HOUSE OF ASSEMBLY

Wednesday, November 16, 1966.

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

QUESTIONS

GREENWAYS LIMITED.

Mr. HALL: Last Thursday I asked a question of the Premier concerning the Fairview Park housing estate in which Greenways Limited is involved. I was disturbed when the Premier said then that the Government would not be involved in certain aspects of the matter. He did not make it clear to me exactly in what aspects the Government would not be involved, although he said that the Attorney-General's Department had already carried out certain investigations. He also referred to investigations by banks regarding their involvement in the matter. I point out to the Premier that this has become a matter of political interest, because he has been approached and has attended a public meeting about it and I have been approached by certain residents of the area who have entered into contracts to purchase land and houses. Therefore, I should appreciate further information from the Premier before the House adjourns this week. If he has certain information, can he say why it is that the Government is not willing to present as many facts as it can about this matter, which is disturbing people in the area concerned?

The Hon. FRANK WALSH: As has already been made known publicly, the Government is continuing investigations through the State Bank and the Savings Bank. Probably one of the most outstanding features is that inflated deposits have been placed in the Savings Bank on a temporary basis, and it would appear that they have then been withdrawn in favour of Greenways Limited. This disability is being encountered in the investigations of officers of the two banks. Therefore, the only policy the banks can follow is to have the people concerned ascertain whether they will be able to continue to purchase the properties involved. If they can, they must get on the end of the line of those waiting for loans the same as anyone else. The Government is not involved in the investigations of the committee appointed by the finance corporations, but it will do what can be done in the interests of the people through the investigation of the State Bank and Savings Bank.

Mr. COUMBE: Can the Premier say whether any representations have been made to him in this connection by private individual mortgagees (quite apart from the lending institutions that have advanced money to this undertaking), who have not, in most instances, received interest payments on their advances for several months? If this matter has been referred to him, will the Premier say whether he is considering it? If he is not, will he consider it along with the other matters so that all the aspects of the case can be fully considered in his investigation?

The Hon. FRANK WALSH: At a meeting I attended some weeks ago I was under the impression that legal representatives present were interested in this aspect, and that it was known to them that money had been invested by private individuals. At present I have nothing further to add to what I have already said but, following this question, I shall inquire and if I can obtain additional information I will inform the honourable member in writing when I have it.

APPRENTICE ALLOWANCE.

Mr. RYAN: Many years ago it was determined that apprentices would receive a travelling allowance for attending at a trade school, as they were required to do by law. In those days the allowance was fixed on the basis that, if an apprentice had to travel more than five miles from his place of residence to the trade school, which was usually in the centre of the city of Adelaide, he would receive a travelling allowance. Because of changed circumstances, several trade schools have been moved to the outer suburbs of the metropolitan area, and one of my constituents has to travel four and a half miles from his place of residence to Adelaide, then through the city to the trade school at Panorama, four and a half miles on the other side of the city. Although he travels nine miles, he is not eligible to receive a travelling allowance, because the determination provides that an apprentice must travel more than five miles from his place of residence to the city of Adelaide. Because of the changed circumstances, will the Minister of Education consider altering the present regulation to suit modern requirements of apprentices attending trade schools in the various suburbs?

The Hon. R. R. LOVEDAY: What the honourable member has said is correct, and this matter has already been considered at length. When this policy was determined, all the trade schools were in the city proper but now at least

four of them are in the suburbs: at Panorama, Marleston, Thebarton, and Challa Gardens. This situation has given rise to anomalies under the old policy. For example, an apprentice may live near Panorama and be entitled to a refund of fares because he lives more than five miles from the Adelaide General Post Office, yet an apprentice living at Woodville Gardens, in the district of the honourable member, even though he has to travel to Panorama, is not entitled to anything because he lives less than five miles from the city proper. A policy has been determined that fare refunds for apprentices will be paid on the basis of the distance from the apprentice's home to the trade school he attends.

CITRUS INDUSTRY.

Mr. QUIRKE: Has the Minister of Agriculture a reply to the question I asked last week about the resignation of the leaf analyst at Loxton?

The Hon. G. A. BYWATERS: The honourable member asked this question on behalf of the Hon. T. C. Stott, member for Ridley. I have also had representations from my colleague, the member for Chaffey and, in addition, I have received other correspondence concerning this man. I told the honourable member last week that I had arranged for the Personnel Officer to talk with Mr. Leith. The Personnel Officer, with the Chief Horticulturist (Mr. Miller), went to Loxton to ascertain Mr. Leith's problems, and certain recommendations were brought back to the Public Service Commissioner. I have talked to the Public Service Commissioner about this matter and he has been most co-operative. I now understand that everything has been ironed out and that Mr. Leith will remain with the department.

Mr. MILLHOUSE: Yesterday the Minister of Agriculture was kind enough to give me answers to two questions on notice concerning applications for licences as packers under the Citrus Industry Organization Act, and on each question he referred me, on the matter of the policy with which the applicants would have to comply, to Appendix 3 of the report of the committee. I have looked at Appendix 3, which is the marketing policy, organization and administration as laid down by the committee. It is in typescript and runs to 10 pages and, of course, it is in the report which is, itself, a printed document. I have found it extremely difficult to find the references at which the Minister desires me to look. Can he therefore refer me to the relevant paragraphs and, if he can, will he please tell me which they are?

The Hon. G. A. BYWATERS: In view of the difficulty experienced by the honourable member, I will endeavour to obtain for him a precise reply by tomorrow.

FIRE BANS.

The Hon. D. N. BROOKMAN: With the approach of the bush fire danger season and the reinstitution of fire bans, I ask the Minister of Agriculture whether members of the public who wish to ascertain whether there is a fire ban in their district, and particularly in the metropolitan area, are safe in assuming that there is no ban when they ring the telephone number for the recorded weather forecast and no statement about a ban is made. I understand that when a ban has been applied, that record will say so. The reason for my question is that many people in the heart of the metropolitan area sometimes complain of the difficulty of knowing whether there is a fire ban and, if people could be sure about this matter, it would iron out difficulties. Can the Minister say whether the telephone recording always says so when there is a fire ban?

The Hon. G. A. BYWATERS: I am not aware of the type of statement made by the recording regarding the bush fire warning, but I will check up on this matter. The morning radio announcements always state whether there is a fire ban, and the announcements state that people living in district council areas should contact their district council for information about local by-laws. The press has recently publicized the times when these announcements are made. Last week I said that we appreciated very much the co-operation of the Australian Broadcasting Commission regarding morning announcements. However, besides this source of information, people can telephone the weather bureau. They often telephone my office, and they are given this information. Some people ring police stations to find out about fire bans because all police officers are supplied with such information. On a humorous note, I received a telephone call one morning when, after having been out late the previous night, I had not risen early and I had missed the radio announcement. The telephone caller asked whether a fire ban had been applied and I had to say I did not know. Most people believe that fire bans are my doing: the announcement is given in my name, as was the

case with former Ministers of Agriculture, but the weather bureau determines whether there will be a fire ban after considering prevailing weather conditions. I urge the public to take note of the fire ban announcements over the A.B.C. I am sure that every facility is made available to see that the public is aware of fire bans, and I will find out the type of information given by the telephone recordings.

YATALA PRISON BOOKS.

Mrs. BYRNE: Can the Minister of Education say whether the department's policy in relation to the supply of books to prisoners at Yatala Labour Prison has changed?

The Hon. R. R. LOVEDAY: I thank the honourable member for having advised me of this question. Text books from the Education Department's Correspondence School are supplied to all men at the Yatala Labour Prison who are doing primary school work. No change is proposed in this. It has been customary because of the different subjects taken at secondary level for prisoners to supply their own books. They obtain these from an allocation made by the Gaols and Prisons Department. If the head of the Correspondence School has any of these books available, he is prepared to loan them. Some of the prisoners buy their own books when they are doing private study for some purpose.

COMPANIES ACT.

The Hon. T. C. STOTT: Did the Attorney-General attend the conference with the other States' Attorneys-General at which the question of company auditing abuses was discussed, and can he say what those abuses are? Can he say also whether this matter has been considered by the Government, and, if it has, what it intends to do about it?

The Hon. D. A. DUNSTAN: Some amendments to the Companies Act have been under discussion for some time at the Standing Committee of Attorneys-General, and a comprehensive amendment to the Act to cope with a number of matters can be expected next year. As yet, some of the subjects raised are still under discussion. Victoria has brought in legislation relating to the personal liability of company officers in certain circumstances, but as yet there are some unsatisfactory features of that Bill. The matters will again be listed for discussion at the next meeting of the standing committee, which will be held in Adelaide on December 1 and 2.

CROWN LANDS ACT.

Mr. CASEY: The Minister of Lands will recall that earlier this session amendments, introduced by him, to the Crown Lands Act passed this House without any disagreement from the Opposition. In the *News* of November 14 a reference was made to this Bill and to a statement allegedly made by the Minister. The report stated that a large area shaded on a map printed in the newspaper had been brought under the limitation sections of the Crown Lands Act. I find on looking at this map that it contains a discrepancy as the shaded areas go as far north as Parachilna, and I think everyone in this Chamber realizes that that could not be correct. Has the Minister noticed that discrepancy in relation to the statement made by him earlier? If so, what action will he take to correct it?

The Hon. J. D. CORCORAN: The honourable member is correct in saying that the map he refers to is inaccurate. However, I believe that this arose from a misunderstanding. In fact, in the map supplied by the department the area not involved in the limitation was shaded, but apparently it was thought that this shaded area was the area affected when indeed it was not. Reference was also made in another paper to the fact that Goyder's line was not now observed, but I am sure that honourable members will agree that that is not the intention of the Bill: Goyder's line remains as it has since Goyder laid it down, and I hope it will always remain. This line, which was defined, I suppose by primitive methods, many years ago, is still as accurate today as it was originally.

The area over which the limitation will apply extends only as far north as Quorn. I think it can best be defined by saying that the border is represented by the hundreds of Pichi Richi and Palmer in that area. A map in my office in the House is available at any time for honourable members to examine. In addition, of course, the Eleventh Schedule of the Bill contains the names of the counties and hundreds over which the limitation does not apply. As the honourable member said, many people who read the newspaper report will no doubt be under the misapprehension that their particular areas may be involved in the limitation when, in fact, that is not the case. I will take steps to ascertain whether a correction may be published in the newspaper in order to remedy the situation. I thank the honourable member for drawing my attention to the matter.

SPEAKER'S GALLERY.

Mr. HEASLIP: Last night, Mr. Speaker, some people were sitting in the Speaker's Gallery (I understand that such people are there with your knowledge and consent, as set out under Standing Order No. 82), and one of them abused me when I was addressing the Chairman of Committees. That is the first time that I have known of this happening in the Chamber. To try to prevent this sort of thing happening in the future, I ask you, Sir, what action you intend to take.

The SPEAKER: True, the gallery is under the control of the Speaker. Members know that as a matter of courtesy I have allowed them the right to take small groups of people into the gallery, when there is room, without going through the formality of first obtaining my permission. I did not know of the presence of these people in the gallery last night; nor do I know anything of the incident, except for what has been reported in the press. The question is hypothetical, as the incident took place while the House was in Committee. The behaviour in the Speaker's Gallery of the person concerned, as reported in the press, was quite out of order and, if it had been persisted with, the Speaker would have had to have recourse to clearing the gallery.

GILES POINT.

Mr. HURST: Earlier this year, when I was visiting Yorke Peninsula, a number of people asked me questions about Government policy. As I am concerned about the fact that many of these people have apparently been misinformed, I desire to ask the Minister of Marine the following:

(1) Has the Public Works Committee reported favourably on the building of a deep sea port at Giles Point?

(2) Did the previous Government make any financial provision for the building of this deep sea port?

(3) Has the Minister discussed this matter with Cabinet since I last made personal representations to him, informing him that people on Yorke Peninsula were most anxious to see this project completed?

(4) What is the Government's future intention in this regard and what progress, if any, has been made to bring this important project to fruition?

The Hon. C. D. HUTCHENS: First, the Public Works Committee reported favourably on a deep sea port at Giles Point. When the present Government came into office it set up a departmental committee, which reported in favour of the Giles Point proposal. In reply to the second question, the previous Government did not make finance available for this work but, to be fair, the present Government has not yet made money available for this project either. In reply to the third question, not only has the honourable member spoken to me about this but so has the honourable member for Yorke Peninsula, by question in the House, by speech, and by personal approach. Two more deputations from South Australian Co-operative Bulk Handling Limited have approached the Minister of Agriculture and me; the matter was considered and taken to Cabinet, where it has been further discussed on a number of occasions. In reply to the last question, the Engineering and Water Supply Department has submitted a scheme to supply water to the bulk handling terminal. This water supply has been approved and will be put into effect soon. I shall be discussing the matter with the General Manager of the Harbors Board tomorrow with a view to meeting the Premier so that the Government and the C.B.H. Limited may be able to make a statement early in the new year regarding a start on this work in the next calendar year.

CITIZEN MILITARY FORCES.

Mr. MILLHOUSE: Yesterday the Premier was kind enough to answer a question I put on notice concerning the Government's policy on the payment of daily and weekly-paid Government employees, and those in the Railways Department, whilst absent on Citizen Military Forces duty. He said that this was one of many matters before the Government for consideration and a decision would be reached as soon as practicable. I have been approached by a man, who is a moulder in the foundry at Islington, who is an officer in the Citizen Military Forces, and who, I think, lives at Modbury. He told me many months ago he was anxious to go on full-time duty with the C.M.F. and hoped to get a posting to another State for that purpose. However, before he could do so, he needed to apply for special leave from the Railways Department to take the posting. He therefore applied, and on June 29 he received the following reply, signed by Mr. Crossman (Chief Mechanical Engineer):

Mr. N. W. Rhodes,
Moulder,
Foundry, Islington Workshops.

Dear Sir, In reply to your letter of June 1, 1966, your application for special leave without pay to undertake full-time Citizen Military Force duty has been referred to the

South Australian Public Service Commissioner who has advised that consideration of your application is to be deferred pending pronouncement as to Government policy.

Now, 4½ months later, he has still not had any reply, apparently because policy has not yet been formulated. The result is he has lost the opportunity he looked for for a posting full-time in the C.M.F., and he is perturbed, upset and disappointed that this is so. Therefore, I ask the Premier whether he will use his good offices with his Cabinet colleagues to try at least to formulate policy to an extent sufficient to give a reply to this applicant, and also do his best with his Cabinet colleagues to get a formulation of general policy on this matter. Will the honourable gentleman do these things?

The Hon. FRANK WALSH: This matter has been considered by Cabinet. The special leave appears to be for C.M.F. training for service in Australia.

The Hon. D. J. Corcoran: Full-time duty.

Mr. Millhouse: Yes. The Minister of Lands can explain it to the Premier.

The Hon. FRANK WALSH: As we are concerned about this matter, we have examined it from various angles. Although no final decision has been arrived at, the matter will be further considered.

Mr. MILLHOUSE: As I am afraid that I just could not follow the purport of the Premier's answer, I ask him whether he is prepared to take up this case.

The Hon. FRANK WALSH: I do not know where Mr. Rhodes is living, or anything else about him. If the honourable member likes to send the letter I will see whether there is anything in it to warrant a special privilege being extended.

PENSIONER CONCESSIONS.

Mr. LANGLEY: Recently I met many elderly citizens of the Unley District who were loud in their praise of the opportunity provided them to travel a little earlier in the morning, and of the provision of half rates for travel on country rail services. In my district, the move by the State Government to introduce these improvements in travel arrangements for the benefit of pensioners has been acclaimed. As railway services do not cover all of the State, will the Premier ask the Minister of Transport to take up the matter with private bus operators in the country in an endeavour to obtain a reduction in fares for pensioners (as is the case with at least one bus operator travelling interstate), because often country buses are not filled to capacity?

The Hon. FRANK WALSH: I will certainly have the matter investigated to see what can be done, and bring down a report as soon as possible.

LAND ACQUISITION.

The Hon. G. G. PEARSON: When the previous Government decided to go ahead with the Bolivar sewage scheme, notice of acquisition was served on some landholders whose land was required for development of ponding lagoons and other works. Many of these matters were settled by mutual arrangement and some others were listed for hearing before the Supreme Court to decide the compensation to be paid. I noticed in this morning's press that one such case had gone to the High Court, where the matter had been resolved. This prompts me to ask the Minister of Works how many acquisitions are as yet undetermined. Also, can he say whether any actions are still pending before the Supreme Court or whether any other appeals have been made to the High Court? If he does not have that information now, will he supply it tomorrow?

The Hon. C. D. HUTCHENS: I do not have particulars of the matter referred to in this morning's press. Naturally, I discussed it with the Director and Engineer-in-Chief and with the Assistant Director, and I understand that a few appeals are still outstanding. However, those gentlemen were not sure whether further appeals would be lodged, although they did not think they would be. So that the full facts will be available, I shall have the matter investigated and bring down a report for the honourable member tomorrow.

EDUCATION SERVICES.

Mrs. STEELE: The Minister of Education was kind enough to send me a letter today about an emergency, which occurred at one of the schools in my district, and to deal with which it was imperative to engage the services of a plumber. As some difficulty ensued, the Minister undertook to refer the matter to the Public Buildings Department to see what could be done about it. As I believe it may be of interest to other members, I shall read a paragraph from the Minister's letter which he may be prepared to amplify. He referred to the difficulty that arose and said that he had received a reply from the Director to the following effect:

The Director goes on to say that as part of the re-organization of his department the appointment of district building officers and their establishment in depots close to the assets which they are responsible for maintaining will improve the maintenance services his department is able to provide. He (the Director) is confident that the new organization when fully implemented will provide the best possible maintenance service to schools throughout the metropolitan area and the country. I believe that is a step forward. Has the Minister any idea how long it will be before this service is fully implemented, and will members be informed where the depots in the various districts are to be established?

The Hon. R. R. LOVEDAY: I cannot at the moment say where the depots will be established. Perhaps the question should more properly have been addressed to the Minister of Works, because it is the Public Buildings Department's arrangements that are being discussed. The Minister of Works may be able to give more information than I can at present.

The Hon. C. D. HUTCHENS: I will get a report, possibly by tomorrow.

KALANGADOO CROSSING.

Mr. RODDA: Has the Minister of Lands received a reply from the Minister of Transport to my recent question about a crossing at Kalangadoo?

The Hon. J. D. CORCORAN: The Minister of Roads reports that the board has received no request from the council for a school crossing at Kalangadoo. However, it is understood that a request has been made for a pedestrian over-pass across the railway line. The Railways Commissioner is understood to have commented on this matter. The matter of providing a foot-path is the concern of the local authority.

EMPLOYMENT FIGURES.

Mr. HALL: My question is based on a news release of the Department of Labour and National Service containing statistics of employment in Australia and South Australia. Throughout Australia, 48,571 persons are registered for employment and there are 50,768 vacancies. However, in South Australia there is a direct reversal of those proportions, because 6,746 persons are registered for employment and there are only 2,917 vacancies. In this State the vacancies are less than half the number of persons registered for employment, whereas for Australia (in which the South Australian figure is included) there are more vacancies than persons registered for employment. This seems to be related to a lack of demand for skilled persons, as indicated in comparable figures for skilled building and construction workers. Can the Premier say what reason exists for the direct difference of proportion in that in South Australia the number of vacancies is less than half the number of persons registered for employment? Can he say whether this situation exists because there is a lack of private investment and activity in this State, and can he indicate on what he bases the belief he expressed yesterday (a belief which we all hope is justified) that there has been a decided increase in private activity and investment in commerce and industry in this State?

The Hon. FRANK WALSH: I still believe an improvement has taken place in South Australian industry. I have not been informed by representatives of the Chamber of Commerce and other organizations about their investments. I was interviewed last week, and I announced today details concerning the type of equipment to be manufactured in this State in connection with containerization. I know other industries will expand in this State, but details of the expansion cannot be publicized until I am authorized by the organizations concerned to make such a statement, because further negotiations must take place before a public statement is made. Figures for October compared with November figures in the building industry (including bricklayers, carpenters, plasterers solid and fibrous, and plumbers) indicate that a decided improvement has taken place. If we compare the number of persons unemployed with the number of job vacancies, an improvement of almost 100 per cent is evident. At present there is a general air of confidence in free enterprise organizations, and one of the largest organizations has expressed the greatest confidence in South Australia. I can see by the building opposite what confidence the Australian Mutual Provident Society has in this State. Delving into history, I remind members that in the dark dim days of the early 1930's an insurance company was the first private organization to show confidence in this State by erecting a building on the corner of Hindley Street and King William Street when no-one else was prepared to build.

Confidence in this State is obvious because of the contracts that have been obtained for work to be done by the Railways Department at the Islington workshops. This has been assisted by the competent administration there, and by the Government expenditure in

the building industry. The Government is showing its confidence in the State and we expect that further private investment will also assist.

WINE GRAPE PRICES.

The Hon. B. H. TEUSNER: In March, 1966, during his remarks on the Prices Act Amendment Bill (Wine Grapes), the Minister of Agriculture referred to the breakdown of negotiations between the grapegrowers' representatives and winemaker organizations. He stated (page 4261 of *Hansard*):

Obviously, negotiations can continue for another year, and provided both sides can get together, I believe that is the right way for any industry to function.

Can the Premier say what steps, if any, have been taken since then by the Government to get both sides of the industry together for further negotiations, as suggested by the Minister of Agriculture? Secondly, when will wine grape prices be fixed for 1966-67? Thirdly, does the Premier intend to confer (prior to the fixing of prices) with the grapegrowers' representatives and the winemakers to see whether wine grape prices can be fixed that are acceptable to both parties?

The Hon. FRANK WALSH: I have confidence in the Prices Commissioner: he will report to me when he has completed his work on this matter. I assure the honourable member that I will not over-ride the Prices Commissioner in trying to resolve the matter. I cannot say whether the Prices Commissioner will succeed: if he does, he is a better man than I am (I could not succeed, and neither could the Minister of Agriculture, although he tried very hard). The member for Gumeracha could not succeed (he depended on someone else), although he kept them as happy as he could for a while.

Mr. Quirke: The answer may lie in increased consumption!

The Hon. FRANK WALSH: I agree with the member for Burra that it is only a question of people drinking more and then the situation will be all right, but I am not going to be one of them. I expect that the Prices Commissioner will report to me soon. It was recognized that no attempt could be made during October because of uncertainty regarding the size of the grape crop. However, as soon as the Prices Commissioner has reported, if I am not able to make a public announcement, I will certainly correspond with the member for Angas to tell him the decision.

MOORLANDS INTERSECTION.

Mr. NANKIVELL: Has the Minister of Lands, representing the Minister of Roads, a reply to my question of November 8 regarding the proposal for the Highways Department to improve the corner at Moorlands junction?

The Hon. J. D. CORCORAN: I regret to say that I have not a reply to the honourable member's question. However, I will contact my colleague today and try to obtain a reply by tomorrow so that the member can have it before the House rises.

BROKEN HILL ROAD.

The Hon. Sir THOMAS PLAYFORD: Has the Minister of Lands, representing the Minister of Roads, a reply to the question I asked yesterday regarding the completion of the Peterborough to Broken Hill road which is very important to the commerce of this State?

The Hon. J. D. CORCORAN: I have been unable to obtain the information for the honourable member, and I cannot say whether I will be able to do so by tomorrow. However, I will contact my colleague and ask for the information by tomorrow.

FLUORIDATION.

Mr. RYAN: There has been much comment recently in this Chamber and in the press concerning the fluoridation of the metropolitan water supply.

Mr. Millhouse: See the thunderous look on the Minister's face!

The SPEAKER: Order! There is a tendency to interrupt when members are asking questions, and to debate questions and answers. That is strictly out of order.

Mr. RYAN: Has the Engineering and Water Supply Department estimated the capital cost and the annual operating cost of the fluoridation of the metropolitan water supply?

The Hon. C. D. HUTCHENS: I asked the Director and Engineer-in-Chief for an estimate that would cover the metropolitan area and as far south as Myponga and as far north as Gawler, covering a population of 780,000. The capital cost is $160,000, and the annual cost is $46,000.

Mr. MILLHOUSE: As the Minister of Works obviously has the figures at his fingertips, can he say what the annual cost a head of population would be in respect of the operating cost and the capital cost?

The Hon. C. D. HUTCHENS: Although I cannot give the honourable member the capital cost a head of population at present, he may recall that when the Select Committee inquired into this matter it was told that the estimated cost was 7½d. for each person.

MOTOR VEHICLE INSURANCE.

The Hon. T. C. STOTT: I understand that motor vehicles departments in some other States are considering (and their considerations are at an advanced stage) the introduction of legislation to compel accident-prone people to pay higher motor vehicle insurance premiums. The reason for the move is that the people who do not have accidents and who do not make claims are at present paying higher premiums to cover the payments made by insurance companies to people who have accidents. Can the Premier say whether the Government has considered this matter and whether his officers have been in touch with the other States?

The Hon. FRANK WALSH: I know of no deliberations on this matter in this State at present, but I will ask the Registrar of Motor Vehicles whether he has received any reports on this matter. If I cannot obtain the information by tomorrow, I will communicate in writing with the honourable member later.

POONINDIE ROAD.

The Hon. G. G. PEARSON: Has the Minister of Lands a reply to my question of November 1 concerning the provision of funds for the reconstruction of the Poonindie to White Flat road?

The Hon. J. D. CORCORAN: The Minister of Roads reports that although the survey of the Louth Main Road No. 323 between Poonindie and White Flat has been completed, the design, land acquisition and relocation of public utility services are not yet finalized. This is because available staff have been fully engaged on works on other main roads considered to have a higher priority. Although it is hoped to commence road work towards the latter part of this financial year, it is quite probable that construction will not proceed until 1967-68.

POTATO BOARD.

Mr. McANANEY: I have here copies of the balance sheets of the South Australian Potato Board and the South Australian Potato Distribution Centre Proprietary Limited. I understand that the Potato Board now carries out a series of pools. Will the Minister of Agriculture obtain for me a report on how these funds are shown in the accounts as at June 30?

The Hon. G. A. BYWATERS: The honourable member will appreciate that, because of certain complications in the report, I could not give him an answer off-hand. However, I shall endeavour to obtain information for him by tomorrow.

RABBITS.

Mr. RODDA: As the Minister of Lands knows, there has been an increase in the number of rabbits in the South-East. My question refers to a report we received earlier this year concerning the introduction of the Spanish Flea as a vector that could spread myxomatosis. I appreciate that Mr. Bromell, the officer in charge of rabbit control in the Minister's department, is probably without a peer in South Australia in this matter. However, can the Minister say whether steps have been taken to use this vector to spread the myxomatosis virus?

The Hon. J. D. CORCORAN: I know of no move by my department to use this vector. The honourable member is aware that myxomatosis is losing its effectiveness and, as he has said, the menace of the rabbit is increasing in the South-East. However, I remind him that my department provides an excellent extension service in respect of the eradication of rabbits. Although it does not claim complete eradication, I think it could justly claim a 95 per cent kill where its extension service has been employed. We co-operate with, and work through, district councils regarding this service, and I hope that he could impress on the District Council of Naracoorte, if it has not already taken advantage of this scheme (and I do not think it has), the merits of this service, because it has been introduced in Meningie, Robe and Tatiara with great effect.

If any of the honourable member's councillors need convincing on this matter they should go to the District Council of Tatiara for a briefing from the officer in charge of this service in that area. Indeed, the honourable member could talk to the member for Albert, who I am sure has seen this scheme operating and is convinced of its beneficial effect. I will obtain information for the honourable member on whether the use of the method he indicated has been considered. However, I express here and now my complete satisfaction with the extension service, which the Lands Department provides for the eradication of rabbits in this State and which has not, in my opinion, been fully used by councils which may use it if they so desire.

ELECTRICITY TRUST.

Mr. COUMBE: I ask the Premier, in view of the recent decision of the Government to abolish the Harbors Board and to place the department directly under the control of a Minister, whether the Government now intends to abolish the Electricity Trust and place this body also under the control of a Minister. If

the Government intends to do this, when will it introduce legislation to give effect to this policy decision?

The Hon. FRANK WALSH: The Government has not even considered the question of doing anything with the Electricity Trust. In fact, I believe one could claim that such an efficient organization as the trust would not need any assistance to improve it at this stage. If and when such a need arises, I will give notice.

GOVERNMENT EMPLOYEES.

Mr. HALL: Can the Premier say whether the Government will be able to maintain the full strength of its work force in all of its departments without retrenchment during the remainder of the financial year?

The Hon. FRANK WALSH: We hope to.

LEFEVRE PENINSULA WATER SUPPLY.

Mr. HURST: On June 21 this year the Public Works Committee laid on the table of this House a report recommending the laying of a 30in. mild steel concrete-lined water main to augment the LeFevre Peninsula water supply from Semaphore Road to Taperoo. Can the Minister of Works say when this work is likely to commence?

The Hon. C. D. HUTCHENS: I shall try to obtain a report for the honourable member tomorrow.

MURRAY BRIDGE CANNERY.

Mr. NANKIVELL: Some weeks ago I expressed to the Minister of Agriculture concern about the possibility of the fruit-processing plant at Murray Bridge being closed, when he indicated that the matter was in the hands of liquidators and that it was hoped that somebody would be able to take over the plant as a going concern. I think he suggested that one of the bigger processing firms might be interested in doing so. As I understand that no acceptable tenders were received by the liquidators, and as it is feared that the plant will now have to be sold and otherwise disposed of, can the Minister (who, I know, is as concerned about the matter as anybody else is) assure the House that every possible action is being taken to prevent the plant's closing and to ensure that it may be retained at Murray Bridge?

The Hon. G. A. BYWATERS: True, I am concerned about this matter. In fact, two fairly large fruit-processing organizations in another State were interested in the venture, both of which have received all the information that it has been possible to give them. A South Australian representative acting on behalf of one of these organizations visited Murray Bridge, examined the conditions there and reported to the firm concerned. That person had not heard anything definite from the firm a little over a week ago, but intended to go to Victoria to discuss the matter with representatives there. I hope to contact him again within a few days. No tenders were received, but the liquidator does not intend to do anything before next February or a little later, so that those interested in this matter will have a little more time. I am willing to talk to the two firms concerned and to ascertain whether they are still interested in the Murray Bridge plant. Indeed, I will discuss the matter with them should the situation present itself: I may even see to it that the situation does present itself.

JERVOIS BRIDGE.

Mr. RYAN: As I believe that tenders for the building of the new Jervois bridge closed during October, will the Minister of Lands, representing the Minister of Roads, ascertain whether a tender has been accepted and when work is likely to commence?

The Hon. J. D. CORCORAN: I will obtain a report, by tomorrow if possible.

HIGHWAYS BUILDING.

Mr. COUMBE: Will the Minister of Lands, representing the Minister of Roads, obtain a report on the Highways Department's plans to acquire properties at Walkerville, in my district, to extend the department's building that was erected only two or three years ago? Will he also ascertain how much land and buildings it may be planned to acquire for that purpose and when that acquisition may occur?

The Hon. J. D. CORCORAN: Yes.

BULL ISLAND ELECTRICITY.

Mr. RODDA: My question concerns electricity for the area west of Lucindale, around Bull Island. As I have received from people in the area requests concerning when it is estimated that they may expect the Electricity Trust to supply electricity to the area, can the Minister of Works give me that information?

The Hon. C. D. HUTCHENS: As I cannot give such details off the cuff, I will try to obtain a report by tomorrow. If I cannot, I shall write to the honourable member as soon as I have the information.

AGINCOURT BORE SCHOOL.

The Hon. T. C. STOTT: I have been informed by a representative of the Agincourt Bore Area School Committee that some of the smaller schools in the area, which are being closed as a result of the consolidation effected by the new area school, are fitted with fly wire screens on the windows and doors, some of which were, I understand, supplied by the Education Department. Will the Minister of Education therefore inquire whether some of these screens might be transferred to the new Agincourt Bore Area School?

The Hon. R. R. LOVEDAY: Yes.

UNDERGROUND WATERS.

Mr. HALL: Has the Minister of Agriculture a reply to the question I asked on November 9 whether the new regulations under the Underground Waters Preservation Act had been proclaimed?

The Hon. G. A. BYWATERS: The Minister of Mines reports:

The preparation of regulations under the Underground Waters Preservation Act is proceeding. As soon as the Act is proclaimed it is intended to take action to implement the provisions, which require the submission of returns by landowners in critical areas. It will take a considerable time to assess these returns and to prepare recommendations for restrictions on water usage, if such restrictions are necessary.

GOVERNMENT PRINTING.

Mr. RODDA: My question concerns the policy which the Premier declared 18 months ago on decentralization and is related to the over-taxed Government Printing Office. Some Government undertakings in the South-East, including the Woods and Forests Department, require a large amount of printing to be done, and in Mount Gambier, Naracoorte, and surrounding towns there are printers who could do this work and perhaps take the load off the Government Printer. Will the Premier consider giving some of this work to the undertakings in that area?

The Hon. FRANK WALSH: I shall obtain a report through the Chief Secretary, and let the honourable member know as soon as I get it.

TRANSPORT DRIVERS.

Mr. HALL: Has the Premier a reply to my recent questions regarding applications for transport drivers' licences from British migrants?

The Hon. FRANK WALSH: The Registrar of Motor Vehicles reports:

By arrangement with the Police Department, each applicant for a driving test is directed to a particular police station in a zoned area. This zoning is designed to spread as evenly as possible the heavy load on police officers in conducting tests, but at the same time applicants are not required to travel any great distance for a test. It is not the policy for police officers to travel away from stations to conduct tests and in view of the heavy load already placed on the department in testing, it is not considered practicable to implement such a policy. I have discussed this with the Deputy Commissioner of Police, who concurs.

BUS PASSENGERS.

Mr. HALL: Has the Premier a reply to my question of November 3 concerning the comparison between the decline in patronage of the Municipal Tramways Trust and the patronage enjoyed by private bus owners in the metropolitan area?

The Hon. FRANK WALSH: The General Manager of the Municipal Tramways Trust reports:

A check made with the Commonwealth Bureau of Census and Statistics shows that the M.T.T. passenger figures quoted in the September, 1966, issue of the Quarterly Extract of South Australian Statistics are incorrect in that the passengers travelling on scholars' concession tickets have not been included for the years 1960-61, 1961-62 and 1965-66. The correct figures are:

1962-63	58,039,000
1965-66	53,112,000

This is a drop of 4,927,000 passengers, equivalent to 8.5 per cent. The principal reason why private bus services have lost fewer passengers than the M.T.T. is that the private services in Adelaide operate to newly developed areas where the population growth is sufficient to offset the general decline in patronage on public street transport. Trust services operate principally to established suburbs where the population growth is much slower.

TIMBER STOCKS.

The Hon. Sir THOMAS PLAYFORD: Will the Minister of Forests obtain a report from the Forestry Board on timber stocks held, and ascertain whether the Woods and Forests Department has additional timber available this year for the fruitcase industry?

The Hon. G. A. BYWATERS: Yes.

MENTAL HEALTH ACT AMENDMENT BILL.

Second reading.

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

That this Bill be now read a second time.

Its purpose is to provide that the Director of Mental Health (under the new name of

Director of Mental Health Services) be directly responsible to the Minister for his administration of the Mental Health Act. At present, in his administration of the Mental Health Act, he acts only as a delegate of the Director-General of Medical Services. This amendment is necessary because of the size and complexity of the Mental Health Services Division. As a consequential measure, the formal provisions for the appointment of the Director-General of Medical Services are, with certain variations, transferred to the Hospitals Act. The amendments to the Mental Health Act are mainly of a formal nature.

Clause 3 replaces the definition of "Director-General" in section 4 of the principal Act with a definition of "Director". Clause 4 repeals and re-enacts section 5 of the principal Act. It provides for the appointment of the Director of Mental Health Services pursuant to the Public Service Act instead of a Director-General of Medical Services appointed by the Governor as was the case under the principal Act. Clause 5 repeals section 6 of the principal Act relating to the term of office and the dismissal of the Director-General, the section now being unnecessary in view of the amendments contained in the other Bill. Clause 6 makes consequential amendments to section 7 of the principal Act. Clause 7 repeals section 11a of the principal Act providing for the appointment of the Director of Mental Health, as this provision has been replaced by section 5 as re-enacted.

Clause 8 deals with a totally different matter. The intention of section 37b of the principal Act was that intellectually retarded persons should not be admitted to a training centre on the recommendation of a doctor's certificate more than ten days old. Owing to a clerical error, however, this section has completely the opposite meaning and clause 8 corrects this error. Clause 9 repeals section 165 of the principal Act. This is consequential to the deletion of all references to the Director-General from the principal Act. Clause 10 makes further consequential amendments by changing all references to "the Director-General" in the principal Act to "the Director".

Mrs. STEELE secured the adjournment of the debate.

HEALTH ACT AMENDMENT BILL.

Second reading.

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

That this Bill be now read a second time.

Its purpose is to amend the principal Act in two respects. The first of the two amendments is designed to provide that while gonorrhoea and syphilis remain "notifiable diseases" they will be reported only to the Central Board of Health directly by a medical practitioner, as is the case with tuberculosis. The reason for this is that it is considered undesirable for the names of the sufferers of these diseases to be supplied at meetings of local boards. The second amendment inserts a new part into the principal Act authorizing scientific research and studies to be carried on but ensuring that the information furnished for this purpose maintains its confidential nature.

I will now deal with the clauses individually. Clause 3 amends section 127 (1) of the principal Act and it exempts gonorrhoea and syphilis from the normal provisions concerning notifiable diseases. Clause 4 amends section 128 (1) of the principal Act and provides that, as in the case of tuberculosis, any medical practitioner who attends a person suffering from gonorrhoea or syphilis must immediately report this fact to the Central Board of Health.

Clause 5 inserts a new Part IXC into the principal Act. Section 146r of this Part enables the Governor to make a proclamation authorizing a person to conduct scientific research for the purpose of reducing morbidity and mortality in the State. Section 146s enables the authorized person to obtain information and reports which deal with his research, but prevent him from using this information or these reports except in the conduct of his research. Evidence of such information or report is not to be admissible at any proceedings unless the Governor by Order in Council has approved of its admission. No person who has any information of this kind can be compelled to answer any question concerning that information as a witness in any action or proceeding.

Mr. NANKIVELL secured the adjournment of the debate.

HOSPITALS ACT AMENDMENT BILL.

Second reading.

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

That this Bill be now read a second time.

It is a necessary corollary to the exclusion under the Mental Health Act of the provisions relating to the appointment of the Director-General of Medical Services. Clause 4 provides for the removal of the provisions relating to the Director-General of Medical Services from

the Mental Defectives Act to the Hospitals Act. Clause 5 inserts a new section 5a, new subsection (1) providing for the appointment of the Director-General of Medical Services and the Deputy Director-General of Medical Services pursuant to the Public Service Act. At present the Director-General of Medical Services is appointed for a term of five years. New subsection (2) enables the Deputy Director-General to perform all the duties and functions of the Director-General in his absence. New subsection (3) is a transitional provision enabling the Director-General of Medical Services and his deputy to continue in office as if appointed under this clause. New subsection (4) is an interpretive provision.

Mr. RODDA secured the adjournment of the debate.

MOTOR VEHICLES ACT AMENDMENT BILL (REGISTRAR).

Adjourned debate on second reading.

(Continued from November 8. Page 2823.)

Mr. COUMBE (Torrens): This is the third Bill introduced this year to amend the Motor Vehicles Act. I favour the provisions in the Bill but I wish to refer to one or two matters on which I believe the House should seek further clarification. The main purpose of the Bill is to overcome malpractices occurring in the State and to plug up obvious loopholes in the Act regarding the buying and selling of cars as this relates to the stealing of cars. The Bill can be roughly divided into three parts, to the first two of which I am sure all members will agree. First, the Bill confers additional powers on the Registrar of Motor Vehicles, an inspector, police officer, and so on, to inspect the engine numbers, registration discs and registered numbers of motor vehicles when registration or a transfer of registration is being made.

Secondly, the Bill confers extra power on the Registrar or his officers to refuse to register a motor vehicle, whilst investigations are proceeding, if there is any doubt in the minds of the Registrar or his officers whether all the relevant details are correct in every way. The Registrar will be given power to issue a permit *pro tem* whilst investigations are being made. Thirdly, the Bill extends the period of limitation in which prosecutions may be brought under the Act. The first provision is to give the Registrar wider administrative powers to determine or prevent the registration of stolen vehicles in this State. This provision is important and long overdue. We all know, either from personal experience or from what we have read in local press reports, that car thieves who operate in and from other States have become aware that there are defects in some of the existing laws in this State. Undoubtedly these people have been descending on South Australia and taking advantage of these loopholes to the detriment and injury of many of the law-abiding citizens of the State who have, in many cases, been taken for a ride, so to speak. The Bill is designed to tighten up this aspect of the law to prevent vehicles that have been stolen in South Australia and in other States from being registered and sold under improper conditions.

When a person applies for registration of a secondhand vehicle he will have to state the previous registered number and the name of the previous registered owner. Then the Registrar will be able to check these details with his departmental records. If the details agree, he will allow registration but, if the details do not agree (as sometimes happens), then the registration will not be allowed. The Registrar will check with the list of stolen vehicles that is presented to him nearly every day by the Police Department. Thus he will be able to see whether the details that appear physically on the vehicle are on the list of stolen vehicles. It is also provided that all secondhand vehicles coming to South Australia from another State for registration will automatically be inspected, even though the details given by the applicant for registration may be correct. Most malpractices have occurred in the handling of secondhand vehicles.

It may be suggested that the provisions of the Bill could delay the purchase of a new car. However, I do not believe this will happen because the provisions are straightforward. The Registrar will automatically register a new car, provided the details are correct. If a new vehicle is suspected of being stolen or brought from another State to be sold here, the Registrar can check all details to prevent any underhand practice. If the Registrar wishes to delay registering the vehicle immediately, provision is made for a temporary permit to be issued and placed on the motor car, which can be driven for a specified time. If the details are in order the applicant is then issued with a regular disc, but if malpractices occur proceedings will be taken against the applicant. The implementation of this Bill will operate to the advantage and benefit of all road users in South Australia.

It seems to be an improvement on the procedure adopted in other States and may cost less. Also, it will not interfere with the introduction of the *alpha numero* registration system. Clause 7 radically alters the Act as we have known it for many years. The Justices Act provides that where an Act does not specify a limitation of time, a period of six months is allowed in which action can be taken. Clause 5 strikes out the one exception from the six-month period where a false statement has been made to the Registrar. New section 144a raises the limit from six months to two years: I think this is too long. Members who have sat on the bench in courts of summary jurisdiction know that much of the business conducted is either under the Motor Vehicles Act or under the Road Traffic Act. It may be that the Government and the Registrar intended that a two-year extension should apply to provisions of this Bill only, but the wording affects the whole of the Motor Vehicles Act. Section 144 of the principal Act provides that proceedings for offences against the Act shall be disposed of summarily, but all provisions of the Motor Vehicles Act will now be extended from six months to two years. I believe that the Government did not intend this to apply and that the provisions of this Bill only were to be caught in this extension. The minimum two-year period will apply to all registrations and regulations, to transfers, to registration discs, to third party insurance, to permits, and to fees and payments.

Everything permitted and authorized under the Act will be affected by this extra extension, which is far too wide. If it were intended to limit the extension to the provisions of this Bill, it would have merit, but I oppose the two-year extension. I point this implication out to members, and I ask whether they realize the effect, and whether that effect is really intended. I am indebted to my friend the member for Angas for the Latin tag *interest reipublicae ut sit finis litium*. A literal translation is that it is of concern to the State that litigation be finalized. We are all aware of the doctrine of limitation of action in this State, and I believe that the maximum referred to is very pertinent in this regard. We have noticed in several pieces of legislation introduced recently a tendency to extend the limitation contained in the Justices Act, and to write the extended period specifically into such legislation.

In Committee I will move amendments to clauses 5 and 7: it will be necessary, of course, to amend clause 5 because it is the one exception for the six-month limit. It is specifically provided in section 135 (4) that 12 months shall apply in the case of false statements. If we are to extend anything, why not make it uniform, and make it 12 months throughout? Having indicated what I will do in Committee, I support the Bill because it is badly needed in this State and will eliminate many malpractices occurring at present.

Mr. MILLHOUSE (Mitcham): I support the Bill, and I also support the remarks of the member for Torrens. There is no doubt that for many years South Australia has been notoriously lax regarding registration of motor vehicles, and it has been well known in other States that South Australia could be used as a dumping ground for stolen vehicles because they could be registered here so easily. I regret that nothing has been done about this matter before today: it should have been done years ago. I support the idea behind this Bill, and I hope that the detailed clauses of the Bill will work, and that we will not need to have another look at the Bill in a few months.

I turn now to the important matter of the extension of the time limit. The general time limit, as the member for Torrens reminded us, is six months in this State, and that is contained in section 52 of the Justices Act, which provides:

> Where no time is specially limited for making the complaint by any statute or law relating to the particular case, the complaint shall be made within six months from the time when the matter of the complaint arose.

That does not mean to say that the summons has to be served within that period: the complaint itself must be sworn within six months and it can then be served any time after that. That is the general time limit in this State and it has been so for at least 116 years, because section 10 of Act No. 6 of 1850, although the language is rather quaint, is the same in effect as at present:

> And be it enacted, that in all cases where no time has already, or shall hereafter be, specially limited for making any such complaint, or laying any such information, by any Statute or Law relating to each particular case, such complaint shall be made, and such information shall be laid, within six calendar months from the time when the matter of such complaint or information respectively arose.

I mention that to underline that this provision has stood the test of time, and there is no reason in the world why at a stroke of a pen and without any real explanation

the time limit should suddenly be increased four-fold. In his second reading explanation the Premier said:

This period of limitation is laid down by section 52 of the Justices Act and experience has shown that this period is insufficient for the purposes of the Motor Vehicles Act.

If experience has in fact shown this, we ought to know what that experience is, because a substantial change in the law is proposed. The Premier said that he considered an appropriate period would be two years and he backed that up by saying:

With the introduction of the new inspection procedures proposed in this Bill it is expected that many changes of engine numbers and changes in weight, particularly in some commercial vehicles, will be revealed.

This may be so but, if in fact this is all that concerns the Government, it would have been comparatively simple for the draftsman to fiddle up section 135 of the Act, which provides:

This section applies to written and oral statements, and in respect of written and oral applications and requests.

It would have been a simple matter (if it were necessary even to do that) to introduce an amendment to cover alterations to engine numbers and so on, and, if we were desperately anxious that the time limit should be longer than 12 months, it could have been changed to two years. What the Government is doing now is using these new proposals as an excuse to alter the law regarding every offence under the Motor Vehicles Act, and I can see many objections to this. One objection already mentioned is that the wellknown time limit is six months and nothing has been adduced to show that it should be altered.

New section 144a will have retrospective effect. Any action concerning which a complaint could have been laid and which occurred between six months ago and two years ago is now, as the law stands, out of the time limit and no complaint can be laid. However, if we pass this Bill, all those cases are again brought back within the time limit under the Act and it will be possible for complaints to be laid regarding them.

I do not believe in retrospective legislation and I do not think the Government does either. Only yesterday the Government was prepared to strike out from the Workmen's Compensation Act Amendment Bill a provision that would have had a retrospective effect, and it did so on suggestions from this side that retrospective legislation was bad. My third reason is that the Motor Vehicles Act is a twin of the Road Traffic Act. Before 1959 all the provisions were contained in the same Act. Under the Road Traffic Act, the old limitation of six months will still obtain. Why on earth should there be any difference in limitation for prosecutions between the Road Traffic Act and the Motor Vehicles Act? Of course, the only answer that can be given is that there is no reason why there should be any difference between the two.

Therefore, for those reasons I hope that when we get into Committee clause 7, which contains new section 144a, will be dropped by the Government, because no good reasons have been adduced for it and I think its inclusion will be positively harmful. There is nothing else that I think need be said about the Bill at this time. I hope it works; it is certainly designed to remedy a long-standing evil that should have been remedied a long time ago. It contains only this one objectionable clause, which is perfectly severable. I hope that we will pass the Bill in its present form except for clause 7.

Bill read a second time.

In Committee.

Clauses 1 to 4 passed.

Clause 5—"False statements."

Mr. COUMBE: This clause affects clause 7. Section 135 (4) of the principal Act is the one exception to the six months' application, and it provides for 12 months' limitation of action in regard to one offence only, namely, making false statements to the Registrar. When we get to clause 7, I shall move an amendment to reduce the limitation from two years to one year so that we will have uniformity in that respect. At the same time, I will strive to preserve the effect of the six months' limitation for the remainder of the Act other than to the clauses with which we are dealing now. I cannot deal with clause 7 at this moment, but I will vote against this present clause.

The Hon. D. A. DUNSTAN (Attorney-General): There may be some case for a general limitation of 12 months, although the view of the police and the Registrar is that in order to cover all cases where offences might arise under the Motor Vehicles Act a longer period than six months is needed. Members will be aware that in many motor vehicles cases proceedings may well relate to drivers who go to another State, and the collection of the necessary evidence in due course would be a little difficult if we had a limitation of six months.

Mr. Coumbe: What sort of offence would they be?

The Hon. D. A. DUNSTAN: Offences relating to statements concerning motor vehicles, for instance.

Mr. Millhouse: But this is 12 months already.

The Hon. D. A. DUNSTAN: I am sorry: that is true. However, there are others such as producing evidence of insurance, for instance. There is a whole series of offences and penalty provisions relating to registration of motor vehicles, insurance, statements in relation to that, and the like, which can face a prosecution with difficulty when the authorities have to be certain that they are in a position to bring a case before the laying of a complaint. However, that may well depend on the admissions to be got from the person who is to be charged, and that person may not be in the State.

Often the people about whom charges could be brought are interstate transport drivers, and it is difficult to catch up with them and subject them to the necessary questioning. Consequently, a longer period of limitation is required in relation to offences of this kind. That is not relating merely to the matters that are contained in this Bill or in section 144. If we are to have a general limitation of 12 months (with which the Government would be prepared to go along), then this clause should stay in, because we should provide a general limitation elsewhere.

Mr. Coumbe: Then it would not be necessary to have this clause.

The Hon. D. A. DUNSTAN: What the honourable member wants to do is put in a limitation relating to certain specific offences for 12 months. With great respect to him, we cannot agree to this being limited to only the offences dealt with by this Bill. If the honourable member is prepared to move a general limitation of 12 months as a compromise with what is in the Bill and the general limitation of six months which stands on other offences at the moment, the Government would be prepared to accept that, but otherwise we would have to proceed with the Bill as it stands.

Mr. MILLHOUSE: I appreciate that the Attorney has been caught somewhat on the hop by this. He has given some hypothetical examples in which it may be possible that it is difficult to lay a complaint within 12 months, but I may say (and I am sure he will accept this) that, in the absence of some specific cases, it is asking rather a lot of the Committee to accept what he has said more or less on the spur of the moment. I personally do not think that without much greater evidence than has been given (certainly not unless we get something more than just one sentence in a second reading explanation) we should make a radical departure from the law as it stands now and as it has stood for a long time. Now, of course, the Attorney has suggested, in a spirit of compromise, that we should reduce the limitation from two years to 12 months, which is splitting the difference, or perhaps doing even a bit better than that, I suppose.

However, the objections I raised are still there, even if in a lesser form, and I do not think we have at the moment any justification for altering the law at all. I suggest that we do not alter the law without a better reason for doing so than has been put by him or put in the second reading explanation, because frankly there is no reason that we know of yet for doing this. We have not been given any cases of specific difficulty at all, and if we made it 12 months, as he suggested, it would still mean a lack of uniformity between this legislation and the Road Traffic Act. There should be general uniformity in the law in this State. The general provision is in section 52 of the Justices Act, which covers all sorts of offences, that are triable summarily. I do not think we ought to alter that until we know why we are altering it in this case.

The Hon. B. H. TEUSNER: I support the members for Torrens and Mitcham and agree that six months is ample time in which to institute proceedings for offences under this Act. I do not think the difficulties in regard to transport drivers travelling to other States will arise, because six months is a long time in this regard. Indeed, the tendency in some legislation has been to make the period within which proceedings must be instituted less than six months.

Clause passed.

Clause 6 passed.

Clause 7—"Limitation of time for bringing proceedings."

Mr. COUMBE: I move:

In new section 144a after "against" to insert "sections 24, 49 and 139 of"; and to strike out "two years" and insert "one year".

The amendments seek to apply the extension only to the sections referred to in the Bill, and to reduce the two years to one year which, I think, is fair and proper. We agree that

malpractices have been occurring, but would the Government have wished to provide for an extension of the period if it had not thought it desirable to introduce these provisions?

Mr. MILLHOUSE: I think the member for Torrens may be in some difficulty with regard to the sections that he seeks to refer to in new section 144a, for I am not sure that any offence is created under them. Unless they create an offence, it is not worth while mentioning them. Section 24 provides for the duty on the Registrar to grant registration and allot a number. Section 49 provides for the issue of permits to drive without a label pending ascertainment of power-weight. On a quick look, I cannot see how an offence could be committed against that section. Section 139 refers to the power of inspection, and I do not think that section creates an offence either. As the Bill is drafted I cannot see how references to sections can be inserted to restrict the application of an extended time limit only to these matters. I ask that progress be reported so that we may know why this has been done.

The Hon. D. A. DUNSTAN: Of course, the honourable member is correct in saying the amendment is unworkable. The point is that the offence that will arise will be disclosed by the investigations which come out of parts contained in other sections.

Mr. Millhouse: Don't you think some of these offences will be continuing offences?

The Hon. D. A. DUNSTAN: They may be, but on the other hand the Registrar made it clear that he considered the investigations would disclose a number of offences where it would be difficult to come within the six months' time limit, and therefore he thought a time limit of two years was more appropriate. In addition, he pointed out there had been some cases where difficulties had arisen with the six months' time limit, and because of this he asked for a general extension of the time limit. The furthest the Government can go on this is to reduce the period to 12 months rather than two years to see how that works, and we are prepared to do that. We cannot adjourn the debate; we have much to get through by tomorrow, and this measure is urgent to the Government.

Mr. COUMBE: I am indebted to the Attorney-General and the member for Mitcham for trying to help me. In view of the comments that have been made, I ask leave to withdraw my amendment with a view to moving another.

Leave granted; amendment withdrawn.

Mr. COUMBE: In view of the comments of the Attorney-General, I move:

To strike out "two years" and to insert "one year".

Mr. MILLHOUSE: Although I think this is better than two years, I still do not like it and I do not think we should change it from six months. I support this, not because I think the time limit should be 12 months, but because it is better than two years.

Amendment carried; clause as amended passed.

Title passed.

Bill read a third time.

POLICE PENSIONS ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from November 8. Page 2825.)

Mr. HALL (Leader of the Opposition): The Treasurer in his second reading explanation said that this Bill had the support of the Police Association and of the representatives of the commissioned officers. In stating that, I think he believed there were no contentious issues in this Bill. Having read the Bill reasonably carefully, and knowing it brings the Police Pensions Act into line with the provisions outlined in the Superannuation Act, this has my wholehearted support and, I am sure, the support of all members on this side. However, there are some matters that require brief comment. The Treasurer has referred to the lack of a Public Actuary to calculate the detailed workings associated with this Bill. If there is no Public Actuary, then who has been doing this work? Obviously, these calculations are most intricate and members of Parliament do not have the time or, perhaps, the ability of an actuary to enable them to follow the figures right through. One of the reasons why there is no actuary is probably that actuaries are hard to find. In this case we must take the word of the Treasurer that these calculations are correct, and he must have taken the word of the person who did them. I should like to know who prepared these calculations if we do not have an actuary. In his second reading explanation, the Treasurer said:

The Government is also being hampered in this study by the fact that it is finding considerable difficulty in securing a new Public Actuary, and in having up-to-date valuations made of the Superannuation Funds.

Somebody must have prepared the considerable calculations for this Bill, so that somewhere there must be a person capable of being a Public Actuary. If actuaries are so hard to find it is hard to reconcile this with what the Treasurer said when introducing a Bill to establish a State Insurance Office. He said then that actuaries were easy to get and that offers by such people had been made. If they are easy to come by in one case why are they so difficult to come by in another?

One question that must be asked is how much will the provisions of the Bill cost the Government. It would be advantageous if the Treasurer would give that figure. The Bill is designed to bring the Police Pensions Act into line with the Superannuation Act. I believe the two funds are somewhat different in that the Police Pensions Fund consists of a lump sum payment at retirement plus a fortnightly payment, whereas a Superannuation Fund contributor has equity on a unitary basis. In the Bill, there is a basic pension rate for those below the rank of sergeant, while loadings for both contribution rates and pension entitlements are provided for sergeants and commissioned officers. The loadings under the Bill are now to be increased to enable the higher ranks to secure retiring benefits somewhat equivalent to 50 per cent of their current annual salary. As a result of the 1964 amendments, the Government is contributing 70 per cent of the funds and outgoings to those receiving a pension prior to the clause in the amending legislation; 66⅔ per cent to those who joined the force before July 1, 1959, and who would receive the pension after the passing of the amending legislation; and 60 per cent to those who joined after July 1, 1959.

The Bill provides for a uniform 70 per cent contribution by the Government, and its effect on existing contributors is explained in the second reading explanation. The effect will be to increase the pension of those whose payments to the fund were on a less favourable basis of subsidy than 70 to 30, as was the case with pensioners under the Superannuation Act, which has been amended by Parliament. The Treasurer referred to real progress being made concerning the plight of those pensioners the value of whose long-standing pensions had been lost through inflation. He said:

Moreover, the same re-examination is being made of long-standing police pensions to ascertain the extent to which it would be appropriate and practicable to increase them in cases of hardship arising from depreciation of their value. The overwhelming difficulty in this is the problem that over a considerable range an increase in such a pension does not bring any benefit to the pensioner, for, if he is entitled to some Commonwealth supplement through old age or widow's pension, he simply loses the amount of State pension increase by a corresponding reduction in the Commonwealth supplement. The Victorian Government has, I believe, made some effort to overcome this problem, and the methods adopted and their measure of success are being studied.

The Government should not avoid its responsibility in this matter. In clause 16 (3) a definite move is made to increase the long-standing pensions of those who retire as sergeants or commissioned officers. It seems that the Government is examining the problems of members of the lower ranks who have retired, although more attention is being given to one section of retired officers than to another. However, it is obvious that, as the Police Association and the commissioned officers have given their full support to the Bill, there is no contention in the matter. These people must have accepted the Treasurer's assurance that he is looking at the matter and will endeavour to take some action, as he says, to get around the difficulty with the policy relating to Commonwealth social services.

From his explanation, I understand that the overall increase to those drawing on the fund at retirement will be 9 per cent over present payments. Correspondingly, their contributions to the fund will decrease by about 16 per cent to 18 per cent. Obviously, these adjustments in bringing the Police Pensions Act into line with the Superannuation Act will prove of great benefit to the members of the Police Force, who are greatly admired for the manner in which they carry out their duties which are often arduous and sometimes dangerous. The esteem in which they are held by the people of the State is demonstrated by the way in which the public co-operates with them. I have the utmost praise for members of the Police Force in South Australia. Although there is no Public Actuary in South Australia and no explanation has been given about the cost to the Government, it gives me much pleasure to support the second reading.

The Hon. FRANK WALSH (Premier and Treasurer): The competent officer who prepared the schedule could have accepted the position of Public Actuary if it were necessary, but he is engaged on valuable work and could not be released. However, I hope that a Public Actuary from overseas will arrive in this State within the first quarter of next

year, as I believe a satisfactory offer has been made and accepted. Some contributors were receiving the benefit of a 60 per cent and a 70 per cent Government contribution but now the benefits are to be extended proportionately, and the same rate will now apply as that provided under the Superannuation Act. The cost of these provisions is expected to be about $15,000 a year.

Bill read a second time.

In Committee.

Clauses 1 to 15 passed.

Clause 16—"Increase of existing pensions."

Mr. HALL: Can the Treasurer say why the upper ranks of those who have retired have received attention in this matter whereas others have not?

The Hon. FRANK WALSH: I cannot give any details of this. After discussions I find that the Victorian Act gives further benefits and relief. I hope that next March I can introduce an amendment that will give the desired relief to assist those pensioners who are entitled to receive part or all of the Commonwealth benefits. We wish to avoid making a payment that will automatically reduce the Commonwealth pension. I point out that commissioned officers were not permitted earlier to contribute for up to 50 per cent pension. This deals with that matter, but not with the loss of purchasing power. I assure the honourable member that this amendment will benefit pensioners and their dependants.

Clause passed.

Remaining clauses (17 to 20) and title passed.

Bill read a third time.

PHYLLOXERA ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from November 10. Page 2956.)

Mr. NANKIVELL (Albert): I support the Bill, which amends the Act that was redrafted in 1936 to replace the original Act of 1899 setting up the Phylloxera Board. There is no change in the membership of the board as a result of this amendment: there will still be nine members, but this amendment reorganizes the electoral boundaries. The Minister's second reading explanation is acceptable to me: that, when the original boundaries were drawn, not many grapes were grown east of the Mount Lofty Ranges, whereas today 70 per cent of South Australia's grapes are grown east of the Mount Lofty Ranges, and an increasing acreage (though not a rapidly increasing acreage) is being sown in the South-East at Keppoch and Coonawarra. This Bill provides for these areas to have representation not quite in proportion to the amount of production, but at least the areas are better represented on the board than previously. We certainly do not want to see any outbreak of phylloxera in this State. We have managed to keep South Australia free, and it is right that we should continue to do so, and it is also right that grapegrowers (who are interested in ensuring that the State remain free of this louse that affects the roots of vines) should be adequately represented on the board. As this Bill seeks to do nothing more than that, I support it.

Mr. QUIRKE (Burra): I also support this measure. It is, as the member for Albert said, designed to give better representation to the vineyard areas of South Australia on the Phylloxera Board. When the board was created, there were very few grapes grown in the river areas, and now 70 per cent of South Australia's grapes are grown there, but those areas only have one representative on the Phylloxera Board. It must be remembered that phylloxera is in Victoria, and it would be highly probable that, in the event of an outbreak, it could occur in the country immediately adjacent to Victoria, and particularly in the South-East. Because this board does its work without much public recognition I think it is right that two things should be ventilated here: the nature of the board's work and the reason why it is necessary to do that work. Phylloxera is indigenous to the eastern parts of the United States of America, and it lives on the native vines, which are unlike grapevines as we know them. It affects the leaves of the vines in the United States of America; the root system is immune. The grape louse does attack but the vine can resist its thrust. The story of this insect is extremely complicated: it has both subterannean and aerial forms. It affects the leaves on the stocks of the American vines and it affects the roots of the European stocks. Its effects are absolutely devastating. It is akin to the woolly aphis that affects apple trees, for it is the same type of insect. That, too, has underground and aerial forms. Just as we overcame the disability of the woolly aphis attacking the roots of apple trees by grafting the apple in the nursery on to a resistant stock, which was known as the northern spy apple, it is necessary in order to overcome attacks of phylloxera to graft the

European species on to American resistant stocks.

The life cycle of phylloxera and the speed with which it-propagates is terrific: there would be as many as 10 to 15 generations in one breeding season on the roots of the European vine. It does little damage to the American resistant stock because all that it does there is promote the growth of galls on the leaf of that wild vine. However, when it attacks the European stock it attacks the roots, and only in very rare cases is the leaf marked. Once an infestation enters a vineyard, that vineyard is completely devastated in from three to 10 years, and so terrific is the effect of this that a dead vine that has been killed by phylloxera can be pulled out of the ground with one hand. It completely destroys the root system, and it could completely destroy the vineyards of South Australia.

The Murray River areas are probably more resistant to these attacks than are the heavier soils of the non-irrigated areas, for it has been shown that the phylloxera louse has very great difficulty in moving in sandy soil whereas in the more granular types of soil it can move with great rapidity. Once a vine has been infected in a vineyard the infection will quickly travel (and this can be easily seen) to the other vines and will expand in ever-increasing circles until it completely destroys the whole vineyard. That is the type of thing we are up against. I assure honourable members that the study of the complexity of the life cycle of this insect is a very interesting one, and if any honourable member would like to know more about it I can provide him with a little booklet on the subject put out by Mr. J. L. Williams, R.D.A., of Roseworthy.

Our European vines are very susceptible to phylloxera, and I suppose this is primarily because they have never been subjected to the attacks of this insect and therefore have never built up any resistance. Also, there is no known parasitic action that will help to reduce the tornado effect of dissemination that this insect has. The American vines have no fruit of any value. Many attempts have been made to get them to fruit in sufficient quantity to make them a crop of some importance, but all attempts to do this have failed. As a result, it is necessary that they be used only as root stocks for grafting. This is a very complex piece of work and the various methods of grafting are slow and painstaking. It costs no less than 20c to grow one vine, and when members realize that there are up to 600 vines to the acre they will appreciate that the cost of re-establishing a vineyard is terrific.

The pest was introduced into England and France between 1854 and 1860, and it is peculiar how it was introduced. This American vine is also immune to attacks of a vine disease called oidium, usually referred to by growers as "odium". This is a fungus growth that attacks the vine and destroys the bunches. It can be overcome by the application of sulphur. As I say, it is a fungus disease. It is damaging and it can destroy a crop, but once it appears it can be combated. However, nothing at all can be done with phylloxera.

The oidium disease existed in England and France, and when those countries imported American resistant vines that were resistant to oidium they brought in with them this phylloxera disease. It was discovered in hothouses in England in 1863 and was reported in France in the same year, and by 1867 (just four years later) it had caused appalling havoc in French vineyards. So great was the damage that practically the whole of the French and German vineyards are now given over to vines growing on American resistant stock.

Phylloxera was first discovered in Australia at Fyansford in 1875 and at Geelong in 1877. Incidentally, Geelong had some of the biggest vineyards at that time, although nobody would think of growing vines there now. The disease was later discovered at Bendigo. Rutherglen reported it in 1899, and in a very short time it destroyed the Rutherglen area. The establishment of the Phylloxera Board dates from that time. A gentleman who was in agricultural circles is now honoured and revered for the work he did in those days, not only on vineyards and on phylloxera but in every branch of agricultural science. I refer to the late Professor Perkins, on whose recommendation the Phylloxera Board of South Australia was established. The disease is also in some New South Wales areas and in one small area in Queensland, whereas Western Australia and South Australia are clean. Indeed, we wish to keep this State clean. Our fortunate position has been largely the result of the activities of the Phylloxera Board, the activities of which we seldom hear, unless, of course, when travelling to another State we see a sign at the border prohibiting the entry into South Australia of any rooted vines, cuttings or grapes.

Mr. Nankivell: Penalty £100!

Mr. QUIRKE: Or $200, which is little enough. The disease will not occur in South Australia if, in regard to mechanical transport, we can keep the cuttings from infected areas out of this State. Phylloxera has a wingless female in its life cycle, which cannot travel far. Although it can infect areas through which it is carried, because of its inability to spread far (as a result of being windborne) phylloxera has no great flying capacity. The prevailing winds are in our favour; it thrives only in warm weather, for the cold wet weather inhibits its growth. The Phylloxera Board is the guardian of the State. The position would have been vastly different if the vine now imported into countries in order to combat phylloxera had never been brought into England and France to help combat another disease. We have to use that vine, where phylloxera rears its ugly head, in order to grow any grapes at all. Whilst phylloxera attacks the roots of the European vine, it does not attack the leaves of our vine and little incidence of galling occurs on the leaves.

The Phylloxera Board was appointed in 1899 on the recommendation of Professor Perkins and it is largely because of the board's activities that phylloxera is not present in South Australia. The board maintains a vineyard at the Wahgunyah nursery in Victoria at which American vines are kept growing in order to provide resistant stock for the planting of vines in Victoria. Those vines are prohibited from entering South Australia. An attempt was made by our board to take the resistant stock to Kangaroo Island in order to establish a vineyard there that would be removed from the mainland; the plants would be carefully handled so that every care was taken that the disease was not transported to Kangaroo Island, but the soil was unsuitable and the scheme failed. The South Australian board at present rents an area of the Victorian vineyard, which the Victorians look after. That section is ours, however, if the emergency arises necessitating the supply of stocks.

The resistant stock resembles a scrambling blackberry bush; its suckers grow until the plant becomes a tangled mass of vine. It is essential for Australia and particularly South Australia that we maintain those sources of resistant stock. They are highly complex; a wide variety of them exists; and they are all numbered and carefully tabbed. Some stocks are better for one vine than for another, and so on. We are interested in those most suitable for our commercial vines. At first, the work of the board was financed by a levy on winemakers and distillers, as well as grapegrowers. It is interesting to note that the levy was 6d. a ton of grapes processed by the winemakers and distillers; 3d. an acre on growers of vines under two years; 6d. for vines of four to eight years; and 1s. an acre for vines eight years and over.

In the early stages, when I first started growing vineyards, I paid those levies to the Phylloxera Board, but as time progressed it became apparent that that fund for financing the board which was also supposed to provide money to help the grower reconstruct his vineyards, was impracticable. Therefore, whilst the power to collect levies still exists, they no longer operate. The board has funds of $107,000, which is invested in Commonwealth securities; the interest and other earnings in investments total $5,230; and the expenditure for the year, including management expenses, was $4,740, resulting in a surplus for the year, of $490, which means that the board pays its way. At present its total current assets total $107,596. I thought it necessary to explain these matters to the House (not that it is apparently very attentive, because phylloxera evidently does not interest many people). However, the grower is interested, because if phylloxera were not controlled his livelihood could be wiped out within a few years.

We must remember that no known cure exists; with phylloxera present, vineyards would simply have to be cleaned out, resistant stocks propagated, and vineyards replanted, an exercise that not many people might undertake. The Rutherglen area has been propagated on resistant stocks, but it is hardly likely that such an effort would be made in South Australia to establish a similar area of vineyards. Many people could suffer a colossal loss if phylloxera spread in this State. The river areas might not be affected for many years, because of the presence of sandy soil. This Bill does one thing, through which representation on the Phylloxera Board, which offers protection to the vine growers in this State, will be improved, and districts realigned, although membership on the board will remain the same. Because of this and the vital importance of maintaining the work which the Phylloxera Board does in order to protect the big areas of vineyards in South Australia from complete devastation, this further distribution of members is highly desirable so that interest can be promoted in the board. Levies are no longer collected from growers and the board has tended to lose

significance in the eyes of the grapegrowers, although its importance today is as great as when it was first founded. We can only hope that the prognostications of evil that phylloxera will ultimately affect South Australia do not eventuate. There are some authorities who say this thing is so insistent and persistent and capable of destruction that it must come to South Australia. That time could long be delayed; it has not got here in 60 years, and I do not see any reason why it should now, unless through the culpable negligence of people who do what they are ordered not to do: transport vine cuttings through the State from infected areas. I am in complete support of the Phylloxera Board and the work it is doing and I support the Bill.

The Hon. B. H. TEUSNER (Angas): I, too, support the Bill. I commend the honourable member for Burra for his learned and enlightening discourse on phylloxera. I agree with his suggestion that phylloxera is the most devastating scourge of vines known to the viticultural industry in Australia and elsewhere. As he said, it is an insect that feeds on the leaf of the vine, proceeds to the root, and extracts the sap from the roots; in due course the roots disintegrate and the vine dies. As the honourable member also said, phylloxera was first noted in England in the 1850's, and from 1863 to 1883 it devastated the vineyards of France. In that short period of 20 years, no fewer than 2,500,000 acres of vines was devastated and entirely ruined in France. The production of wine in France fell from 84,000,000 hectolitres in 1875 to 23,000,000 hectolitres in 1879. It is estimated that when the scourge was at its height in France the annual loss to the viticultural industry as a result of the devastation of phylloxera was A$100,000,000.

The disease was not detected in Australia until the early 1870's. In 1877 it was detected at Geelong; in 1883 at Bendigo; and at Rutherglen in 1899. Members will realize the damage that was done in Victoria by phylloxera when I point out that in the year 1900 there was 12,145 acres of vineyards in Rutherglen, and in 1909, as a result of the devastation by phylloxera, the vineyards in that area covered only about 6,000 acres—about half of the acreage of 1900. By 1915 most of the vineyards in the Rutherglen area had disappeared.

This Bill provides more equitable representation on the Phylloxera Board by altering the size of the districts from which such representation comes. The first legislation in South Australia dealing with phylloxera was passed in 1899 and, under the Phylloxera Act of that year, a Phylloxera Board and seven districts were set up. Two members of the board were nominated by the Minister of Agriculture, and the remaining seven were elected, in the seven districts constituted under the Act, by the vignerons who carried on viticultural operations in each district. At the time of the 1899 legislation, hardly any viticultural activity was being carried on in the Murray River areas. Most of the activity was in the Barossa district, but it is realized now that, in view of the great viticultural activity in the Murray River districts, a greater representation on the board should come from those areas. Under the present legislation, the Barossa district has two members on the board, because two portions of the Barossa district are in different districts as constituted under the Act. If the present Bill becomes law the representation of the Barossa Valley and district will be cut by one. I believe in fair play and, realizing that there has been a vast expansion of the viticultural industry in the Murray River areas, I believe that those areas are entitled to additional representation.

In his second reading explanation, the Minister said that the production of grapes in the Murray River areas was about 70 per cent of the total production in South Australia. Of course, that means not only the production of grapes for wine making but also for dried fruits. The report of the Royal Commission into the grapegrowing industry shows that the 1965 wine grape production was 94,653 tons in the irrigated areas and 63,199 tons in the non-irrigated areas of South Australia. That shows that the actual quantity of grapes produced in the Murray areas for wine making is not 70 per cent of the total South Australian production: it would not be more than about 60 per cent. As vignerons who elect members to the Phylloxera Board are engaged in grape growing not only for wine making but also for dried fruit purposes, I consider that the re-alignment of the districts provided in the Bill is equitable and that the Murray areas are entitled to greater representation on the board than they have had in the past.

I agree with the remarks of the member for Burra about the work that has been done in the past by the Phylloxera Board. It is necessary that we should have an active board that realizes just what loss could be suffered

in the viticultural industry in South Australia if phylloxera were established here. Fortunately, we have been able to keep this pest out of South Australia, and no doubt this has been the result of the activities of the board in keeping the viticulturists of South Australia well informed of the dangers of phylloxera, and in taking active steps to make certain that no vine cuttings that might be infected with the disease are introduced into South Australia. I trust that the board will continue in future to take an active interest in the matter and that its efforts will be as successful as they have been in the past in keeping this scourge out of South Australia.

Mr. CURREN (Chaffey): I support the Bill. The previous speakers have given much historical information about phylloxera. The changes to be brought about in the boundaries of the districts, the members of which constitute the Phylloxera Board, have been made necessary by the rapid expansion of the viticultural industry in the river districts since the establishment of the board many years ago. I represent a district that depends largely on the production of grapes for its economic welfare. I would go so far as to say that the biggest proportion of grape growers and the biggest area of grape production (particularly wine grapes) are in my district. Over many years, the board has maintained its facilities to ensure that phylloxera is not introduced into South Australia; this has been achieved by quarantine methods. The member for Burra outlined the board's activities designed to maintain South Australia as a phylloxera-free area, and quoted from a publication on the matter. I wish to draw the attention of honourable members to a fine publication issued by the Agriculture Department in South Australia, the Technical Bulletin No. 31 of June, 1963. It gives much detailed information on the history of phylloxera in various countries in the world, its life cycle and details regarding resistant stocks and grafting techniques. As a whole, it is a fine publication and I recommend it to members interested in this problem.

The Phylloxera Board is concerned with the task of keeping South Australia free from phylloxera. However, another of its activities is to introduce new varieties of grape to the grapegrowing industry in South Australia. The 1966 report of the board states that four new varieties of wine grapes (gerwurz traminer, pinot noir, gamay beaujolais and sylvaner) have been introduced into South Australia and released from the nursery at the Waite Agricultural Research Institute. This is also an important aspect of the activities of the board, because it ensures that the new varieties are free from phylloxera. The Bill's main purpose is to redraw the boundaries of the various districts and when passed it will give the river districts, which have increased markedly in importance in recent years, a much clearer representation on the board.

Mr. FREEBAIRN (Light): I, too, support the Bill, which provides for more equitable distribution of the board's electoral districts in this State. In addition, it provides for a small increase in the number of elected members of the board. I do not think many South Australians appreciate the significance of the wine and grape industry to this State. In the 1899 debate in *Hansard*, the basis of the present Act was formulated at a time when South Australia was becoming noted for its wine exports. It maintained an officer in London specifically to promote the sale of South Australian wine. In that debate it was suggested that when Federation was introduced we could expect our exports to other States to increase greatly.

I take a special interest in this legislation, because I represent three wine-producing districts, each having distinct characteristics and being important to the industry in this State. Perhaps the area which produces the greatest quantity of wine and which is expanding rapidly, is around Watervale. The light table wines produced in that area are recognized as being the finest in the State, would rank with some of the finest in the Commonwealth, and are recognized as being in world class. The rich, red brown soil and the high rainfall with the long cool ripening period produces a high-quality grape that is used for the finest table wines. Although I have a few vignerons in the Barossa area between Truro and Kapunda I cannot claim to represent much of the Barossa Valley. However, I am proud of the small contribution it makes to the excellence of the Barossa Valley wines. In addition, I have a group of wine grapegrowers at Cadell. This legislation, setting up a board elected by growers, is widely accepted by them. I was interested to look at one or two texts on the wine industry, in particular on the *Phylloxera vastatrix*, and I find that this insect has a complicated life cycle with part of its life spent in a winged form. In eight months one female louse can produce 25,000,000 descendants. That figure, if nothing else, indicates

how rapidly this curse could spread in the State if it were introduced.

The Bill provides for a roll of vignerons to be prepared, with owners of vineyards of one acre or more allowed to vote for a candidate at the election for board members. The second reading explanation did not indicate how many vignerons in South Australia owned one acre or more. The Minister did not say how many electors there would be in each of the seven electoral districts, so I hope that in the debate he will indicate these numbers. I think the grower qualification of one acre will be widely accepted by the grape industry. The framers of the original Bill were determined to give a wide franchise for the election of members of the board, ensuring that everyone who had a commercial interest in the grape industry would be represented. A graduated scale was used, and a comparison can be made between this Act and what should have obtained in the Marketing of Eggs Act. Looking at the map tabled by the Minister, I noticed with some interest how the electoral districts have been arranged. I do not know how the board arranged the Barossa district, but the Northern district extends into the middle of it. Why that part should be attached to the Northern district, I do not know. The Minister suggested that perhaps in the next 70 years there could be wine growers in the district of Riverton, and if the expansion that has taken place around Watervale and if the widespread demand for Watervale wine continues, it is likely that plantings will extend further south, although rainfall is a limiting factor. I notice that Government members are enjoying the fruits of the Watervale wine industry, and I commend them for that.

Mr. HURST (Semaphore): I support the Bill. I congratulate the Minister of Agriculture on taking this progressive step in amending the Phylloxera Act to give producers broader representation. It will give additional representation to people in the river districts. We all know the importance of this industry to South Australia. There is no need to outline the technicalities of phylloxera because the member for Burra (Mr. Quirke) covered that aspect. One would almost have said, Sir, that he took my notes because what he said was identical to what I intended to say! The member for Port Adelaide has asked me to indicate his support for the Bill because Port Adelaide and Woodville are covered in Central District No. 1 in the Second Schedule to the Bill.

I know what phylloxera can do to vines. As 123,136 tons of grapes is produced annually in South Australia, the Minister was wise and progressive in introducing this measure. This industry is important to the revenue of the State: the chairman of the Federal Grapegrowers' Council of Australia reported on July 11, 1966, that the estimated production of fortified wines in 1966 was 5,972,000 gallons. The report gives the following figures for excise duty: 1953, $6.35 a proof gallon; 1954, $3.35; 1956, $4.90; and 1965, $8. When we consider the thousands of tons of grapes produced in South Australia, the revenue derived, and the benefit to the State, we realize that the Minister has done the right thing in introducing this Bill to ensure that the Phylloxera Board is as representative as possible and so that measures can be taken to ensure that this disease cannot attack South Australian vines.

The Hon. R. R. Loveday: You would say this Bill was a "must".

Mr. HURST: Yes. Prevention is better than cure. We do not want to see this disease brought into South Australia; if it were introduced, it would minimize the revenue we sorely need.

Mr. RODDA (Victoria): I have the privilege of representing the famous district of Coonawarra.

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

Mr. RODDA: The Minister's second reading explanation contained a charm and special quality of which, I think, even the Minister was unaware.

The Hon. G. A. Bywaters: Are you going to support the Bill?

Mr. RODDA: Yes. It was interesting recently to read the Minister's statement in the press that the wine industry would experience a wonderful boom, as a result of which we would have wine to suit everybody, so that even the member for Wallaroo might be able to imbibe.

Mr. Hughes: Will you buy me one?

Mr. RODDA: I shall be pleased to. The Phylloxera Board was established in 1899 following a serious outbreak of the disease in Victoria. The board has fulfilled an important role. Although things have changed, one is often reminded of the existence of this disease by the signs at our border stressing the need to keep South Australia free of phylloxera. Although the Bill is designed to meet a changing situation, the board will still comprise two appointed members and seven members elected by the roll of vignerons.

That illustrates a democratic flavour and is evidence of an effort to meet a situation that has resulted largely from the development that has taken place in the Murray area where, as the Minister has pointed out, 70 per cent of the grapes is grown: that is, east of the Mount Lofty Ranges. That, of course, is illustrated on the map displayed for the information of honourable members. It is important to realize the potential of the soil in the South-East, particularly at Keppoch, for the production of wine grapes. I support the Bill.

Mr. McANANEY (Stirling): This important Bill seeks to protect a major industry in this State. However, I cannot agree that, by taking the vitality out of wine, as suggested by the Minister of Agriculture, the desired purpose will be achieved. The wine grapegrowing area at Langhorne Creek has produced the best rifle shots in Australia; indeed, I think the wine grape gives one a steady hand and sharp eye.

The Hon. R. R. Loveday: A whole heap of vitality!

Mr. McANANEY: Yes. In fact our area has produced a member of the Wine Board.

Mr. Clark: Would he compare with Miss Australia?

Mr. McANANEY: I shall not go into comparisons. We must protect our industry from diseases. The fact that legislation to control phylloxera has not been considered recently merely demonstrates the effectiveness of the Phylloxera Board. I support the Bill.

The Hon. G. A. BYWATERS (Minister of Agriculture): I thank honourable members for their courtesy and contributions to the second reading. I was particularly impressed by the support received from the member for Semaphore, knowing that he is vitally interested in agriculture. Indeed, the fact that he has two well-known varieties of grape growing in his backyard makes him something of an authority on this Bill. The comments made by the member for Burra were most interesting and, I am sure, enlightening to honourable members. The member for Light (Mr. Freebairn) asked me how many registered growers were entitled to vote for the board. There are about 3,200, of whom about 2,000 are in Districts 4 and 5; about 300 are in District 1; about 700 are in the Barossa area (District 2); and about 200 are in Districts 5, 6 and 7, representing the remainder of the State. Although these estimates may not be entirely accurate, they are sufficient for the honourable member's purposes.

Bill read a second time.

In Committee.

Clauses 1 to 3 passed.

Clause 4—"Repeal and re-enactment of Second Schedule to principal Act."

Mr. FREEBAIRN: I thank the Minister for his information on the number of potential electors in each of the seven districts. I regret that there seems to be some imbalance in the districts, but I do not think it will affect the working of the board.

Clause passed.

Title passed.

Bill read a third time.

POTATO MARKETING ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from November 3. Page 2779.)

Mr. MILLHOUSE (Mitcham): I do not like this Bill. I think it is a hasty and ill-considered little measure that has been brought in apparently because of the failure of a prosecution under the Act. This was not mentioned by the Minister of Agriculture when he introduced the Bill in what must have been one of the record short second reading speeches, but it did come out in the speech of the member for Stirling, who was the first speaker for the Opposition.

I remind members that the member for Stirling made his speech on the Thursday afternoon and then I got the adjournment. Once I knew this Bill had been prompted by a judgment adverse to the board, I thought it behoved me to try to get hold of a copy of the document, so the next morning I got in touch with the firm of solicitors who I know act for the Potato Board and asked them if it would be possible for me to borrow a copy of the judgment. I was told by the managing clerk, very properly, that she would have to refer the request to the Potato Board before she could allow me to see the judgment. Subsequently she telephoned me during the later part of the morning and said that, so far as the board was concerned, it was all right and that two copies of the judgment were being prepared, but they had suddenly realized that the Minister had not received a copy of it and that in any case they thought they should get his consent before letting me have a copy. You can imagine my surprise when, after lunch, I was told by the solicitor,

Miss Lindsay, that the Minister said he would very much like a copy but that Millhouse was not to have one. This is something which, of course, I found incomprehensible.

Mr. Rodda: Who said this?

Mr. MILLHOUSE: The Minister. He said he would like a copy but Millhouse was not to have one. He may have said "Mr. Millhouse", but certainly I was not to have one. This would not have occurred in the legal profession. As a matter of course, whether you are on the same side or the other, one never keeps anything of this nature from an opponent.

The Hon. Sir Thomas Playford: That is one of the ethics of the profession.

Mr. MILLHOUSE: Of course it is, but this was not to be so far as the Minister was concerned, and I was told I could not have a copy of the judgment. The Minister may or may not be pleased to hear this, but without very much difficulty I was able to get a copy from the defendant's solicitors.

The Hon. G. A. Bywaters: What did they tell you?

Mr. MILLHOUSE: I have it written down here on a card. This was a telephone message that my wife took. The note I have says, "The Minister wants a copy but he does not want you to have one." That was the message I got, which was confirmed when I rang the board's solicitor.

The Hon. G. A. Bywaters: I must check that.

Mr. MILLHOUSE: That would be a good idea. I would think more of the Minister than I do at the moment if this was not an accurate relay of the message from him.

The Hon. G. A. Bywaters: I assure you it is not accurate.

Mr. MILLHOUSE: Anyway, I was not allowed to get a copy of the judgment but I received one from the defendant's solicitors, who were entirely co-operative, without any difficulty. That firm was at Elizabeth, and I received a copy in the post Monday morning. It was a storm in a teacup, because the judgment runs to a little over one foolscap page of double-space typing. It is a judgment of Mr. L. T. Gun, S.M., in the Elizabeth court of summary jurisdiction. Apparently the present Bill has been framed on this judgment, because in the course of the judgment the learned special magistrate says:

Subsection (1) (of the Act) commences "The board may, by order, do all or any of the following things:—" and I do not propose to set out all those provisions. I cannot see anywhere in section 8 or any other part of the Act any power for the board to make orders relating to the buying of potatoes. Miss Lindsay urged it upon me that, because the board had power to make orders relating to the sale of potatoes, it *ipso facto* had power to make orders relating to the buying of potatoes. This Act is penal in nature and must therefore be strictly construed.

He goes on to set out the potato marketing order purporting to be made under the powers of the Act, and then says:

In my opinion that clause of the Potato Marketing Order No. 6 (S.A.) is *ultra vires* any power conferred by the Potato Marketing Act, 1948-1965, and accordingly I dismiss the charge.

As I say, it is apparently out of this judgment that the present Bill has come. I do not like the provision in the Bill, as I have said. It is obviously merely an adaptation of section 20 (1) (*b*), which deals with selling or delivering potatoes. Apart from the use of these words, whereas in this Bill we have the words "buying or taking delivery of potatoes", the two placita are, I think, the same. I point out to honourable members that the placitum that we are going to insert, apparently, under this Bill is so wide that an order could be made prohibiting any housewife, who may be named, from buying potatoes.

Mr. Coumbe: From where?

Mr. MILLHOUSE: From anywhere.

Mr. Coumbe: From the local shop?

Mr. MILLHOUSE: Yes, because that is the form in which this particular power is to be couched. Section 20 is to be amended to read:

(1) The board may, by order,—

not by regulation but by order, which means that it does not come before Parliament—

do all or any of the following things:

(*b*1) prohibit either absolutely or except on such terms and conditions as the board thinks fit any person or class of persons—

and that can include anyone in the community—

from buying or taking delivery of potatoes or any class of potatoes from any person or class of persons other than the board or class of persons nominated by the board.

So there is ample power under this placitum to name any individual in the community and say, "You shall not buy potatoes." I should hope that the board would not go to such absurd lengths, but this is a power we are conferring on the board by this placitum and, even though the wording is so similar to paragraph (*b*), it is a much wider power

because so many more people buy potatoes than sell them. Therefore it is a much wider power than paragraph (b), which will precede it in the Act.

I sound that as a note of warning to honourable members that we are conferring on the board, the activities of which have not always received the approval of members of this place, a very sweeping power indeed, one which I should rather not see in the Act at all. Section 20, the section which is being opened up by this Bill, is the section that confers powers on the board. I have already read out the preamble of subsection (1), which provides that the board may do any of certain things. Then a list is given, to which we are now going to add.

I wish to say a little about the powers of the board which we are considering in the section that is being amended. As I have said, many members in this place have from time to time expressed varying degrees of alarm at the extent of the powers of the board and the way in which they have been exercised. I have never been particularly happy about them: there have been too many complaints over too long a period by too many people for there not to be something in them. That is a view I have taken increasingly strongly as time has passed. The reason why so many complaints have been made about the Potato Board and the control of the potato industry is the close link between the board and the Potato Distribution Centre. I have heard the centre described as a private company, in which the potato merchants of Adelaide have control, which is the agent of the board, and which runs the distribution business for the board. In other words, it is often said (and I think with some fair degree of accuracy) that a board on which growers have a majority of members is, in fact, run by the merchants, and I am coming increasingly to the conclusion that growers' boards do not function properly if they have merchant members on them. As a rule, it is far better to leave growers to run their own concerns.

The Hon. B. H. Teusner: That applies to citrus, too.

Mr. MILLHOUSE: One cannot help thinking of the Citrus Organization Committee, because the personnel of the two are, to some extent anyway, common. However, we will not go into that, which the Minister will be pleased to hear.

The Hon. G. A. Bywaters: I am not worried.

Mr. MILLHOUSE: Well, perhaps we will go into it.

The SPEAKER: I should be worried if the honourable member dealt with that matter in a discussion on this Bill.

Mr. MILLHOUSE: Then, Sir, as you are the person who matters, we will not go into that matter. Even if things appear to be in order there is a suspicion, because of the close link between the two bodies, that all is not in order. I remind the Minister that he was one of those who canvassed this matter extensively in 1964 during a debate on an amending Bill. I believe the member for Stirling (Mr. McAnaney) has already referred to the speech by the member for Murray on page 2152 of *Hansard* of February 26, 1964 (not long ago), when he was speaking to an amendment moved by the then Leader of the Opposition to separate the two bodies to which I referred, and said:

Admittedly our aim is to do away with the Potato Distribution Centre not with merchants. We believe that there is no need for the centre. The Government has not convinced me that the board cannot operate as does the centre at present.

I think the Minister was speaking on behalf of his Party, because there was pretty solid Party support. Just in case this could have been a slip of the tongue, a little further on he said:

My information is that there is no need for the centre. The operations could be handled by the board in the way that the Barley Board and the Wheat Board handled their operations. If it cannot, let the Minister tell us why not.

The Minister was strongly supported by the present Attorney-General (as he always does in debate), who said at page 2148:

I am distrustful of having the centre, which is a private limited company, not publicly acceptable.

Those were some of the comments made by members of the then Opposition who now have the power in this State to make and unmake our laws. Those were some of the sentiments expressed by two of the most influential members of the present Government.

One of the members of the Potato Board who was elected a few months ago is Mr. Peter McEwin, of Hindmarsh Valley. At my suggestion and the suggestion of the member for Stirling, he has recently been to see the Minister complaining about some of the happenings at board meetings and about some of the activities of the board. He went to see the Minister at the suggestion of the member for Stirling and me because, when he came to us and said that he had a number of complaints to make, it was agreed that the proper

person to whom they should be made was the man who is responsible for the board, the man who has the ultimate say, as I saw so eloquently when I was denied a copy of the judgment. He went to the Minister, presented certain facts to him and, I understand, had a long discussion with him. The Minister has now written to him saying that he intends to take no action and that these are matters for the board to deal with. Mr. McEwin has, therefore, supplied me with details of the complaints that he made to the Minister against the board, and has authorized me, in the interests of the potato industry, to refer to them in this debate, because they are matters that affect the powers, authority, and activity of the board. He states:

Observations of the administration of the South Australian Potato Board: over a period of some four or five years I have watched the activities of the South Australian Potato Board. The fact that I do not rely on potatoes for a living has, I believe, enabled me to study the problems of potato marketing objectively.

However, he is a potato grower. He continues:

There have been times when, in my capacity as Chairman of the Southern Hills Branch of the South Australian Fruitgrowers' and Market Gardeners' Association and later as Chairman of the combined branches of that association, I have felt justified in telling growers of potatoes that some of their complaints are unreasonable. But this has not happened often because in general the criticisms which growers have made about the South Australian Potato Board are reasonable and can be justified. There was a time when I thought that the behaviour of the board was such that a Royal Commission should inquire into it.

He refers to the Citrus Organization Committee and to the judgment of Justice Travers, but I am sure you, Sir, would not allow me to go into that. Mr. McEwin continues:

The South Australian Potato Distribution Centre Limited has acted for the South Australian Potato Board from the day the Potato Marketing Act became law in 1948. Until a little over a year ago the Potato Board as such did none of its own administration. Even its secretary was supplied by the merchant owned company which acts as its agent. Growers objected to this for years, and letters passed from the South Australian Fruitgrowers' and Market Gardeners' Association to the board requesting that the board should distribute potatoes through its own clearing house and that the services of the agent should be dispensed with. In spite of particularly courteous phraseology in these letters they were not answered. If required I think I could produce copies of these letters. It is clear to growers that any merchant-owned company which acts as the agent of the board brings to bear on the board opinions which tend to influence board policy unduly.

This was the complaint that I voiced a few months ago. He continues:

This is particularly noticeable in connection with prices for potatoes and various grades of potatoes. In this connection complaints from growers over a long period of years have been so persistent that it would seem that one would have to accept the view that when potatoes are delivered at the point of time when prices change the grower frequently gets the price which favours merchants. Certain documentary evidence to support the view exists. In general the activities of merchants have invited observations which have been made by learned people in high places. Growers' views therefore cannot be brushed aside as being without justification.

He refers to the establishment about 18 months ago of the receiving depot by the board at Kent Town, and goes on:

About 18 months ago the board established its own receiving depot at Kent Town and it now employs a secretary, who acts for it on a part-time basis. There is also a board supervisor and a small staff at Kent Town. This is a move in the right direction. Among other things it has reduced the black marketing of potatoes. The South Australian crop can be put at about 50,000 tons annually. The figure is not known accurately. Before the establishment of the board depot the agent of the board used to receive a little over 30,000 tons on the board's behalf. Receipts through the board depot for 12 months ended June 30, 1966, totalled 42,103 tons. This is a great improvement. In my opinion about 20 per cent of the potatoes grown in South Australia are black-marketed, and I believe that if there are merchants who encourage black-market operations they do so because they increase their margin of profit by the amounts of money which the board would collect by way of levies.

The statement supplied to me by Mr. McEwin continues in this vein and sets out several letters. I need not weary the House by going through them, but in the last part, after making complaints about the treatment at the board meetings, he states:

I have said before that I think a Royal Commission would be justified. But instead of launching a campaign to get one I decided to stand for election to the board and in July last I became a member. I realized at the outset that my views would to some extent be opposed by the chairman. And I determined that at all costs I would try to avoid a head-on collision with him. His own insulting behaviour has forced my hand. I have to take into account also the fact that I have received little or no support at the board table for two matters which I believe should at least be thoroughly investigated. It has been said in the past and no doubt it will be said again that the South Australian Potato Board has the remedy in its own hands,

because potato growers are represented by five members and they therefore have a majority on a board of nine. It is not as simple as this. All boards are influenced strongly from the chair and the South Australian Potato Board is no exception to that rule.

He concludes:

Prior to the Minister's decision not to take action it had been agreed between Messrs. McAnaney and Millhouse, M.P.'s and myself that the correct procedure was to make my submissions to the Minister and to hope that he would act. But his decision leaves me no alternative but to ask the two members to make my submissions to Parliament.

Much more is contained in these documents, but the Minister is aware of these matters and I do not intend to canvass them. I mention these things only to show that a member of the board engaged in the industry has come to these conclusions, and this is ample justification for the views expressed in this House from time to time about the way in which the potato marketing arangements in this State are made and operate. I hope (although it cannot be done by this Bill) that, in the not distant future, the Minister, remembering his statement and the attempts of his Party about two-and-a-half years ago, will take some action to see that the present unsatisfactory state of affairs does not continue.

The Hon. Sir THOMAS PLAYFORD (Gumeracha): This is not a significant Bill and I support it, as do other Opposition members. As the debate seems to be wider than the provisions of the Bill, it would be wrong to assume that the potato growers in this State had not had a tremendous advantage from the operations of the Potato Board. I believe the board has had singular difficulties with which to contend. It operates in spite of section 92 of the Commonwealth Constitution, and has all the problems resulting from the fact that potato marketing is not organized throughout Australia. For many years, when I was in charge of the Prices Department, from time to time we examined two things in connection with potato selling in this State. We compared the price received by growers in this State with the price received by Victorian growers; the second comparison concerned the price paid by the consumer in this State with that paid by the Victorian consumer. The comparisons revealed that the South Australian price to the grower was nearly always higher by the cost of transportation from Victoria to South Australia, which was usually $12 to $16 a ton.

On the other hand, the board's control of retail prices and its efforts to ensure that the consumer received a fair deal resulted in a price to the consumer that was usually lower in this State than it was in other States. I have no reason to believe that the quality of South Australian potatoes was not at least up to the Australian standard. With any board functioning in a way similar to that of the South Australian Potato Board, problems will always exist. When the board asked growers some years ago for a return of potatoes, it transpired that the information supplied to the board was inaccurate and that tonnages held in South Australia were far greater than those disclosed. Some growers believed that, by keeping potatoes a little longer than the time permitted, they would receive a higher price. Of course, when Western Australian potatoes were imported, many growers were critical of the board. Growers have the right under the legislation to petition the Minister for the abolition of the board, but the fact that growers have never voted for its abolition demonstrates the board's effectiveness. It has stabilized potato marketing in South Australia, as a consequence of which larger tonnages of potatoes are now produced in South Australia, and certainly much smaller tonnages are imported into the State than used to be imported. Knowing the Chairman of the board well, I believe he is conscientious and receives much abuse and blame for things of which he is rarely guilty. I am confident that he will hold the scales fairly and squarely as regards marketing, in the interests of the producer and consumer in this State.

Mr. SHANNON (Onkaparinga): The Minister of Agriculture, who is aware of my association with the potato industry, will know how pleased we were when he agreed to rearrange the electoral districts of board members. At that stage, the South-East was more than adequately represented; two members out of five on the board was a little out of balance, and the Minister, agreeing to the growers' pleas, re-arranged the boundaries accordingly. Fundamentally, this is a growers' board, for growers have five members out of nine. Consequently, it would be wise to allow the growers to sort out their own problems, because they are best equipped to deal with troubles that are peculiarly their own. The price range of potatoes is reasonably protected; we roughly base the South Australian price on the ruling price in Victoria, plus freight, which gives the South Australian grower a reasonable return.

I know that two members of the industry in particular did most of their complaining

about the distribution centre prior to the election of the board. However, if growers do not desire to have a distribution centre, the board has full power under the Act to dispense with it, enabling growers to become their own distributors, without the middleman. The efficient marketing of potatoes depends on certain skills. Some primary producers appreciate the need for skills in the distribution area. The distributing centre does not run itself. If one does not know all the answers to the questions associated with distribution he may run into trouble. The centre is dealing with a wide range of shops and companies that act as selling channels. It is simple to make a few bad debts if you are not a skilled businessman. Many business people know they may not make the grade and they try to cash in; this is still being done in the business world. Distribution is not a simple matter, but if the board decides it shall be the distributing channel for its products, well and good: it is up to the board to decide. I do not think a fairer system regarding the constitution of the board could be devised. It is the result of the approaches made by the growers themselves to the Minister. I do not think the Minister missed out on any of their suggestions. I do not like to tell the board its business: I think that is unwise and I do not want to be a party to it.

I believe that the potato industry will always have problems. Usually we can get rid of most of the crop; it is rarely that we have a surplus over and above the needs of the State. If there is a good season we might, but normally we would not. By virtue of the incidence of harvesting during certain periods there will be a shortage of supply, and occasionally the growers themselves are responsible for the shortage by guessing that there will be movement of the market in their favour. This is fundamentally an ordinary marketing system, and I do not look on this sort of practice with any great pride. I do not think it is desirable for a grower to try to cash in on his fellow growers. As a supporter of a co-operative, I think that the best thing would be to have a pool, if it could be worked.

Mr. McAnaney: You have a pool.

Mr. SHANNON: Yes, but unfortunately some people can beat the pool, as the Minister knows. It would have to have an absolute power of acquisition such as the Wheat Board and Barley Board have, so as to be effective. I feel the matter of washing of potatoes is for the board to decide, but there may be some justification for granting a merchant's licence to the co-operative washers. There is a fairly reasonable percentage of the overall growers in the co-operative now, sufficient, in my opinion, to warrant their being granted a licence as a merchant. For reasons best known to the board, it frowns on merchants' licences being granted to washers. I know that four washers are working in the field, and I believe the housewife likes to wash her potatoes. These days, with the pre-packed handy size packages that can be bought from the big store, there is no waiting or delay, and that suits the housewife. This is a system of marketing which is with us to stay and I think it should be encouraged. It could mean greater consumption of potatoes. I think it would still be a good thing if we had to import. I would rather have a small deficiency than the necessity to export. I think it is healthier for the industry itself. I have no complaint to make regarding the Bill before us. I support it and, as far as the growers are concerned, I will tell them that their problems are in their own hands.

The Hon. G. A. BYWATERS (Minister of Agriculture): I thank the member for Gumeracha and the member for Onkaparinga who are both knowledgeable in the field of marketing, who have supported the board, and who have produced arguments which, in my opinion, are sound and logical. The member for Onkaparinga suggested that washers might be given a merchant's licence, but this cuts both ways: if the washers were given a merchant's licence, it would be logical for the merchants to ask for a washer's licence.

Mr. Shannon: Is there any harm in that?

The Hon. G. A. BYWATERS: There could be. The washers are washing the potatoes they acquire from the board. The honourable member says he believes in co-operatives, and the biggest washer is a co-operative.

Mr. Shannon: I know that.

The Hon. G. A. BYWATERS: That being so, it is protected because the merchants are not being granted washers' licences. The member for Gumeracha says the growers have gained, and this is true. I will prove this in a few moments by producing figures. I commend the honourable member for his remarks on this Bill. He also pointed out the board had its difficulties: I do not think he could have been more correct. Last year, when potatoes were at a high price, there were complaints from growers and I was present

at a well attended meeting at Echunga. The member for Onkaparinga was also present. I listened to the complaints with much interest: the growers wanted to get rid of their crop quickly. It was surprising where the potatoes came from when the price rose to $200 a ton. They came in droves and then there were complaints that the board was not getting rid of them quickly enough. All the growers wanted to sell within a few weeks because at that time potatoes deteriorated quickly. There was no demand because potatoes were coming from a substantial area. They were receiving $200 a ton and then they complained because the price dropped to $60 a ton.

These are some of the problems that arise. I would not be a member of the Potato Board for 10 times the remuneration paid. The same situation applied in the South-East. In fact, the claim was made that there was not a potato in the South-East, but when the price went up to $200 a ton two railway truckloads of potatoes came out of the blue from that area. Then there were complaints that the merchants were bringing potatoes from other States. Another difficulty the board has is that it cannot control potatoes coming into South Australia from other States. One merchant in the market buys potatoes not from the board but from Western Australian growers who are not registered with the Western Australian board.

The Hon. D. N. Brookman: He has a lot to say about the board.

The Hon. G. A. BYWATERS: Yes, and he does not say very pleasant things. However, there is nothing to stop people doing these things. The matter of the right to abolish the board has been raised. As members know, a petition containing the signatures of 100 growers was presented to me last year. Growers will have the right to vote some time between January and September next year for the abolition or retention of the board. It is interesting to note that in Victoria, after seeing the success of the South Australian scheme in respect of both growers and consumers, growers are suggesting that there should be a board there.

Mr. Millhouse: Who in Victoria is asking for it?

The Hon. G. A. BYWATERS: My information is that the growers are asking for it.

The Hon. D. N. Brookman: They had a board once.

The Hon. G. A. BYWATERS: Yes, and they abolished it but now they would like it back again. I should like to see a Commonwealth board. I wish to say something about the remarks of the member for Mitcham because he made assertions that I found rather hard to understand. First, he claimed that I had refused to allow the solicitors to give him a copy of the judgment in a certain case. That is a serious allegation so I will tell the House what happened. I was telephoned by the Chairman of the Potato Board, not by the solicitors.

Mr. Millhouse: I did not say you were.

The Hon. G. A. BYWATERS: The Chairman asked me whether I wanted to make available to the honourable member a copy of the judgment or, alternatively, whether I would give the Chairman the date and so on so that he could check through the proceedings of the court concerned. I suggested the latter course. Surely that is not a refusal of the right of the honourable member to have a copy of the judgment. In addition, I did not ask for a copy of the judgment: a copy was sent to me. I will check on where this arrangement went astray because I did not like the statement made by the honourable member.

Mr. Millhouse: I did not like the action either.

The Hon. G. A. BYWATERS: I will check where this arrangement went astray, because I am telling the truth.

The Hon. R. R. Loveday: He did not ask you what happened.

The Hon. G. A. BYWATERS: No. The member for Onkaparinga referred to the situation that arose last year with the redistribution of the electoral boundaries. What he said was true. Mr. McEwin and Mr. Braendler were most vociferous in their complaints against the board. At the time the criticism of prices was being made last year, I was visited by an interviewer from Channel SAS 10, which was concerned about the potato situation. The general feeling was that the Potato Board was doing everything wrong and my comments were wanted on this. One question put to me by the interviewer was whether I would have a woman member on the board to represent housewives and other consumers. I said that that was not a bad idea and that I would consider it: I rather fancied this idea. However, when I suggested it to Mr. Peter McEwin he thought it was something terrible. He pointed out that, after all, the growers paid the salary of $300 a year to each member of the

board. He said that a housewife could not be made a member of the board because housewives did not contribute to it.

Mr. Millhouse: Have you gone on with the idea?

The Hon. G. A. BYWATERS: No, because a poll is pending on whether the board will continue. I am not opposed to going on with the idea if the board continues. Some criticism has been made of the Potato Distribution Centre by the members for Mitcham and Stirling. Despite all the criticism that has been levelled against the centre, it has been proven to me conclusively by facts and figures that never has a potato grower gone without payment: the centre has always paid up. Can any other grower in primary industry say that he has always been paid? Not too many growers could.

Mr. McAnaney: From any board?

The Hon. G. A. BYWATERS: I am not talking about boards: I am talking about primary producers who have not at some time gone without payment. The Honey Board case was a glaring example of this. The member for Stirling talked about the ownership of potatoes. He said that potatoes going through the distribution centre were not owned by the board. In fact, potatoes are delivered to the board's depot at Kent Town, bought on behalf of the board, and growers are issued with a receipt stating that the grower has "This day sold to the S.A. Potato Board the above described potatoes".

Mr. McAnaney: Tell me how you can have a balance sheet without stock in hand.

The Hon. G. A. BYWATERS: I told the honourable member that the question he asked this afternoon would be examined. The Potato Distribution Centre is employed by the board as its agents to carry out sales documentation, make payments on behalf of the board, and carry out imports and exports as decided by the board. The members for Stirling and Mitcham both claimed that I had stated previously, when in Opposition, certain things regarding the distribution centre. The members for Onkaparinga and Gumeracha have both explained tonight that it is within the power of the board to abolish the distribution centre, if it wants to, and set up its own distribution centre. I point out that is possibly the reason why this has not been done.

Mr. Millhouse: You didn't accept their explanation in 1964!

The Hon. G. A. BYWATERS: That is an interesting position: sometimes when one is on the outside one does not know as much as when one is on the inside. I suggest to the members for Mitcham and Stirling that I take them on an excursion and show them all aspects of the board at a time convenient to them. I also invite other interested honourable members.

Mr. McAnaney: I accept the invitation now.

Mr. Millhouse: So do I.

The Hon. G. A. BYWATERS: I am pleased to hear that the honourable members have accepted.

Mr. Millhouse: Will you take the Attorney-General?

The Hon. G. A. BYWATERS: If he wishes to come I will accommodate him. The honourable member referred to the constitution of the board and the voting powers, but he is not correct. The board has five elected grower members, two elected merchant members and two appointed by the Government, one of whom shall be Chairman, and the other a suitable person to represent the interests of retail sellers of potatoes. The present Chairman has at no time employed either his deliberative or casting vote, which indicates that the growers' representatives have the numbers to control their destiny.

Mr. Shannon: The Chairman would never get a chance to vote if they voted in a block of five to three.

The Hon. G. A. BYWATERS: Correct, and that is why he has not exercised his vote. Nevertheless, much criticism has been levelled at the Chairman of the board tonight, the member for Mitcham reading detailed statements issued by Mr. McEwin. I have no quarrel with Mr. McEwin who has a perfect right to make these statements, although he is a member of the board. What Mr. McEwin said to me was mainly criticisms of the Chairman of the board, and he claimed that he had been insulted by the Chairman, who does not deny saying what he is supposed to have said. I approached the Chairman of the board about the allegations made by Mr. McEwin, because I believe in hearing both sides of the question. He admitted that he had said what he was alleged to have said, but that he said it under provocation. I am not judging whether it is true, but when two people on a board are prepared to debate a matter together it is the prerogative of the board to decide, and not for the Minister to interfere in what is a domestic argument. Mr. McEwin claimed that the Chairman said:

Your remarks are uncalled for and improper. Never before has such a thing been said by a member of my board.

Mr. McEwin said that later when he had more or less proved his point the Chairman said, "This board is not here for you to prove your point." Mr. McEwin then said that board members were vociferous in their criticism of him. There were four other grower members of the board who were vociferous in their criticism of Mr. McEwin. I ask the House to judge whether I did the right thing when I said that I would take no further action. One member is Mr. Braendler, a new member of the board who is a bosom pal of Mr. McEwin, but he was most vociferous in his criticism of Mr. McEwin. I am not going to be drawn into an argument regarding the operations of the board.

The member for Stirling (Mr. McAnaney) states that growers and even members are not informed of facts and figures. The Potato Board sends out regular newsletters to all registered growers keeping them informed on matters of importance to them. Copies of those issued during the current year are attached. In addition each board member receives a copy of each pool reconciliation statement, prepared monthly. These set out quantities received, total realization of sales, amount of first payment to growers, all charges against the pool, and the surplus for distribution. Weekly stock sheets showing deliveries through the board to merchants and washers, deliveries from the South-East, stocks on hand, imports, exports and rejections are regularly posted to board members immediately the details are calculated. Copies of several are available. On the basis of these statements the board members decide the final payment to growers. Members are completely free to disclose these statements. Copies of statements covering pools No. 1 to No. 9 inclusive from January to September, 1966, are attached. Copies are available to any person reasonably entitled to receive them.

As a reference was made to time of payment, I should like to point out that the first payment of about 50 per cent of the estimated return is made within 15 days of the receipt of documents; frequently first payment is made within 10 days. Final payment is made within five working days of pool finalization. As an example, the pool covering all deliveries in September was finalized last Friday, November 4, at a board meeting. Final payment cheques will go out this week.

It is regretted that during the change over to decimal currency early this year, with the installation and adjustment of new accounting machines, occasional delays were incurred. This was not uncommon in other business as well at that time. In the 1966 pools from January-September inclusive, 11,871 separate payments to growers were made. Apart from the machine delays it is estimated that there were fewer than a dozen delayed payments out of this number. These occasional delays are due to loss of documents or failure to deliver documents by growers, washers or merchants. At present there are two disputed payments on hand. Disputed payments are very few. Because of legal and other difficulties they may take some time to finalize.

As required by the Act the board causes its accounts to be properly and regularly audited by a licensed auditor. A well-known and extremely efficient company is employed and a copy of the financial statement for the year ended June 30, 1966, is available for scrutiny.

The member for Stirling referred to price fluctuations and market supplies, and attempted to condense into two or three sentences the happenings of the past nine months during which time about 30,000 tons has been sold on a market affected by price and supply variations on all other markets in Australia. The following is a brief summary of the past season.

During 1965 supplies throughout the Commonwealth were short and prices high. The 1966 reactions were heavier supplies and low prices. The main hills crop in South Australia is dug in April-May and early June and stored by growers. With heavy supplies throughout Australia the board's policy was to organize regular deliveries but not be restrictive, in an endeavour to quit supplies. The small surpluses as they occurred in Adelaide were exported to Sydney and this maintained stability on the home market. With this picture clear, sales of second quality were out of the question as they only prevent sales of first quality and on a full market depreciate values generally. With storage there is loss through deterioration and it is not sensible to store potatoes dug in April and May until late September, October and November, unless prices are expected to soar. Even then there is a considerable risk.

This year, by the end of August, most stocks were sold before there was much deterioration. During October, supplies in

South Australia are always unreliable as it is right in between seasons. Our plains crops have been a little backward in digging but ample supplies have come from interstate. Under this brief period of partial dependence on import the sale of second grade is sound. The conditions in October and November are vastly different from those in July. The price in Adelaide varies because it is affected by Melbourne and Sydney which are far larger markets. As Melbourne, in particular, rises and falls so must Adelaide, to control on the one part undue imports and on the other undue exports. It must always be remembered that the State borders are open. Victoria is the major potato-producing State in Australia and no State authority has power over interstate trade in either direction. The local board continuously watches and adjusts prices in South Australia on a grower wholesale and retail level. Comparisons with other States are kept, and it is of interest to note that throughout the main crop season this year (April to July) Victorian growers received $20 to $30 a ton on the market, and at times it was reported that potatoes could be dug free on the property.

In South Australia all No. 1 grade was accepted and sold by the board, and realizations pooled with the following payments: January, $54.65; February, $51.50; March, $42; April, $37; May, $38.50; June, $35; July, $35; August, $46; and September, $57. During 1965 the board carried out research on its pricing structure and, rather than allow the balance at retail level to pass to the retailer as profit, it set out a policy of a margin of about 30 per cent to the retailer, the balance (usually a dollar or two) to be paid into board reserves. With the adoption of the pools the same policy was continued. As a result, at the last board meeting, after receiving the balance sheet, the board was able to vote a bonus payment of about 50c a ton for all deliveries during the year ended June 30, 1966. The total bonus payment will be about $20,000. With control of merchant and retail margins, the effect on the Adelaide housewife's price, as against the price in other States, is very noticeable. Comparative prices from the Commonwealth Statistician are as follows:

AVERAGE RETAIL PRICES A LB. (CENTS), 1965-66, IN CAPITAL CITIES.

	1965.		1966.		
	July-Sept.	Oct.-Dec.	Jan.-March.	April-June.	Average for year.
Sydney	12.1	10.2	5.6	4.7	8.1
Melbourne	12.3	12.5	5.7	4.1	8.6
Brisbane	12.6	10.9	6.6	5.1	8.8
Adelaide	9.9	10.2	5.0	3.8	7.2
Perth	8.1	7.9	5.7	6.0	6.9
Canberra	12.9	11.4	6.1	4.7	8.8
Hobart	10.9	13.2	6.2	4.8	8.8

Except for Perth, in the last half of 1965 (a year of high prices) Adelaide retail prices were lower than those in any other capital city. This bears out what the member for Gumeracha said. Calculated on the average price over the year at 1,000 tons a week, which is about the South Australian consumption, Adelaide housewives paid $1,400,000 less for their potatoes than if they had purchased them in Melbourne, and yet the South Australian grower received a substantially higher return than the Victorian grower received. The comparisons with other States are more outstanding (as shown by the above table). I believe I have answered most of the questions raised. I should like now to quote from a press statement in which none other than the Secretary of the South Australian Fruitgrowers and Market Gardeners' Association (Mr. Stuart), was replying to a statement appearing in the *Chronicle* last year. The statement is as follows:

Pause and consider: By their nature of operation, boards attract criticism from time to time, and the South Australian Potato Board was no exception, but growers would do well to pause and consider before deciding to disband the board, the General Manager and Secretary of the South Australian Fruitgrowers and Market Gardeners' Association (Mr. A. M. Stuart) said on Monday. "If they want orderly marketing, then a board is probably the only way to bring it about, and while the board exists, it is only reasonable to say that criticism of it should be based on fact, and, above all, it should be fair," he said.

I believe the members for Mitcham and Stirling would do well to take note of that comment. The article continues:

Mr. Stuart said that a number of statements made in the article which appeared in the *Chronicle* last week were misleading and,

if accepted on face value, were likely to have repercussions which would be inimical to growers' interests. "For instance, considerable emphasis was laid on an incident involving the importation of Western Australian potatoes," he said. "This incident occurred nearly a year ago and is not in any way connected with the problems of potato marketing as they exist at the moment. In any case, the South Australian Fruitgrowers and Market Gardeners' Association drew the attention of the South Australian Potato Board to that incident, and it is unlikely that it will recur. The article also made reference to the grading of potatoes. Here again, the association drew the board's attention to the matter, and the board took steps to rectify it."

It was unfortunate that the article made adverse criticism to marketing by the pool system. The adoption of this system of marketing was dictated by a glut of potatoes. Growers may say with truth that returns during this present season had been good but it was accepted by the majority of growers that they might have been much worse off if the pool system of marketing had not been adopted. As regards settlement to growers, final payments for each of the first three pools were made six to 10 weeks after their consignments. The fourth pool was now ready for payment. There were several other inaccuracies in the article and all of them could have been corrected if responsible authorities had been approached before publishing it. "This association will continue to present growers' views to the S.A. Potato Board whenever it sees fit to do so," Mr. Stuart said. "In fact, there are several important matters which are currently the subject of discussion . . . "

Mr. Stuart is a wellknown figure in the fruit and vegetable industry, whose integrity is unquestioned and whom everyone respects. He represents growers and, as he said, their interests are being looked after. With five growers on the board the industry functions democratically, and growers will have the opportunity next year either to vote for the board's continuance or to reject it if they see fit.

Bill read a second time.

Mr. McANANEY (Stirling) moved:

That it be an instruction to the Committee of the whole House on the Bill that it have power to consider new clauses relating to members and general powers of the board.

Motion carried.

In Committee.

Clauses 1 and 2 passed.

Clause 3—"Control of sale, delivery and price of potatoes."

Mr. McANANEY: As I have been approached by a retailer who fears that he may not be permitted under the Bill to continue to buy potatoes from the board to be sold at clearing sales as well as to hotels, can the Minister comment on this matter?

The Hon. G. A. BYWATERS (Minister of Agriculture): If the honourable member's constituent buys potatoes through the board, that is in order. The purpose of the Bill is to cover the position where a buyer purchases illegally outside the board at present and cannot be prosecuted. A grower can be prosecuted but the purchasers cannot. The grower was not known in the case before the court; the judgment went against the board. This would tidy that up, and this is the purpose of the Bill.

Mr. MILLHOUSE: One of the points the Minister did not deal with was the point I made with regard to the great width of power we are bestowing upon the Potato Board. I do not know whether the Minister was aware of how wide the power was when he introduced the Bill. The example I gave is an example of what could happen under the power we are giving to the board because the board can prohibit any person from buying potatoes. Is the Minister happy about this power?

The Hon. G. A. BYWATERS: Yes. I have discussed this matter with the Chairman, who has pointed out that this power is necessary. There is some power in this as far as the potato purchaser is concerned, but the board has used its powers with discretion. At times growers have sold potatoes to people for stock feed. In fact, second grade potatoes and even seed potatoes were sold, and nothing was said. It still has the same powers with regard to the grower selling his potatoes as in the purchase of them.

Mr. MILLHOUSE: Despite what has been said by me in this debate, I hope that I am still allowed to buy potatoes and enjoy them.

Clause passed.

Clause 4 passed.

New clause 2a—"Members of board."

Mr. McANANEY: I move to insert the following new clause:

2a. Section 5 of the principal Act is amended—

(*a*) by inserting after the word "and" first occurring in subsection (3) thereof the passage ", subject to subsection (5) of this section,";

and

(*b*) by inserting after subsection (4) thereof the following subsection:

(5) Of the two members who, at the commencement of the Potato Marketing Act Amendment Act, 1966, were merchants' representatives, the member whose term of office is due to expire first after the

commencement of that Act, shall be succeeded by a person who shall be a potato washers' representative and who shall, before the expiration of that member's term of office, be elected a member by potato washers licensed under section 19a of this Act.

It has been maintained that growers are sufficiently represented on this board, but I do not think this is so. The Barley Board has worked successfully over the years with four grower members, one maltster, and a chairman. I think that could be said to be a growers' board. But the Potato Board meets once a month; the five growers come from separate areas, and they do not meet before the board meeting. I think one member recently said at a public meeting that he refused to meet the other growers before a meeting because he thought it was ganging up on the board, and they do not get down to having a common policy. The board is a flowing concern that has to make day-to-day decisions. The Chairman makes these decisions to a limited extent. As head of the Agriculture Department, he has ample to do, but he has to be chairman. There are two merchant members as well as the Secretary of the South Australian Potato Distribution Centre there every day. He attends meetings and provides information. Occasionally on the subcommittee there may be two members.

When I asked my question on October 18, to the best of my knowledge there was not one grower present. Potato prices were increased on that day without a quorum of the board. The price of potatoes was increased by $16 a ton for three days, and that could have involved 500 tons of potatoes. I welcome the invitation of the Minister of Agriculture to show me right through this scheme. I am not saying there is anything dishonest, but I think there is an axiom in law that justice should not only be done but be seen to be done, and there is an element of doubt in the growers' minds. I am positive the Potato Board will not be voted out of existence, and I will not criticize the good it has done. One is becoming complacent and old in his outlook if he thinks something cannot be improved. I think this board can be improved if it becomes an orderly marketing board controlling its activities the same way as the Barley Board does. In these circumstances, five growers find it difficult to have their views placed before the board. I suggest that we replace a merchant by a washer, because washers process 50 per cent of potatoes. Surely they should have as much interest as the merchants on the board have. The biggest washing concern is the growers' co-operative, and probably a representative of that organization will be elected. With the different system that now operates, a much greater percentage of potatoes will be washed in future; therefore, I believe washers should be represented.

The Hon. G. A. BYWATERS: I ask the Committee not to accept the amendment. It is always desirable to improve matters, and constructive criticism is worth while. However, at times much of the criticism could be overcome if the people concerned would only talk to the people associated with the board. The amendment is intended to provide that one of the merchant members should be replaced by a washers' representative. However, there are only four washers in South Australia, and under the amendment they would elect a representative. If two were nominated and the vote were equally divided, there could be difficulty. The co-operative which is one of the four washers already has five members on the board. Why not extend the provisions to enable six producer members and one merchant member to be appointed? Mr. Braendler, one of the board members, is an executive of the growers' co-operative, which is a washer.

Mr. MILLHOUSE: It may be that there are only four washers, but over 50 per cent of potatoes are washed. Therefore, why should washers not have some direct say in the affairs of the board? How many merchants are there to elect members to the board? The Minister was careful not to give the number of merchants. The washing of potatoes was not part of the industry when the board was established in 1948. As washers now handle a large proportion of potatoes, they should be represented directly on the board.

Mr. FREEBAIRN: I support the amendment. Although there are only four washers in the State, they handle more than 50 per cent of the turnover of potatoes. There is a demand for washing, by housewives, which will undoubtedly continue and expand. Therefore, I believe that potato washers deserve direct representation on the board.

The Hon. D. N. BROOKMAN: I oppose the amendment. As Minister, a few years ago at the request of the board I introduced an amending Bill providing for the licensing of washers. As far as I know, no suggestion was made at the time that washers should be represented directly on the board. I had

never heard that suggestion before this amendment was introduced. There are only four washers in South Australia. The argument put forward is that because they handle a large proportion of potatoes in South Australia they should be represented on the board. It might just as well be said that because transport operators handle a large proportion of potatoes they should be represented. Where did the move begin and who was behind it? We would be wise not to interfere with the workings of the board, which has stood many severe tests since it was first introduced in 1948. It has been beset on all sides by problems: it deals in a perishable commodity, has to consider markets in other States, and has had many problems. Growers can deliver judgment on the board next year, and it would be inopportune to introduce a new class of representative now.

Mr. BURDON: I oppose the amendment and agree with the remarks of the member for Alexandra. I cannot see anything logical in the statements of the members for Stirling and Mitcham. The board has had many problems, but I had experience on the board when it was first introduced, and I know that it has brought stability to the industry. I know that most growers in the South-East think the board has done a good job in the last 12 months. Inquiries have been received from Victorian growers about setting up a similar board in that State.

Mr. QUIRKE: Growers should make the decision; the board will never be out of trouble as it is constituted. The origin of all this is the grower who sells potatoes to the board, which should operate for him and should do that job without housewives, wholesalers, retailers or washers.

New clause negatived.

New clause 2c—"General powers of board."

Mr. McANANEY: I move to insert the following new clause:

2c. Section 16 of the principal Act is amended by striking out paragraph (*d*) thereof and inserting in lieu thereof the following paragraph:

(*d*) by its servants, buy and sell potatoes;

This is an important amendment, and two years ago Government members would have favoured it because they supported the same proposition. The Minister said that the then Minister of Agriculture did not know what was going on on the board, and had to accept the advice of a representative. I do not think he knows what is going on in relation to the board. Other marketing boards have been successful where growers owned and controlled them and marketed their produce. They used merchants as licensed receivers to sell the goods, but they never had a set-up like the present Potato Board. The distribution centre's accounts are not audited by a person responsible to the Potato Board. Although the board's balance sheet is very favourable, no reference is made to potatoes. The board authorizes the distribution centre to import potatoes from another State. Although the Minister said that Victorian potatoes had nothing to do with South Australian growers, most of them were owned by the board at one stage. Potatoes should be sold on the market for cash similarly to the way barley is sold.

The distribution centre has its own directors, but the five grower members on the board have no say in its functioning. The distribution centre's balance sheet should really be the board's responsibility. If I were to tell the Committee all the tales I have heard about the present set-up, even the hair of the member for Gawler would stand on end. Although I agree with the pool system, it should be controlled by the board itself. The distribution centre is prosperous at the growers' expense. Although there seems to be no risk of growers losing their money, the fact remains that it is a poor system. Even the member for Glenelg would admit that. If this amendment, which obviates the necessity of the board's using agents in buying and selling potatoes, is accepted, certain parts of the principal Act will have to be amended. The successful marketing boards are those that use merchants to receive and sell the product, the board members having complete control of the administration. The present secretary of the Potato Board is an accountant and secretary of other organizations, and I am sure that he would not know the exact financial situation of the board all the time because the books are kept by the distribution centre and he would see them only infrequently. To be consistent, this Parliament should give uniform powers to this board and I ask members to support my amendment.

Mr. FREEBAIRN: My mind goes back to February, 1964, when the previous legislation was before members. That was the last occasion on which we discussed this legislation. The Minister of Agriculture asked me to come out of the Chamber and meet members of the Potato Board. Two or three others were with us and we discussed the future policy of the

board with the members themselves, and on that occasion the members of the board gave us an assurance that they would go ahead and conduct the business of the board in the same way the Barley and Egg Marketing Boards do. They gave me an assurance that they would conduct the affairs of the Potato Board as a proper marketing authority, but they have not done so.

As the member for Stirling pointed out, this merchants' association has made a handsome profit from dealing in the potatoes of the potato growers. The middle man was resented by the wheat and barley growers of the State before the Second World War. They were determined the merchants would not again wield the influence over the State's wheat and barley industries that the man on the land had suffered from for so many years. I am pleased to hear that there is at least one member opposite supporting me: I feel that the member for Chaffey really agrees with the amendment moved by the member for Stirling. I do not think he has any more love for the middle man than I have or any other member generally representing a farming constituency has. I cannot see that the merchant organization is working in the best interests of the merchant or of the consumer of potatoes, and I shall be pleased to see this merchant group out of the industry. I support the amendment.

The Hon. Sir THOMAS PLAYFORD: I hope that the Committee will not accept the amendment. I have had experience in this matter, and the finance required for the board would be at least $250,000. I had an investigation carried out by the Prices Commissioner when I was in office, and he told me that, if the growers wanted to take over the set-up themselves because they buy for cash and sell on credit (which is the way the board operates), that sum would be required. As Treasurer, I then proceeded to see whether I could find $250,000 from an outside source to enable the producers to take over their own distribution, but I was not successful, and if this Parliament wants the growers to take over their own distribution it will have to find this sum for the board to operate its own accounts.

It is no good saying potatoes are sold for cash, because they are not. This applies particularly to potatoes that go to Broken Hill and outlying areas. The present Act enables the board to alter its marketing set-up whenever it likes: there is a majority of growers on the board and they can change over to their own distribution. I know that it is the ambition of the potato growers to change over and that they are gradually accumulating funds for that purpose, but if we were to say tonight that they had to change over we would be deciding the policy of the Potato Board. Unless we were prepared to back that direction with money we would leave the board in a hopeless position. When I was in office, my Government was unable to put up the cash for such a system and I believe this Government is in the same position. I was approached by the board but I had to tell its representatives that we were unable to find the necessary funds in the Treasury at that time. I went to two banks but they were not prepared to put up the cash because, first, the Potato Board could be voted out at any time. I favour the provision that enables growers to vote the board out of operation at any time, but polls of that nature cannot be permitted if a bank is going to advance money.

Since the new Government came into office the board has made big departures from previously existing policy and it has assumed more active control of the marketing of potatoes. However, it cannot buy the potatoes from growers under the present system because many people could not handle potatoes if they had to pay for them in cash. Unless the Government can put up $250,000 (which I think would be the sum required), unless the potato growers are prepared to give the board wider powers and to enable it to guarantee losses by imposing levies, and unless the right to abolish the board is taken away from growers, then no bank will look at this as a reasonable proposition. I think it was in 1941 that the Commonwealth Government instituted a scheme on a national basis. The Commonwealth Prices Commissioner, who had complete powers under war-time regulations, fixed margins for the various persons operating in the industry. The margins fixed at that time were much more generous than those subsequently fixed by the State Prices Commissioner. Therefore, for 25 years, numerous sums have passed through the books of the merchants operating under the Potato Board, and it can be seen that the percentage of cost has not been high. I believe the amendment would have the effect of disrupting a satisfactory position which the growers can further improve in due course.

The Hon. T. C. STOTT: If the amendment is not accepted, the board will obviously have the same power through its servants that the

amendment is trying to make exclusive in the Act. I am rather surprised at some of the statements made about orderly marketing, and I cannot accept the statement that $250,000 is required to operate such a scheme. When an orderly marketing board commences operations, it obtains from the growers the product which it immediately sells for cash at a price it determines, and it pays the sum it receives to the growers. The board should have full power to do what it wants to do: we should not hamstring the board. When we find evidence that the board is working against growers, the powers of the board should be amended so that growers may have proper representation and the right to sell potatoes in their own interests. I am prepared to leave the clause as it stands and see what happens after the poll. I do not favour the board delegating its powers.

Mr. MILLHOUSE: I support the amendment, and pay great deference to the views expressed by the member for Gumeracha. Earlier, I read out part of a submission by Mr. Peter McEwin, but one paragraph I did not read bears on the matter of finance. He said:

In spite of the sound move the board made in establishing its depot, the merchant-owned company which acts as the board's agent is still in command of finance, and it can be shown that growers finance the whole of merchants' operations. In general, merchants have been paid by retailers before growers receive settlement. When a board pool is operating the merchant company might hold between $150.000 and $400,000 of growers' money, depending on the price ruling for the time being.

I understand that a pool is operating now. I know that Mr. McEwin, a grower, is a member of the board: he is not usually wrong on matters financial. I was surprised that the Minister read out Mr. McEwin's submissions, because I had omitted references to the personal element in the dispute between Mr. McEwin and Mr. Miller. Much of what Mr. McEwin had to say to me and, I am sure, to the Minister, concerned the financial transactions of the board and his fears that all was not above board. What was told to me lends support to this amendment. I remind members opposite of the idiotic amendment they supported in 1964. I know that the principle was the same as that of this amendment, and the then Opposition supported it to a man: it tried to do away with the agency of the distribution centre and, in spite of the way it was framed, every member of the Labor Party supported it. If the amendment had been carried it would have given the board power to buy and sell potatoes by means of its servants appointed in writing under the seal of the board, and members opposite vigorously supported the amendment in that form. Apparently they have suddenly been converted to support the distribution centre—a most extraordinary change of front.

Mr. SHANNON: I am not critical of the member for Stirling, because I know that he would not try to do anything that was not in the best interests of the potato grower, but I do not support the amendment, because I do not wish to dictate to the board a policy that is within the board's power to implement if it desires. If both grower members on the board, to whom reference has been made, cannot influence their fellow grower members to adopt certain ideas, there must be a catch somewhere. I should have thought it would be possible to organize the marketing of potatoes on a pool basis; if growers could not receive a full payment in the first instance, a first and subsequent payment could be made to them as their crop was sold. As the growers elect their own representatives to the board, all the necessary ingredients exist for a properly constituted organization. Why should Parliament dictate the board's policy? The board should be watching its costs and, if an exercise is proving too expensive, the board may tell the distribution centre that it intends to become its own distributor.

The Hon. D. N. BROOKMAN: I oppose the amendment. I have consistently supported the board's right to fulfil its functions as specified in the Act. The board's powers are consistent with powers that have been provided in other measures dealing with similar organizations. In this case, the producers have a majority of members on the board and, as has been pointed out, the Chairman has never used a deliberative or casting vote. What more can Parliament do, if the board comprises a majority of grower members with powers to implement the growers' own system of marketing?

Parliament would do well to leave the board alone and to let it work out its own system as it wishes and as, indeed, it has power to do. The member for Light (Mr. Freebairn) said that some years ago, when I was in charge of a Bill amending the Potato Marketing Act, I introduced him to members of the Potato Board who, I understood the honourable member to say, gave him a specific undertaking that they

would abolish the present system of marketing through the distribution centre, and that the board would assume full control of its own marketing system. I cannot remember who those members were and I cannot remember the discussion or any unequivocal statement to that effect. I recall introducing some members to various members of the Potato Board and other members of the industry who were supporters of the general system of the Potato Board. I think I would have recalled a completely unequivocal statement from two members of the board had it been said. I remember there was talk about doing away with the distribution centre. The then Opposition was trying to take away this power, and I am pleased that the Minister has seen the way the board is operating and has chosen to support the present system, which enables the board to do as it pleases in this respect.

Many growers would like to do away with the distribution centre, and it is in their power to do it; I would not try and stop them. We should discuss the principle whether they should have the right to have it or not have it, as they wish. We could do growers a considerable disservice if we suddenly took away their right of delegation, which is now in the Act. I support the Bill as it stands, and I hope the grower members on the board will do whatever they wish as a majority and not be disunited and ask the Minister to do it for them. If the growers have a case and can convince the Minister, surely they can convince their own colleagues and use their majority on the board. If they are not convincing enough, I do not think we should interfere.

Mr. HALL: I know there is widespread discontent amongst growers, who think that the board should distribute its own potatoes. While I have sympathies for these people, I am not willing to vote for this amendment. If this move is to be made, it will have to be made in a well thought-out manner. As this will require many considerations that have not been undertaken tonight, I intend to vote against the amendment.

The Hon. G. A. BYWATERS: It is easy, when one is on the outside, to criticize, but when one is on the inside one realizes some of the difficulties associated with the industry and one becomes more responsible. It is evident that the members for Alexandra and Gumeracha have been in touch with this situation. It has been stated that on a former occasion we opposed a distribution centre, and I make no apologies for that. At that time perhaps I was not as knowledgeable on this situation as I am now. I consider that the board, in its own time and wisdom, will determine whether it desires to do its own marketing. It has that power now.

There was a criticism that one man was secretary of the distribution centre, secretary of the board, and also secretary of the Chamber of Fruit and Vegetable Industries. This gentleman is a man of high repute who has the respect of many people in the industry. The board has now appointed its own secretary, who is a man with much accounting knowledge. At the time of the debate on February 10, the board carried a motion moved by Mr. Lawson and seconded by Mr. Mason of complete confidence in the distribution centre. In view of this, I cannot accept that statements were made in the Minister's office by responsible members of the board that they were going to do certain things.

The member for Gumeracha said this was not the time to go to a lending institution to ask for a loan when the security of the board was very much in doubt. I believe this is important, because no lending institution would be prepared to lend money to a body with this hanging over its head. I asked the Auditor-General to investigate the affairs of the distribution centre, and he made a report expressing complete confidence in it and saying that it carried out its functions honestly and with good purpose. He said that ever since the centre was established it had charged $1.50 a ton for its operation despite the fact that costs had increased considerably in that time. Undoubtedly the distribution centre would have had a legitimate ground on which to increase the cost, but it did not do so.

This officer also pointed out that the board would have to consider bad debts, which are a real problem. The merchants have, perhaps, many bad debts in their businesses but they are in a better position than the board (because they deal with purchasers) to control their bad debts. On the other hand, necessary litigation to recover these debts would be expensive for the board. I believe the board has sufficient power now. If it decides to set up marketing arrangements, I am sure it will have the support of the Government of the day. Members of the board undoubtedly have such a scheme in mind for the appropriate time. Therefore, I ask the Committee to reject the amendment.

Mr. McANANEY: I have not criticized the Potato Board, which is efficient and has fulfilled a useful function. The petition to which I referred was signed by 100 growers about conditions at a particular time. I concede that most of those growers would now vote in favour of the board. The member for Alexandra talked about the principle of orderly marketing. The Auditor-General's Report shows how the finances of the Egg Board have worked satisfactorily. I am prepared to argue with the member for Gumeracha on this matter because I think that, perhaps, I have had more experience in this connection than he has. He dealt with circumstances as they applied two or three years ago, but circumstances have changed, and there is now a pool where the potatoes are sold. The balance sheet of the distribution centre shows that the money of growers is in its possession. The Potato Board has $11,000 in its trust fund and cash assets of $94,000: it could start a marketing scheme tomorrow.

It has been claimed that the board has paid out considerably more to growers than was received by growers in other States. I admit this, but it is because of South Australia's geographic situation. The price of potatoes from Victoria has added to it the transport costs. It is almost impossible to work out what growers receive for potatoes in Victoria, because the market there fluctuates from day to day. Therefore, nobody can compare what is received by growers in Victoria and South Australia. Under the principle of orderly marketing, the board should do its own marketing and control its finances. It must control the money received from the produce of the growers. If that money appears in the books of the distribution centre, this Parliament should decide whether that is right or wrong.

Mr. QUIRKE: The member for Stirling has shown that possibly he knows more about the finances of this industry than does anybody else in the Chamber. Nevertheless, I cannot support his amendment. We do not know whether growers want this or not. I hope they vote in favour of retaining the marketing board, and then they should recast it. The time will come when growers assert themselves and say that they want a marketing board. They should then seek new legislation to have a board controlled by growers. I shall not support this unnecessary amendment, although I congratulate the member for Stirling in presenting a well reasoned argument to try to assist growers.

The Committee divided on new clause 2c:

Ayes (3).—Messrs. Freebairn, McAnaney (teller), and Millhouse.

Noes (30).—Messrs. Bockelberg, Brookman, Broomhill, and Burdon, Mrs. Byrne, Messrs. Bywaters (teller), Casey, Clark, Corcoran, Coumbe, Curren, Dunstan, Ferguson, Hall, Heaslip, Hudson, Hughes, Hurst, Hutchens, Jennings, Langley, Loveday, McKee, Nankivell, and Pearson, Sir Thomas Playford, Messrs. Quirke and Shannon, Mrs. Steele, and Mr. Stott.

Pair.—Aye—Mr. Rodda. No—Mr. Walsh.

Majority of 27 for the Noes.

New clause thus negatived.

Title passed.

Bill read a third time.

SUCCESSION DUTIES ACT AMENDMENT BILL.

Returned from the Legislative Council with suggested amendments.

PHYLLOXERA ACT AMENDMENT BILL.

Returned from the Legislative Council without amendment.

NATIONAL PARKS BILL.

Returned from the Legislative Council with the following amendments:

No. 1. Page 3, line 17 (clause 7)—After "shall" insert "have regard to the desirability for representation on the commission of any class of primary producer and shall".

No. 2. Page 9, line 30 (clause 21)—After "21" insert "(1)".

No. 3. Page 9 (clause 21)—After line 31 insert the following subclause—

"(2) The commission shall, as far as practicable—

(*a*) maintain and preserve the indigenous fauna and flora in and the natural features of national parks for the use and enjoyment of the people of the State;

(*b*) take measures in respect of national parks—

(i) for the control of such noxious weeds and dangerous weeds as may, from time to time, be declared to be such pursuant to the Weeds Act, 1956-1963;

(ii) for the control of vermin within the meaning of the Vermin Act, 1931-1962;

(iii) for the control of insect and disease within the meaning of the Vine, Fruit and Vegetable Protection Act, 1885-1959; and

(iv) to reduce the hazards of bushfire."

Consideration in Committee.

The Hon. J. D. CORCORAN (Minister of Lands): I recommend that the Committee agree to these amendments. The first amendment simply sets out what was intended, anyway, in making recommendations in respect of commissioners. It does not, in my opinion, alter the purpose of the clause. The second amendment makes provision for the next amendment, which simply spells out what would have been the policy of the commissioners in this matter. All national parks are to be under the care, management and control of the commission, which would naturally have regard to what is contained in the amendment.

Amendments agreed to.

BULK MILK COLLECTION REGULATIONS.

Order of the Day, Other Business, No. 2: Mr. McKee to move:

That regulations amending the Metropolitan Milk Supply (Bulk Collection) Regulations, 1962, made under the Metropolitan Milk Supply Act on September 15, 1966, and laid on the table of this House on September 20, 1966, be disallowed.

Mr. McKEE (Port Pirie): I move that this Order of the Day be discharged, but in doing so I should like to tell the House that the Subordinate Legislation Committee has given some long and anxious consideration to the effect of this regulation before finally coming to the conclusion that no action should be taken for its disallowance. The regulation requires that all bulk milk, prior to collection from a farmer's premises for processing, shall be kept in a refrigerated farm milk tank complying with agreed standards, but that any producer using an unrefrigerated type of farm milk tank, installed by him prior to the date on which the regulation comes into force, may continue to use that unrefrigerated tank on his premises until the same requires replacement. The evidence taken by the committee disclosed the fact that the regulation imposed this requirement only on a certain section of licensed producers, namely, those producers supplying the factory of the Jervois Co-operative Dairying Society Limited which, although not named in the regulation, is the only milk factory within the area controlled by the Metropolitan Milk Board which collects milk from unrefrigerated farm milk tanks. The committee considers that it is somewhat unfortunate for the producers in this Lower Murray Region to be the first people faced with the obligations imposed by this regulation because the area takes delivery of milk twice daily from September to April or thereabouts in each year and, because of this fact, quality standards of the milk have always been maintained to the satisfaction of the board, and it is claimed that greater economies result from the twice-daily pick-up system.

The committee took evidence from dairymen, from the Secretary and Director of the Jervois Co-operative Dairying Society, from the Secretary of the South Australian Dairymen's Association Incorporated and from the Chairman of the Metropolitan Milk Board. It appeared that the Milk Board's ultimate objective was to have all milk from licensed producers stored under refrigeration whilst awaiting pick-up, and the necessity for this to be done, particularly in the area immediately adjacent to the metropolitan area, is acknowledged by everybody. The committee is satisfied that the use of refrigerated tanks generally would offer greater possibilities for economy in collection and provide maximum protection for milk quality during the hot weather, and the evidence suggests that the Metropolitan Milk Board considers it should take early steps to introduce refrigeration storage for those producers who are now supplying milk in cans.

The committee considers that it is somewhat ironic that the section of producers affected by this regulation is the very section which is at present working economically and satisfactorily within its area. However, the committee is influenced by the fact that the regulations do not impose any immediate burden on such producers as they specifically are allowed to continue using unrefrigerated tanks until replacement is required for one reason or another. The committee supports the overall scheme which the Metropolitan Milk Board is endeavouring to introduce and realizes that a start must be made somewhere. However, it considers that it might have been better for the board to have started requiring refrigerated storage in the areas where the need for the same was greatest, and not in the one area where the need was minimal.

Mr. McANANEY (Stirling): This concerns an area in my district. It seems rather extraordinary to me that in other States the question of whether milk is suitable is determined by the quality of the milk, and if an article can be produced which will stand up to certain tests it is acceptable. That should be the criterion in South Australia. In the area covered by the regulation milk is picked up twice a day, and this is the cheapest way. Surely this should

be considered. We agree that the milk should reach a certain standard. I understand the regulations still permit the practice of sending milk in cans to Jervois in unrefrigerated condition, but I cannot see why Jervois should be required to comply with the conditions in the regulation. It may be a matter of company politics in regard to that area. The purchaser of a property at Jervois will have to install a refrigeration plant. If milk could be delivered more cheaply thereby, Jervois would change to a once-a-day pick-up and go in for refrigeration. However, the present method is the cheapest, so why should not producers be allowed to continue it provided the standard of quality is maintained?

Mr. SHANNON (Onkaparinga): Since company politics have been mentioned, I think I should put my friend back on the rails. It has been suggested that South Australia is the only State going in for farm refrigeration, but in Western Australia the Milk Board will not take milk from any farm that has not been refrigerated, and New South Wales and Victoria are following that line. I compliment the Subordinate Legislation Committee on its realistic approach. My company has no axe to grind: we are providing finance to help improve the quality of milk. The member for Stirling did not mention the savings to the producer that would result from fewer pick-ups: those savings can only come from refrigerated units. In my view there is no objection to the regulation. We favour keeping up the standard of milk in South Australia. We know the advantages enjoyed by Victoria in the way of climate and concentration of the market. I am pleased the committee has considered this regulation thoroughly.

Mr. MILLHOUSE (Mitcham): I am not usually against change (in fact I like it), but this is a change in the way the Subordinate Legislation Committee is conducting its business, which I do not like. We have had a short debate not on the substantive motion but on the motion that this Order of the Day be read and discharged. I do not know the rights and wrongs of this thing (I am a humble man and know my own shortcomings), but I do know that the member, by debating or inviting a debate on this motion, is hamstringing the House. What if members violently disagreed with the point of view that he has put? We would get nowhere at all: all we can do is to deny him the right to have the motion read and discharged. We could not force him to move the motion anyway. This is an unsatisfactory way of getting rid of the business of the committee. If there is any suggestion of controversy (and in this case there obviously is because of the carefully prepared speech the honourable member gave in moving the motion), the House should have a chance to decide it properly: that is, on the motion itself. I do not like the way this is being done; as far as I know it has never been done before, and I hope it will never be done again.

Order of the Day read and discharged.

LONG SERVICE LEAVE BILL.

Second reading.

Mr. COUMBE (Torrens): I move:

That this Bill be now read a second time.

It is a genuine attempt to do something to correct the somewhat chaotic position that at present exists in South Australia concerning the matter of long service leave. As most honourable members will know, there is at present in existence an Act of this Parliament passed in 1957 which provides for one week of additional annual leave to be given to an employee in the eighth and subsequent years of service with his employer. In 1957 the subject matter of long service leave was regarded with some suspicion and apprehension by employers generally, and it could be said that the Act then passed by this Parliament was somewhat of a compromise measure and represented a very different approach from the general lines that were developing in other States. I think I am not being unfair in stating that the 1957 Act has not proved satisfactory. It is significant that in the period of nine years since the Act was passed, not one amendment to the Act has been proffered. One of the principal difficulties is that the Act provides that persons are exempted from its provisions who (*a*) are bound by a registered industrial agreement or a State or Commonwealth award prescribing long service leave; (*b*) being bound by such agreements or awards to grant leave to the majority of their employees, grant such leave to the minority; or (*c*) have a long service leave scheme in operation which is not less favourable to the employees as a whole than the scheme of leave prescribed by the Act. All these matters are referred to in section 13 of the Act. Regarding those employers who are exempted from the Act because they are bound by industrial agreements or a State or Commonwealth award, the point to notice is that industrial agreements

are normally made binding on organizations—not individuals—and the same also goes for awards: for example, the Metal Trades (Long Service Leave) Award. Therefore, unless the employee knows whether his employer is a member of an organization which is so bound he does not know what are his long service leave rights. Concerning employers who are exempted under the existing Act because they are bound to grant leave to the majority of the employees and grant such leave to the minority, it has been found in many instances that the majority of employees may at a later stage in any particular year become a minority and therefore the question then arises: what is the leave position of the employees who formerly constituted the majority? This situation particularly arises regarding employers whose businesses are largely seasonal. Regarding those persons who are exempted from the existing Act because they have long service leave schemes in operation which are not less favourable to the employees as a whole than the scheme of leave prescribed by the Act, there is no test for determining whether the scheme is not less favourable to the employees as a whole or not. Therefore, the employer cannot be sure that his scheme is binding and, regarding the employee, he does not know of the existence of any such scheme.

The position in South Australia, therefore, is that the long service leave obligations of an employer and the rights of an employee may be determined by one of the following things: (*a*) the existing 1957 Act; (*b*) an industrial agreement (and there are many of these); (*c*) a Commonwealth award; (*d*) a State award; or (*e*) a long service leave scheme. It is important to note that all States have a Long Service Leave Act and generally in the other States it is provided that an employer has to obtain a specific exemption from the provisions of the Act. In industrial agreements, it is usually provided for a board of reference to be set up for the settlement of disputes, and this is a cheap and easy way to determine long service leave rights and obligations. It is important to note that the 1957 State Act has no such provisions.

What, then, is provided in the present Bill that is before honourable members? The Bill provides for long service leave after 15 years' service, with pro rata leave after 10 years' service subject to certain conditions which are set out in clause 4. These provisions are substantially the same as those in all Commowealth awards and, as I said earlier, there are also quite a number of these Commonwealth awards. It is also substantially similar to most of the other State Long Service Leave Acts. However, it is to be noted that the New South Wales Act alone is more beneficial to employees as regards pro rata leave. All the State Acts, including that of New South Wales, provide for exactly the same benefits, namely, each one provides for 13 weeks' leave after 15 years' continuous service. However, in New South Wales the Act provides for pro rata leave after five years' service in special circumstances, although one may fairly question whether or not five years' service with an employer could be said to be long service. Under this Bill, an employer will have to obtain a specific exemption from the Act if he wishes to apply his own scheme. The procedure of obtaining specific exemption will thus enable employees to ascertain whether their employer is covered by the Bill and, if he is not, what is the long service leave applicable to them.

It is interesting to note that, just recently, the South Australian Employers Federation and the South Australian Chamber of Manufactures combined to approach the State Industrial Commission for a long service leave award applicable to employees who are employed by their members. They have obtained from the State Industrial Commission an award for long service leave in almost identical terms to those provided in this Bill. It is interesting and refreshing to note that after the passage of time these employer organizations have taken steps to follow the prevailing trend and thoughts concerning long service leave, and they are to be commended for making this move to bring South Australia into line with what is currently accepted elsewhere in the Commonwealth. However, the Chamber of Manufactures and the South Australian Employers Federation have not yet made any application to the Industrial Commission to make their recent award a common rule, and I consider that difficult jurisdictional problems would be involved if this were attempted. This Bill if carried will, of course, apply to all employers and employees in South Australia, and I consider that it is highly desirable that this uniformity should exist. If this Bill is accepted by the House, it will mean that South Australia will have a Long Service Leave Act almost identical with that of every other State and with practically all State and Commonwealth awards.

Turning now to the actual provisions of the Bill, I should state at the outset that these provisions are substantially based on the Metal Trades (Long Service Leave) Award of 1964, but care has been taken to include appropriate provisions from the existing State Act where necessary and for introducing certain new provisions. Clause 2 repeals the existing Long Service Leave Act of 1957. In clause 3, which is the definitions section, the description of "worker" is that used in the existing Long Service Leave Act and also in the New South Wales legislation. The Metal Trades Award and the existing agreements use the word "employee". The definition of "ordinary pay" is taken from the existing State Act and from various industrial agreements.

Clause 4 deals with the right to long service leave. Subclause (2) thereof is substantially the same as clause 6 (2) of the Metal Trades Award, except that in paragraph (iii) the words "completed after 15 years' service" have been used instead of the words "completed since he last became entitled to an amount of long service leave", which are used in the Metal Trades Award. The reason why the wording has been changed is that it can be a matter of some difficulty to determine when a person last became entitled to leave. In subclause (3) of clause 4, sub-paragraphs (i), (ii), (iv) and (v) are the same as in the Metal Trades Award, but subparagraph (iii) is new. This is because there have been conflicting legal decisions in other States whether pregnancy constitutes a pressing necessity, and this new subparagraph clarifies the position.

Clause 5, dealing with the subject of what constitutes service, is taken from the Metal Trades Award, except that subclause (4) (*c*) is new. This has been included mainly to cover the case of persons who are employed by hotel or motel companies, which often remove a manager or staff from one company to another even though these companies are all associated. Subclause (5) of clause 5 is similar in many respects to clause 6 (4) of the Metal Trades Award, except that the commencing date is January 1, 1966, to coincide with the date prescribed by the State Industrial Commission in the recent award granted there.

Clause 6, dealing with the payment for the period of leave, is similar to clause 7 of the Metal Trades Award, the existing State Act and industrial agreements. Clause 7, dealing with the subject of time for taking leave, is the same as clause 8 of the Metal Trades Award. Clause 8, dealing with the subject of agreements for leave before the right thereto has become due, is similar to clause 9 of the Metal Trades Award. Clause 9, dealing with the matter of leave taken before commencement of the Act, is similar to clause 10 of the Metal Trades Award. Clause 10, dealing with the obligation of the employer to keep records, is similar to clause 11 of the Metal Trades Award, except that the Metal Trades Award provides that such records shall be available to union officials. It is provided that the Industrial Commission may permit persons to inspect the records, and I consider that a more satisfactory procedure.

Clause 11 deals with the important question of exemption from the provisions of the Act. The law of most States provides for exemptions, and clause 12 of the Metal Trades Award provides for the adoption of exemptions that are granted under State laws. However, under the 1957 State Act there is no such provision and, as I said earlier, employees do not know what employers may be exempted by reason of having private agreements. As this is one of the most unsatisfactory aspects of the existing law, this new clause will remedy the position. Clause 11 provides for an employer to obtain an exemption from the provision of the Act from the Industrial Commission of South Australia. The commission must be satisfied that the workers are entitled to benefits in the nature of long service leave under any agreement or scheme conducted by or on behalf of the employer which is not less favourable to their employees than those specified in this Act.

Clause 12 is substantially the wording of section 15 in the existing State Act, and allows an employer to use any money that he may have contributed to a fund for the purpose of providing retiring allowances, superannuation benefits, or other similar benefits for any of his employees for the purpose of meeting the cost of the obligations imposed by this Act. Clause 13 is a new approach to procedure where there is an allegation that a worker has not been granted the long service leave to which he claims to be entitled. Existing industrial agreements all provide for boards of reference constituted by the Industrial Registrar and two other persons on each side of the issue. This is recognized as a good procedure but, in view of section 132 (*c*) of the Industrial Code, which was passed earlier this year by this Parliament, it now seems unnecessary to have a board of reference.

Clause 14 restricts a worker from working whilst on long service leave, which is a similar provision to that contained in clause 8 of the Metal Trades Award. An employer is also prohibited from employing a person whom he knows to be on long service leave. Clause 15, which deals with offences and penalties, provides a simple way of dealing with an offence. Part VI of the Justices Act provides that an appeal in connection with a prosecution under the Industrial Code is to lie to the Industrial Court, and the same applies for any case stated on a question of law. I consider that it is a good idea to keep this matter clearly under the jurisdiction of the Industrial Court. In conclusion, I stress that this is an extremely important Bill, to which much time and thought has been given by the member who introduced it in another place. I commend it to all members, and trust that it will have their whole-hearted support.

The Hon. C. D. HUTCHENS secured the adjournment of the debate.

COTTAGE FLATS BILL.

Returned from the Legislative Council with amendments.

PASTORAL ACT AMENDMENT BILL.

Returned from the Legislative Council without amendment.

ADJOURNMENT.

At 11.27 p.m. the House adjourned until Thursday, November 17, at 2 p.m.