do not contain such a provision will be obliged to alter them in order to enjoy the protection of this legislation and, in order to afford such companies time to alter their memoranda or articles, subclause (1) of clause 1 provides that the measure will come into operation on April 15, 1966. It is important that this measure pass rapidly, for it is urgent that we have it on the Statute Books, because many companies functioning in South Australia today are affected by the New Zealand decision. This is, of course, an interim measure, pending the introduction of the Strata Titles Bill next session. When that Bill is introduced all the existing titles under the companies procedure (which is the one now adopted in most cases of home units) will be converted to strata titles. However, it is not possible for us to introduce that very comprehensive measure at this stage; it has not been completed and drafted, and this measure will protect the companies and their shareholders in the interim.

Mr. McANANEY (Stirling): As this Bill has been forced on us rather hurriedly, it is rather difficult to take it all in at short notice. However, I believe that its provisions have been accepted by the legal profession and by people involved in real estate transactions. As the Attorney-General has given an assurance that it is merely a temporary measure and urgently required, I support the second reading. I understand that, although these provisions have not yet been introduced in other States, there will eventually be uniform legislation of this type throughout Australia.

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

Later, the Bill was returned from the Legislative Council without amendment.

LOCAL GOVERNMENT ACT AMENDMENT BILL (GENERAL).

Consideration in Committee of the Legislative Council's message:

Schedule of the Amendment of the House of Assembly to which the Legislative Council has disagreed.

No. 5. Page 4—Leave out clause 14.

Schedule of the Amendments made by the Legislative Council to the House of Assembly's Amendment No. 6.

House of Assembly's amendment No. 6—

"No. 6. Page 1, after line 17, insert the following new clause:

3a. *Enactment of s. 27b of principal Act—Request for poll for severance of area.* The following section is inserted in the principal Act after section 27a thereof—

27b. Notwithstanding anything in this Part contained, not less than one-tenth of the ratepayers of any ward may, by notice under their hands, delivered to the Minister, request that the question whether or not that ward should be severed from the area of which it forms a part and annexed to another area should be submitted to a poll of ratepayers in the ward and the Minister may request the council to hold such a poll. Upon receipt of such request from the Minister the council shall hold such poll. The provisions of Part XLIII shall with the necessary modifications apply to such a poll and if the proposition is carried the Governor may make a proclamation giving effect to the proposition."

Legislative Council's amendments thereto—

No. 1. Line 3 (new clause 3a)—Leave out "Notwithstanding anything in this Part contained".

No. 2. Line 4 (new clause 3a)—After "ward", insert "or part of any ward".
No. 3. Line 5 (new clause 3a)—After "ward", insert "or part thereof as the case may be".
No. 4. Line 7 (new clause 3a)—After "ward", insert "or part thereof concerned".
No. 5. Line 7 (new clause 3a)—Leave out "request the council to".
No. 6. Line 8 (new clause 3a)—After "poll", insert "in such manner as he thinks fit".
No. 7. Lines 8 to 10 (new clause 3a)—Leave out all words from and including "Upon" to and including "and".

Amendment No. 5.

The Hon. R. R. LOVEDAY (Minister of Education): I move:

That the amendment be not insisted on.

The reason for the disagreement by the Council to the amendment is that the present moiety is totally unrealistic in relation to present-day costs, and municipal and district councils are finding it exceedingly difficult to construct footpaths in newly developed areas. Clause 14 amended the principal Act by striking out the words "one shilling and sixpence" therein and inserting in lieu thereof the words "three shillings". The Council wishes to have this reinstated in the Bill so that the clause will again be part of the Bill.

The Hon. D. N. BROOKMAN: Would the omission of the clause mean that the moieties would remain lower?

The Hon. R. R. LOVEDAY: If we left out the clause, as was originally decided in this place, the maximum would remain at 1s. 6d. By reinstating the clause the maximum will be 3s.

Motion carried.

Amendment No. 6.

The Hon. R. R. LOVEDAY: I move:

That the amendments of the Legislative Council to the House of Assembly's amendment No. 6 be agreed to.

This deals with the amendment moved in this place by the member for Ridley, the design of which was to ensure that there could be a poll of ratepayers who might require a severance of ward. That was agreed to by this Committee, but the Minister of Local Government is not happy with the way in which that amendment was framed, and consequently he has moved in the Legislative Council another amendment, which provides:

Not less than one-tenth of the ratepayers of any ward or part of any ward may by notice under their hands delivered to the Minister request that the question whether or not that ward or part thereof as the case may be should be severed from the area of which it forms a part and annexed to another area should be submitted to a poll of ratepayers in the ward or part thereof concerned and the Minister may hold such a poll in such manner as he thinks fit. If the proposition is carried the Governor may make a proclamation giving effect to the proposition.

This amendment gives the Minister power to conduct a poll in the way he thinks fit. The Minister has good reason for this because he pointed out that some ratepayers merely wish to effect a severance to get into a local government area where the rates are lower. However, many other aspects have to be considered, such as the financial interests of councils and the capacity of councils to take on new areas. The Minister believes he should be able to investigate the matter and conduct a poll in such a way as he thinks fit to make sure that all these matters are properly considered. I believe that the desire of the member for Ridley in this respect will be met by the new amendment and I ask members to agree to it.

The Hon. T. C. STOTT: I do not object to the amendment, as it achieves the objective I was seeking on behalf of the Waikerie council. It does this in a different way, the difference being that instead of the council, under the direction of the Minister, holding a poll, the Minister himself will hold the poll.

Motion carried.

ELECTRICAL WORKERS AND CONTRACTORS LICENSING BILL.

Consideration in Committee of the Legislative Council's amendments.

No. 1. Page 1, lines 10 to 12 (clause 2)—Leave out all words in these lines.
No. 2. Page 2, lines 5 to 11 (clause 2)—Leave out all the words in these lines and insert the following passage in lieu—

> "is intended for the conveyance control or use of electricity supplied or intended to be supplied by an Electricity Supply Undertaking at a voltage in excess of 40 volts; but does not include any appliances, wires, fittings or apparatus connected to and beyond any electrical outlet socket which is installed for the purpose of connecting electrical appliances, fittings or apparatus and at which fixed wiring terminates."

No. 3. Page 2, lines 15 and 16 (clause 2)—Leave out "performed or carried out".
No. 4. Page 3, lines 1 and 2 (clause 2)—Leave out all words in these lines.
No. 5. Page 3, line 26 (clause 4)—Leave out "and the Committee".
No. 6. Page 3, line 33 (clause 4)—Leave out "or to the Committee established under section 10 of this Act".
No. 7. Page 4, lines 1 and 2 (clause 4)—Leave out "or a member of the Committee".
No. 8. Page 5, line 4 (clause 7)—Insert the words "for profit or reward" before the word "perform".

No. 9. Page 5, line 34 (clause 7)—Insert the words "for profit or reward" before the word "make".

No. 10. Page 5, line 34 (clause 7)—Insert the word "permanent" before the word "connection".

No. 11. Page 5, after clause 7—Insert the following new clause—

"7a. *Restriction on making proclamation under s.* 7.—(1) No proclamation shall be made under section 7 of this Act until regulations authorized by paragraphs (*a*) and (*b*) of section 12 of this Act have been made and such regulations have come into effect.

(2) Any regulation authorized by paragraph (*a*) or (*b*) of section 12 of this Act shall come into effect at the following times, namely—

(*a*) If no notice of a motion to disallow the regulation has been given in either House of Parliament within fourteen sitting days after the regulation was laid before such House of Parliament the regulation shall take effect upon the expiration of the time when it has lain before both Houses of Parliament for fourteen sitting days:

(*b*) If any notice of motion to disallow the regulation has been given as aforesaid the regulation shall come into effect if and when such motion or all of such motions if more than one notice has been given is or are negatived.

(3) Except as provided by subsection (2) of this section, the provisions of the Acts Interpretation Act, 1915-1957, relating to regulations shall apply to regulations made under section 12 of this Act.

No. 12. Page 6, lines 27 to 29 (clause 9)—Leave out subclause (2).

No. 13. Page 6 (clause 9)—After line 36 insert new subclause as follows—

"(3a) for a person to perform or carry out electrical work on any electrical installation used in a television station or a broadcasting station for the transmission by wireless telegraphy of television or radio programmes. (In this paragraph "television station" and "broadcasting station" have the meanings given to them by the Broadcasting and Television Act, 1942-1963, of the Commonwealth and its amendments.)"

No. 14. Page 8, line 19 (clause 9)—After "whose" insert "profession".

No. 15. Page 8, line 23 (clause 9)—After "his" insert "profession".

No. 16. Page 8, lines 25 to 27 (clause 9)—Leave out all words in these lines.

No. 17. Page 8 (clause 9)—After subclause (10) add the following new subclause:

"(11) for an apprentice to an electrical worker to perform such work as may be prescribed".

No. 18. Pages 8 to 10 (clause 10)—Leave out the clause.

No. 19. Pages 10 and 11 (clause 11)—Leave out the clause.

The Hon. C. D. HUTCHENS (Minister of Works): I move:

That the Legislative Council's amendments Nos. 1 to 12 (inclusive) be disagreed to.

Amendment No. 1 is consequential on the deletion of clauses 10 and 11. In amendment No. 2, the effect of the addition of this passage to the definition of "electrical installation" excludes portable electrical appliances (even though the word "portable" does not appear), since "outlet socket" must mean in ordinary language "the plug in the wall", into which a detachable connection is inserted. The definition would not therefore extend to covering an electric stove or water heater, etc., since these are permanently attached normally by screws. Amendment No. 3 is purely a drafting amendment, and amendments 4 to 7 inclusive are consequential on the deletion of clauses 10 and 11.

Amendment No. 8 would have the effect of enabling persons to carry out electrical work so long as this work were not done for profit or reward. In other words, unqualified and maybe incompetent persons could carry out electrical work as long as they did not perform such work for profit or reward. This defeats the main purpose of the Bill, which is to prevent unqualified and incompetent persons generally from carrying out electrical work. Amendment No. 9 is a consequential amendment, as is amendment No. 10. In amendment No. 11, the effect is that the implementation of the provisions of the Bill in a material respect could be unduly delayed or frustrated. A regulation made under paragraphs (*a*) and (*b*) of clause 12 could be constantly disallowed by Parliament and thus never come into effect.

Regarding amendment No. 12, the reason for striking out subclause (2) of clause 9 is presumably that no such exemption is needed since only persons doing electrical wiring for profit or reward are covered by the Bill as it now stands. Unqualified and unlicensed persons would be able to continue to do this handyman's work as they have done in the past. Therefore, this defeats the purpose of the Bill.

The Hon. Sir THOMAS PLAYFORD (Leader of the Opposition): These amendments deal with a wide variety of matters, and for the Minister to merely move that we disagree to amendments 1 to 12 (inclusive) without considering their individual merits seems to me to be entirely wrong. From

what little the Minister has said, I think the Legislative Council has done a pretty good job with this Bill. Obviously, this Bill was not prepared by a draftsman, as it is full of loopholes and of prohibitions that serve no purpose. We should be considering the amendments *seriatim*.

The CHAIRMAN: Order! If the Committee is agreeable to take the items *seriatim*, that can be done.

The Hon. C. D. HUTCHENS: I hope the Committee will not agree to do that because all these amendments have the same intention. To say that the Bill was badly drafted and not drafted by a draftsman is the statement of an uncontrollable imagination.

The Hon. Sir THOMAS PLAYFORD moved:

That the amendments be dealt with *seriatim*.

The CHAIRMAN: The question is: "That the Legislative Council's amendments Nos. 1 to 12 be disagreed to."

Mr. COUMBE: The Legislative Council has considered this Bill carefully and has made an important amendment that has improved the Bill materially. Amendment No. 2 is an important provision and, if included, will make the Bill workable, but if not included, the Bill will be the laughing stock of the industry and of the people of South Australia. The member for Gouger moved a similar amendment. The Opposition agrees that any industrial wiring should be done by a licensed wireman and any house wiring should be done by a licensed contractor. However, work on the inside of the outlet plug cannot be controlled by any committee, and any mistake made by a licensed person cannot be proved in a court. If this is so it is a bad law. If we are to license electricians, let us do it properly with a workable Bill.

Mr. LANGLEY: When in Melbourne recently, I visited the State Electricity Commission and was shown statistics proving that 50 deaths had occurred through faulty appliance wiring in the last 10 years. The Bill as it is would rectify this position here, as there is no control in Melbourne over this section. I have received a letter from the Western Australian Minister for Electricity indicating that that happens, and he assures me that it is easy to administer. Restrictive licences are issued to various people in Western Australia, and not one accident resulting from work undertaken by a person with such a licence can be traced. Naturally, other accidents have occurred as a result of work done by the handyman.

Mr. Coumbe: How will you stop it?

Mr. LANGLEY: It is a matter of educating the people. Our emphasis is on safety. I have discussed the matter with people in New South Wales, Queensland and Tasmania, where in some cases the matter is dealt with by regulation. It is a commendable practice.

Mr. HALL: I am happy to support the Legislative Council's amendments, particularly amendment No. 2 which is similar to an amendment that I moved, with the exception that I excluded the word "portable". I believe that the inclusion of that word improves the measure.

The Hon. Sir THOMAS PLAYFORD: I have never known a Minister to be so discourteous as not to allow amendments from another place to be considered *seriatim*.

Mr. Millhouse: It's a disgrace!

The Hon. Sir THOMAS PLAYFORD: It is merely an attempt to prevent a proper debate on the amendments, and I take the strongest objection to the Government's action. I can tell the Minister now that if he thinks he is going to blow the consideration of the amendments through by having them promptly considered, he has another think coming. I give notice that I shall move an amendment to the Minister's motion.

The CHAIRMAN: I ask the Leader to write out his amendment and to bring it up.

The Hon. B. H. TEUSNER: I support the Leader's remarks in connection with the amendments made by the Legislative Council and his earlier request that they be considered *seriatim*. That has been the practice for a long time, particularly when a request has been made that amendments be considered in that way. It would have been a simple matter for the Minister to withdraw his motion and to give effect to the Leader's request, so that the Committee could have a chance to debate each particular amendment. It is a dangerous practice to consider a large number of amendments together, particularly as, in this case, some of them are controversial. I appeal to the Minister to reconsider the matter and to withdraw his motion.

The CHAIRMAN: The motion moved by the Minister of Works is "That the Legislative Council's amendments Nos. 1 to 12 be disagreed to." The Leader of the Opposition seeks to leave out the words "to 12".

The Hon. Sir THOMAS PLAYFORD: I shall quote Standing Orders to show how improper the Minister's action is. Standing Order No. 341 states:

When the Legislative Council returns a Bill with amendments, such amendments may be:

(1) agreed to, with or without amendment, and with any necessary consequent amendment to the Bill; or (2) disagreed to; and, if desired, further amendments made to the Bill in the words reinstated by disagreement; or (3) postponed. . . .

That clearly shows that amendments can be dealt with separately; yet the Minister tries to impose his disagreement on a whole series of 12 amendments as though they were only one amendment. That is entirely wrong, and I ask the Minister to extend to the Committee a courtesy it has enjoyed for the last 25 years.

The Hon. C. D. HUTCHENS: I submit that the amendments have the same intention and that no good purpose would be served by considering them *seriatim*.

Mr. SHANNON: I think that the Minister will realize that he is virtually forcing on the Committee a second reading debate on the amendments. Obviously members who are interested in this matter would not be able to speak on only one or two amendments and let it go at that. If the Minister had moved that the amendments should be agreed to then the position would be different, but as he has moved that they should be disagreed to it would be far better to consider them *seriatim*. If we deal with them one by one we will be able to get on much more quickly.

The Hon. C. D. HUTCHENS: I have now learned that it is common practice to deal with amendments *seriatim* on request. As I do not want to be unfair (and I think members will agree that it has always been my desire to be fair), I agree that the amendments should be dealt with *seriatim*. I ask for the co-operation of members in respect to amendments Nos. 3 to 7, which are inter-related.

Mr. Shannon: That's fair enough.

The Hon. C. D. HUTCHENS: Consequently, I ask leave to withdraw my motion.

Leave granted; motion withdrawn.

Amendment No. 1.

The Hon. C. D. HUTCHENS moved:

That the Legislative Council's amendment No. 1 be disagreed to.

Amendment disagreed to.

Amendment No. 2.

The Hon. C. D. HUTCHENS: I move:

That the Legislative Council's amendment No. 2 be disagreed to.

This amendment could severely limit the provisions of the Bill. Attention has been drawn to the many accidents caused by handling appliances—more accidents than are caused by installations. Because of this I ask that the amendment be disagreed to.

The Hon. Sir THOMAS PLAYFORD: I hope that the Committee will not disagree to the amendment. Had this amendment not been made, the Bill would have caused complete chaos in the use of electrical wiring. The provision, as it now stands, is the same as provisions in all other States, whereas the previous provision does not apply in any other State.

Mr. Langley: That's not true.

The Hon. Sir THOMAS PLAYFORD: Although I am not *persona grata* at the moment with the Electricity Trust, its officers would say that the previous provision could not possibly be policed because, as officers have said frequently, a law inside a house cannot be policed unless it is a reasonable law. The previous provision would have caused much dissatisfaction in the community, and this was shown by the many letters that appeared in the press about it. Some education on these matters, possibly by way of television, would achieve a better result than the previous provision could achieve. The previous provision meant that people would not have been able to use appliances at all, and that would have been a completely stupid position. The Legislative Council has endeavoured to make the Bill workable, which is to its credit, as it could have pitched it out altogether. In these circumstances, I ask the Committee to accept this amendment, for I believe it would greatly improve the Bill. This provision was advocated first by my colleague, and I was very pleased indeed to see that the Legislative Council successfully carried it in the form in which it appears in this amendment.

Mr. COUMBE: The Opposition agrees that the main purpose of the Bill is to ensure safety in industry and in the home. Is it suggested that it is more dangerous to do some of the things included in this amendment than it is to put in a lamp? People are permitted to put in a simple fuse. A house that has an electric stove has a 240-volt fuse and a 400-volt fuse, and these can be dangerous to an inexperienced person. If this amendment is not accepted, the Bill will be unworkable, and it will be honoured more in the breach than in the observance.

I think much could be done to educate the people in the dangers of tampering with appliances, cords, leads and the like. A good public relations scheme could be implemented in this regard. No law will stop people from doing some of the simple little jobs in their own homes that they do today. I say that the Government cannot stop it and, furthermore,

it cannot prove that these things have been done. There is today a law dealing with the sale of electricity, and under that law an offence is created if people steal electricity. That may sound peculiar, but the Electricity Trust has found that people have shorted out the supply and taken it directly into their premises without its going through the meter. The problem the trust has is that it cannot prove who did it, so how is anyone going to prove that an offence has been created under this legislation? If we are going to have this Bill, the sooner we accept this amendment and make it workable and acceptable to the public the better it will be.

Mr. HURST: I have never heard as many irresponsible statements in relation to a Bill as I have heard from members of the Opposition. They have condemned the Bill through bias, without analysing the figures and the material that has been submitted. I say the Opposition is not concerned one iota about the loss of human life, otherwise it would acknowledge that the Bill is designed to afford protection for the public. Let us forget politics and get down to the question of safety that was referred to by the member for Torrens. Statistics clearly show that the greater percentage of electrical fatalities occur from the outlet to the appliances. The attention of members opposite was directed to clause 5, but they appear not to have considered that. The object of this Bill is the safety of the public, and it is time that something was done about it. The Opposition should not permit people to do work that will cost the life of one human being, and should support this Bill with its safeguards. If a householder wants to do anything he will be permitted to do it but the work will be subject to certain safety requirements. The Leader of the Opposition suggested that the Bill was drafted by the Trades Hall, but that is utter rubbish and a reflection on the draftsman. Certain basic provisions were advocated by the union and these have been included for the protection of the public of South Australia.

Mr. HALL: The member for Semaphore said that the Opposition was insincere in its approach to safety: that is not so. He also used the remarks of the member for Unley to support his contentions, but the member for Unley should go out among the people to see how much support there is in the community for the restrictions imposed by this Bill. I am not speaking of safety, but the effects of this Bill are so ridiculous that they should not be attributed to a responsible Government.

Mr. QUIRKE: I resent the accusation that we have no consideration for the safety of human life. The member for Unley said that 200 people had died in the last ten years in Victoria because of faulty appliances. This legislation, however, cannot be enforced; even if it could, I doubt whether it would result in fewer deaths. Naturally, I agree that household wiring should be faultless, and installed only by qualified people, but this is an extremist measure. I support the amendment.

Mr. SHANNON: I resent being charged with having no regard for human safety. One of the dangers associated with electrical installations occurs when replacing a fuse wire. My own switchboard on the back verandah at home has four switches and, if there is a faulty fuse, I switch the four off before touching a fuse. Naturally, careless people could be electrocuted in similar circumstances. If a person's house is wired by an expert and has been examined and approved by an authority such as the trust, from the plug on, it is up to that person, and to try to police it from the plug on is a physical impossibility. This part of the Bill could not be policed without overhead expenses out of proportion to the good that might be achieved.

The Committee divided on the motion "That the Legislative Council's amendment No. 2 be disagreed to":

Ayes (17).—Messrs. Broomhill and Burdon, Mrs. Byrne, Messrs. Bywaters, Casey, Clark, Corcoran, Curren, Hudson, Hurst, Hutchens (teller), Jennings, Langley, Loveday, McKee, Ryan and Walsh.

Noes (17).—Messrs. Bockelberg, Brookman, Coumbe, Ferguson, Freebairn, Hall, Heaslip, McAnaney, Millhouse, and Nankivell, Sir Thomas Playford (teller), Messrs. Quirke, Rodda and Shannon, Mrs. Steele, Messrs. Stott and Teusner.

Pair.—Aye—Mr. Hughes. No—Mr. Pearson.

The CHAIRMAN: There are 17 Ayes and 17 Noes. I give my casting vote in the affirmative.

Amendment thus disagreed to.

Amendment No. 3.

The Hon. C. D. HUTCHENS moved:

That the Legislative Council's amendment No. 3 be agreed to.

Amendment agreed to.

Amendments Nos. 4 to 7.

The Hon. C. D. HUTCHENS moved:

That the Legislative Council's amendments Nos. 4 to 7 be disagreed to.

Amendments disagreed to.

Amendment No. 8.

The Hon. C. D. HUTCHENS: I move:

That the Legislative Council's amendment No. 8 be disagreed to.

Under this amendment an unqualified person who was incompetent could carry out electrical work as long as he did not perform such work for profit or reward. This defeats the main purpose of the Bill, which is to prevent unqualified and incompetent persons from carrying out electrical work.

The Hon. Sir THOMAS PLAYFORD: I do not agree with the Minister. The Bill has been spread out to include many categories of no consequence at all, which would bring only dissatisfaction to the community. Amateur radio operators would be brought in under the Bill as introduced. Those people have been doing experimental work for the last 25 years without a single accident, so far as I know, so why should they have to become qualified electricians? That is one of the stupid things in this Bill. People who have had the right to do things for many years and have done them satisfactorily should be allowed to continue doing so. I hope the Committee does not accede to the Minister's request.

Mr. HEASLIP: I still think this amendment would assist many people. People in the metropolitan area who are qualified to do this work and have done it for many years now without any risk to anybody are not to be allowed to continue doing it. Primary producers are exempt under the Bill as it now stands, but they are unqualified people, according to the Government, and certainly they are no more qualified than the people in Adelaide who have been doing these small jobs for many years.

Mr. Curren: The primary producers were exempted at your request.

Mr. HEASLIP: Why not exempt all the people?

Mr. McKee: Why did you exempt the farm workers from an award?

Mr. HEASLIP: I admit that the rural worker does not have an award, but he does not want it.

The Hon. T. C. Stott: They are paid well above the award rates.

Mr. HEASLIP: Yes, they are far better off without an award. It seems to me that the Government's idea is that the lives of people in one section of the community are more valuable than the lives of people in another section. The Government agreed to the amendment regarding primary producers. Apparently it thinks that the lives of those people are expendable, and that they can take all the risks the Government says are there. It says it is trying to protect all the people in the metropolitan area from electrocution, but apparently the people in the country can get themselves electrocuted. I want everybody to have the right to do small jobs in the home, and I can see no possible harm in it so long as they do not do it for profit or reward. The life of a person in the country is just as valuable as the life of a person in the city, and if it is too dangerous for a person in the metropolitan area to do these small jobs then it is too dangerous for a person in the country. In fact, I say it is not dangerous for either of them to do these jobs.

The Committee divided on the motion "That the Legislative Council's amendment No. 8 be disagreed to":

Ayes (18).—Messrs. Broomhill and Burdon, Mrs. Byrne, Messrs. Bywaters, Casey, Clark, Corcoran, Curren, Dunstan, Hudson, Hurst, Hutchens (teller), Jennings, Langley, Loveday, McKee, Ryan, and Walsh.

Noes (17).—Messrs. Bockelberg, Brookman, Coumbe, Ferguson, Freebairn, Hall, Heaslip, McAnaney, Millhouse, and Nankivell, Sir Thomas Playford (teller), Messrs. Quirke, Rodda, and Shannon, Mrs. Steele, Messrs. Stott and Teusner.

Pair.—Aye—Mr. Hughes. No—Mr. Pearson.

Majority of 1 for the Ayes.

Amendment thus disagreed to.

Amendment No. 9.

The Hon. C. D. HUTCHENS: I move:

That the Legislative Council's amendment No. 9 be disagreed to.

This is similar to the last amendment, and for the same reason it should be disagreed to.

Amendment disagreed to.

Amendment No. 10.

The Hon. C. D. HUTCHENS moved:

That the Legislative Council's amendment No. 10 be disagreed to.

Amendment disagreed to.

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

Amendment No. 11.

The Hon. C. D. HUTCHENS: I move:

That the Legislative Council's amendment No. 11 be disagreed to.

I have already referred to reasons for disagreement to this amendment. This is something we cannot tolerate. We want the Bill

to come into force. This is contrary to the general policy on regulations. Normally, regulations are made and submitted to Parliament, and then Parliament can disallow them if it wants to; but under the Legislative Council's amendment no regulation could come into effect until it was considered by Parliament. Our experience of Parliament lately is that this matter could be considered for two or three sessions and never come into effect.

The Hon. Sir THOMAS PLAYFORD: This amendment deals only with section 7, not with all the provisions of the Act. That section sets out the prohibitions and penalties. When the Bill was before members, the Premier said that regulations would have to be drawn up under section 7 before the Bill could become effective. I accept that, because no-one can do anything under section 7 until the regulations that liberalize section 7 are made. The Premier said that the regulations under section 7 would have to be brought down and would be subject to disallowance by Parliament. The Bill cannot have effect until the amendments to section 7 are effected, because section 7 is a complete prohibition on everything.

The Hon. Frank Walsh: When did I speak on this Bill?

The Hon. Sir THOMAS PLAYFORD: I think you spoke on it. If it was not the Premier, it must have been the Minister who said that.

Mr. Hurst: I made the statement.

The Hon. Sir THOMAS PLAYFORD: I took it to be the Premier. However, whoever made it, the statement was correct. I cannot see what the Minister is worrying about here; I should have thought he would welcome this amendment, which materially improves the Bill. I ask members not to agree with the Minister on this.

Mr. COUMBE: I support the views of the Leader on this. This Bill relies to a great extent upon the efficacy of the regulations formulated under section 7 and other sections of the Act. The regulations under section 7 will, among other things, set out the conditions, the types of licence that will apply and who shall do certain work in certain classifications. These regulations are the heart of the Bill. An examination of similar Acts in the Commonwealth reveals that in each case the principal Act relies upon the regulations, to a large extent. When they eventually come before us, they will deal in detail with the principles enunciated in the Act. They will set out who shall apply for a certain registration. This being so important and the provisions of the Act relying so greatly on the regulations, recommended and drawn up not necessarily by the Government but possibly by the committee or the Electricity Trust, it is important that Parliament should have the last say in this regard.

None of the provisions of section 7 can operate until regulations are gazetted, which will take a considerable time. If the matter comes into Parliament and is considered by the Subordinate Legislation Committee, it can be capriciously held up, but I do not think that that will occur. Parliament will carefully consider the regulations. It is the implementation of the regulations that is important. I suggest they would aid the working of this legislation and contribute to its efficiency and betterment if the Minister would seriously consider accepting this amendment, which in no way cuts across the principle of the Bill but merely delays the operation of section 7 until Parliament has had an opportunity to consider the content of the regulations. We are now considering at great length the implications of the clauses of this Bill: surely, before it comes into operation, we should have an equal opportunity of scrutinizing the regulations carefully. The Minister knows as well as I that, when a Government regulation is made (in contrast to a council by-law), the moment it is gazetted it can come into force, subject to disallowance by Parliament. Parliament may desire to vary a particular facet of a regulation, but if it came into force it would be most embarrassing to the Government and to the smooth running of the Act. The Minister should give serious consideration to the Opposition's suggestion that this amendment be agreed to.

The Committee divided on the motion "That the Legislative Council's amendment No. 11 be disagreed to";

Ayes (16).—Mr. Broomhill, Mrs. Byrne, Messrs. Bywaters, Casey, Clark, Corcoran, Dunstan, Hudson, Hurst, Hutchens (teller), Jennings, Langley, Loveday, McKee, Ryan, and Walsh.

Noes (15).—Messrs. Bockelberg, Brookman, Coumbe, Ferguson, Freebairn, Hall, McAnaney, Millhouse, Nankivell, Sir Thomas Playford (teller), Messrs. Quirke, Rodda, Shannon, Stott, and Teusner.

Pairs.—Ayes—Messrs. Burdon and Hughes. Noes—Messrs. Heaslip and Pearson.

Majority of 1 for the Ayes.

Amendment thus disagreed to.

Amendment No. 12.

The Hon. C. D. HUTCHENS moved:

That the Legislative Council's amendment No. 12 be disagreed to.

Amendment disagreed to.

Amendment No. 13.

The Hon. C. D. HUTCHENS: I move:

That the Legislative Council's amendment No. 13 be agreed to.

The amendment grants an exemption to persons to carry out electrical work on broadcasting and television equipment used for television or radio programmes. The policy behind the Bill is to grant restricted licences to such persons.

Amendment agreed to.

Amendments Nos. 14 *and* 15.

The Hon. C. D. HUTCHENS: I move:

That the Legislative Council's amendments Nos. 14 and 15 be agreed to.

The effect of adding the word "profession" to "trade or occupation" merely widens the scope of the provision and, standing by itself, does not alter the intention of subclause (10).

Amendments agreed to.

Amendment No. 16.

The Hon. C. D. HUTCHENS: I move:

That the Legislative Council's amendment No. 16 be disagreed to.

The deletion of the last three lines of subclause (10) puts an entirely different complexion on the provision. It enables any person other than an electrical worker whose trade, business or profession involves working on an electrical installation to perform electrical work on that installation if it is in the normal course of business, trade or occupation. This would have wide implications and allow many unqualified and incompetent persons to perform electrical work for which a licence is needed under the general policy of the Bill. It would undermine the safety aspect of the legislation.

Amendment disagreed to.

Amendment No. 17.

The Hon. C. D. HUTCHENS: I move:

That the Legislative Council's amendment No. 17 be disagreed to.

It is not easy to see what is intended by this amendment. Apprentices normally only perform work under instructions from their employer. I do not see how regulations can prescribe such electrical work. Again, an electrical worker is defined as a person who performs the electrical work himself. Apprentices are more likely to be indentured to electrical contractors. Workers, by definition, cannot employ other persons.

Mr. COUMBE: In looking at the Acts in some other States one sees that provision is made by regulation for apprentices to be classified under a special licence. The licence specifies that an apprentice can carry out special work which he might be called upon to do as part of his daily duties, in which he would handle electrical currents and equipment. Can the Minister assure the Committee that, when the various licences are brought forward by regulation for consideration by the Parliament, the apprentices, who will be doing electrical work, will be covered by an appropriate regulation which will specify that an apprentice can do certain work and only certain work?

Mr. HURST: This is a safety measure. All electrical apprentices in South Australia are covered by a Commonwealth award that determines the duties of apprentices. This amendment will have no value because the Commonwealth award will determine what the apprentices shall do.

The Hon. C. D. HUTCHENS: I have discussed this matter at great length with the Electricity Trust and I have been assured that the matter will be absolutely covered.

Mr. Coumbe: I would like an assurance from the Minister that a special apprentice's licence will be issued.

The Hon. C. D. HUTCHENS: This will be provided for.

Amendment disagreed to.

Amendments Nos. 18 *and* 19.

The Hon. C. D. HUTCHENS: I move:

That the Legislative Council's amendments Nos. 18 and 19 be disagreed to.

The deletion of the concept of the advisory committee is unfortunate and the existence of such a committee is, I feel, necessary to enable the trust effectively to carry out its duties under the Bill.

The Hon. Sir Thomas Playford: I do not share the Minister's view on that: I do not think you can have two authorities controlling one activity.

The Hon. C. D. HUTCHENS: This morning I saw a senior member of the trust and he assured me that the trust is anxous to retain the committee.

The Hon. Sir Thomas Playford: He'll get on.

The Hon. C. D. HUTCHENS: I hope the Committee will disagree to the amendments.

Amendments disagreed to.

The following reason for disagreement with amendments Nos. 1 and 2, 4 to 12 and 16 to 19 was adopted:

Because the amendments nullify the principal objectives of the legislation.

Later:

The Legislative Council intimated that it insisted on its amendments Nos. 1 and 2, 4 to 12, and 16 to 19, to which the House of Assembly had disagreed.

The Hon. C. D. HUTCHENS moved:

That disagreement to the Legislative Council's amendments be insisted on.

Motion carried.

A message was sent to the Legislative Council requesting a conference at which the Assembly would be represented by Messrs. Hurst, Hutchens, and Langley, Sir Thomas Playford, and Mr. Rodda.

Later:

A message was received from the Legislative Council agreeing to the conference to be held in the Premier's room at 1.45 a.m.

At 1.43 a.m. the managers proceeded to the conference, the sitting of the House being suspended. They returned at 5.35 a.m. The recommendations were:

As to amendments Nos. 1, 4 to 9 and 17 to 19: That the Legislative Council do not further insist thereon.

As to amendment Nos. 2 and 16: That the Legislative Council do further insist on its amendments and the House of Assembly do not further insist on its disagreement.

As to amendment No. 10: That the Legislative Council do not further insist on its amendment but amend clause No. 7 as follows:

Page 5, lines 35 to 37—(clause 7)—

Leave out the words "a source of electrical energy generated or supplied by that Undertaking" and insert in lieu thereof the words "any electrical installation of that Undertaking"

and that the House of Assembly agree thereto.

As to amendment No. 11: That the Legislative Council amend its amendment to read as follows:

Insert the following new clause:

"7a. Restriction on making proclamation under s. 7—No proclamation shall be made under section 7 of this Act until regulations authorized by paragraphs (*a*) and (*b*) of section 12 of this Act have been made and such regulations have come into effect but if such regulations are disallowed by either House of Parliament the operation of section 7 of this Act shall thereupon be suspended until new regulations have been made and come into and remain in effect.

As to amendment No. 12: That the Legislative Council do not further insist on its amendment but make an alternative amendment as follows:

Page 6 (clause 9)—

Insert new paragraph—"(2) for a person to replace any fuse, switch or two-point outlet socket, not being any fuse, switch or outlet socket belonging to an Electricity Supply Undertaking."

and that the House of Assembly agree thereto.

The Legislative Council intimated that it had agreed to the recommendations of the conference.

The Hon. C. D. HUTCHENS: I move:

That the recommendations of the conference be agreed to.

I think honourable members fully understand the results of the conference, and I thank my co-managers for their assistance. The provisions of the Bill are now limited in application to the outlet plug, with one or two exceptions: a handyman will now be permitted to adjust a light switch, to make adjustments and repairs to a 2-point plug, and to fix a fuse. The other important amendment relates to the restriction on making proclamations under section 7, which I repeat:

No proclamation shall be made under section 7 of this Act until regulations authorized by paragraphs (*a*) and (*b*) of section 12 of this Act have been made and such regulations have come into effect but if such regulations are disallowed by either House of Parliament the operation of section 7 of this Act shall thereupon be suspended until new regulations have been made and come into and remain in effect.

Regulations will have to be prepared before a proclamation can be made and before the Act can operate. The composition and functions of the committee remain the same.

Motion carried.

THE FLINDERS UNIVERSITY OF SOUTH AUSTRALIA BILL.

Consideration in Committee of His Excellency's message.

(For wording of message see page 4213.)

The Hon. R. R. LOVEDAY (Minister of Education): I move:

That the amendment recommended by His Excellency the Governor be agreed to.

I should like to draw the attention of members to the fact that the amendment recommended by the Governor refers to clause 19 of the Bill as passed by this Committee and by members of another place. Clause 19, which provides the power to make statutes, was amended by the Legislative Council to insert a new subclause (1a) which this Committee amended. It appears, renumbered, in the copy presented to the Governor as subclause (2) of clause 20 and provides:

No new statute or regulation or alteration or repeal of any statute or regulation continued by virtue of section 34 of this Act shall be of any force until approved by the convocation when constituted.

The Governor recommends that this provision be left out and the following subclause substituted therefor:

No new statute or regulation or alteration or repeal of any statute or regulation including any statute or regulation continued by virtue of section 34 of this Act shall be of any force until approved by convocation. The provision of this subsection shall not apply until such time as convocation is constituted in accordance with sections 13 and 17 of this Act.

When the first amendment was considered by the two Houses the point was overlooked that convocation would not be formed until July 1, 1971. Consequently, had the amendment been left as it was in the Bill it would have meant that in the meantime the council of the new Flinders university, which will be formed very shortly, would have been passing statutes and regulations that would have had no force in law because they would have been unable to receive the approval of convocation. Therefore, in order to get over this interval during which there will be no convocation, it is proposed that the provisions of the subsection shall not apply until such time as convocation is constituted in accordance with the Act. This will mean that the council in the meantime will be making its own statutes and regulations but they will not have to receive the approval of the Flinders convocation in that time. I ask members to agree to this recommendation.

The Hon. Sir Thomas Playford: Will they have to be approved by convocation when it is established, or will those regulations that are in force continue in force without going before convocation?

The Hon. R. R. LOVEDAY: I would say they would have to be approved by convocation. I would think that when convocation was formed the statutes and regulations would naturally be put up to convocation for approval or otherwise.

The Hon. Sir THOMAS PLAYFORD (Leader of the Opposition): I think the aim of this is no doubt very desirable. However, if what the Minister has said is correct I am rather intrigued how the machinery will operate to bring the matter before convocation. The main regulations will already have been approved by the Governor, and it seems to me that those regulations will already be in force. With all due deference to what the Minister has said, I do not think the amendment has any effect regarding regulations in force. Also, I am not too sure whether convocation should go through them all again, because probably if convocation does not like them it can make a new set of regulations to amend the ones in force. However, I cannot see any machinery that would give effect to what the Minister has set out. I would think that probably the best procedure would be for the council to make the regulations until convocation is actually established, such regulations to be valid until convocation alters them. I think that is what is actually provided here.

Possibly the Minister did not fully understand the meaning of my earlier question. I point out that the regulations will have already been approved by the Governor in Council, and I know of no machinery that could disallow them except the machinery of the university itself. I do not object to the provision, but I think we should clarify what it means. I hope it means that the council will make the regulations, that they will be valid, that the council will continue to make regulations until such time as the convocation is established, and therefore any new regulations and any amendments made after convocation has been established shall be subject to approval of convocation. If it does that, I shall be entirely happy.

The Hon. R. R. LOVEDAY: That is really the effect of what will happen. I draw the Leader's attention to clause 19 (1). Full power is contained there, and there is no need for convocation to deal with these particular ones in the meantime at all. The Leader's interpretation is correct.

Motion carried.

Later, the Legislative Council intimated that it had agreed to His Excellency the Governor's amendment to the Bill.

WILLS ACT AMENDMENT BILL.

Consideration in Committee of the Legislative Council's amendments:

No. 1. Page 2, line 16 (clause 6)—Leave out "Sections" and insert "Section".

No. 2 Page 2, line 16 (clause 6)—Leave out ", 6 and 6a".

No. 3. Page 2, line 16 (clause 6)—Leave out "are" and insert "is".

No. 4. Page 2, lines 19 and 20 (clause 6)—Leave out "under the age of eighteen years".

No. 5. Page 2, line 20 (clause 6)—After "valid" insert "if, at the time of the making thereof—

(*a*) he was under the age of eighteen years; or

(*b*) (in the case of a person of or over the age of eighteen years) he was under the age of twenty-one years and was not married".

No. 6. Page 2, line 25 (clause 6)—Leave out "sections" and insert "section".

No. 7. Page 2, line 26 (clause 6)—Leave out ", 6 and 6a".

The Hon. D. A. DUNSTAN (Attorney-General): I move:

That the Legislative Council's amendments be disagreed to.

Clause 6 of the Bill in the form in which it was passed by this House enabled any person of or over the age of 18 years to make a valid will. This clause was inserted by the honourable member for Mitcham and was supported by the Government. It is in accordance with Government policy and was unanimously accepted by members. The amendment made by the Legislative Council will limit the effect of this provision to married minors who are of or over the age of 18 years. Only a married person over the age of 18 years and an unmarried person over the age of 21 years will have testamentary capacity. In consequence of the amendment by the Legislative Council it became necessary to retain section 6 and 6a of the principal Act and the amendment of the Legislative Council provides accordingly. These sections provide that certain members of the Armed Forces who are over 18 years of age can make a will and by virtue of the Legislative Council's amendment they will continue to apply to wills made by any such members who are not married.

The provision that minors at the age of 18 years may make a valid will is part of a programme to be introduced by the Government providing that valid transactions may be made by persons of the age of 18 years. People of this age who may be conscripted or subject to criminal liabilities in court should be able to make valid transactions and dispose of their property as responsible minors. This matter has been discussed by the Standing Committee of Attorneys-General, and the general view is that we should steadily progress to the stage where people of the age of 18 years may, for all purposes, act in law as responsible adults. This is the first move in this State. It has been recommended that people of the age of 18 years should be able to make valid transactions under the Real Property Act. It is entirely contrary to the Government's view and, I believe, to all members of this Committee that the making of valid wills at the age of 18 years should be restricted to married minors or members of the Armed Forces. All the Legislative Council's amendments are consequent upon this proposition.

Mr. MILLHOUSE: I entirely agree with the learned, knowledgeable, and distinguished Attorney-General's views. This amendment was moved previously by this side of the Committee and unanimously agreed to by members. I can see no reason why one's marital status should make any difference to the capacity to make a will.

Mr. McANANEY: I support the motion because young people should be encouraged to dispose of their property as they see fit. I have much confidence in this modern generation and we should give it all the encouragement we can.

Mr. SHANNON: I am interested in the executor trustee business, and I believe that people of 18 years are able to make a will to dispose of their property. It is not unusual for both parents of young families to die, leaving an elder son or daughter to look after the family. Occasions occur when it is embarrassing for people to have to wait three years until something can be done about an estate. I am sure that this matter has been examined by competent people, and I agree with the Attorney-General in his opposition to the Legislative Council's amendment.

The Hon. B. H. TEUSNER: This amendment enables a minor, if married or in the Armed Forces, to make a will. Assuming a female married at the age of 18 years and then made a will which, pursuant to the Legislative Council's amendment, would be valid (because at the date of its execution she was married), and assuming that a year later she became a widow: does that will remain valid? It seems that having become a widow under the age of 21 years, she would be unable to make another will. A strong case exists for disagreeing to the amendment.

Mr. CASEY: I join with other honourable members in supporting the remarks of the Attorney-General in disagreeing to the Legislative Council's amendment. I point out that those of us who joined the Armed Forces in the Second World War before we were 21 had to make a will. Further, most young people today have a better grasp of the world outside than many of us had at their age. A person, on attaining the age of 18 years, should be given the opportunity to make a will.

Amendments disagreed to.

The following reason for disagreement with the Legislative Council's amendments was adopted:

Because the amendments remove a significant policy change unanimously supported by the House of Assembly.

Later:

The Legislative Council intimated that it insisted on its amendments to which the House of Assembly had disagreed.

The Hon. D. A. DUNSTAN (Attorney-General) moved:

That disagreement to the Legislative Council's amendments be insisted on.

Motion carried.

A message was sent to the Legislative Council requesting a conference at which the Assembly would be represented by Mrs. Byrne and Messrs. Dunstan, Hudson, Millhouse, and Shannon.

Later:

A message was received from the Legislative Council agreeing to the conference to be held in the Legislative Council conference room at 1.45 a.m.

At 1.43 a.m. the managers proceeded to the conference, the sitting of the House being suspended. They returned at 5.35 a.m.

The Hon. D. A. DUNSTAN: I have to report that the managers have been at the conference on the Wills Act Amendment Bill, which was managed on the part of the Legislative Council by the Chief Secretary (Hon. A. J. Shard), the Minister of Local Government (Hon. S. C. Bevan), the Hon. Jessie Cooper, the Hon. M. B. Dawkins, and the Hon. C. D. Rowe, and they there delivered the Bill, together with the resolution adopted by this House, and thereupon the managers for the two Houses conferred together and no agreement was reached.

Later, the Legislative Council intimated that it did not further insist on its amendments Nos. 1 to 7, to which the House of Assembly had disagreed.

STATUTES AMENDMENT (FRIENDLY SOCIETIES AND BUILDING SOCIETIES) BILL.

Adjourned debate on second reading.

(Continued from February 17. Page 4171.)

The Hon. Sir THOMAS PLAYFORD (Leader of the Opposition): When the Treasurer explained the Bill he said that it amended the Friendly Societies Act and the Building Societies Act and that it had a two-fold purpose, namely, to increase the amount by which a member might be indebted to the small loan fund from $400 to $1,000, and to permit friendly societies to establish and operate building societies. The Treasurer set out clearly the provisions of the Bill and I do not intend to debate the question of personal loans. I do not object to the establishment of building societies but if the Treasurer refers to his explanation of the Loan Estimates he will see that he said:

Of this State's allocation I have nominated £9,500,000 to be taken under the Commonwealth-State Housing Agreement, which is twice as heavy a diversion for housing on a population basis as is provided in the aggregate by all other States. This £9,500,000 will be supplemented by recoveries of some £450,000 this year and the total housing money will be shared, subject to the concurrence of the Commonwealth Minister for Housing, £4,600,000 to the Housing Trust, £4,904,000 to the State Bank, and £446,000 to the building societies.

Under the Commonwealth-State Housing Agreement, building societies have to have a share of the State's Loan allocation and the reason why the Treasurer took $19,000,000 this year for housing and the reason why this State's allocation has been so high is that we have not had the permanent building societies in South Australia. The big building societies that are established in other States have not been established here. Last year the Commonwealth Minister required $892,000 to be paid. If the Treasurer looks at his second reading explanation he will see that it was in relation to a total of $2,000,000 loaned by building societies. Of that sum about $892,000 was provided by the Treasurer. I believe it is inevitable that the more building societies that are established the greater will be the requirement by the Commonwealth Government for the assets to be paid over from the State's Loan funds to the building societies. I believe the Commonwealth Minister can require up to 30 per cent of the total money allowed under the Commonwealth-State Housing Agreement to be paid over to building societies. Over the years the previous Government did not go out of its way to establish building societies because it did not want to have such a large sum subtracted from its State housing money to pay to the building societies. Building societies are not governed by the same rules as are State housing authorities which are subject to the direct control of the Minister and which have always been subject to at least some routine investigation by a Minister. As far as I know building societies are uncontrolled and the policy of the spending of money is not so closely associated with the Government.

I suggest to the Treasurer that this angle of State finance be examined. I have been to Commonwealth-State housing conferences over the years and I know how heavy the requirement is particularly in States that have permanent societies established. The Commonwealth demand is heavy on the State's allocation which must be handed to building societies.

South Australia has, I think, only four societies and only one is large. Under those circumstances the Commonwealth Minister has required the State Government to hand over $892,000 to the building societies and that money is available to the societies for loans. As far as I know it is subject only to a general policy rather than to the same specific policy that applies to, for instance, the State Bank and the Housing Trust. The Treasurer need not nominate Commonwealth-State housing money, and in that case the Commonwealth has no control over it. However, I point out that that is cheap money, and obviously it is to the advantage of this State to get as much of its housing as possible under the Commonwealth-State Housing Agreement, provided it does not have to hand away too much of that money.

I believe the Commonwealth Government can require up to 30 per cent to go to building societies, and if it reached that dimension on an allocation of $19,000,000 it would prove a great financial embarrassment, particularly in this State where the Housing Trust and the State Bank have been built up as substantial housing authorities. I think that over the years those organizations have provided about 35 per cent of the total houses built each year. It is obvious that if we are going to subtract from those authorities a substantial sum we will cause considerable dislocation to institutions with which I believe the State has every reason to feel satisfied. I think those two authorities over the years have played a very important part in the State's development, and that their effort in that regard compares favourably with anything in the other States.

I suggest that the Treasurer look at what the position would be if there were under this legislation a substantial increase in building societies. I emphasize that he should consider the effect upon his housing money allocations. I can say from experience that the Commonwealth Minister is dead set to demand the utmost that he can to go to the building societies. That has been the Commonwealth Government's policy for a long time; it has always brought continuous pressure upon the State to increase the allocation to the building societies. The sole reason the allocation now is only $892,000 is that we have so few building societies in this State.

I have some reservation about one other matter. In his second reading explanation the Treasurer has pointed out that the interest payment is expressed as 4½ per cent flat. I do not like that: it is not a proper way to express interest rates on loans. I think the Attorney-General will agree with that. Actually, that works out to nearly 8 per cent in actual practice. One problem of hire-purchase has been that the interest rate is expressed as a flat rate and that many persons believe they are getting a loan at that rate, whereas it works out at nearly double. I suggest that the Treasurer examine the effect this legislation will have ultimately upon the sum he will be obliged to hand over to the new building societies that may be formed. I believe it could be as much as 40 or 50 per cent of the total money available to the Treasurer under the Commonwealth-State Housing Agreement.

Mr. McANANEY (Stirling): The Leader having had many years' experience in this matter, everything he has said must be seriously considered. If by making money available to building societies we assist those people who have shown a willingness to save and to make provision to build houses for themselves, that is a good thing, because it will give them an incentive to save for that purpose. If we can encourage people to save in that way and thus obtain more money overall for building houses, I think the building societies can play an important part. This is preferable to having all the money available from public lending being loaned out at cheap rates to people who prefer to use their money for other purposes. If through the building societies we assist those who are willing to start to save and we attract saving I think that is good for the general community. About 30 or 40 years ago there were rich people and there were poor people, but these days everyone has more or less an equal chance. I believe that the people who are willing to save should be given more assistance to get houses than those people who prefer to spend their money in other ways. I think assisting building societies is good for the community.

The Hon. FRANK WALSH (Premier and Treasurer): Since I have been Treasurer a surprising number of representations have been made to me by people desiring to form what could be termed building societies on a co-operative basis. From the outset they have not been discouraged, but have been informed that they may form a building society provided that they do not borrow from the existing financial organizations that the State Government has at its disposal. Emphasis is laid on the Savings Bank, the State Bank of South Australia, and to some extent the Commonwealth Bank and

its assistance. It is a question of reducing the savings that would normally go into State or Savings Banks, or the Commonwealth Bank. We have managed not to encourage this aspect. The amount referred to by the Leader is now $892,000, and had to be increased at the request of the Commonwealth Minister.

The Hon. Sir Thomas Playford: And every building society you establish will be another drain on you.

The Hon. FRANK WALSH: The Commonwealth Minister for Housing will attend a conference on Friday. The Commonwealth Government has offered to extend the existing agreement for five years with two fairly minor amendments. Since the agreement provides interest at 1 per cent below the long-term bond rate the Commonwealth has agreed to continue with what is the major advantage to the agreement. However, the offer made by the Commonwealth Government does not include a number of variations and additions that have been praised by the various States for many years, especially Commonwealth assistance for housing for those on restricted incomes (especially old people) and for inner suburban redevelopment.

This Bill will deal mostly with the friendly societies. I understand that the Druids Friendly Society lends money to its members, and on some occasions the Australian Natives Association has done so, but I do not know what other societies have done. I understand, referring to clause 5, that we have an Acting Public Actuary at present, and a problem associated with superannuation has been reviewed by the Under Treasurer and the Acting Public Actuary, so that agreement has almost been reached between them. Personally, I do not desire the establishment of further building societies to be encouraged in this State. The Housing Trust has done a magnificent job in housing the people of this State. Some friendly societies have been to the forefront in arranging loans for the purchase of existing houses. However, there is a limit to the amount they can lend. I have been informed that the Under Treasurer states that there will be no complications. Friendly societies, in the course of lending for homes, will not rank as building societies for the purpose of sharing in the home builders' account money.

The Hon. Sir Thomas Playford: Will these societies be exempt?

The Hon. FRANK WALSH: They will not come within the scope of the generally accepted building society, and will not share in the allocation of money under the Commonwealth-State Housing Agreement.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—"Objects for which funds may be maintained."

Mr. SHANNON: Will this clause include smaller societies that may be established along the lines of some operating in Queensland at present? I understand that such societies in Queensland can receive two sources of finance, namely, from the Government and from a lending organization (often a lodge or an insurance company). That could have some effect on our regular channels of housing finance.

The Hon. FRANK WALSH (Premier and Treasurer): Perhaps an agreement among friendly societies could be reached by a co-ordinated effort. I understand that the Co-operative Building Society of South Australia which makes loans to its members receives an allocation from the Commonwealth Government.

Clause passed.

Remaining clauses (4 to 8) and title passed.

Bill read a third time and passed.

INDUSTRIAL CODE AMENDMENT BILL.

Returned from the Legislative Council with the following amendments:

No. 1. Page 31 (clause 80)—After line 19 insert new subclause as follows:

> (8) Where an employer alleges that an employee, or a former employee, is indebted to him pursuant to an award or order of the commission or of a conciliation committee such employer shall have the same rights as are given to an employee by the other provisions of this section and the other provisions of this section shall, *mutatis mutandis*, apply.

No. 2. Page 45, line 19 (clause 127)—Leave out "twice" and insert "second".

No. 3. Page 45, line 21 (clause 127)—Leave out "in each case".

No. 4. Page 46, line 1 (clause 128)—Leave out "wherever" and insert "second and third".

No. 5. Page 46 (clause 128)—After line 13, insert—

> (*f*) by striking out the word "determinations" in subsection (2) thereof and inserting in lieu thereof the word "awards".

No. 6. Page 51, line 2 (clause 146)—After "board" insert "(twice occurring)".

No. 7. Page 51, line 3 (clause 146)—After "thereof" insert "in each case".

No. 8. Page 52, line 37 (clause 158)—Leave out "first" and insert "twice".

No. 9. Page 52, line 38 (clause 158)—After "thereof" insert "in each case".

No. 10. Page 53 (clause 158)—After line 5, insert—

(*d*) by inserting at the end thereof the following subsection:

(3) The commission, before recommending that the area of the State in relation to which a conciliation committee should have jurisdiction to make orders and awards should extend beyond the metropolitan area, shall determine whether the general interests of the community and of the employers and employees engaged in the process, trade, business or undertaking in the area concerned will be best and most conveniently served by so extending such jurisdiction, and in making its recommendation shall give effect to such determination.

No. 11. Page 54—After clause 168, insert the following new clauses:

168a. Amendment of principal Act, s. 340—Working hours for females and young persons.—Section 340 of the principal Act is amended by striking out the words "or determination" therein.

168b. Amendment of principal Act, s. 379—Powers of inspectors.—Section 379 of the principal Act is amended by striking out the passage "award or order of the court or a determination of a board" therein and inserting in lieu thereof the passage "order of the court or award or order of the commission or a conciliation committee".

168c. Amendment of principal Act, s. 383—Duty of inspectors.—Section 383 of the principal Act is amended by striking out the passage "awards and orders of the court, and determinations of boards" therein and inserting in lieu thereof the passage "orders of the court and awards and orders of the commission and of conciliation committees".

Consideration in Committee.

The Hon. C. D. HUTCHENS (Minister of Works): I move:

That the Legislative Council's amendments be agreed to.

The amendments were passed unanimously in the Council. Amendment No. 1 gives employers similar rights to employees to recover amounts due under awards. In the event of an employee being indebted to an employer the employer has the right to go to the commission to make a claim. Amendments Nos. 2 to 9 are either drafting amendments or consequential to the general amendments to the Bill. Amendment No. 10 is designed to protect employers outside the metropolitan area, as well as employees.

Amendments agreed to.

BULK HANDLING OF GRAIN ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from February 10. Page 3968.)

The Hon. T. C. STOTT (Ridley): It was made perfectly clear by the Minister in his second reading explanation that he had received petitions from many growers in the Eyre Peninsula and Tatiara areas in favour of the Bill. Some time ago the barley-growers' voluntary pool held a meeting in Adelaide and representatives attended from all over the State. Before that the South Australian Co-operative Bulk Handling Limited had handled oats mainly on Eyre Peninsula and in the Tatiara division on behalf of the barleygrowers' voluntary pool. The Act is not a marketing Act but only a Bulk Handling of Grain Act. Section 10 provides:

(1) Neither the company nor any director, servant, officer, or agent of the company shall—

(*a*) give to any persons desiring the services of the company preferential treatment as against other persons desiring such services;

(*b*) solicit business on behalf of any grain buyer;

(*c*) disclose anything relating to the business or transactions of any other person except where such disclosure is required by any other Act or law or is necessary for the purpose of transacting the business of the company.

Penalty: £200.

(2) This section shall not affect the right of the company to make any charges authorized by any other provision of this Act.

They are the principles contained in the Act. The co-operative has the sole right throughout the State of handling wheat in bulk and transporting it. During the early period of the creation of this company people concerned with grain operated under licence from the Australian Wheat Board. That was continued where bulk handling had no say. As the co-operative extended with its silo facilities so it became the sole receival agency. This was brought about by the fact that there is one Australian Wheat Board handling and marketing the whole of the wheat in Australia. The Australian Barley Board then came into existence with the rights of delivering and receiving barley on behalf of the growers, and then arrangements were made with the co-operative to receive, transport and ship barley in bulk on behalf of the Australian Barley Board. With those two Acts in relation to the two grains it can be seen that growers are bound to deliver under that marketing Act.

The position with regard to oats is slightly different because there is no compulsory pool or statutory legislation setting out a marketing authority to handle oats under a marketing system. Therefore, an approach was made, and a voluntary pool of South Australian oat

growers was created in the South-East and on the West Coast, and the articles of association were drawn up. The growers approached the bulk handling co-operative to handle oats in bulk, particularly in the Tatiara division. The co-operative went ahead and borrowed money from the Commonwealth Bank and built the silos. Of course, it is faced with getting the capital repaid. In order to protect its capital investment, it sought an undertaking from the growers that if they delivered to the co-operative silos they would pay 4d. a bushel in bulk to repay the capital cost. There was a great response from the growers.

On the other hand, there is no compulsion attached to this. If an oatgrower wishes to deliver to any merchant or to any person wanting to buy oats he is perfectly free to do so. He can sell his oats to whomsoever he likes. If he wants to deliver to a voluntary pool he has the same right and privilege. However, if he wants the co-operative to handle his oats in bulk the co-operative is obliged to receive the oats on behalf of anybody, whether he be a merchant or any other person, or whether it be a voluntary oat pool. That is what the co-operative can do under the Act without a compulsory pool.

This Bill has been introduced at the request of a great number of growers. As a matter of fact, it was not requested originally by the bulk handling co-operative. An approach was made for the co-operative to have the exclusive right throughout the State to handle oats. The exception, of course, is that the grower has the right to sell to whomsoever he likes. If a person wishes to use bulk handling facilities, the co-operative is bound to accommodate him. This Bill does not interfere with any grain merchant in any way at all. It is much cheaper to handle oats in bulk than it is in bags. If a grain merchant wants to enter into a contract with the grower to buy his oats and he does not want the expense of handling it in bags, the merchant can simply ask the co-operative to handle the oats on the merchant's behalf in bulk. The co-operative will thereupon store the oats at the pleasure of the merchant until it receives instructions from him regarding delivery. The only charge imposed for that is a charge to cover the capital cost to the grower plus handling charges. The charge for the repayment of the capital cost is 4d. a bushel, and the total overall charge is 8½d. a bushel. The 4½d. covers all the handling charges, wages, rates and taxes, electricity, and so on.

Those charges are not determined by the co-operative: they must be approved by the Auditor-General. There has been some criticism that the company is making excessive charges for the handling of oats. A meeting was held at Bordertown where a motion was moved that an inquiry should be held into the charges. When I addressed that meeting I pointed out that the allegation was quite unfounded, and that if there were any inquiry into the handling charges it should be directed to the Auditor-General and not the co-operative. The co-operative, under its own articles, is a non-profit-making organization. Therefore, members can see how unfounded is this allegation of high charges.

The production of oats will increase in various places in South Australia, and the growers there will require the co-operative or somebody else to handle oats in bulk. When Parliament passed this original Act in 1955 the Government of the day wrote a provision into the Act that it would guarantee 50 per cent of the money advanced by the Commonwealth Bank to enable the co-operative to go ahead, and that guarantee still stands. Therefore, this Parliament has an obligation to the Treasury to see that that guarantee is not affected. I remind the House again that the co-operative wants to do the right thing on behalf of its members, at the request of the growers in the State to handle oats in bulk. Would this Parliament look very kindly on the co-operative if it refused to handle oats in bulk? It would say, "We have given you a charter with a guarantee of Government money to handle wheat and barley in bulk, yet you are refusing oats." Therefore, this Bill is introduced at the request of the growers to have their oats handled in bulk. Oats can be handled in bulk very much more cheaply, and that is what the grower wants.

The growth of this co-operative has been fantastic, and it is admired by every other State in the Commonwealth. What I wonder is why there should be any resistance whatever to this Bill, for the co-operative is not going to interfere with anyone at all. It has been said that the co-operative cannot make provision for the purchase of a special type of oat because, as it all goes in one f.a.q. sample into the silo, it would be all mixed up. It has been said that we would not therefore be able to purchase a premium type of oat. I have heard about premium wheat and malting and feed barley, but I have not heard of premium oats. We have been told that there are 36 grades of oat but I have not heard of

them. If the merchant wanted to buy the special oats and the oats could be handled in bulk there would be nothing to stop the co-operative's doing that. The co-operative would arrange with the grower who sold the oats to the merchant for him to transport them direct. Having sold his oats to the merchant, the grower runs over the grid, tips the oats out, they go through the elevator into the spout, and away they go.

Mr. Casey: Why can't the merchant pick them up himself?

The Hon. T. C. STOTT: He could, if he wanted to go to a particular grower, but if he goes to the silo we have the exclusive right. The Minister, when explaining the Bill, used the words "proclaimed area" and said that he had been approached by growers from the South-East and West Coast and from grain merchants. He said that he understood the merchants in the South-East and on the West Coast were not interested, but they wanted the rights in the northern areas, and that is how he framed the Bill. The co-operative wanted exclusive rights throughout the State, but I am not going to oppose that part of the Bill. Later, however, if oatgrowers in the northern areas or in other parts of the State not proclaimed make representation for a silo to be built, we would approach the Minister to have the area proclaimed in the interests of the growers. There should not be two or three bulk handling authorities in the State, but only one. The history of the co-operative shows a fantastic growth with over $20,000,000 worth of silos built throughout the State since 1955. What better authority can be obtained? I commend the Minister for the way he introduced this Bill because he used the right approach. Perhaps he was nervous about it at first and wanted to test the reaction of people in order to carry out the wishes of the Government, but in his wisdom he introduced the Bill as it is. He was anxious to please everyone and to see that a reasonable compromise was reached.

The Hon. G. A. Bywaters: I did not try to please everyone.

The Hon. T. C. STOTT: The Minister has no worries in that regard. The question arises that people worry about the interference with the rights of other people and want to amend the Act so that the company will have exclusive rights of erecting silos. What use would that be? A smart grain merchant could go to a grower, buy his oats, directly transport them and by-pass the silo, which would become a white elephant. Farmers will not agree to that. If the co-operative is given the right to erect silos it must be given the right to transport and deliver grain. The co-operative must listen to representations from growers so that when finance is available it will consider the construction of further silos. Perhaps silos should be built in the Naracoorte and Millicent areas should there be an increased production of oats. There is a silo at Frances but to my knowledge it has not been filled since it was built. If growers in the South-East want a silo, the co-operative is bound to give favourable consideration to that request. If Parliament gives the company the exclusive right it is bound to build silos when it has the necessary finance.

Mr. Hall: What if there is no silo in a proclaimed area?

The Hon. T. C. STOTT: The same position applies where trucks take oats in bulk from the growers on a nominated day and discharge the grain at Thevenard into a silo, whence it will be shipped out. Some time ago the company was charged in court with showing preference to the oatgrowers' voluntary pool. Following that action which, incidentally, was settled out of court, regulations were drawn up, approved by Executive Council, and published in the *Government Gazette* as follows:

Regulations under the Bulk Handling of Grain Act, 1955-1962: The regulations made on April 2, 1964, under the abovementioned Act, are hereby amended as follows. (1) Regulation 2 is amended by adding the following definitions: "receival station" means any location where oats are received from a grower for processing or resale. "Co-operative society or grain merchants" means any person who purchases or receives oats for resale in any form or for processing or for conversion into or for use as an ingredient in the manufacturing of food or of stockfeed or other goods but shall not include any person who purchases or receives oats wholly for feed for his own livestock and/or poultry. . . .

There is no intention to interfere with the rights of a grower who has a bulk silo on his farm and who desires to sell his produce to a neighbouring farmer who also has a silo. After all, the company represents the barleygrowers and oatgrowers of this State and is bound to give a service to them. The directors of the company, who were elected by growers all over the State and are held in high esteem, are obligated to fulfil their commitments with the Commonwealth Bank. They have already borrowed $240,000 to build oat silos and must obtain sufficient security through tolls to meet that commitment. Naturally, as responsible men, they do not desire to lose faith with the bank. If the company were allowed to erect

silos without rights in relation to transport what would happen to tolls? It may be said that an undertaking exists with the growers to pay these tolls but suppose a grain merchant says that such an undertaking cannot be enforced: it would indeed be difficult in law to enforce it. If a grower in a proclaimed area such as Coonalpyn (where no silo exists) desired to deliver his oats in bulk by direct truck to, say, Port Adelaide, he would be told he was obligated to pay the 4d. If he refused to do so, the onus would be on the company to see that he did, and a court action might arise. A case would be extremely difficult to prove.

I ask the House not to monkey around too much with the Bill, nor to interfere with the company's rights to carry out its charter and to provide a service to growers. The balance sheet of the company for 1965 shows that handling equipment, including terminal and country silos totals $21,957,690; land and buildings, office furniture etc. takes that total to $22,329,904. By subtracting depreciation at $3,654,730, the balance is $18,675,174. By adding stock on hand and current assets, the company's total assets are $18,980,960. Less than three years ago the company arranged a bank borrowing subject to a Government guarantee for $100,000 to finance the construction of four oat bins in the Tatiara area. A further borrowing of $80,000 was arranged from the bank (a Government guarantee was required) to meet the cost of an additional oat bin in the Tatiara district and cost of provision of cell storage for 100,000 bushels of oats in bulk at the Port Lincoln terminal silo. A request by oatgrowers for improved facilities and an extension of the system for handling oats in bulk on Eyre Peninsula was met by the co-operative making available from tolls contributed by wheatgrowers $60,000, with the result that the total capital of $240,000 (applied for five horizonal bulk oat bins in the Tatiara division, 100,000-bushel bulk cell storage space at Port Lincoln, and the purchase and conversion of railway sheds at Thevenard and Kimba for the storage of oats in bulk) was advanced before any contribution by way of capital facilities or tolls was made by oatgrowers. The bank loans were advanced on the understanding that repayment of the $180,000 would be complete in eight years and that about 80 per cent of the oatgrowers in the Tatiara district had undertaken to contribute 4d. a bushel capital facilities defrayment on their oat deliveries to provide funds for oat bins.

It is necessary that exclusive rights be granted to the co-operative by an Act of Parliament for the handling of oats delivered in bulk to railway sidings in the Tatiara division and on Eyre Peninsula so that the heavy capital expenditure involved in providing these facilities for bulk oats handling is not jeopardized. The co-operative is obliged in terms of the Bulk Handling of Grain Act not to give preferential treatment to any one entity; therefore, the company provides a service to recognized purchasers of oats on a commercial basis. As a public utility, the co-operative is obliged to maintain and operate bulk oat bins in an efficient manner and, as the Bulk Handling of Grain Act is administered by the Minister of Agriculture, the co-operative must effectively store oats in bulk in a satisfactory condition.

Whilst $160,650 has been supplied in the provision of bulk oat facilities in five railway station yards in the Tatiara division, and $79,574 applied to receival and storage facilities for bulk oats at three locations on Eyre Peninsula (Port Lincoln, Thevenard and Kimba), deliveries of bulk oats last season (1964-65) were greater on Eyre Peninsula than in the Tatiara division. The Eyre Peninsula receivals were 538,517 bushels and receivals in the South-East were 470,000 bushels. The poor season on Eyre Peninsula for oats this year (1965-66) and lower production of oats in the Tatiara division has been reflected in the lower volume handled—Eyre Peninsula, 104,179 bushels, and South-East, 374,518 bushels.

Nevertheless, in the two years C.F.D. contributions on Eyre Peninsula totalling $20,278 have resulted in 25 per cent of the capital cost for oat installations being recouped and there remains $59,196 outstanding. In the Tatiara division contributions in the four years that the co-operative has been receiving oats in bulk on behalf of recognized oat traders show capital facilities defrayment collections of $64,148 have been effected. This represents 40 per cent of the capital expenditure in the South-East for oat facilities. On the assumption that deliveries in future seasons are to the order of the average annual deliveries of the last three years, it will require only about five years to completely amortize the installations. In that event, by the end of 1970, oat handling costs by the co-operative could well be reduced to 3½d. a bushel. The 4d. a bushel toll, which covers capital costs, will be repaid, the total amount amortized, and then the growers who deliver at the facilities will be 4d. a bushel better off. What will be the

result of monkeying around with the Bill? There will be a consequential loss in tolls and it will take longer for the capital to be repaid, meaning that the growers will have to pay 4d. a bushel for a longer period. This is not marketing legislation—there is no compulsory pool for oats. If growers want to use the facilities for oats they can do so. It is as simple as that.

Mr. Nankivell: What about where there are no facilities?

The Hon. T. C. STOTT: I have dealt with that. There were no facilities at Minnipa and, as the growers were anxious to have their oats handled in bulk, they elected certain days and their oats were trucked direct to Thevenard. We will be forced to provide this service under the Bill and, if it is passed, the co-operative will see that its obligations are carried out.

It should be appreciated that twice as much capital has been applied to bulk oat storages in the Tatiara division as on the whole of the Eyre Peninsula. Costs incurred in handling oats in bulk by the co-operative are submitted to the Auditor-General for the charge to be fixed for the ensuing year, having in mind that actual costs only may be recouped. As 4d. a bushel of the present charge of 8¾d. a bushel is for capital facilities defrayment, the co-operative's actual charge for operating costs is 4¾d. a bushel. This is considerably below the bagged commission paid to licensed receivers by the Australian Wheat Board and the Australian Barley Board, and no doubt well below the costs assessed by merchants for handling oats on their own account.

With the introduction of bulk handling of oats by the co-operative in South Australia, improved standards by the co-operative with annual meetings with the trade to determine quality standards for the following year have been a contributing factor. The checking of each load of oats for moisture content, cracked, unmillable and foreign matter has been an important factor in achieving a cleaner sample and providing buyers with a more uniform delivery. The co-operative, in applying $240,000 to the construction of bulk oat bins in South Australia, expedited bulk handling methods for oats. This has resulted in lower handling costs from the straw to the consumer. The co-operative should have the exclusive right to handle oats in bulk at rail sidings in South Australia as a protection for the capital expenditure involved in building the oat bins, and it has an obligation to build other oat bins where the volume of oat production warrants further storages. Increased oat production in the Tatiara division has been influenced by favourable seasons, the introduction of bulk handling methods with consequent labour saving and easier handling operations.

As the co-operative can recoup only actual operating costs, and these are subject to scrutiny and approval by the Auditor-General, no other entity can handle oats at a lower rate. Growers should be warned that merchants trade for a profit; therefore their cost would obviously be higher than actual costs. Merchants have to make a profit, otherwise they could not live. The point is that the co-operative can do it much more cheaply, because it is a non-profit-making body. The saving clause is that if it made a profit it would be liable for taxation.

Mr. Rodda: Could a person approach the co-operative to buy oats?

The Hon. T. C. STOTT: The co-operative is not a marketing authority. If there are oats at Bordertown or somewhere else in the South-East and a person wanted to get a load of oats, he would have to approach a merchant or the voluntary oat pool that had oats. The co-operative would then see that the oats were forwarded out for that person. The co-operative does not own the oats.

Mr. Shannon: You say to the merchant that the oats will be there if they have not already been sold.

The Hon. T. C. STOTT: If the merchant has not already got a contract for the forward delivery of so much a month, and all his oats in the silo are bound, he could not supply. If a person wanted to approach a merchant for oats, he would have to say, "I want X bushels of oats at a certain time." Arrangements would then be made to keep the oats there for him. A person can make his own arrangements with the grain merchant who owns the oats, or with the pool. The co-operative does not own the oats, and it is not a marketing organization; it merely handles the oats in bulk, thereby giving a service to the people who want it. There can be no denying that since the introduction of bulk handling of oats standards have improved, the sample is cleaner, and oats have been exported in far better condition than by the bagged handling method.

At a meeting at Bordertown the other evening one individual told the South Australian oatgrowers' pool and the co-operative that this legislation should not pass. He made allegations in the press and at the meeting that if this legislation were passed it would increase the cost to the grower. How will

this legislation increase the cost to the grower? It could not possibly do so. The growers have already agreed, by signing a document, to pay the 4d. a bushel for the repayment of the capital cost. Therefore, that charge is easily blown out. The second charge he made was that there should be an inquiry into the high handling costs on oats. I have already dealt with that matter. When I replied I said that if the charges were high the allegation should be against the Auditor-General and not the co-operative. Members can see how ridiculous those allegations are; they have no foundation in fact whatever. What is behind this, of course, it that some people do not want this co-operative to have the exclusive rights.

The reason for that—and this is the kernel of the whole legislation—is that unless this co-operative gets this exclusive right some other merchant or some oat milling company could go into a siding where the co-operative does not at present have a silo, put a bin there and receive the oats in bulk, and the South Australian oatgrowers' voluntary pool could not deliver a bushel to it; it would be exclusive to the merchant who erected that bin. However, if the co-operative had the right to erect it, it would have to receive from anybody who wanted to deliver to it. Why should this Parliament cut out growers who want to deliver to their voluntary pool, thereby getting cheaper handling costs in bulk and the best results from the final realization? The co-operative does not shut out the merchants. I am sure this Parliament will see the wisdom of passing this legislation and giving this right to the co-operative so that everybody in the trade will get a fair deal. If the legislation is not passed, one section of the trade will have the privilege of receiving all the oats and the voluntary pool will not be able to deliver.

There has been some criticism of the Bill, which amends section 12 of the principal Act. However, there is nothing in the Act or in this Bill that interferes with the miller's right at all. The exemption is there in the Act, and this Bill makes the proper provision for oats as well. If honourable members are not certain that this Bill will do what they want it to do, then provided an amendment does not interfere with the rights of the co-operative I think we can get together and arrive at a Bill that will be satisfactory to everybody in this Parliament. I would be quite happy to accept any amendment to make it clearer. However, I emphasize that if the co-operative is given the right to erect silos, it must also have the same rights that it possesses in respect to wheat and barley. If the co-operative were confined merely to erecting silos, it would be hamstrung, and it would then have a white elephant on its hands. I think I have given a clear explanation of the Bill. This is bulk handling legislation, not marketing legislation. The co-operative is here to give service under the protection of this Bill. I commend the Bill to honourable members.

Mr. MILLHOUSE (Mitcham): The member for Ridley is, I understand, an expert in matters of primary production. As all members know, I am not an expert and therefore the speech I shall make will be in proportion to my knowledge, and correspondingly shorter than his. The Minister, in his second reading explanation, said:

> The object of this short Bill is to provide that the South Australian Co-operative Bulk Handling Limited shall have exclusive right to handle oats in bulk within certain areas of the State comprising Eyre Peninsula and portion of the South-East.
>
> Up to the present there have been several merchants and firms of merchants trading in oats throughout the State and in the areas to which this Bill is meant to apply.

Mr. Casey: Do those merchants trade in wheat?

Mr. MILLHOUSE: I don't know, but I believe they do. It is not relevant to my argument. By this Bill, the merchants' right to trade freely will be taken away and they will not be able to trade in an unfettered way in oats. I do not believe that this is fair or just. Parliament should not take away from people rights that have been exercised for many years. The member for Ridley suggested there was no reason why a merchant should complain. However, several merchants are complaining about losing rights they now have. I understand that up to the present there has been much trading across the border with Victoria. Pursuant to section 92 of the Commonwealth Constitution nothing much, if anything, can be done about that trade.

Mr. Shannon: Nothing at all can be done.

Mr. MILLHOUSE: That is correct. Merchants from Victoria or anywhere else can come across the border and compete with people in South Australia for the purchase of these oats. The passing of this Bill in its present form will do nothing to restrict the rights of Victorians or anyone else across the State borders from continuing that practice.

Mr. Shannon: And from expanding it, too.

Mr. MILLHOUSE: Undoubtedly, because they will have the field to themselves. South Australians will not be able to do it, and naturally the trade across the border will expand. I do not know whether this is good or bad for South Australia, but I have been told it will be a bad thing. I deal now with the terms in which the Bill is drawn. Under the Bill the co-operative will have the sole right of receiving, storing, and handling oats in bulk within any proclaimed area. We know that these areas will be named. In spite of the comments of the member for Ridley, are we satisfied that the co-operative has the facilities throughout these areas to handle all the oats in bulk available that must be handled? I do not know whether this is so, but I believe the co-operative does not have the facilities to do this. Under the present Bill no-one else can touch these oats and, if the co-operative cannot, no-one else can. That is the effect of new subsection (1a) being inserted in section 12. We should not pass a law in this form unless we are absolutely certain that, from the beginning, the co-operative can do the job. It is wrong for Parliament to pass a law knowing that it will be broken and must be, because the co-operative to which we give the monopoly cannot handle the business. I acknowledge that it is necessary, as the member for Ridley pointed out, that an investment in bulk facilities must be given legislative protection, but the co-operative has erected facilities for oats in the South-East without having that protection, and I understand that it has obtained the business with the facilities being used to the full during the seasons since they have been established.

It is necessary to protect an investment but this can be done by giving the co-operative the monopoly for the erection of facilities to receive, store, and handle all oats in bulk. This Act will not prevent other people from trading and handling oats. It will mean that there can be person to person sales, farm to farm sales, and merchants buying and handling oats themselves if they care to do so and if growers are prepared to trade with them. That is as it should be. If the feeling among growers is as strong as is suggested, they will not want to trade with the merchants, but it will give the merchants the opportunity to continue to trade if they can obtain that trade.

I say again that I believe it is unjust to take away the rights merchants have had up to the present. I acknowledge it is necessary to protect an investment, but I do not think this should be done by cutting out merchants altogether. I believe it can be done simply by allowing for a monopoly in the erection of facilities. It has been urged against that conception that, if we amend this clause simply to give a monopoly in the erection of facilities, it will mean that farmers will not be able to store on their own properties. I do not accept that interpretation of the clause but if it is a correct interpretation, then at present, if we interpret it literally, a farmer cannot even handle the oats once they have been harvested, because the company has the sole right of handling oats in bulk. Therefore, I do not think that argument can be advanced. This, of course, is merely a copy of section 12 (1), which relates to wheat and barley. In Committee I intend to move certain amendments. I shall support the amendments on the file in the Minister's name in regard to the naming of the areas. I support the second reading, but do so with reservations.

Mr. SHANNON (Onkaparinga): If we take at face value what the member for Ridley has told us, and correctly analyse his statements with regard to the support of which the company is assured, by virtue of its efficiency and cheapness, I cannot imagine why any legislation of this sort should be required. The wise men who handle the company, who are such shrewd businessmen, taking no risks at all with the farmer's money, saw fit to spend $240,000 for the bulk handling of oats, without any assurance, apparently, that they would ever get that money back. Now they have decided they are in some jeopardy with regard to their investment and seek a monopoly to protect their foolish investment if, indeed, it is foolish. Surely, they must have some reason for seeking this protection: perhaps it is because they fear that the farmers will not continue to support them. If that is the answer, obviously we are on dangerous ground and are taking a step we may regret. In reply to a query relating to possible installations in areas that are to be defined in the Bill (where no facilities exist at present), the member for Ridley gave no promise at all: first, the farmers themselves applied for the facility; and, secondly, the company had the finance to provide the facility.

No assurance is forthcoming that the areas to be specified in the Bill will be harnessed to bulk oats, and many farmers may well be paying a toll of 4d., without any facilities. Although the member for Ridley said that oats were not controlled as are wheat and

barley, he did not say that there was any such thing as an oat pool controlled by a Government authority, the reason being, of course, that oats are something of a catch line, and grown extensively in this State to improve the land for other grain. The figures given by the honourable member in relation to the receival of oats into the two areas where the company has installations (Eyre Peninsula and the Tatiara division) are an indication of the fluctuations in receivals. When the honourable member was asked what would happen on Eyre Peninsula if no facilities were provided, he smoothly answered that a certain day would be set aside when an empty railway truck would be in a siding for a grower to load his oats with an augur from his own bulk truck, to have them carted to Thevenard for shipment. Was he referring to shipment overseas? Has the honourable member had any experience in marketing oats?

The Hon. T. C. Stott: We already do it!

Mr. SHANNON: A great difficulty can be encountered in finding an oversea market for oats. I know the vagaries of the oversea oat market. Indeed, anybody who has had any experience at all with grain (and the company with which I have the honour to be associated has had a long association with it) knows that oats are one of the imponderables. Even the local market depends largely on the season. With a good season and plenty of stock feed available, oats are simply a drug on the market, but with a lean year there is a strong demand for oats for the supplementary feeding of stock. Most wise farmers provide on their own farms for storage.

The milling industry has a bigger investment in oats than the average merchant because there is a plant designed for the processing of oats. The member for Ridley slid around the question of millers rather adroitly. He said a person could buy oats from a grower, instruct the grower to send them to a siding and then give instructions to the co-operative which would put them on the truck and deliver them anywhere desired. However, oats are a crop rather amenable to the admixture of foreign matter. If they are bulked and a fair average quality sample is taken it is obvious there will be foreign seeds included. There is a market for seed oats. Some growers are careful about keeping their plants clean and buy seed from only certain sources because of their fear of getting foreign seeds on their farms. Under this proposal, it will be rather difficult to avoid having foreign seeds. Anybody who grows oats should be interested in getting clean seeds for his farm. We know that certain parts of the State are infested at the moment with skeleton weed. This weed might scatter all over the State if seed oats were cleared from a bulk source.

Mr. Nankivell: There is not much chance of that in bulk, as it is light seed.

Mr. SHANNON: Does the honourable member think the seed will all blow out? Some will blow from the railway trucks and start a crop of skeleton weed along railway lines. This is not the only type of seed about which farmers worry. Under the provisions for the bulk handling of wheat the co-operative accepted an obligation, and I believe some obligation should be placed on it in this case if it is to be granted the great privilege of being a monopoly in this field.

The co-operative is a non-profit organization. I have nothing against the co-operative and I do not think it is trying to fleece anybody because there would be no advantage in its doing that. On the other hand, it has no real incentive to be efficient because the whole of its charges are passed back. I know that the Auditor-General has to look at costs but, although I have a high regard for him, this is a specialized field and he would have difficulty knowing all about it. I doubt whether the co-operative would run as efficiently as an organization run for profit. I am one of those old-fashioned people who believe that the profit motive is a good incentive for efficiency, especially if there is competition in a field. A person's own efficiency is then the mark of success or failure. I point out that if the co-operative is a monopoly people will be in its hands as to whether facilities are provided. In the early days of the co-operative I received letters from farmers complaining that, although they were paying the toll, bulk facilities for wheat had not been installed in their area. This will happen with regard to oats, too. The co-operative is apparently at present in difficulty.

Mr. McAnaney: The balance sheet shows that it is doing all right.

Mr. SHANNON: I am sorry for the honourable member.

Mr. McAnaney: I may be a self-taught accountant, but I understand figures.

Mr. SHANNON: So do I, and I can also understand the things that motivate people. If the member for Stirling thinks the Bill has been supported by any other source than the co-operative I should like him to tell me which source supported it. The member for Ridley is a handy liaison officer for the co-operative;

he brings down his staff as well. They have been here and I have seen them ear-wigging members.

The Hon. T. C. Stott: There is no harm in that.

Mr. SHANNON: Not if there is freedom. However, I believe that if the proposed amendment of the member for Mitcham is not carried this will not be a free country for oat growers. They will find themselves tied to the bulk-handling body without any hope of getting out of paying the 4d. toll. That is fundamental in the Bill. The only reason the Bill has been introduced is to make sure that every oatgrower pays 4d. a bushel into the co-operative. If any honourable member thinks the Bill has another objective I should like to hear what it is. If oatgrowers are as enthusiastic for bulk handling as they are alleged to be by the proponents of the Bill, we do not need a compulsory payment. The co-operative should be putting in open receiving facilities wherever oats are grown if the scheme is as popular and economically sound as it is alleged to be. I find myself on the side of the farmer, saving him from himself. Some wise farmers do not think they need saving, but if this Bill ever becomes law it will catch up with some people who did not realize all that was involved in it.

Mr. NANKIVELL (Albert): When listening to the final remarks of the member for Onkaparinga I could barely restrain myself from shedding tears. I think he was trying to use an emotional rather than a logical argument to support his case. As a grower, I have not found any of these problems that seem to be worrying certain honourable members concerning barley and wheat handled by the co-operative. This monopoly has not proved such a disadvantage to the growers.

Mr. Shannon: Did I suggest barley and wheat had created any problem? You cannot put those words into my mouth.

Mr. NANKIVELL: I must admit that the sales of wheat and barley are made through a marketing board, and the co-operative in these cases has the sole receiving rights for those particular marketing organizations. Therefore, in those circumstances it is very nice to tie up this legislation, as it is done by the bulk handling co-operative, to give it the same rights with oats as it has had with barley and wheat. There has been some weeping tonight about seed oats. I presume some people must buy seed oats from merchants. In fact, some merchants have told me that they have seen large quantities of certain varieties. However, I venture to say that there is no problem in handling these either in bags or in bulk.

One problem, of course, is that somebody will have to pay the handling charge. All that is requested in this Bill is that the handling rights be given to the co-operative so that it can handle on behalf of whomsoever it wishes to deliver to it; that could be a grower or a merchant. I am at some loss to try to work out just whose figures are correct. Obviously, from what the member for Onkaparinga has implied, the merchants must think they can handle oats more cheaply than can the co-operative. I have been told by merchants who are using this facility that it is an economical proposition for them to pay these charges, which seems to be the major point of discontent with some people. I support this Bill with certain reservations, and those reservations are covered by amendments that I hope will be dealt with when we get into Committee.

Mr. Millhouse: Are you satisfied with the form in which your amendments are drawn?

Mr. NANKIVELL: I am satisfied that they are in the best form in which I can draw them. The honourable member, of course, is trying to lead me into making the simple mistake of committing myself on some amendment. I believe the powers given in this Bill are far too wide. However, I represent the Tatiara district, one of the biggest oat-growing areas, and my district includes more than half of the area referred to in the "defined area" of this Bill. I have only had support for this legislation from the people whom I represent, namely, the growers. Those growers have asked for this legislation. I have been petitioned on the matter, and as there has been no counter-petition I naturally accept the petition. I believe that by and large most of these growers are members of the co-operative oat growing pool and they choose to deliver their oats in bulk to these facilities. There is nothing to stop merchants from using these facilities, and it is completely absurd to say that they are being deprived of the rights of trading with the growers. The only provision that is made in this instance is that they must deliver through the co-operative and they do not have the right to direct trade, a right that they seem to think is very important to them. This is the only objection I can see that can be raised to this particular measure. I believe the powers sought in this legislation are blanket powers, for they refer to receiving,

storing and handling, and the sole right to contract and arrange transport. Those are the points I object to, and I will attempt to correct them in Committee. I support the Bill.

Mr. RODDA (Victoria): I, like my colleague the member for Albert, represent a portion of the South-East that grows a good deal of oats, and my district is involved in the area to be proclaimed under this legislation. There have been requests from the growers in my district for this Bill. At a couple of meetings recently the growers have been unanimous that this Bill should pass. However, one aspect that has worried me a little concerns the grower to grower selling which goes on in my district on a fairly large scale. However, I have been assured that this will be tidied up.

I shall be looking at the amendments to this Bill with some interest. There is no doubt whatever about the efficacy of bulk handling as a medium for the handling of grain. The honourable member for Ridley, who is an expert in grain handling, made this quite clear. With all due respect to my friend the member for Onkaparinga, I am quite happy to accept the member for Ridley as an expert in this field. Certain parts of the South-East have the characteristic that they are capable of producing 100 bushels of oats to the acre. This is brought about by an abundance of clover in the pastures, and on the highlands it is possible to obtain these yields. In the South-East we have 4,000,000 sheep, but our graziers have not learned the art of efficient feeding of animals. This is a place where we can have a productivity and an efficient market for the utilization of the grain. More and more farm storage is taking place each year, and the prudent farmer stores sufficient on his farm.

However, most people are not adequately storing at the tail of the waggon. With 4,000,000 sheep we could use all the grain we could store with proper utilization, but we would still have to obtain grain from the merchants who had it. This is the potential market in the South-East. I need the assurance that farm to farm selling will continue. It has been suggested that if this Bill were passed this would not be so. However, farmers in the South-East could buy grain in Victoria and be protected by section 92 of the Commonwealth Constitution. True, we are worried about skeleton weed and salvation jane, and the tail of the waggon buyers watch this closely. However, the Minister has the power and the officers to overcome this problem. There is only one way to store oats and that is in bulk. We can segregate the grades, and seed oats can be taken care of by a prudent farmer. I support this Bill, but I want the assurance that farm to farm purchases may be made after this Bill is passed.

Mr. McANANEY (Stirling): A marketing board is not satisfactory to control the sale of oats, and this is one weakness with the Barley Board, as that system lacks flexibility and increases costs. In the future we must use all the oats to feed our livestock if we are to maintain production to cope with home consumption, apart from export. We must have silos so that oats are available all the year. Bulk handling of oats has recently commenced, but if merchants wanted silos they should have erected them. Now we have a co-operative controlled by the farmers, and we must support it. In private business the profit motive is important, but in a co-operative everyone is working in the interests of all with a desire to give a service to everyone. However we are faced with the dead hand of Socialism and an increase in Government control of railways, a control that has proved ineffective and inefficient.

The Hon. G. A. Bywaters: I don't agree with that. What about cheaper freight rates?

Mr. McANANEY: Most of the oats coming into my area come by road transport because it is cheaper. I do not support the idea of the co-operative's having full rights in my area, as the railways cannot be used because of the extra handling and greater expense. If silos are needed, they will be obtained only through the South Australian Co-operative Bulk Handling Ltd. It has been suggested that the co-operative has insufficient silos, but no organization can erect more silos without protection such as that afforded by this Bill. The ability of farmers to transfer oats freely must not be curtailed. I believe that most seed oats are handled in bags because they are bought in small quantities and because, if they are handled in bulk, weed infestation is possible. Subject to the foreshadowed amendments, I support the Bill.

The Hon. G. A. BYWATERS (Minister of Agriculture): I thank members opposite for their attention to the Bill, although obviously there is a difference of opinion among them. I hope the discussion on this measure will benefit the industry. Although this is probably one of the smallest Bills to be introduced

this session, it has caused more concern than have many of the bigger measures. I was approached by the Chairman and the General Manager of the co-operative and asked to introduce this Bill mainly because the co-operative was concerned about other interests erecting silos where the co-operative had silos nearby. It was pointed out that the co-operative had a large sum invested and that the State Government, which guarantees loans to the co-operative, was also vitally interested. It was pointed out also that growers who had agreed to pay tolls would be detrimentally affected. I discussed this matter with the people concerned, and it was pointed out to me that the former Government had been requested to introduce similar legislation but it had not done so. Perhaps I can now realize why it did not. After I consented to introduce the Bill, it was pointed out to me that it would be detrimental to people building silos in competition with the co-operative, as they would have bins that nobody would be permitted to use. To overcome any embarrassment, I took up this matter with the Minister of Transport, who agreed to the suggestions I had made, and the Railways Department then said it would not allow anyone other than the co-operative to build bins on its property.

Naturally, there were protests from people who thought they would be able to build silos, but I told them why I was taking this action. After this there were representations from various merchants, and I pointed out to them that I had received many petitions signed by a big cross-section of growers of oats in the South-East and on Eyre Peninsula for the sole rights to store and handle oats to be vested in the co-operative. The merchants pointed out the difficulties they had had, one of the main ones being that in some areas they received only small parcels of oats and that, if these were added to other oats in a bin, they would be no longer segregated. I was told that oats differed from wheat and barley, that this grain was used for various things, including stock foods and racehorse feed, and that it would be undesirable, particularly in northern areas, for there to be one bin. I saw the logic of this argument and agreed that, as the South-East and Eyre Peninsula were the only areas petitioning for this, other parts of the State would be excluded. That is where I made a mistake, but as this relates to an amendment, Mr. Speaker, I know I shall not be permitted to speak on it at this stage.

Representations not only from the co-operative but from growers themselves caused this Bill to be introduced. One merchant in my district who had been most vociferous in his arguments against the measure said that he was going to organize people in the South-East to oppose it, but as he has not done so I can only assume that growers in that area favour it. I ask members to support the second reading.

Bill read a second time.

In Committee.

Clauses 1 to 3 passed.

Clause 4—"Right of company in respect of bulk handling of wheat."

Mr. MILLHOUSE: I move:

In new subsection (1a) after "sole right of" to insert "erecting facilities for the".

This amendment would remedy all the defects that have been referred to by other honourable members. It would give the company a monopoly in the erection of facilities; it would protect the company's investment, without taking away the right of individuals to sell from one farm to another and from person to person. It would not deny merchants the right if they so desired (and if the growers so desired) to take anything away from a farm. It would not affect the company's handling oats in bulk and its being able physically to give the service required all over the area to which this subsection is to apply. It would mean that merchants in Victoria would not have the field to themselves, as they would have if we passed the Bill in its present form. The amendment means that our merchants (if growers desire to deal with them) will be able to compete with people from Victoria. Above all, it will mean that we shall not be doing an injustice to people who have been trading in this commodity—people whose right to trade will be greatly hampered and restricted if the Bill is passed in its present form.

The Hon. T. C. STOTT: I hope the Committee will not accept the amendment. I know that the honourable member would know as well as I the terms of section 92 of the Commonwealth Constitution in relation to Victorian merchants. The company has a silo at Bordertown for the purpose of receiving oats from anybody who wishes to deliver them, and Victorian merchants are in no way affected.

The Hon. G. A. BYWATERS (Minister of Agriculture): I ask the Committee not to accept the amendment. In relation to the honourable member's further amendment, I point out that the company is committed to a

large investment in respect of any silo it erects. If one of its silos is by-passed, that silo may have to stand empty.

The Hon. D. N. BROOKMAN: If merchants want the samples of milling oats they choose will they get these samples or must they be restricted to receiving those in bags? Also, it is well known that weeds, particularly skeleton weed, are spread by seed oats. I think that a farmer who lives in a district that is not affected by skeleton weed is also taking a risk if he buys feed oats that have been grown in areas of the State where skeleton weed exists.

The Hon. G. A. Bywaters: He would take that risk regardless of the Bill.

The Hon. D. N. BROOKMAN: I am not sure about that. A farmer who wants oats for feeding finds out from where they come, but if they come from a silo he cannot find this out.

The Hon. G. A. BYWATERS: This matter was discussed in conference with a representative of the corn trade section of the Chamber of Commerce and with the General Manager of the co-operative. They discussed small consignments that they did not want in the bins where they would be lost amongst specialized types of oat. The General Manager undertook that he would give an assurance in writing, if the Bill were passed, that where this happened the co-operative would arrange direct trucking of oats on behalf of the merchant to wherever the merchant wanted delivery. I am not prepared to accept the amendment because I think the assurance of the General Manager covers the position.

The Hon. T. C. STOTT: I accept what the Minister has said. The co-operative handles two grades of oat at present, milling oat and feed oat. As the oats go over the belt the feed oats and other oats can be dropped into different partitions in the bins. However, if a person wants a special type of seed oats the obvious thing to do is to get them in bags, because then he would know that they were clean. Section 12, as amended, will provide an exemption. Therefore, seed oats can be handled in bags.

Mr. SHANNON: If the amendment is not carried, only Victorian merchants will be able to go over the border. Surely we do not want our own businessmen to be affected in this way. The member for Stirling represents areas where road transport is the only logical way of handling oats because the railway takes a roundabout route. I support the amendment because it affords justice to people who will be affected and does not in any way deny the co-operative what it claims it wants: the sole right of handling bulk facilities.

The Hon. T. C. STOTT: Under section 92 of the Commonwealth Constitution, a Victorian merchant who came across the border would not be affected in any way by the Bill. A South Australian merchant would be in the same position and could go back across the border from Bordertown to Victoria. If a merchant wanted to transport within South Australia he could use the silo; he could instruct the co-operative, which is bound to consign oats wherever they are wanted in the State. The Bill does not confine handling to the railway system, although most of the oats will be handled in bulk. However, if people in the district of the member for Stirling wanted to contract for delivery of oats by road transport there would be nothing to stop them.

Mr. MILLHOUSE: Those who are opposing this amendment have studiously ignored the position of the merchants and the point I have made time and again that the merchants are losing something which up to now they have had, and they are losing this unjustly. I believe this is of great importance. Strangely enough, the Minister said the main objection of the merchants to this Bill concerned the northern areas of the State, which areas do not come under this Bill. I assure the Minister that this is something that is giving the merchants cause for much upset and anxiety. It is not correct, I suggest, for the member for Ridley to say that a South Australian merchant could simply make a detour into Victoria and then bring the oats back here. That would not be a genuine interstate transaction at all. South Australian merchants clearly on the whole will want to use the oats in South Australia, and there will be no genuine element of interstate trade in that at all. I do not know whether the member for Ridley is simply being obtuse.

The Hon. T. C. Stott: I am satisfied that I am correct.

Mr. MILLHOUSE: I am satisfied that the honourable member is utterly and entirely wrong. This cuts the South Australian merchants out entirely, and to say that a detour of a couple of hundred yards across the border would give them the protection of section 92 is nonsense. There must be some genuine element in interstate trade to get that benefit. The Victorians will have that protection; they will come in, take the oats back to Victoria and erect facilities there, where there is no

control at all, and that is then a genuine interstate transaction. They alone will be able to do this; the South Australians will not, because what they will want to do is to deal with the oats in South Australia, and they will be prohibited from doing it under this because the only person who will have the sole right to do it is the co-operative. It is nonsense to say that merchants will still be in the same position afterwards. We will be leaving the field open to merchants out of this State.

Mr. Casey: If the farmers in the areas we are talking about agree to put their oats into the co-operative's silos, wouldn't they be under a minor form of contract (perhaps it would only be a question of conscience) to supply the silos with oats rather than supply buyers from another State?

Mr. MILLHOUSE: The growers will be under no obligation to deal with the merchant from Victoria or anywhere else. It is up to them what they do with it; what their consciences say I do not know. What I object to is taking away by law the right of the merchants to go and buy and themselves remove oats from the grower's property. We are taking that away by law. If the grower does not want to trade with the merchant or let a merchant handle the oats, then that is up to the grower, but why should we take that away by law? That is what we are doing here.

All the arguments have been hashed over in this, and no good will come from reiterating them all. However, I say finally that none of the arguments advanced in opposition to this amendment affect the position at all. On the other hand, my amendment will cover all the doubts and worries that have been raised by honourable members and the amendment will still preserve the monopoly (because that is what it is) of the co-operative in the erection of facilities. It will have the protection that it wants. I hope the Committee will accept the amendment.

The Hon. T. C. STOTT: I think I made it perfectly clear that if the co-operative builds a silo at any place it is obliged to receive from any merchant or anybody else.

Mr. Casey: Will it mean that the Victorian buyer can buy his oats more cheaply than the South Australian merchant can?

The Hon. T. C. STOTT: He probably could, for he would save the 4d. If a person wanted to go across the border and build a silo there, he would not be affected by this Bill at all, because section 92 comes to the rescue. We can do nothing whatever about that, whether we pass this Bill or not. I cannot undertand the argument that has been put forward.

Mr. McANANEY: I was told outside the Chamber a little while ago that a person has to nominate a merchant to whom he is selling, otherwise the oats go into the co-operative pool. In view of section 10 of the Act, would that be correct?

The Hon. T. C. STOTT: When an oatgrower delivers his oats without making a contract to sell either to a merchant or to a pool, he can then tell the local agent that the oats are for the South Australian voluntary oatgrowers' pool. If he says he does not want to make up his mind to whom the oats are to go, he has to nominate, I think by January 10, to whom he wants the oats to go. That arrangement was entered into at the suggestion of the grain merchants, and agreed to by the co-operative. Obviously, oats cannot be left lying there without some ownership.

Mr. McAnaney: The grower owns them.

The Hon. T. C. STOTT: The grower may own them at that stage, but he has to nominate by January 10 whether they are to go to a merchant or to the pool, and he can get them out himself if he wants to.

Mr. McAnaney: Why can't an individual keep them there? How do you get around section 10?

The Hon. T. C. STOTT: I do not know that this is giving any undue preference. We are trying to meet the requirements of the trade in this matter. This has led to a terrific amount of argument.

Mr. McAnaney: How do you get around section 10?

The Hon. T. C. STOTT: I do not know what the honourable member is driving at. I repeat that the owner of the oats has to make up his mind by a certain time.

Mr. McAnaney: The merchant does not have to make up his mind to whom he is going to sell the oats.

The Hon. T. C. STOTT: But the grower has to.

Mr. SHANNON: The grower who delivers oats to the silo has until January 10 to elect. If delivered to the pool they could be held until they were disposed of and the grower received the average return. If he sells to the merchant, the merchant can hold them. Oats is the only grain to which this applies.

Progress reported; Committee to sit again.

PRICES ACT AMENDMENT BILL (WINE GRAPES).

Returned from the Legislative Council without amendment.

ABORIGINAL LANDS TRUST BILL.

Adjourned debate on second reading.

(Continued from December 2. Page 3454.)

Mr. NANKIVELL (Albert): This Bill, as was pointed out by the Minister, is a unique step. The Minister said that in America and New Zealand indigenous peoples had been provided with lands under treaty agreements. These agreements were hard won and hard fought agreements, because the people had actually formed an organized resistance to the white people. This organized resistance did not happen in Australia, and by and large the nomadic people here fought as individual tribes and were unable to make combined treaty arrangements like those in other countries.

One problem with this Bill is that it has happened too late in time. Its purpose is to provide lands for these people, lands that they can control and use for their own purposes, but the purposes for which they might have used them are not those for which they will now use the land. The indigenous Aboriginal people were nomadic hunters rather than cultivators. Although in their wanderings they took advantage of plant roots, they were not cultivators of the soil. One wonders what these reserves to be handed to the Aborigines will be used for, and whether the Aboriginal people are capable of exercising independent rights as farmers.

This is a problem on some reserves, especially at Point McLeay, a reserve with which I am familiar. The reserve contains 6,000 acres and there are insufficient people to work it. There are certainly no competent persons to farm any part of that area in their independent right. That has been proved on Block K, where two families have attempted to farm independently but have not succeeded in maintaining their independent state, the tendency being for them to feel isolated from the community. These people are competent in certain occupations and some make farmers, but they lack the responsibility necessary to act independently. This is one problem arising from the introduction of this Bill now. We have the land but I am not certain that we have the people to use it. Under the Bill, the trust can exercise controlling rights over the use of the land. I should like to know whether it is intended that this land can be leased to outsiders until it is considered that there are suitable people of Aboriginal blood able to use the land for agricultural purposes. It would be leased to someone who, in the process of using it, would develop and improve it.

The Hon. D. A. Dunstan: That would have to be a condition of the lease.

Mr. NANKIVELL: Yes, but it would mean leasing the land to people other than Aboriginal people, and that is something that could not be done easily at this stage, but it could be done with the consent of the Aboriginal people through the trust without causing the disturbance that it would cause if it were done departmentally. I question whether it is in the best interest of these people to settle them as farmers (I am dealing specifically with the area I know) in this locality. I appreciate the significance to them of a station and of a meeting place which has been an old tribal meeting ground and which has become the traditional meeting ground to which they return from wherever they may be, but many have migrated from Point McLeay to the metropolitan area, Meningie and Tailem Bend.

I appreciate the fact that such areas as Point McLeay have a deeper significance to the Aborigines, but unless we desire to keep these people completely isolated (and I do not believe this to be perhaps the best course, when we are trying to integrate the Aboriginal into the community) I am wondering whether it would not be better if such areas were not disposed of and these people established in some other area as individuals in a community, rather than as members of a collective community in an area that has become, by tradition, a little antagonistic towards them. I am referring to the specific case of Aborigines in an area who, for nearly 100 years, have been closely associated with white people, not always to their advantage, and more often than not to their disadvantage.

However, the fact remains that these Aborigines have come to know the ways of white people, and yet have not been completely assimilated, although I believe that to be the result of educational problems that have now been largely solved. In fact, we are now making rapid strides to overcome many disabilities that Aborigines have suffered in the past. I has spoken to teachers in area schools where Aborigines have received an education along with white people, and I am assured that the Aboriginal does not lack ability and that

he can be a competent scholar. Unfortunately, one of the disabilities he has suffered stems from the fact that the present generation of Aboriginal now being educated is continually returning to an environment that tends to retard his rate of development. In other words, a girl educated in home duties and domestic science, comparable with any other person in a school, often finds herself returning to conditions where the home does not enable her to take full advantage of her education.

I believe that the time will come when the Aboriginal will exercise some independence and manage properties of his own although, as I have said, he is not traditionally a cultivator of the soil but more suited to pastoral pursuits. The Aboriginal's ability as a stockman is renowned, I suppose mainly because of an association between chasing cattle on a horse and pursuing and spearing kangaroos. If the Minister believes that the trust has the power to dispose of certain areas and to acquire other areas in connection with projects similar to what is being undertaken at Musgrave Park, where Aborigines are engaged in rural activities, then that is commendable. At present no provision of land is made for Aborigines anywhere; Crown land is dedicated to this purpose and it is intended that it shall be used more effectively.

I am not sure that the retention of certain areas will necessarily make the best use of the capital involved in Aboriginal lands; nor do I think it is best that these people be again placed in a community. I know that the community spirit is inherent in them, but if they are to be responsible people the money involved could be better spent in setting them up in another area where they would be divorced from old prejudices, of which I am sure the Minister is aware. I know that an animosity exists at Point McLeay which is quite unfounded and which will disappear in time, as the Aboriginal's standard of living improves. The Bill represents a genuine effort to make better use of lands dedicated to Aborigines. I think the setting up of a trust will be effective but I am wondering whether the Minister will find sufficient responsible people to exercise the powers to be vested in them. I have no doubts that he can make the three appointments. I realize that the trust will be well guided by its secretary who is the Director, but when it comes to appointing people from certain localities who may be primitive—

The Hon. D. A. Dunstan: Some of them are very sophisticated.

Mr. NANKIVELL: Yes, but there will be a variance in those to be nominated, and I am wondering whether or not a tendency will arise for the direction not to be in the interests so much of the majority as of the few.

The Bill does not specifically state that land shall be used by Aboriginal people, but it does stipulate that moneys collected shall be used to assist them to develop the land. I hope that will work out as the Minister believes it will. Personally, I see little difference in doing it that way from the present way. I am concerned about the rights in some of these areas. I believe the Mines Department has explored for certain minerals in the North-West Reserve. Also, I understand that the Government would have already entered into contracts on these lands under the Mining (Petroleum) Act, contracts which will be repudiated to some extent by the establishment of this trust. Of course, people will not explore these lands if they cannot develop them to a useful purpose.

The Hon. D. A. Dunstan: I do not know whether you have seen the amendments I have on file.

Mr. NANKIVELL: I am concerned that these people should not lose the advantage of any rights they have because of the fact that people who would need to carry out exploration in these areas would think that it was not to their advantage to exercise any rights of exploration. In that case, instead of this provision benefiting Aborigines it might act to their detriment. They might not get the full value from their reserves, as the Minister considers they should.

I have an amendment on the file concerning the transfer of these lands. It is designed to safeguard the transfer of land and to make sure that there is some accurate knowledge of what is proposed. My amendment is not intended to prevent these things happening but, as Crown lands are being transferred, I believe is would be a safeguard if Parliament approved of the transfers being made of Crown lands to the trust. I support the second reading.

The Hon. D. N. BROOKMAN (Alexandra): I am irritated about this matter. Although I understood that the Bill would not be taken any further this session, I am now informed that we must have a vote on the second reading so that the Bill does not lapse. I have done some work on the Bill but I do not have the written results of my work with me. I

was doing much reading in preparation for discussing this matter next session. I cannot find written evidence of the fact that we were told that the Bill was not going on. However, we were definitely told at one stage (and the Leader has a memorandum about this) that the Bill was doubtful. I presume that meant it was doubtful that we would proceed with the Bill this session. When I received a message that the Bill would not be proceeded with I put my notes away. Today the Minister was good enough to give me a folder of many reports (for which I had asked) of the travels in the United States of America of the Director of Aboriginal Affairs (Mr. Millar). Of course, I have not had time to examine these documents. Therefore the position is most unsatisfactory.

I should have preferred the Bill to be discussed next session for two reasons, one negative and one positive. The negative reason is that it is not a matter of great urgency and no reason exists why it should not be discussed next session rather than this session. No programme depends on the passage of the Bill. In fact, I do not know how the Minister could have expected the Bill to go far: it could not possibly be passed right through Parliament now. My positive reason is that I consider the whole problem is being dealt with prematurely. By the introduction of the Bill we have certainly taken the lead in Australia in setting up a lands trust. That may be advantageous and we could certainly say that we are the first State to have moved in this way, but I do not see any other particular merit in having done this. Although my research has not been deep, the more I have looked at these matters the more uncertainties have appeared.

There is a need for a proper inquiry before we launch into something like the lands trust. For instance, there would have been scope, in a session lasting longer, to have moved to have a Select Committee examine this problem, to go to the Aboriginal reserves and visit other centres in South Australia, and to take evidence, do the job thoroughly, and really find out what the Aborigines think about the Bill. I maintain here and now that Aborigines themselves have, in only a few cases, thought about the problem. They have been asked about it recently but it would help them to make up their minds if they were given the opportunity to meet a Select Committee and have a public discussion on the matter lasting over several months. It would help the Aboriginal people very much. As far as I can ascertain, they are at present in considerable doubt about the purpose and the consequence of this legislation. Many of them would know nothing about it at all, and many others who take an interest in the matter do not know what attitude to adopt regarding it.

Some weeks ago, through the courtesy of the Minister of Aboriginal Affairs, I visited the Point McLeay Reserve, and while there I gathered the impression that the people there did not know whether or not they wanted the lands trust. Even after the Minister explained to them what was in his mind, they were doubtful whether they wanted it. They are a group of people who have been educated in a very different way from the people in the North-West Reserve. Those people living at Point McLeay should have a much more set opinion than many others throughout the various centres in South Australia. The Aboriginal lands trust legislation must have emanated in some way from the United States practice. I do not know fully what that practice has been, but I know there have been treaties between the U.S. Government and various Indian tribes, and the fact that Mr. Millar visited the U.S.A. last year indicates that some inspiration at least came from this source.

The Hon. D. A. Dunstan: He went mainly to find out what not to do.

The Hon. D. N. BROOKMAN: We have not been told that before, and the notes I have here may reveal that. The situation is so extraordinarily different there that one would not expect to be able to model our plan on anything done by the U.S. Government. Apparently the Minister criticizes severely what that Government has done, and he wants to do something about it. The North American Indian native peoples, commonly known as Red Indians, lived in much larger tribes and were very different in character from the Aborigines of Australia. For instance, the Sioux and the Comanches were military organizations, governed to a high degree and in very large numbers. Anything that has been done for them through the U.S. Government began with warfare and was carried on to a treaty. After the Indian wars, in which the Indians were vanquished, a treaty was made with these tribes, and from there the Government has developed its policy.

The largest tribe in North America is the Navajo people. In fact, this group is known in the United States as a nation. The Navajos were not a purely military race but a race of

people that did a little farming and husbanded food. Even before the movement of white settlement to the west in the early nineteenth century the Navajo people had developed, probably as a result of contact with the Spanish invaders in the early days, and were highly civilized compared with our Aboriginal people at the time white settlement came against them. These Navajos were not a purely warlike tribe, but they went in for occasional raids, and when the American Civil War was in progress in the early 1860's they caused the Government considerable embarrassment. In fact, the Government eventually moved against them and vanquished them. As far as I can make out, it took almost the entire nation prisoners and kept them in a fort for several years, with tremendous mortality amongst the people. In the Navajo minds, the most outstanding feature in their history is those years when they were imprisoned in and around this fort.

Following this dreadful period, a peace treaty was arranged, and the U.S. Government agreed to the Navajo people having several million acres of land on which to live. Although I will use figures, I may be wide of the mark because I have not examined those figures recently. However, I believe that when the first treaty was settled the Navajo people had about 3,000,000 acres of land, and that, by successive land grants and various agreements, they have now built up to about 14,000,000 acres of land of their own. Under this treaty they were left to govern themselves and solve their own problems. The results have not by any means been satisfactory, and the Navajo race has been one of the problems the U.S. Government has had to try to solve.

I have a book on this subject written some 10 or 12 years ago by Professor Clyde Kluckhohn and an associate. Members may recall that Professor Kluckhohn was the Dyason lecturer in Adelaide some years ago. The professor, an anthropologist, was tremendously interested in the Navajo people, and the book I referred to sets out the history of the Navajo people up to that time. While there was relative peace with the Government they built up in numbers until the 1930's, when their stock were so numerous that they caused widespread erosion in the reserve and there was a terrible diminution of the fertility of the reserve. The Government bought sheep and goats from the Navajo tribe and reduced the number of stock to a reasonable level. Later, the Government reduced the number of horses on the reserve, but this caused tremendous bitterness and the history of the tribe is a most unhappy one. Many of them work at seasonal labour and there is a problem of alcoholism on the reserve. The reserve is a home for them to return to at various times, but the life on it is half-way between that of a modern industrial community and that of a primitive tribe. I am sure the Government in that country deserves some credit for what it has done even if it is not an inspiring story. The Australian Aboriginal people in their native state are not in large tribes, because the country generally is too arid to support them in large numbers.

It is not feasible to speak of the treaties and warfare that were natural with the North American Indian. We should work out for ourselves what is to be done and not develop our ideas on what has happened in North America. People trying to do something for the Aborigines deserve every encouragement. This is a serious problem and it is too easy to criticize without providing a proper answer. An anthropologist from Sweden, who visited this country some years ago and moved among the Aboriginal people, said that his outstanding impression was of the complexity of the problem with no easy solution to it. Aborigines live on reserves under different conditions. Some of the more enterprising, the better educated Aborigines, live in the metropolitan area. They have been encouraged by education and Government policy to move into industry and away from the reserves to obtain a life within the community. Some have failed or have only partly succeeded, but many in Adelaide are succeeding now.

Under the Bill a council will be formed of people on the reserve. If that council decides to join the trust it sends a representative. On Point McLeay Reserve the people are largely a mixture with only two full-bloods, whereas on the North-West Reserve they are mostly nomadic full-bloods. This reserve adjoins stations in Western Australia and the Northern Territory, and many of these people move between the three stations. I do not know how this Bill will affect them but I hope that the North-West Reserve will not be handed to the trust, because I think it is a Government responsibility. Point McLeay has several thousand acres of farmland which is not easy country to farm under any conditions. It does not enjoy a heavy rainfall and is a "drifty" type of country requiring high-quality farm management. It is not land that is an economical proposition from the Government's point of view. On the other hand, many people

live on the reserve on which there are many old buildings with an air of slight antiquity about the place. All buildings cannot be maintained in a spick and span manner.

The policy of the Aboriginal Affairs Board in the main has been to reduce the population on these reserves and to encourage people to seek a community life off the reserve. That policy has largely succeeded; I believe that, whereas about 15 years ago Point McLeay's population was probably 350 or 400, it is now probably below 140, although it is still an expensive undertaking. Although I have not seen Point Pearce or Gerard, I know that those stations use much Government money. Is it intended that, with the trust, Government expenditure ou Aborigines will be reduced? If it is, I do not think that is a fair thing, for we must be prepared to spend money in that way.

A milestone in the tackling of the Aboriginal problem was the introduction of the legislation by the former Minister of Aboriginal Affairs (Hon. G. G. Pearson) which, together with the board's policy, has resulted in a steady improvement in the situation of Aborigines. The present Minister is continuing the work and taking a great interest in the problem and, although I should not like to decry his enthusiasm, I decry the fact that he seems to have got ahead of the problem in establishing a trust without first initiating a careful inquiry through which the matter could be publicized and the issues involved made known to people interested in the problem. Obviously, the trust will not have much responsibility at first, but will assume more as the Minister considers it capable to manage its affairs, and as Government finance permits. It is not clear what the financial arrangements will be, but the trust will depend on Government finance. It is only fair that councils at present functioning on reserves should be given reasonable time to discuss this matter and to learn what is involved before anything further is done. Although many of these councils have some responsibility, I think it is fair to say that many of them do not desire much responsibility.

In 1860 a Select Committee inquired into the conditions of Aborigines. The committee's report, which is lengthy but extremely interesting, deals with some unpleasant history of what was occurring at that time, particularly in relation to diseases among Aborigines. Even in those days the authorities approached the problem in a high-minded way, although they may have fallen down a little in their administration of Aborigines. However, it was recognized that better administration was required. Although I am unaware whether other Select Committees have undertaken inquiries into the Aboriginal's problems, no doubt inquiries have been undertaken into conditions on individual reserves. I believe it is high time that a Parliamentary committee investigated the problem before any far-reaching measures are proceeded with. At present, the operation of the lands trust is most obscure to me; I do not know just what form it will take. I believe everyone would benefit if a little further light were thrown on the subject, and that Aborigines would greatly benefit from a prolonged public discussion which could be provided by an inquiry of the type I have suggested.

I want to know whether the lands trust, when it is given reserves, will become the owner of those reserves, so to speak. Will the trust represent only the people who have selected nominees to be members of it? For instance, reserves like Point McLeay and Point Pearce may, if they enter into this, appoint one member to the trust, but what about all those people of part-Aboriginal blood living in South Australia who have disappeared into private industry somewhere in Adelaide or elsewhere? Will they be represented on the trust or will they be lost to it? It would be a pity if they were lost to it as I imagine they could make some of the best contributions to the problems that the trust is bound to meet. I apologize for my somewhat halting approach.

Mr. Casey: I think you have done a pretty good job.

The Hon. D. N. BROOKMAN: I thank the honourable member. I have expressed my disappointment at my inability to put forward completely my views because of the misunderstanding that has taken place. However, my main message is that we should not hurry in this matter and that a Select Committee inquiry should be held.

The Hon. Sir THOMAS PLAYFORD (Leader of the Opposition): First, I voice an emphatic protest at the circumstances in which this debate has taken place tonight. We were assured that the Bill would not be proceeded with this session. To the best of our ability we have co-operated with the Government to clear up the matters on the Notice Paper that we believed should be cleared up. However, at about one o'clock this morning the Notice Paper was completely re-arranged to bring on a Bill that we had been told would not be brought on again this session. I understand

that the Minister has said that it is not intended to take the Bill beyond the second reading stage. That means that for some obscure reason no-one can understand we are not being given a proper opportunity to debate what I believe is an important matter.

By concluding the second reading stage of the Bill now, the opportunity for debate will be cut out. No-one could say that at this time, in the dying hours of the session with three conferences confronting us, we could debate the Bill properly. What are we to believe when we receive assurances that a Bill will not come on and then, without any explanation at all, we find that the Minister suddenly wants the Bill to pass the second reading stage? I say here and now that if the Opposition receives this sort of treatment there will be no co-operation from it in future because this is not a fair proposition. Why should not the Bill be debated properly, if necessary next week? There is no urgency for the Bill to be passed because it is to reach only the Committee stage. We are told this is necessary to obviate the necessity of introducing the Bill again next session. I ask members opposite: how long would it take to introduce the Bill again next session? Exactly five minutes! We object to the Government's dealing with legislation in this way.

Many features of the Bill need to be scrutinized keenly. I am more concerned about this legislation than was my colleague, the member for Albert, who spoke earlier. I oppose the Bill for many good reasons. We have not been told many things about the Bill. First, where and what are the lands it is intended to bring under this trust? If some of the mission stations fairly close to settled areas are to be involved, I can say that I have already received emphatic protests against the procedure adopted, because people do not agree with what the Minister is doing. They believe that a reserve made by the Government should be available to all the people. They feel that, under this legislation, such an area will now be made available to only a limited number of people.

The Hon. D. A. Dunstan: To whom are you referring as "they"?

The Hon. Sir THOMAS PLAYFORD: The Minister will not deny that there are provisions in the Bill that enable this to be done.

The Hon. D. A. Dunstan: Nonsense! That is completely untrue.

The Hon. Sir THOMAS PLAYFORD: The Minister says I am talking nonsense. What about clause 16 (4), which provides:

> The trust may—
>
> (*a*) with the consent of the Minister, sell, lease, mortgage or otherwise deal with land vested in it pursuant to this Act.

What is the purpose of including that if it is not proposed? Will the Minister deny that already there have been overtures in connection with the closing of certain properties? People have come to me from the reserves complaining that that is going to take place. If these lands are not going to be vested in the trust, what lands are going to be so vested? The Minister brings in a Bill as wide as the heavens, and he gives no explanation of the detail of the management of the thing. All we get is baloney and airy-fairy stuff that does not get down to the real facts of life. I ask the Minister categorically: will the great North-West Reserve be brought under the trust?

The Hon. D. A. Dunstan: We don't know yet.

The Hon. Sir THOMAS PLAYFORD: Exactly, and this is the sort of Bill we are asked to pass at 1.30 in the morning, having previously been told that it would not be debated this session.

The Hon. D. A. Dunstan: We can't know until the people vote on it. The Leader is talking utter rot.

The Hon. Sir THOMAS PLAYFORD: I point out to the Minister that this Parliament is entitled to know these things.

The Hon. D. A. Dunstan: You never read or listen, and you don't care what is told to this Parliament at all.

The SPEAKER: Order!

The Hon. Sir THOMAS PLAYFORD: Mr. Speaker, we are entitled to know these things. This measure is so ill conceived and so wide that the Minister who is in charge of the department does not know, so how can we be expected to know?

The Hon. D. A. Dunstan: Does not know what?

The Hon. Sir THOMAS PLAYFORD: Whether the great North-West Reserve is going to be brought under the trust.

The Hon. D. A. Dunstan: We cannot know until the vote of the residents is taken. That was explained in the second reading explanation, and you ought to know it. You have not done your homework for months.

The Hon. Sir THOMAS PLAYFORD: Mr. Speaker, may I ask whether the Minister is in order in continually interrupting me while I am making a good speech?

The SPEAKER: I have called for order previously.

The Hon. Sir THOMAS PLAYFORD: We have before us a nebulous Bill that contains no detail of administration at all.

The Hon. D. N. Brookman: Who gets the vote on the North-West Reserve?

The Hon. Sir THOMAS PLAYFORD: We do not know whether the North-West Reserve is included in the Bill at all; no-one knows that. Mr. Speaker, I ask leave to continue my remarks.

Leave granted; debate adjourned.

APPRENTICES ACT AMENDMENT BILL.

Returned from the Legislative Council with the following amendments:

No. 1. Page 3, line 6 (clause 5)—After "Federation" add the word "Incorporated".

No. 2. Page 3, lines 21 to 34 (clause 5)—Leave out these lines and insert—

"7. (1) The Chairman of the Commission shall be appointed and hold office under, subject to, and in accordance with the Public Service Act, 1936-1965."

No. 3. Page 3, line 36 (clause 5)—Leave out "fee" and insert "fees".

No. 4. Page 3, line 38 (clause 5)—Leave out "chairman and".

No. 5. Page 5, line 1 (clause 5)—Leave out "an indenture" and insert "indentures".

No. 6. Page 5, line 39 (clause 5)—Leave out "or the appropriate trade union".

No. 7. Page 5, line 40 (clause 5)—Leave out "indenture of".

No. 8. Page 8, line 7 (Clause 6)—After "proclamation" insert—

"Provided however that an employer may employ a minor other than an apprentice under such circumstances or conditions as may be proclaimed or determined in respect of a particular employer."

No. 9. Page 8, line 20 (clause 7)—Leave out "eight" and insert "sixteen".

No. 10. Page 8, line 21 (clause 7)—Leave out "each week".

No. 11. Page 8, line 21 (clause 7)—After the word "every" leave out "week" and insert "three weeks".

No. 12. Page 9, line 9 (clause 9)—Leave out "his third" and insert "any".

No. 13. Page 10, lines 33 to 40 (clause 11)—Leave out all words after "hours" in line 33.

No. 14. Page 11, line 29 (clause 13)—After "course" leave out "under this Part" and insert "for the period prescribed in section 21 of this Act".

No. 15. Page 13, line 29 (clause 18)—Leave out "employment" and insert "his apprenticeship".

No. 16. Page 13, lines 31 to 40 (clause 18)—Leave out subclause (1b).

No. 17. Page 14, lines 24 to 26 (clause 20)—Leave out paragraph (*a*) and insert the following paragraphs—

(*a*) by striking out the passage "Within fourteen days after the thirtieth day of November" in subsection (1) thereof and inserting in lieu thereof the passage "On or before the thirty-first day of January";

(*a*1) by striking out the passage "the thirtieth day of November" in subsection (1) thereof and inserting in lieu thereof the passage "the thirty-first day of December".

Consideration in Committee.

Amendment No. 1.

The Hon. R. R. LOVEDAY (Minister of Education): I move:

That the Legislative Council's amendment No. 1 be agreed to.

The Legislative Council has made 17 amendments and although the Government is prepared to accept some, there are six that the Government will not accept. This amendment corrects the title of the Employers Federation.

Amendment agreed to.

Amendment No. 2.

The Hon. R. R. LOVEDAY: I move:

That the Legislative Council's amendment No. 2 be disagreed to.

The Government considers it inappropriate that the chairman of the commission should be a public servant when members under him are appointed by the Governor.

Amendment disagreed to.

Amendment No. 3.

The Hon. R. R. LOVEDAY moved:

That the Legislative Council's amendment No. 3 be agreed to.

Amendment agreed to.

Amendment No. 4.

The Hon. R. R. LOVEDAY moved:

That the Legislative Council's amendment No. 4 be agreed to.

Amendment agreed to.

Amendment No. 5.

The Hon. R. R. LOVEDAY moved:

That the Legislative Council's amendment No. 5 be agreed to.

Amendment agreed to.

Amendment No. 6.

The Hon. R. R. LOVEDAY: I move:

That the Legislative Council's amendment No. 6 be disagreed to.

The effect of the amendment would be to prevent a trade union from approaching the commission to investigate either on its own motion or on the application of any apprentice, parent or guardian, any matter arising out of an indenture of apprenticeship. I previously contended that it was necessary that a union have the power to approach the commission, because the employer had available to him expert advice

and because the parent, guardian or apprentice was not in a similar position. I said it was therefore desirable that the trade union that would have that expert advice should have the right to approach the commission and to ask for a matter to be investigated, although the commission need not necessarily investigate a matter.

Amendment disagreed to.

Amendment No. 7.

The Hon. R. R. LOVEDAY moved:

That the Legislative Council's amendment No. 7 be agreed to.

Amendment agreed to.

Amendment No. 8.

The Hon. R. R. LOVEDAY moved:

That the Legislative Council's amendment No. 8 be agreed to.

Amendment agreed to.

Amendment No. 9.

The Hon. R. R. LOVEDAY: I move:

That the Legislative Council's amendment No. 9 be disagreed to.

The effect of amendments Nos. 9 to 11 would be to reduce the number of hours an apprentice is now working in a period of three weeks. At present he works 18 hours in that period and the amendments, if agreed to, would reduce that figure to 16, which would be impracticable to break up into reasonable periods. In a three-year term it would mean that the practical tuition an apprentice received would be reduced by 84 hours, whereas the objective is to train apprentices better and more thoroughly.

Amendment disagreed to.

Amendment No. 10.

The Hon. R. R. LOVEDAY moved:

That the Legislative Council's amendment No. 10 be disagreed to.

Amendment disagreed to.

Amendment No. 11.

The Hon. R. R. LOVEDAY moved:

That the Legislative Council's amendment No. 11 be disagreed to.

Amendment disagreed to.

Amendment No. 12.

The Hon. R. R. LOVEDAY: I move:

That the Legislative Council's amendment No. 12 be disagreed to.

The amendment would mean that a class of instruction outside of working hours would have to be attended in any year if the apprentice failed to reach a standard in that particular year. Of course, this would mean an increased expense owing to the extra night classes and teachers that would have to be provided. In the circumstances, I do not think it is necessary. The standard of the apprentices over the three years is the important feature rather than the standard in any particular year.

Amendment disagreed to.

Amendment No. 13.

The Hon. R. R. LOVEDAY: I move:

That the Legislative Council's amendment No. 13 be disagreed to.

The amendment would mean that an apprentice in a country area who had to go to another country town or to the metropolitan area would not have his accommodation paid for in those circumstances. I cannot accept the amendment because, at present, a metropolitan employer who has an apprentice is put to greater expense than is a country employer, because a metropolitan apprentice attends classes for longer periods, and consequently the employer is deprived of the services of the apprentice more often than is a country employer. Generally speaking, a country employer, if he sends an apprentice to another country town or to the metropolitan area for the special tuition, has only to send him for a fortnight. Therefore, the provision without the amendment is reasonable.

Amendment disagreed to.

Amendments Nos. 14 *and* 15.

The Hon. R. R. LOVEDAY moved:

That the Legislative Council's amendments Nos. 14 and 15 be agreed to.

Amendments agreed to.

Amendment No. 16.

The Hon. R. R. LOVEDAY: I move:

That the Legislative Council's amendment No. 16 be disagreed to.

The value of this provision is that the members of the commission, who are appointed by these bodies, are acquainted progressively in this manner with the whole position of apprenticeship in the State, and they can see at a glance what is the situation; they can see, too, whether the correct proportion of apprentices is being employed in the respective cases.

Mr. FREEBAIRN: I draw the Minister's attention to the lack of the word "Incorporated" after the word "Federation". If the title of this organization is to read as previously, I suggest that this should be corrected.

The Hon. R. R. LOVEDAY: I thank the honourable member for drawing my attention to the matter, which I think can be dealt with in conference.

Amendment disagreed to.

Amendment No. 17.

The Hon. R. R. LOVEDAY moved:

That the Legislative Council's amendment No. 17 be agreed to.

Amendment agreed to.

The following reason for disagreement with amendments Nos. 2, 6, 9 to 13, and 16 was adopted:

Because the amendments adversely affect the principles of the Bill.

Later:

The Legislative Council intimated that it insisted on its amendments to which the House of Assembly had disagreed.

The Hon. R. R. LOVEDAY moved:

That disagreement to the Legislative Council's amendments be insisted on.

Motion carried.

A message was sent to the Legislative Council requesting a conference at which the Assembly would be represented by Messrs. Broomhill, Clark, Coumbe, Ferguson, and Loveday.

Later:

A message was received from the Legislative Council agreeing to the conference to be held in the Legislative Council conference room at 6.30 a.m.

At 6.12 a.m. the managers proceeded to the conference, the sitting of the House being suspended. They returned at 10.7 a.m. The recommendations were:

As to amendment No. 2: That the Legislative Council do not further insist on its amendment but makes the following amendment in lieu thereof:

Page 3, (clause 5)—After line 34 insert new sub-section (1a) as follows:

"(1a) Before making the appointment of chairman applications in respect of the appointment shall be called for in the public press. Upon receipt of applications in respect of the appointment they shall be submitted to the Public Service Commissioner for his consideration and for his recommendation thereon".

and makes the following consequential amendment—Page 3, line 38 (clause 5)—Insert "Chairman and".

As to amendment No. 6: That the Legislative Council do further insist on its amendment and makes the following additional amendment:

Page 5, line 40 (clause 5)—After "apprenticeship" insert:

"and it shall be competent for the appropriate trade union to bring to the notice of the Commission any matter arising out of an apprenticeship which the appropriate trade union considers should be investigated",

and that the House of Assembly agree thereto.

As to amendments Nos. 9 to 11: That the Legislative Council do not further insist on its amendments, but makes the following amendments in lieu thereof:

Page 8, line 17 (clause 7)—Leave out "three" and insert "two".

Page 8, line 22 (clause 7)—After "instruction" insert:

"but in addition after the completion of the second year of aprenticeship he shall attend during working hours a technical school or class of instruction for four hours each week in every week that the school or class is open for instruction",

and that the House of Assembly agree thereto.

As to amendment No. 12: That the Legislative Council do further insist on its amendment and that the House of Assembly do not further insist on its disagreement thereto.

As to amendment No. 13: That the Legislative Council amend its amendment so as to read:

Page 10, lines 33 to 40 (clause 11)—Leave out all words after "hours" and insert in lieu the following passage:

"and in that event the Commission shall, unless the employer himself provides accommodation, approve such costs of accommodation for any period not exceeding fourteen days in any one year as are reasonably incurred by the apprentice while so attending that technical school or class of instruction. Upon such approval as aforesaid the employer shall reimburse the apprentice to the extent authorized by the Commission".

As to amendment No. 16: That the Legislative Council do further insist on its amendment and that the House of Assembly do not further insist on its disagreement thereto.

The Legislative Council intimated that it had agreed to the recommendations of the conference.

The Hon. R. R. LOVEDAY: I move:

That the recommendations of the conference be agreed to.

I thank the managers from this House for their assistance. The recommendation regarding amendment No. 2 is self-explanatory. Regarding amendment No. 6, the Legislative Council insisted on its amendment and made an additional amendment. However, the provision in this respect is only slightly different from what it was when the Bill left this House. The recommendations regarding amendments Nos. 9 to 11 refer to the hours of daylight training. Instead of the 16 hours to be worked in three weeks as suggested by the Legislative Council, the meeting of managers agreed that it should be eight hours' daylight training in the first year, eight hours in the second year, and four hours in the third year, and that is the effect of this recommendation. The Legislative Council insisted on amendment No. 12, and the House of Assembly did not further insist on its

disagreement thereto. Under the recommendation regarding amendment No. 13, when an apprentice comes down from a country area or goes to another country town for necessary training, the employer shall either provide accommodation or pay the apprentice the amount approved by the commission for a period not exceeding 14 days in any one year. That relates to costs that are reasonably incurred by the apprentice while attending a technical school or class of instruction. The managers of this House did not further insist on its disagreement to amendment No. 16, which related to the question of information regarding indentures being conveyed to various bodies, for it was considered that that information could be obtained anyhow.

Motion carried.

STIRLING BY-LAW: NUISANCES.

Order of the Day, Other Business, No. 1: Mr. McKee to move:

That by-law No. 34 of the District Council of Stirling, in respect of prevention and suppression of nuisances (noisy machinery), made on August 25, 1965, and laid on the table of this House on January 25, 1966, be disallowed.

Mr. McKEE (Port Pirie) moved:

That this Order of the Day be read and discharged.

Order of the Day read and discharged.

HARBORS ACT REGULATIONS.

Order of the Day, Other Business, No. 3: Hon. Sir Thomas Playford to move:

That the regulations under the Harbors Act, 1936-1962, in respect of wharfage on goods landed or shipped at all ports; tonnage rates; conservancy dues; pilotage and other charges to vessels, etc., made on November 10, 1965, and laid on the table of this House on November 16, 1965, be disallowed.

The Hon. Sir THOMAS PLAYFORD (Leader of the Opposition): Mr. Speaker, I seek your ruling regarding motions for the disallowance of regulations. Is it possible for such Orders of the Day to be further adjourned, or do they have to be dealt with today?

The SPEAKER: It is for the Leader of the Opposition to decide whether he wants to proceed with the matter today or whether he wants to make it an Order of the Day for a day of the week on which the House normally sits.

The Hon. Sir THOMAS PLAYFORD: I thank you for your assistance, Mr. Speaker. I move:

That this Order of the Day be read and discharged.

Order of the Day read and discharged.

Order of the Day, Other Business, No. 9: Mr. McKee to move:

That the regulation under the Harbors Act, 1936-1962, relating to control of persons on, or bathing from or near wharves, jetties, etc., made on November 18, 1965, and laid on the table of this House on November 23, 1965, be disallowed.

Mr. McKEE (Port Pirie) moved:

That this Order of the Day be read and discharged.

Order of the Day read and discharged.

SIMULTANEOUS DEATH BILL.

Adjourned debate on second reading.

(Continued from November 3. Page 2558.)

The Hon. Sir THOMAS PLAYFORD (Leader of the Opposition) moved:

That this Bill be read and discharged.

Bill read and discharged.

SUCCESSION DUTIES ACT AMENDMENT BILL (DEATHS).

Adjourned debate on second reading.

(Continued from October 6. Page 1974.)

The Hon. Sir THOMAS PLAYFORD (Leader of the Opposition) moved:

That this Bill be read and discharged.

Bill read and discharged.

LOCAL GOVERNMENT ACT AMENDMENT BILL (AUDIT).

Adjourned debate on second reading.

(Continued from November 3. Page 2562).

The Hon. Sir THOMAS PLAYFORD (Leader of the Opposition) moved:

That this Bill be read and discharged.

Bill read and discharged.

ELECTRICITY.

Adjourned debate on the motion of the Hon. Sir Thomas Playford:

(For wording of motion, see page 717.)

(Continued from November 3. Page 2568.)

The Hon. Sir THOMAS PLAYFORD (Leader of the Opposition) moved:

That this motion be read and discharged.

Motion read and discharged.

HINDMARSH ZONING REGULATIONS.

Order of the Day, Other Business, No. 8: Mr. Coumbe to move:

That the Hindmarsh zoning regulations made under the Town Planning Act, 1929-1963, on November 10, 1965, and laid on the table of this House on November 16, 1965, be disallowed.

Mr. COUMBE (Torrens) moved:

That this Order of the Day be read and discharged.

Order of the Day read and discharged.

PROROGATION.

The Hon. FRANK WALSH (Premier and Treasurer) moved:

That the House at its rising do adjourn until Tuesday, March 29, at 2 p.m.

Motion carried.

At 10.30 a.m. on Thursday, March 3, the House adjourned until Tuesday, March 29, at 2 p.m.

Honourable members rose in their places and sang the first verse of the National Anthem.