

LEGISLATIVE COUNCIL.

Thursday, August 27, 1953.

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

SUPPLY ACT (No. 2).

His Excellency the Governor intimated, by message, his assent to the Supply Act (No. 2).

QUESTION.**NEW STEEL WORKS.**

The Hon. E. ANTHONY—Has the Chief Secretary's attention been drawn to an article which appeared in yesterday's *Advertiser*, reported to have been made by the Director of Mines, wherein it was stated that the director suggested that a new steel mill be established in opposition to the Broken Hill Pty. Coy. Ltd? Was the director speaking on Government policy and, if not, for whom was he speaking?

The Hon. A. L. McEWIN—I saw something in the *Advertiser* which was raised as a result of the director's report. As indicated, the report was not a Government one, and I am unaware that any suggestion was made that the Government would be interested in establishing works in opposition to the Broken Hill Pty. Coy. I do not think that that was suggested.

The Hon. E. Anthony—Yes, it was.

The Hon. A. L. McEWIN—I read the report, which I think the honourable member saw as soon as I did. As I read it, the director suggested a company which would be supported by the Government and the Broken Hill Pty. Coy. That is the impression I gained by a cursory glance. To suggest that there was a proposal the Government should start in opposition to the company is quite contrary to any idea I had on the matter.

**FOOD AND DRUGS ACT AMENDMENT
BILL.**

Second reading.

The Hon. A. L. McEWIN (Minister of Health)—I move—

That this Bill be now read a second time.

Section 27 of the Food and Drugs Act requires vendors of milk to be licensed by the appropriate local authority or by the Central Board of Health and, among the powers given

by section 61 to the Governor to make regulations, is included a power to make regulations relating to the licensing of cowkeepers, dairymen and vendors of milk and for ancillary matters. These licensing provisions must be read in conjunction with section 39 of the Metropolitan Milk Supply Act which provides that the holder of a milk producer's licence or a milk treatment licence under that Act and the premises upon which he is licensed to produce milk or cream or, as the case may be, he is licensed to treat milk, are not to be subject to section 27 of the Food and Drugs Act or to any regulations made under section 61 of that Act. The provisions of section 27 of the Food and Drugs Act apply only to the sale of milk and not to the sale of cream, although it should be noted that the Metropolitan Milk Supply Act applies both to milk and cream.

The Central Board of Health has recommended that the operation of section 27 of the Food and Drugs Act be extended to include the sale of cream and has pointed out that cream should be regarded as being in the same category as milk and that it is subject to the same possibilities of contamination as milk. It is considered that if the control of the sale of milk is necessary in the interests of public health, similar control is also necessary in the case of cream. Accordingly, clause 2 amends section 27 of the Food and Drugs Act so as to extend the scope of the section to include the sale of cream, whilst clause 3 extends, in a corresponding manner, the power given by section 61 to the Governor to make regulations. Clause 2 is drafted on the basis that every licence to be issued under section 27 will, in future, be a licence relating to the sale of both milk and cream. In practice, most vendors of cream are also vendors of milk and it is considered that the one licence should suffice for both commodities.

It is also provided by clause 2, in conformity with this policy, that every existing milk licence will, whilst it remains in force, be deemed to include cream. Thus, if a person now holds a milk vendor's licence this will automatically apply to the sale of cream. If, however, a person sells cream only and not milk he will be required to obtain a licence under the section which will, as will all future licences, be a licence covering the sale of both milk and cream.

The Hon. K. E. J. BARDOLPH secured the adjournment of the debate.

PUBLIC PURPOSES LOAN BILL.

Adjourned debate on second reading.

(Continued from August 26. Page 509.)

The Hon. K. E. J. BARDOLPH (Central No. 1)—It is not my intention to discuss every item in the first schedule of the Bill but it is totally unfair for the Government to introduce such measures and expect members to dispose of them in two or three days. I have protested previously and I reiterate that protest. Yesterday Sir Wallace Sandford referred to the establishment of the financial agreement. It think it is time this and other State Governments approached the Commonwealth Government for the purpose of reviewing certain provisions in that agreement in order that they might meet present day exigencies. The financial agreement was introduced in 1927 by the Bruce-Page Government at a time when many of the States were hopelessly in debt.

The Hon. Sir Wallace Sandford—Not hopelessly.

The Hon. K. E. J. BARDOLPH—Yes, and that was the reason given by the Bruce-Page Government for introducing the agreement. Various State Governments were then entering the investment field and offering high rates of interest for their loans. In order to establish some form of stabilized interest rate the financial agreement was introduced and ratified by the States, and the Loan Council was established.

The Hon. R. J. Rudall—Wasn't that done by an amendment of the Constitution?

The Hon. K. E. J. BARDOLPH—Yes, it was suggested to the States and a referendum was held. Subsequently, the Constitution was amended. Similarly, the Commonwealth Constitution, when framed, was thought to safeguard certain possibilities but it does not meet circumstances that arise under present conditions. I shall not trace the history of the Loan Councils as Sir Wallace Sandford has already done so. He played a prominent part as a member of the Commonwealth Grants Commission, and is familiar with the difficulties confronting the Commonwealth and State Governments regarding loan money. I suggest that the real purport of the financial agreement and the Loan Council has been lost sight of and the Loan Council has in effect become the dictator of the various State Governments as to what loan money will be available for developmental works. In effect, it has become the centralized controlling body of loan money.

I have heard it said in this Chamber that members do not believe in a policy of centralization and favour decentralization but the present effect of the financial agreement is to thwart the efforts of the electors of the States in carrying out much needed developmental projects. The financial agreement was welded into the Constitution and the Loan Council was established when the necessity for development in the States was not as great as now. The population was much less and the Governments were not embarking upon large undertakings. Today the Commonwealth Government is engaged in the Snowy River scheme and the South Australian Government is concerned with the development of the Leigh Creek coalfield, the extension of the activities of the Electricity Trust and the development of uranium, but none of these projects was envisaged when the financial agreement was ratified. It is time for this and other State Governments to decide on a concerted policy to regain their sovereign rights and, if necessary, a referendum should be submitted to the people. In the first schedule an amount of £1,050,000 is provided for advances to homes. There are three institutions today which have the same purpose, the State Bank, the Savings Bank, and the Housing Trust, all of which lend money for home building.

The Hon. F. T. Perry—There are other financial institutions which will advance money.

The Hon. K. E. J. BARDOLPH—I am referring to those institutions which have a direct Government flavour. I do not deery the activities of those institutions because they are doing their work efficiently and I am convinced that their officers are imbued with the spirit of advancing their activities for the welfare of the people of the State. However, it is anomalous that there should be three semi-Government institutions concerned with the same work. I have always advocated that the building and letting of homes should be under the control of one housing authority. It may be the State Bank which has had years of experience and whose officers have been trained and are efficient in deciding advances for homes, or it may be that a housing commission should be established. In 1945 the Commonwealth Government passed an Act relating to the Commonwealth and State Housing Agreement and in 1945 this Government passed similar legislation and became a party to that agreement. The provisions contained in the Commonwealth Act were incorporated in the State Act. In that agreement it is provided that the

Commonwealth will advance money to each State:—

6. (1) The Commonwealth will advance to each State the moneys heretofore expended in the carrying out of a housing project or projects and the moneys that shall be hereafter required for the carrying out of the State's housing projects as notified to the Treasurer of the Commonwealth from time to time pursuant to clause 7.

It is only in recent months that the State Government has availed itself of the provisions of this agreement. We passed amending legislation enabling the Savings Bank of South Australia to lend the Government some millions of pounds for carrying out its housing scheme through the Housing Trust. Members will probably say that this loan carried a rate of about two per cent, but no member here objected to the proposal. However, it was limited to the funds available to the Savings Bank and today the bank is not lending for home building beyond a maximum of £1,500 or £1,600 for each applicant. That brings us back to the amount which the State Bank can lend to prospective home builders under the Advances for Homes Act. The Government has not availed itself fully of the provisions of the Commonwealth agreement under which any number of houses could have been constructed and the Commonwealth would have been compelled to provide the full amount of money needed. Consequently it is unnecessary that the Government should take money from the Loan fund for home building as is proposed in this measure.

I now wish to comment on an item under the heading, "Miscellaneous—Expenses and discounts of floating conversion loans—£100,000." I do not object to full payment for services rendered, but this seems to be a large sum to pay for floating conversion loans. During both world wars the Commonwealth Bank floated all loans at a much lower charge than the customary fee of the underwriters and I wonder whether the State Government has considered using the State Bank as the vehicle for the flotation of conversion loans, thereby saving a large amount to the taxpayers.

The Hon. F. T. Perry—Was the Electricity Trust loan underwritten?

The Hon. K. E. J. BARDOLPH—I do not know. I am not talking about that. The next item is—"Leigh Creek coalfield—£700,000;" immediately following that is an item of £4,200,000 for the South Australian Electricity Trust. Those two items amount to

nearly £5,000,000. Some weeks ago I asked a question as to the amount of interest paid on Electricity Trust debentures, and it ran into many thousands of pounds. I am not suggesting that a dividend rate should not be paid on debentures.

The Hon. R. J. Rudall—Not a dividend rate, surely?

The Hon. K. E. J. BARDOLPH—We do not want to split straws; it is an interest rate. I simply want to know how this money is to be expended. The trust recently went on the loan market for £1,000,000 and now it is to have nearly £5,000,000 more from this Loan fund. I am not denying that it may be necessary. The trust is supposed to be free of Government control, but nevertheless Parliament is asked to vote the money and surely we have a right to know how it is to be expended. It is not decriing the activities of the trust for members know that had it not been for the vote of the Leader of the Opposition and his colleagues the South Australian Electricity Trust would not have been established. The trust took over a paying concern; there is no denying that because it was paying dividends, yet only two years ago it showed a deficit of £5,000 and only this year has it showed a small profit. Vast amounts are being paid away in interest and the trust is still coming to the Government for millions of pounds. Therefore, we should have a detailed statement of the expenditure on this undertaking.

The Hon. R. R. Wilson—Is it not to complete the Aroona dam?

The Hon. K. E. J. BARDOLPH—I do not know.

The Hon. E. Anthony—It is all in the Minister's statement. The honourable member is talking wildly.

The Hon. K. E. J. BARDOLPH—My next point deals with the Industries Development Act, for which £10,000 has been set aside—a small amount necessary to keep the sum provided for under the Act up to its quota. I pay a tribute to other members of the committee, all of whom played a prominent part in the establishment of industries in South Australia. The Adelaide Cement Company was assisted in the reorganization of its plant and the installation of new machinery, which is run on a most efficient basis from the executive down to the workmen. They are imbued with a desire to make a success of the undertaking. The managing director, Mr. Schroeder, is a most capable executive officer, who placed most valuable information before

the committee. I pay a tribute to these men for their attempt to step up the production of building materials.

The Hon. R. J. Rudall—Who referred the project to the committee?

The Hon. K. E. J. BARDOLPH—The Attorney-General should know that there was no written application by the Treasurer and before the committee could deal with the project the company had to write to him and he referred the matter to the committee. The necessary money would not have been made available by the Government had the committee not been unanimous in its report. The same thing applies to the development of the pyrites deposit at Nairne where three fertilizer companies, with the active support of the Broken Hill Pty. Co. Ltd., made representations to the Government for assistance. The committee realized that the proposal was a good one in the interests of South Australia and recommended that a certain sum be guaranteed by the Government. The committee has several large projects before it for inquiry. An amount of £2,000 has been set aside for loans to producers under the Advances to State Bank Act, and calls for some comment. The amount set aside shows the buoyancy of the State and follows the policy of the Chifley and Curtin Labor Governments. Although we are perhaps not so much now, as formerly, an agrarian State the man on the land is in a far better financial position than ever before.

There is also the question of land repurchase for closer settlement—£5,000. There is an agreement between the Commonwealth and State Governments to compulsorily acquire or purchase land for the settlement of ex-servicemen from World Wars I. and II. which must, first of all, be ratified by the Commonwealth Treasury. The Governor's speech points out that only 720 soldiers have been settled, but I do not know whether that is due to the ineptitude of the Menzies Government. If so, it is open to a lot of criticism. The Land Settlement Committee, appointed by this Parliament, has been working particularly hard in viewing estates and has made several recommendations. If the Commonwealth Government is withholding finance for this purpose it is time that this Government looked into the matter. I would like to see the Government, after having settled ex-servicemen, go further and purchase or compulsorily acquire land on which to settle civilians. It is not so easy, I know, where people have landlocked acres, but I have heard Sir Wallace Sandford say

that the world is starving for wheat, meat, butter and flour. Statistics show us our land is being denuded of its labour and a policy of a greater aggregation of land has been pursued.

The Hon. Sir Wallace Sandford—The 40-hour week will not help in that direction.

The Hon. K. E. J. BARDOLPH—That matter has been settled by a properly constituted tribunal. I shall not go into details about the £3,096,000 set aside for the production of radium. I have read press reports that the major deposits in the Northern Territory are being developed by private enterprise under a form of semi-governmental control. I compliment both Houses of Parliament in this State which passed certain legislation providing that private enterprise could not control our deposits and that any benefits accruing therefrom would go to the people. In conclusion, I again protest against the haste with which the Government desires the Bill to be passed.

The Hon. F. T. PERRY (Central No. 2)—Mr. Bardolph complained that this Chamber has not had sufficient time to consider the Bill. That may be so, for a few days, but I am comforted by the fact that it has been fully considered by another House. It has, moreover, been considered by the Loan Council, and the greatest consideration was given to it by the Government and its administrative staff. We can rest assured that this formidable list of Loan expenditure has received the consideration it deserves. However, we have to accept the responsibility for passing the measure. The amount set out in the Bill startles me. I pay a tribute to the Chief Secretary, who was acting as Premier during the latter's absence abroad, for his work at the Loan Council. Others who have watched the expenditure of Loan moneys in Australia have noticed the inability of the States to spend it satisfactorily. Mr. Bardolph spoke somewhat disparagingly of the work of the Loan Council. There is a disturbing feature about our financial position and the way in which we are going. One section feels that we can spend *ad lib* and the distribution of £232,000,000 or £300,000,000 was suggested by responsible people who attended the Loan Council meeting. I understand that the Loan Council agreed that an amount of £200,000,000 should be raised from loans. The restraining influence of the Loan Council is obvious, but it is unfortunate that that decision was not unanimous. One State was opposed to the views of the other five. It may be a coincidence that there was a division

between Liberal and Labor thought but it does indicate that the thinking section of the Liberal Party believes that the expenditure of Loan money should be curtailed or limited. I congratulate the Chief Secretary when, as Acting Premier, he referred to the necessary limiting of Loan expenditure.

The Hon. E. Anthoney—He said what millions were thinking.

The Hon. F. T. PERRY—Yes, and I congratulate him on making that statement which is approved by most thinking people in this country. It has been comparatively easy to obtain Loan Money in Australia in the past, and it is a fact that this and other State Governments have applied for amounts in excess of those granted. I believe this State at one stage sought £40,000,000. Last year, when we approved of the expenditure of £29,000,000, much concern was expressed at it being insufficient for our requirements, but only £25,000,000 was spent.

The Hon. F. J. Condon—Materials were not available.

The Hon. F. T. PERRY—That may have been so and labour may not have been available, but that should be considered. We should know the amount which can be spent to advantage and it is a disadvantage if loan money can be available in unlimited quantities. I would rather have restrictions placed upon it to ensure that attention is paid to expenditure and to the resultant return. Loans are necessary if we are to develop the country. Revenue expenditure is perhaps better than Loan expenditure, so long as taxation is not too heavy, in meeting the requirements of the country, but from a State viewpoint I do not know whether it is just. Last year the Commonwealth spent about £100,000,000 of revenue on capital works. If the bulk of that money were spent on the Snowy River scheme, South Australia, Western Australian and Tasmania would not derive much benefit from it.

The Hon. Sir Wallace Sandford—They are being taxed to provide it.

The Hon. F. T. PERRY—Yes, but they receive no compensation by way of additional facilities or improvements in their own States. The Commonwealth's revenue expenditure for capital works should be shared by the States and the Commonwealth should raise its proportion of loan money in the same manner as the States. When comparing the amounts contained in the schedule one can readily see a similarity to those contained in last year's Bill. Last year the amount voted was £29,000,000 and this year we are considering the expenditure of £27,000,000.

One expects a difference in the amounts voted to the various projects each year, but there is a definite similarity.

The Hon. F. J. Condon—Many projects have been in progress for some years.

The Hon. F. T. PERRY—Yes, but surely at some stage we will meet those requirements.

The Hon. E. Anthoney—Housing, for instance.

The Hon. F. T. PERRY—Yes, we should overtake those requirements in time. One item, however, does differ and that relates to uranium production. Last year £3,803,000 was voted, but this year it is £3,096,000. I believe that last year only about £2,000,000 was spent. Does the balance lapse or is this amount to be added to it? I presume that money which is not actually spent lapses and must be re-voted and this amount probably includes expenditure on some of the proposals which should have been completed last year. So long as the money is voted the Government can expend the total sum on any of the items and is not restricted to the actual amounts indicated in the schedule. Loan money is necessary for the development of a young country, but I am glad that some regard is being paid to the amount borrowed. Loan expenditure should at least return interest rate and not result in increased taxation. A number of items in this schedule cannot possibly be revenue-producing, such as hospitals and education, and must result in increased taxation not only to meet interest rates but for the redemption of the loan. That is necessary in some things but when we tackle such an item as £3,000,000 for railway accommodation I think this Council and the people should be able to feel that there is some possibility of that money earning an interest and redemption rate instead of being a tax on the community.

The Hon. E. Anthoney—What are the honourable member's views on the administration of the railways?

The Hon. F. T. PERRY—They provide a necessary service and are subject to a good deal of competition from sources not contemplated when the railways were built. I also think that railway revenue suffers from insufficient return for services rendered. We must realize that the prosperity of the country and of many users of the railways was never greater than it is today. It follows, therefore, that if the burden of the taxpayer will be increased at the rate of £3,000,000 a year, as has been the case in the past few years, we should be concerned about it. I support the

Bill and hope that those responsible for expenditure of the money will have in mind the interest of the country and spend it to the best advantage.

The Hon. C. D. ROWE (Midland)—I congratulate Mr. Perry on his excellent speech because I feel with him that we are spending more loan money than is probably wise, but I think that the economy of the country is on a sounder basis than it has been for several years. Although we are to spend a large amount during this financial year we will probably get better value from it than we have done for some time.

The Hon. E. Anthony—Why should the honourable member think that?

The Hon. C. D. ROWE—Because I can detect, generally speaking, that far more effective work is being done in a lot of places than for some time past; there is a tendency in some cases for costs to decrease which means that more can be done for the same money. For that reason I think that Governments as well as private individuals should watch that tendency and, wherever possible, postpone work for a time. I have in mind particularly farmers who have urgent capital works to carry out—new fences and new sheds and so forth. With the situation as it stands, and with the possibility that their incomes will not be so great I think the less urgent of these works should be postponed, and that goes for the Government as well as for private individuals. At the same time, looking through the detailed explanation of this expenditure, it is most difficult to suggest any items which could be deleted.

The Hon. R. J. Rudall—That is the test, is it not?

The Hon. C. D. ROWE—It is, but the Government is in the same position as numbers of individuals. The money it can usefully expend exceeds the amount actually available, and in making the choice between the more urgent and less urgent works the Government has done a particularly good job. It is unfortunate—although I do not see how it could be otherwise—that we are not given more information on some of the major items of expenditure. For instance, the only explanation given of the £3,096,000 to be spent on uranium production is that the money is required for capital and operating expenses. I have not the slightest notion as to the manner in which that money will be spent, and we have to rely on the officers of the department as to whether it will be properly applied and what the result will be.

The Hon. R. J. Rudall—You are not quite correct in saying we have to rely on the officers.

The Hon. C. D. ROWE—I admit that the expenditure has to be approved by the Minister, but when we are asked to explain details to any of our constituents we are quite at a loss to do it, which means that a tremendous amount of confidence has to be placed in the Minister and his department.

The Hon. F. J. Condon—In other words, you have a certain amount of doubt about the Government?

The Hon. C. D. ROWE—I have none whatever. We are justified in placing that confidence in the Government when we turn to the next item—the amount proposed to be made available to the Electricity Trust. The total sum is £8,089,000. The only figure shown in the schedule is £4,200,000, because £2,000,000 is to come from private loans under the provisions of the Loan Council, another £1,000,000 from public loans, and then there is a credit of £889,000 from depreciation funds and stores available. In respect of this item, however, there is considerable detail as to the manner in which the money will be spent. Those who know what the extension of electricity supplies has meant in country areas will realize that the Government has been wise in its policy and it now appears that the trust will not be a burden on the taxpayers, but will be a revenue-producing enterprise. I have been amazed to realize the value the trust has proved to be to country towns. I live at Maitland and before the trust came there we had quite a good electricity plant. I think it true to say that since the town has been connected to the trust's mains the consumption of electricity in Maitland has more than doubled, which means that the people are enjoying electrical amenities to a much greater extent than they did previously.

The Hon. F. T. Perry—Is it cheaper?

The Hon. C. D. ROWE—It is cheaper at present. That shows that it is worthwhile carrying these extensions to the country and I congratulate the Government on its foresight in this matter. In years gone by we have had to accept the Government's statement that it was worthwhile putting money into this enterprise, but now we are seeing the results of that foresight and that gives us confidence to expect that we will see equally satisfactory results from the expenditure we are voting for uranium production.

The Hon. S. C. Bevan—Don't you think that expenditure should have been submitted to the Public Works Standing Committee?

The Hon. C. D. ROWE—I presume that was not necessary or it would not have got through another place. I am pleased to see that an amount of £1,300,000 is set down for the Woods and Forests Department, and that of that amount nearly £98,500 is to be spent on the preparation of land for additional planting. We all know what the financial results of our forestry undertaking has been, and that we are to expend almost £100,000 in extending plantings is very gratifying to me because it is something of a revenue-producing nature and of great value to the State.

Like Mr. Perry I am sorry that it is still necessary to provide £3,000,000 for our railways. I am inclined to agree with him that the time has come for some revision of rates and that they should produce revenue more nearly equal to the costs involved. I find it rather difficult to understand the details in connection with this item. For example, under the heading of "Rolling stock," the first item is—10 diesel electric motors, 5ft. 3in. gauge, £102,408 each, but the total Loan money available for that purchase is only £5,000. We have no information as to whether that represents the first or the final payment on these locomotives. We do not know how many have been paid for, or how many are still to be delivered, and that comment applies to the whole schedule of rolling stock. We are entitled to know how much of this new rolling stock has been paid for and how much further towards complete payment these amounts will take us.

I also note that we have to make another £600,000 available to the Municipal Tramways Trust. The sum of £350,000 is to be advanced for passenger vehicles and the remaining £250,000 for workshops, machine tools, servicing depot, converter stations and restoration of roads. I realize that since the report on the operations of the trust has been presented not a great deal of time has elapsed to enable the trust to put into effect the necessary measures to result in saving, but it appears to me that, as the report indicated that certain feeder services operated by the trust were not paying but would show a profit if operated by private licensed operators, more steps might have been taken to allow private enterprise to take them over and thus relieve ourselves of a liability, while giving the public an equally efficient service. I have great confidence in private operators. I have lived on Yorke Peninsula all my life and one of my earliest recollections of coming to Adelaide is in an open tourer motor car—a service operated

by two men in partnership. Although these men now operate separate services they have provided all the passenger transport from Yorke Peninsula during the whole of those 25 years. Today they both operate a most efficient service, with modern vehicles run to a fixed timetable. We are not troubled with strikes and similar difficulties and over the whole period the cost to the Government has been negligible.

The Hon. F. J. Condon—They have no opposition and have a pretty good go.

The Hon. C. D. ROWE—I am aware of that, but if we can do it without involving the Government in any financial loss it is time consideration was given to adopting that principle in the metropolitan area. I do not suggest that all transport services in South Australia should be run by private enterprise, but I do suggest that certain services run by the Tramways Trust which are not paying should be handed over to private enterprise.

The Hon. F. J. Condon—In other words, give them the plums.

The Hon. C. D. ROWE—I do not suggest that, but we should take away many services from the trust which do not pay. The people should not be called on to subsidize any losses, when they should not be incurred, and we should see that any losses made by the trust are reduced to a minimum.

I am pleased that some consideration is to be given to the needs of Yorke Peninsula. Under the heading of Harbors Board, £12,700 is to be spent at Edithburgh on trucks, stacking areas and lighting. I know of the difficulties that have occurred and am sure that the money will be wisely spent. The question of a water supply for Yorke Peninsula is not new and has been raised over a long period, but the sum of £290,000 to be spent during the current year will undoubtedly give it a degree of progress which will be most satisfying to people living there.

I notice that £84,000 has been set aside for the construction of high schools at Naracoorte and boys high schools at Brighton and Minlaton. I am pleased that a contract has been let for a high school at Minlaton and I am glad that the vote will enable work to proceed. Provision has been made for the expenditure of £310,000 for portable school buildings. I realize, when I visit country areas, the tremendous help these buildings have been in solving the numerous problems connected with accommodating children and the money

will be a great help in this direction. I congratulate the Government on the careful way in which the Estimates have been prepared and on the manner in which the total amount has been apportioned. I support the Bill.

The Hon. R. R. WILSON secured the adjournment of the debate.

POLICE OFFENCES BILL.

Adjourned debate on second reading.

(Continued from August 25. Page 473.)

The Hon. F. J. CONDON (Leader of the Opposition)—I desire, first of all, to say how I appreciate the Attorney-General's action in giving members a full explanation of the Bill. As a member who has to study Bills closely I obtain a great amount of assistance by studying their provisions. However, I have never known a more vicious and unreasonable measure. I refer to the heavy penalties that are provided and seriously ask the Minister to reconsider withdrawing the Bill and redrafting and resubmitting it to give it a reasonable chance of being passed by the Council. Three estimable gentlemen were appointed as a committee to submit a report to the Minister on the question. First of all we had a Magistrate of high standing, Mr. Johnston, S.M., who administers the Act. We also had Inspector O'Sullivan, the Police Prosecutor, and thirdly a legal man, a member of Parliament, whose duty I thought it was to try to make it as lenient as possible for the people he defends. I have every respect for the three gentlemen concerned, but I am not afraid to say what I think as this is a most serious matter.

Let members examine the clauses. As regards unlawful possession, the onus is placed on a defendant to prove that he is not unlawfully in possession. Any police officer could come to me and say, "I suspect that you have got a certain article in your house. Where did you get it?" I might reply, "I cannot remember where or when I got it," and do not see why the responsibility of proving the matter should be placed on me. I cannot understand why there is any necessity for an alteration of the law.

The Hon. C. D. Rowe—I think I could explain, without much difficulty, where most of the things in my house came from.

The Hon. F. J. CONDON—I doubt it. We should not say that every person who is suspected is not an honest citizen and I am not prepared to give those in authority this right.

The Hon. R. J. Rudall—I do not think there is any alteration to the law of unlawful possession.

The Hon. F. J. CONDON—It is proposed to place the onus on defendants.

The Hon. R. J. Rudall—It is the same as the existing provision.

The Hon. F. J. CONDON—I am speaking about clause 5—proof of lawful authority. These things have been pointed out to me by members of the legal profession but if the Attorney-General can prove I am wrong I will be the first to admit it. The Bill proposes to allow the Commissioner of Police to give any police officer a search warrant. I cannot understand the necessity for the alteration. It is only reasonable to expect the police to apply to a justice of the peace for a search warrant. It is a matter that requires serious consideration and if the Minister is not prepared to withdraw the Bill I shall oppose the clause when it is in Committee. I agree with some penalties included in the Bill. Clause 2 states that the date of commencement of the Act is to be by proclamation, while clause 3 repeals sections 21, 56 to 134 and 139 to 151, inclusive. Clause 6 deals with assaulting and hindering the police. The present penalty varies from a fine of £20 to a term of six months' imprisonment but it is proposed to increase the penalty to £100 or 12 months' imprisonment, or both.

The Hon. R. J. Rudall—They are maximum penalties.

The Hon. F. J. CONDON—Exactly. Frequently, a judge or magistrate, when dealing with a case, refers to Parliament's decision and has stated that Parliament must have thought the offence was serious or it would not have fixed that penalty. I do not want to be told that I agreed to fixing the penalty too high. In some cases the penalties are not high enough, but it is time that strong objection was taken to excessive penalties. The penalty for hindering the police is raised from £10 or three months' imprisonment to £50 or six months' imprisonment, or both. Clause 7 provides for a uniform penalty of £50 or three months' goal for all offences under sections 75, 76 and 83 (c) of the Police Act in lieu of various lower penalties at present in force. Clause 8 increases the penalty for challenging to fight from £20 to £50. Clause 11 relates to the refusal to pay for meals or accommodation and extends protection to proprietors of restaurants and lodging houses. The penalty is reduced from six

months' imprisonment to three months' or a fine of £50. Clause 17 relates to persons being unlawfully on premises and the present penalty of six months' imprisonment is altered to a fine of £50 or six months' imprisonment.

Under clause 22 the penalty of £5 or two months' imprisonment for indecent language is increased to £50 or imprisonment not exceeding two months. Clause 37 relates to frauds on charitable institutions and the present penalty of six months' is altered to £100 or 12 months. Clause 41 relates to unlawful possession. The onus on the defendant of proving that his possession was innocent will be satisfied if he proves that fact on the balance of probabilities instead of beyond reasonable doubt. Under clause 49 the penalty for extinguishing street lamps is increased from £2, under section 122 of the Police Act, and £5 under section 122 (h), to £25. Clause 50 provides that the penalty for unlawfully ringing house bells will be £10 instead of £2. Ringing house bells is essentially a boyish prank but the penalty of £10 will not be paid by a child but by his parents. The provision of such a penalty is, in my opinion, monstrous. Clause 54 increases the penalty of £2 to £5 on street musicians. In future, if a person plays a mouth organ in the street it will cost him £5. Clause 57 provides a penalty of £25 for depositing rubbish on other people's land without consent or other authority. Clause 64 enables councils, which have power to put stickers on motor cars, to increase the payment for such a minor traffic breach from 10s. to £1. Apparently, they require more revenue and 10s. is not sufficient for such a breach. Clause 66 relates to compounding information and complaints and the penalty is increased from £10 to £50.

There are 85 clauses in the Bill but I have referred to only some of the ridiculous penalties prescribed. I favour the police being given every possible assistance because they have a job to perform. A magistrate must carry out his duties in accordance with the law but Parliament prescribes the penalties and the magistrate must be guided by them. I am not going to be a party to some of the penalties in this Bill and if the Minister is not prepared to do as I suggest the Opposition will fight this Bill in Committee. We do not want to be obstructionists but we will not support anything which is unfair or unreasonable.

The Hon. Sir WALLACE SANDFORD secured the adjournment of the debate.

AUCTIONEERS ACT AMENDMENT BILL.

Received from the House of Assembly and read a first time.

WILD DOGS ACT AMENDMENT BILL.

Received from the House of Assembly and read a first time.

VERMIN ACT AMENDMENT BILL.

Received from the House of Assembly and read a first time.

PUBLIC SERVICE SUPERANNUATION FUND ACT AMENDMENT BILL.

Received from the House of Assembly and read a first time.

PASTORAL ACT AMENDMENT BILL.

Second reading.

The Hon. R. J. RUDALL (Attorney-General)—I move—

That this Bill be now read a second time. It makes two amendments to the Pastoral Act, 1936-1950. Under the Pastoral Act Amendment Act, 1950, provision was made for the appointment of a fourth member to the Pastoral Board in order to leave the remainder of the board free to act as Land Court for the Northern Territory, in accordance with a request made by the Commonwealth Government. It was provided by that Act that any person so appointed should not hold office after December 31 of this year. Up to the present, the board has not been appointed to act as Land Court for the Northern Territory, but it is expected that the appointment will be made shortly, so that it has become desirable to extend or remove the limitation on the term of office of the fourth member of the board. The Government believes that the best course will be to remove the limitation altogether. Clause 3 makes the necessary amendment to section 7 of the principal Act. Section 95 (2) of the Act provides that where a lessee holds several leases which expire at different dates the term of those first expiring may be extended for a period up to three years to enable the expiration of the various leases to coincide. The Director of Lands has advised that the maximum period of three years under this provision is not sufficient to produce the simultaneous expiry of leases in many cases, and recommends that no maximum period be fixed. Accordingly clause 4 makes the necessary amendment to section 95 (2) of the principal Act.

The Hon. R. R. WILSON secured the adjournment of the debate.

HEALTH ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from August 25. Page 475.)

The Hon. J. L. COWAN (Southern)—These amendments are designed to improve the general standard of the health of the people, particularly in country townships. The Bill restores to local boards of health the control of offensive and obnoxious trades. It also affords them control over the sanitary requirements of new buildings in country townships where the Building Act does not apply and requires that plans and specifications must be lodged for examination prior to the commencement of any building. The Bill tends to increase the duties and responsibilities of officers of country councils and local boards of health, but I am sure that the advantages to be derived from these amendments will far outweigh the extra work entailed. The application of section 123 of the Health Act to all country towns to which it does not already apply will, I think, tend to bring about a greater number of councils adopting the Building Act and thereby having full control over buildings, and not merely in regard to ventilation, drainage and sanitary requirements. This would be a good move, but the difficulty is the shortage of qualified building inspectors in country areas. I know of country councils that have adopted the Building Act but cannot obtain the services of qualified inspectors. Their only alternative is to submit plans and specifications to qualified persons in the metropolitan area, but from that point on there is no supervision over the actual building operations.

The Hon. K. E. J. Bardolph—Could they not do it on a group basis?

The Hon. J. L. COWAN—That has been attempted, not only in respect of building inspectors, but health inspectors, where the same difficulties arise. I am given to understand that the qualifications of an inspector under the Building Act are fairly high and that they could be reduced with advantage, particularly for inspectors operating in country townships.

The Hon. K. E. J. Bardolph—Once you reduce the standard of inspectors you reduce the standard of building.

The Hon. J. L. COWAN—I do not think that that would always be the case because there are few complicated buildings in small country towns and there are many people capable of adequately supervising the erection of ordinary dwellings who could not now qualify as inspectors. It would be far better to have a less qualified person exercising proper control as the

work proceeds than to have the existing position when there is no actual control of building operations. Without any danger I think the standard of qualifications of building inspectors could be slightly reduced in order that more country towns could obtain the services of such officers.

The Hon. R. J. Rudall—It might be very dangerous.

The Hon. J. L. COWAN—It could be, but I think this request has been made by the Local Government Association.

The Hon. K. E. J. Bardolph—The work could probably be done by having a panel of qualified people.

The Hon. J. L. COWAN—It might be done by a number of councils combining, but we have a similar problem in the South-East in regard to inspectors of health. Several councils have endeavoured to bring about a group system, but it does not seem as though it can be made workable. I would like to pay a tribute to the Central Board of Health and local boards of health for the important duties they are performing in the maintenance of the general health of the people. They are doing it in an efficient and capable way in the face of unsatisfactory conditions in many country localities. I refer particularly to the disposal of sewage in some of our most important country towns. Whilst it remains in its present state it must constitute a menace to the health of the people and could lead to severe epidemics. These have been avoided only by the vigilance and prompt action of our country health officers.

The Building Act has already been adopted by 44 of the 100 councils throughout the State and therefore this provision will apply to 56 remaining councils. I think it is a move in the right direction and will be approved by most local bodies concerned. I believe the amendments which refer to noxious and offensive trades have been asked for by a number of councils and I am sure that even those councils which have not asked for them will approve of having these extra powers extended to them. I support the second reading.

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

PRISONS ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from August 25. Page 474.)

The Hon. F. J. CONDON (Leader of the Opposition)—Although I am prepared to support the second reading I regret that I cannot

give full support to the measure. Arrangements have been made with the Commonwealth Government, which controls the Northern Territory, that prisoners convicted by courts in the Northern Territory shall serve their terms of sentence in State institutions and the Commonwealth bears the cost, but I would like to know whether this Bill means that persons sentenced to death for murder in the Northern Territory will be hanged in this State. If that is the position I object to it. It may be in the interests of prisoners, for disciplinary and other reasons, to be transferred to State prisons, but when it comes to the question of executions it is quite a different matter.

Is the Government seeking power to hang people who have committed murder in the Northern Territory? I do not offer any objection to the transfer of people from the

Northern Territory to our gaols. South Australia is the only State which hangs people and I do not agree to allowing criminals from the Northern Territory to be hanged here. I ask members to give serious consideration to the matter. I am prepared to support the first part of the Bill, but will offer the strongest opposition to certain parts of it when it is in Committee.

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

MAINTENANCE ORDERS (FACILITIES
FOR ENFORCEMENT) ACT AMEND-
MENT BILL.

Read a third time and passed.

ADJOURNMENT.

At 4.3 p.m. the Council adjourned until Tuesday, September 1, at 2 p.m.