

LEGISLATIVE COUNCIL.

Wednesday, September 26, 1951.

The PRESIDENT (Hon. Sir Walter Duncan) took the Chair at 2 p.m. and read prayers.

**LOANS TO PRODUCERS ACT
AMENDMENT BILL.**

Adjourned debate on second reading.

(Continued from September 25. Page 641.)

The Hon. F. J. CONDON (Central No. 1—Leader of the Opposition)—This is not a contentious Bill and therefore I support it. Section 4 of the principal Act provides that the Treasurer is required to set apart to the credit of the fund loan moneys voted by Parliament from time to time for that purpose, but not more than £100,000 in any year. This section also relates to moneys received by the State Bank in repayment of loans and provides that they shall be placed to the credit of the fund, and that money received by way of interest on loans shall be paid to the Treasurer and applied in aid of the general revenue of the State. It is now proposed to provide that the money required for the purposes of the Act shall be paid out of money voted by Parliament. The Act is administered by the State Bank, which is empowered to make advances for various purposes.

The purpose of this legislation is to assist registered co-operative societies engaged or about to engage in rural production, and funds can also be used for the erection and purchase of cool storage factories, the erection of wineries and distilleries, the installation of irrigation plants, and the repayment of loans in certain cases. Advances can also be made to owners of freehold land and holders of land under agreement with the Crown for the purchase of fruit grading machinery, the erection of silos, plant, and fish undertakings. The regulations provide that loans may be granted for periods of 18½, 12½, and 7½ years, according to the purpose for which a loan is made. At the end of June, 1950, a total of £282,916 was on loan to distilleries, butter and cheese factories, fruit packing sheds and fish undertakings. In addition, advances totalling £30,787 had been advanced on Crown leases and agreements which had been cancelled and on land which had not yet been re-allotted or sold. The accumulated deficit is met from revenue. Other amendments in the Bill are consequential, and therefore no exception can be taken to them.

The Hon. R. R. WILSON (Northern)—The honourable member has outlined the Bill very thoroughly and therefore little discussion is needed. Having had several years' experience on the Primary Producers' Committee under the chairmanship of Judge Paine, I got a very good insight into the value of loans to producers. Even in such promising years as the present, when prospects are so bright, such things as rust, frost, take-all and other diseases can occur, resulting in funds being required to assist producers. Under the Bill the fund is to be consolidated, and loans will be made as required. In the Estimates £150,000 is provided for loans to producers. We hope that not much of this money will be required this season. If Parliament considers that more than £100,000 is required there is no reason or power to stop it from granting more and therefore this Bill effects a big improvement in the administrative provisions and obviates embarrassment of the State Bank Board. I support the second reading.

The Hon. L. H. DENSLEY secured the adjournment of the debate.

HOMES ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from September 25. Page 633.)

The Hon. F. J. CONDON (Central No. 1—Leader of the Opposition)—It is pleasing to note that the shortage of building timber has been considerably reduced by the importations of hard woods from Western Australia and Oregon from overseas. At present two interstate vessels, and one from New Zealand and two from overseas are discharging timber at Port Adelaide. The position of some people who are endeavouring to secure homes is becoming desperate and I regret to say that the housing situation is worse than it has ever been, notwithstanding that every effort has been made to improve the position over the past five or six years. Had we been successful in building even 50 per cent more houses in the last few years there would still have been a big shortage. Not a day or night passes when I am not approached by some unfortunate home seeker, and on some days, and particularly at the week-ends, it is not unusual to have three or four such requests. It is very distressing for any member to have to tell these people that their prospects of securing homes are not bright. Today people are still being evicted from homes they have lived in for years and I would not like to be in the

position of a magistrate called upon to dispense justice in these cases. The sole purpose of this Bill is to increase the amount of loan which may be guaranteed by the Treasurer from £1,500 to £1,750 as this has been found necessary through the altered circumstances of the times. I feel sure that 12 months hence we will be called upon to further amend this legislation as well as other measures controlling building materials, prices and so forth. As the Bill will help home purchasers in some slight degree I support the second reading.

The Hon. C. D. ROWE (Midland)—This amendment has become necessary because of increased costs, but I issue a word of warning to people entering into contracts to purchase houses. I have met people who have inadequate housing accommodation for their wives and families, yet who realize that in entering into a contract to purchase a house for £2,500 or £3,000 they may well put a millstone round their necks which they will have difficulty in removing during their lives. Often it is not realized that if a man borrows £2,000 to buy a house and agrees to pay interest on that capital sum at $4\frac{1}{2}$ per cent, and pays rates and taxes as well as maintenance and repairs, he has a standing commitment of at least £2 a week before doing anything towards repayment of the principle. Furthermore, if he agrees to pay off the principle on a loan of £1,750 at the rate of £1 a week it will be 33 years before he has liquidated the liability. For an ordinary wage earner £2 a week for rates, taxes and repairs, plus a further £1 a week towards repayment of principle is rather a heavy commitment, and when one considers the further possibility that at some stage the house will be worth less than what he contracted to pay for it, one feels that the position is not very rosy, and it is one I am careful to place as fully as I can before any person who seeks my guidance and assistance about purchasing a house. I think the Government has done the right thing by increasing the maximum loan to £1,750, but I point out to home purchasers that there is not only the responsibility of getting the loan in the first place, but also that of meeting the liability, which in most cases will remain with the purchaser all his life. People should consider carefully before they enter into these obligations and at least see that what they purchase is a substantial dwelling worth the money they are paying for it.

The Hon. K. E. J. BARDOLPH (Central No. 1)—This Bill has for its purport increasing loans for the building of homes and displays the Government's inability to control essential building materials. Legislation such as this boosts the inflationary spiral. The time has arrived for an over-all review of the building restrictions, not only as regards homes but other structures. People can build $12\frac{1}{2}$ squares without a permit but, as usual, there are some who get around the legislation. It is common knowledge that some people build homes without permits because they come within the protection of the Act and then sell at enhanced values to others in need of homes. Persons who build without permits and sell should not be permitted to rebuild unless they secure permits.

The Hon. F. T. Perry—Do you mean excessive values or enhanced values?

The Hon. K. E. J. BARDOLPH—Some people receive excessive profits from new homes because there is such a demand for them and people are prepared to pay whatever is asked. I support the second reading.

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

HEALTH ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from September 25. Page 644.)

The Hon. N. L. JUDE (Southern)—This Bill is somewhat similar to the Bill introduced a few years ago regarding venereal diseases. That Bill was opposed by many people on various grounds for many years, and it is only recently that the trend of public opinion has become more favourable toward what I feel is desirable legislation. This Bill is linked with the Commonwealth Tuberculosis Act, and on the grounds of uniformity it is necessary that this Bill should be passed. The Commonwealth Government provides funds not only for research work but to pay compensation to sufferers and their dependants who come under the existing Act.

The Hon. K. E. J. Bardolph—Isn't this part of the 10-year agreement?

The Hon. N. L. JUDE—No. If the honourable member refers to the 1951 Commonwealth Year Book he will find that of the two vital clauses of the 1948 Bill one has only just come into operation by regulation and the other has not yet been proclaimed. This is not a general Bill dealing with tubercular sufferers, but is aimed at dealing with

a small minority of sufferers. If the compulsory clauses had to be used it would not amount to more than about .1 per cent of the total cases involved. There are let-outs in the Bill and it is quite obvious that if a person decides to submit to compulsory X-ray he is permitted to go his own way in obtaining treatment. I remind members that this small minority represents a menace to the community and the types of persons mainly involved are chronic alcoholics who are suffering from tuberculosis in an advanced state. When they get ill enough to be put into hospital to undergo treatment, as soon as the urge for alcohol is upon them they leave and it may take a long time to locate them. They might even go interstate and that is one reason why it is desirable that this legislation should be uniform throughout the Commonwealth. I have no hesitation in saying that that type of man is nothing but a menace, and yet some honourable members are prepared to support that tiny minority who are menacing the public, including children.

The Hon. F. J. Condon—Speak for yourself and leave other people alone.

The Hon. N. L. JUDE—I am, but I am entitled to express my opinion on other people's views. To people who in many and devious ways behave objectionably we say in effect, "Go quietly or we will put handcuffs on you," and under this legislation we say, "If you do not do the right thing we will have to resort to firm measures." We are not gaoling them or fining them £1,000, but asking them to submit to treatment. Does any honourable member contend that the man whose health is restored is not given something? Is Mr. Anthony prepared to say that a man's health is not of some value to him? We talk about the liberty of the subject. The answer is that some people want certain members of the community to be at liberty to be a public nuisance. I ask members to consider the practical side of the clause which deals with compulsory X-ray examination. Supposing it appears apparent to the health authorities that a rather strong centre of tuberculosis exists in a particular district and they recommend an X-ray examination be made, what is to be the position? It is highly probable that more than 90 per cent of the people, after proper representation had been made, would be prepared to submit to such a test. The remaining 5 per cent who refuse to undergo an examination will, to the greatest probable degree, include sufferers from the

disease who possibly fear losing their assets and earning power. What is the loss of earning power for a short term of a person's life compared with health regained and the health of others safeguarded?

I shall now refer to Mr. Condon's remarks of yesterday. As usual, his views were well directed, but on scrutinizing them I found they were somewhat ill-founded. The right to compensation is now provided for and has been since July, 1949. Possibly Mr. Condon's figures were not up-to-date. The position today is that a married man with a wife gets an allowance of £6 10s. a week as compensation and the wife can have a £4 exemption on earnings. If there are children each child receives an additional 9s. a week. Let us consider an average family of a man, wife and two children. The compensation would work out at £7 8s. a week plus child endowment. I am not pretending it is a fortune, but it is a pretty reasonable compensation when one considers that the husband or wife is also receiving free treatment.

The Hon. Sir Wallace Sandford—What about the £4 a week exemption?

The Hon. N. L. JUDE—It means that it is possible for such a family to virtually receive £10 10s. a week. Under the existing agreement between the Commonwealth and the States the amount is already being paid. When one considers that there is no means test except on earnings, the amount provided is fairly adequate.

The Hon. F. J. Condon—What does a married man and wife get?

The Hon. N. L. JUDE—£6 10s. a week. Some years ago it might have been possible to apply the honourable member's objection to this class of legislation. We could possibly go back hundreds of years to the witch doctor stage, but today we live in far more enlightened times regarding the scientific research on health. Under the Bill firm action can be taken against the one or two fools or cranks who wish to endanger humanity. If the Bill does that, rather than allow these people to get their own selfish ends, it should be supported.

The Hon. E. ANTHONY (Central No. 2)—This is a subject of great public interest, and at the outset I commend the Government heartily on the wonderful voluntary work it is doing to control what is regarded as a scourge of the human race. I have gone to some trouble to investigate what two of the greatest

countries in the world are doing in this sphere, and I find that the U.S.A., although it has a great deal of legislation on the subject, has not one compulsory provision in any of its Acts.

The Hon. L. H. Densley—Have they done away with tuberculosis?

The Hon. E. ANTHONY—They have reduced it, as we have; the mortality rate is declining annually.

The Hon. N. L. Jude—U.S.A. has the highest venereal disease figures in the world.

The Hon. E. ANTHONY—I am talking about tuberculosis, and those facts should be a little pointer to us. If great countries like Britain and U.S.A., which are faced with a far greater problem than we are—

The Hon. Sir Wallace Sandford—Why?

The Hon. E. ANTHONY—Because of their greater density of population and industrial conditions. In those countries the mortality rate is receding annually, so why do we want this steam hammer to crack a nut?

The Hon. R. J. Rudall—Do you want to stamp it out or merely control it?

The Hon. E. ANTHONY—We do want to stamp it out, but I say that the Government, in its voluntary system, is doing a great deal to stamp it out. The introduction of this Bill has caused a great upset in the minds of many people who have had anything to do with this disease. I served for some years on a committee which was dealing with it in a voluntary way, so I have had some association with the subject. From that experience I gathered that it has to be carefully dealt with. We cannot summarily arrest persons as this Bill provides. Imagine the psychological impact on a man who, because of his infirmity, may come under this Bill. Hundreds of people are worrying about it.

The Hon. C. D. Rowe—There is no power to summarily arrest anyone.

The Hon. E. ANTHONY—On failure to appear twice a man may be apprehended by a constable or someone else.

The Hon. C. D. Rowe—That is only after at least seven days' notice.

The Hon. E. ANTHONY—Perhaps I made a mistake in saying summarily; he can be apprehended by a constable or someone else nominated by the Director-General of Medical Services, and that is going a bit too far. The

Government is doing an excellent job, as is admitted by everyone who has anything to do with these patients. Why not leave it at that? This legislation will result in building up a huge department, for the Director-General will not be in charge; the work will be delegated to some deputy and we will have to provide a number of buildings, or some huge institution, for we cannot put these people just anywhere. The Director-General may suspect that someone has this disease, or he may be informed by someone who wants to get rid of, for example, Mr. Condon, that he has tuberculosis, and put him in an institution for a time. There is nothing fantastic about that. All these things are contained in this Bill.

The Hon. R. J. Rudall—A person would go, on notice, and be X-rayed.

The Hon. E. ANTHONY—I am not usually upset by these things, but when I read that the Director-General may, on notice—

The Hon. R. J. Rudall—Exactly, and a reasonable person would obey the notice.

The Hon. E. ANTHONY—I suppose ninety-nine out of a hundred would obey a notice, but the same proportion would go to a doctor without a notice. Does the Minister mean to tell me that if a man is ill he will wait for the Director-General to send him a notice before seeking treatment?

The Hon. W. W. Robinson—This Bill deals with the one who will not go.

The Hon. N. L. Jude—Do you think he should be let off?

The Hon. E. ANTHONY—We are dealing with drastic legislation simply to control one or two recalcitrants. Doctors say they can manage them, and there is great division of opinion among doctors in regard to this Bill; they are not all happy about it. One or two may want it, and I am not questioning their reasoning, but there are many doctors who do not. Apropos of that I draw attention to the excellent letter in this morning's *Advertiser* by Dr. Hayward, who is absolutely opposed to this method of treating people.

The Hon. R. R. Wilson—They are only concerned about the compulsion part.

The Hon. E. ANTHONY—That is the only part I am concerned about. I do not want to see people robbed of their rights, and we as a Parliament should see that the rights of the individual are preserved. The powers under the Health Act are surely sufficient.

This Bill includes Part IX. of the Health Act, and this is what it imposes on various people:—

127. (1) Where any inmate of any building or part of a building is or is supposed to be suffering from any infectious disease, unless the building is a public or licensed hospital into which persons suffering from infectious diseases are received—(a) the head of the family; (b) on his default, the nearest relative of the inmate present in the building or being in attendance on the inmate; (c) on default by such relative, every person in charge or in attendance of the inmate; or (d) on default by any such persons, the occupier or owner of the building; and in any case (e) every medical practitioner attending on or called in to visit the inmate; shall, so soon as he becomes aware that the inmate is suffering from any infectious disease, report the same to the local board, who shall immediately report the same to the Central Board.

128. (1) Every medical practitioner attendant on or consulted by any person suffering from pulmonary tuberculosis or any other form of tuberculosis shall, so soon as the fact becomes known to him, report the same (together with particulars of the form of tuberculosis from which the person is suffering) to the Central Board: Provided the notification shall not be necessary if the case has been previously reported to the Central Board.

The Hon. R. J. Rudall—That is only notification.

The Hon. E. ANTHONY—What more do we want?

The Hon. Sir Wallace Sandford—That does not get you anywhere. It is reported and then what?

The Hon. E. ANTHONY—Then the medical man comes in.

The Hon. R. J. Rudall—Then what? This Bill is to give them power to act.

The Hon. E. ANTHONY—Does the Minister tell me that if a doctor told him he had tuberculosis he would not immediately seek medical attention?

The Hon. R. J. Rudall—That is the trouble, some will not.

The Hon. E. ANTHONY—Are we going to pass legislation of a drastic nature like this merely to rope in one or two recalcitrant people? It is an offence to the rights of people and it will meet with a very great amount of criticism, and upset quite a number of people who are being treated.

The Hon. R. J. Rudall—Why should it upset them?

The Hon. E. ANTHONY—Because they fear this interference.

The Hon. R. J. Rudall—They have nothing to fear.

The Hon. E. ANTHONY—I know perfectly well that this is a contract entered into by the several States—

The Hon. A. J. Melrose—Has the honourable member ever been X-rayed? It does not reveal one's innermost secrets.

The Hon. E. ANTHONY—Diagnosis does not always reveal the truth either; despite examinations doctors may still be wrong. This Bill is a challenge to the people's rights, and I do not think the Government will accomplish anything but do itself a lot of harm and bring about a great deal of public criticism. I have no objection to the second part of the Bill dealing with dangerous drugs, but I have very strong objection to the compulsory provisions of the first part, and for that reason I intend to oppose it.

The Hon. W. W. ROBINSON (Northern)—Members are aware of the great strides made in medical science in the treatment of the scourge of tuberculosis, and we have arrived at the stage where it can be said that it can be eliminated from the State. We are assured that, provided early and proper treatment is taken, the disease can be eradicated. Some members have taken exception to the compulsory provisions of the Bill, but so far as I can observe we are subjected to compulsion almost from the cradle to the grave. It is compulsory to register the birth of a child. At the age of five or six years we are compelled to send our children to school, and when they reach maturity they are compelled to join a union.

The Hon. F. J. Condon—The only thing that is not compulsory is voting for the Legislative Council.

The Hon. W. W. ROBINSON—If one purchases a motor car one is compelled to register it and take out compulsory third party insurance. All these things are in the interests of the community, and I say that compulsion is introduced into this Bill for the same reason—in order that those who will not obey the notification may be compelled to do so in the interests of the rest of humanity. It has been suggested that a person who is taken away from his work for treatment should be compensated for loss of wages. Mr. Jude dealt with that

aspect, but even if he were not compensated for loss of wages and that loss would be severely felt by his family, I suggest that if he were not treated he would soon become a total loss to the family, either by death or incapacity. If we tighten up our regulations so that we can deal with those who will not voluntarily be treated we can look forward to the elimination of this scourge from our midst. I recall quite well a commercial traveller from one of our leading city firms whose territory was in the north of the State. He became affected by tuberculosis and had to go to "Kalyra." His place was taken by a man who said to me in the train, "Poor old Jack has had to go to Kalyra. He was not a bad sort and I feel very sorry for him." Within 12 months this man himself went down with the same trouble, which he did not suspect, and within a year had passed away. The man who took his place was again the man who was sent to Kalyra and he remained in the employment of his firm for at least another 30 years. I think that clearly

illustrates the importance of prompt remedial treatment. I support the second reading.

The Hon. F. T. PERRY secured the adjournment of the debate.

PHARMACY ACT AMENDMENT BILL.

In Committee.

(Continued from September 25. Page 644.)

Clause 3 "Branch business."

The Hon. F. J. CONDON (Leader of the Opposition)—Mr. Bardolph has advised me that he is quite satisfied with the assurance that if the clause is not workable the Government will reconsider the points he raised.

Clause passed.

Title passed.

Bill reported without amendment and Committee's report adopted.

ADJOURNMENT.

At 3.02 p.m. the Council adjourned until Tuesday, October 2, at 2 p.m.