LEGISLATIVE COUNCIL.

Tuesday, November 17, 1953.

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

APPROPRIATION ACT (No. 2).

His Excellency the Governor's Deputy intimated by message his assent to the Appropriation Act (No. 2).

QUESTION.

PRINCE'S AND DUKE'S HIGHWAYS.

The Hon. N. L. JUDE (on notice)—

1. Has the Minister's attention been drawn to the unusual departure from what may be termed "the 500yd. radius curves" policy at the junction of the Prince's and Duke's Highways, south of Tailem Bend?

2. Is he aware that accidents have already occurred to non-suspecting travellers on this road?

3. Is it his intention to have the design of this junction fully investigated with a view to reducing the risk to travellers?

The Hon. A. L. McEWIN—The Commissioner of Highways reports:—

1. Present practice does not recognize a "500yd. radius policy" at Y junctions carrying as much traffic as this one. The dangers inherent to Y junctions have led to extensive investigations in all countries with established highway systems, to discover the best solution to the problem. The concensus of opinion now is that unless grade separation is provided, opposing lines of traffic should not on any account be permitted to cross at flat angles but their paths should be made to intersect at angles as near to 90deg. as is practically possible.

2. No accidents at this junction have been reported to this department.

3. A plan which involves the duplication of a considerable length of road, the construction of long median strips and traffic islands, and the provision of additional acceleration and deceleration lanes has been prepared in accordance with accepted local and overseas practice. Any design in accordance with accepted practice for this intersection at grade will involve the slowing down of traffic proceeding towards Meningie. The present intersection has been constructed so that a minimum of the constructed pavement will be wasted when future traffic demands the more elaborate design.

TEXTILE PRODUCTS DESCRIPTION BILL.

Second readng.

The Hon. A. L. McEWIN (Chief Secretary)—I move—

That this Bill be now read a second time.

Its purpose is to provide for the labelling of textiles. As members are aware, an Act providing for the labelling of textiles was passed by this State as long ago as 1944. This Act was drafted to carry out a scheme agreed upon by all the States and the Commonwealth and its operation was postponed pending the passing of uniform legislation throughout Australia. Before this was achieved the Commonwealth intimated that it believed that the scheme agreed upon was unworkable, and that it proposed to make regulations on different lines, which amounted to an entirely new scheme. As it is essential that there should be uniformity in this matter between State laws dealing with the sale of textiles and Commonwealth regulations dealing with their importation into Australia, it was necessary to re-open negotiations in order to consider the objections of the Commonwealth to the scheme previously agreed upon, and to reach some new agreement.

The principle objection made by the Commonwealth to the existing scheme was that it required a trade description to indicate the percentages in a textile product of virgin, re-processed and re-used wool. The Commonwealth maintained that it was impossible for an analyst to distinguish in a finished product between these different types of wool, so that it would be almost impossible for a prosecution under the scheme to succeed. The State Governments were unwilling to accept this objection since dropping the distinction in trade descriptions between virgin, re-processed and re-used wool meant discarding an important feature of the existing scheme. However, after full discussion and investigation, it became apparent that the objection must be accepted. State Governments found that the objection was supported by their own experts. The Government Analyst of this State reported:—

I do not think that it would be possible to ascertain by analytical means the proportions of virgin, re-processed and re-used wool when these appear together in a finished sample.

Final agreement on what was to be done was reached after a series of conferences. In July of this year a conference of State Ministers recommended that legislation should be passed by the States on the lines of Commonwealth Commerce (Import) Regulations giving effect to the Commonwealth scheme, which regulations by that time had already been made. The Government is introducing this Bill in accordance with that recommendation. It is based on a draft prepared by the Governments of New South Wales and Victoria, the draft being drawn up on the lines of the Commonwealth regulations. In effect, the new scheme

requires only the percentage of wool in a textile product to be indicated in a trade description attached to the product, without reference to the type of wool.

Before the Bill is explained in detail, one other feature of the new scheme calls for comment. Under the Textile Products Description Act, 1944, percentages of fibres other than wool in a textile product were required to be shown in a trade description. Under the present scheme, it will only be necessary to show such fibres in order of dominance by weight. The Commonwealth maintained in discussions that it would be exceedingly difficult for manufacturers to ascertain such percentages, and in addition that disclosure of them might endanger their trade secrets. The Commonwealth pointed out that in any event, disclosures of percentages of fibres other than wool was not essential in legislation primarily designed to prevent the passing off as wool of substances which contain little or no wool. This Government feels that the suggestion that such fibres should be shown in order of dominance by weight only is reasonable and acceptable. To show them in order of dominance only will materially reduce the amount of detail required in trade descriptions.

Clause 3 repeals the Textile Products Description Act, 1944. If the Bill becomes law, this Act will no longer be required. Clause 4 contains definitions of various terms. Clause 5 prohibits the selling of any textile product unless a description complying with clause 6 is attached. Clause 6 contains the main provisions of the Bill. Paragraphs (*a*), (*b*) and (*c*) of subclause (1) of clause 6 deal with the nature of descriptions and their attachment to textile products. Under the 1944 Act, there is an option to attach a description either to the product itself or to a wrapping or covering. Under the Bill the general rule is that a description must be attached to the product itself. A description can only be attached to something other than the product itself where provision is made by regulation for that to be done.

The remaining paragraphs of subclause (1), paragraphs (*d*) to (*j*) deal with the information to be given in any description. The provisions of those paragraphs may be summarized as follows:—Where a product contains 95 per cent or more by weight of wool, the description must include the words "Pure wool." Where a product contains less than 95 per cent wool, the description must not include those words. Where a product contains less than 95 per cent wool and more than 5 per cent the percentage of wool must be shown, and the other fibres indicated in order of dominance by weight. Where a product contains less than 5 per cent wool, the other fibres must be shown in order of dominance, followed by the words "Less than five per centum wool." Where a product contains no wool, the fibres contained in the product must be shown in order of dominance. Where a product contains any loading other than an ordinary dressing, the description must include the words "Loaded" or "Weighted." Under subclause (4) of clause 6 "ordinary dressing" is defined to mean any dressing which is used for ordinary trade requirements, is not an adulteration, and is not calculated to deceive as to the quality, substance or nature of a textile product. It is intended that through the operation of this provision, dressings such as tin or rice flour used in the textile trade will be required to be disclosed, whereas substances used merely in the process of manufacture will not. Finally, where a product contains paper, the description must include a statement to that effect.

Subclause (2) of clause 6 permits a description to be attached to any prescribed label, reel or thing used in connection with a textile product. Subclause (3) provides that if a textile product contains less than 5 per cent of any fibre other than wool or paper, the description need not mention that fibre.

Clause 7 provides for two defences to a prosecution under the Bill. The first, which is taken from the Textile Products Description Act, 1944, makes it a defence that at the time an offence is alleged to have been committed a textile product bore the description attached to it when the defendant acquired it and the description appeared to comply with the Bill. The second defence is that the textile product was manufactured in or imported into the State before the commencement of the Bill. Clause 8 makes a contravention of the Bill an offence punishable summarily. Clause 9 provides for the making of regulations and, in particular, for the making of regulations exempting any textile product from the provisions of the Bill.

As pointed out in the description of the Bill, we have had legislation on our Statute Book for nine years which has been impracticable of operation, and that state of affairs is common to all States. When the Commonwealth Government found that the formulary was impracticable of operation and initiated their own regulations to deal with imports the

States held a conference, at which I represented South Australia, and it was agreed that this legislation presented something of a practical nature for submission to all the State Parliaments. This then is the Bill drafted by the Parliamentary Draftsmen of Victoria and New South Wales based on Commonwealth legislation, and it is with that background that I present it to members and suggest that it is well worthy of adoption.

The Hon. F. J. CONDON secured the adjournment of the debate.

SEWERAGE ACT AMENDMENT BILL.

Second reading.

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

That this Bill be now read a second time.

Its purpose is to give the Minister of Works certain powers under the Sewerage Act which are similar to powers already vested in the Minister under the Waterworks Act. Section 26 of the Waterworks Act authorizes the Minister to let land held by him for the purposes of the Waterworks Act and to sell any such land or other property which is no longer required for the purposes of that Act. It would be expected that a provision similar to this would be found in the Sewerage Act but this is not the case. It is obvious that, under the Sewerage Act as well as under the Waterworks Act, the Minister must, from time to time, acquire land which is proper to be leased or which in the course of time ceases to be required for the purpose of the undertaking and should be disposed of. Clause 2 therefore inserts in the Sewerage Act a provision similar to section 26 of the Waterworks Act and gives to the Minister the same powers with respect to the letting and sale of land under the Sewerage Act as he now has under the Waterworks Act.

Part VII. of the Waterworks Act gives to the Minister certain powers to lease waterworks to municipal or district councils or other persons. A similar power does not exist in the Sewerage Act and it is proposed by clause 3 to enact a new Part VIA. in that Act similar to Part VII. of the Waterworks Act, under which the Minister will be empowered, in an appropriate case, to lease drainage works to a council or other persons. Any such lease can only be granted with the consent of the Governor and may be granted on such terms and conditions as the Minister thinks fit. It is provided that the lessee, during the term of the lease may, with respect to the drainage works, exercise such of the powers of the Minister as the Governor declares by proclamation and that the lessee may be empowered by the lease or by proclamation to exercise any of the powers of the Minister under Part VI., that is, powers to assess land and to declare and recover rates. If a lease is granted of any drainage works, it follows that there should be provision to empower the lessee to exercise the powers incidental to the operation of the drainage works and it is the purpose of these provisions to enable this to be done. Clause 4 makes a consequential amendment to section 2.

The Hon. F. J. CONDON secured the adjournment of the debate.

TRUSTEE ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from November 12. Page 1442.)

The Hon. F. J. CONDON (Leader of the Opposition)—The Bill enables trustees to vary the terms of superannuation or benefit funds established by private undertakings, provided that the consent of the beneficiaries is taken by a poll to be carried out under certain conditions. Years ago, in many industries superannuation schemes were unheard of, but during and since the war a number of businesses introduced then. In some of these the employees were called upon to subscribe on a 50-50 basis, in others the majority was paid by the employer and in some the employee did not contribute. With the coming of social services, some schemes have been modified. Today there is strong agitation for long service leave, and rightly so, because, as Government employees receive such leave, other people should also be considered. Under a Commonwealth Act the Arbitration Court or a commissioner could grant long service leave if applied for. However, after a commisioner had granted long service leave to an association with which I am connected, a Liberal Government amended the Act to take away the right of a single commissioner to grant this leave, and as a result the Full Court is the only body entitled to grant it. The Bill defines "benefits" as pensions, retiring allowances, sickness or hospital benefits, payments during unemployment, death or funeral benefits or other like benefits, allowances or payments, and also defines the meaning of "beneficiary" and "employees' benefit fund," but there should be a general clarification of the position relating to social services, superannuation and other things associated with it.

In my younger days there were no superannuation schemes, but recently we have endeavoured to improve the position. However, I do not think we are on a level with other States yet, and there is room for improvement. Much has been said recently about the prosperity of industries operating in this State. This has been brought about by both sides working together, not by just one side. This legislation will benefit the employees, and I support the second reading.

The Hon. C. D. ROWE (Midland)—This is a very important Bill and has no doubt been brought about because in recent years many employers, some of them employing relatively small numbers of men, have entered into schemes to provide some superannuation benefits or retiring allowances to those they employ. Because of the increased number of these schemes difficulties have arisen which apparently have made it necessary to provide that the terms of the original trust can be altered in a relatively simple way, and this Bill sets out to do that. Clause 3 provides that two weeks' notice of a meeting to vary the terms of any fund must be given, but I consider two weeks' notice is too short because the rights of people are being altered and may be changed for a number of years. I can see no reason why a month's notice should not be given, and would like the Government to consider that matter. I do not think that the Bill makes it clear that the notice of the meeting is to state specifically the alteration which is to be made; that should be provided for.

The Hon. R. J. Rudall—Wouldn't that be covered by the section dealing with the purposes of the meeting?

The Hon. C. D. ROWE—All that would be necessary under the Bill would be for the notice to state that a meeting was to be held for the purpose of varying the instrument creating the trust. The notice which is sent out should go further and state in which particulars it is proposed to alter the trust so that persons will have adequate notice. The Bill attempts to provide a means whereby an arrangement made between a specified number of people can be altered by a vote of 75 per cent of the persons attending a meeting instead of by obtaining the written consent of each and every individual.

The Hon. F. T. Perry—Wouldn't that depend on the way the articles of the superannuation fund were established?

The Hon. C. D. ROWE—Yes, but where people's rights are being altered we should ensure that they have adequate notice of what is being done and I raise the point for the consideration of the Government. Subject to that I support the second reading.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—"Variation of employees' benefit fund."

The Hon. R. J. RUDALL—I listened with considerable interest to Mr. Rowe's comments, which I think are worthy of consideration. In order to examine the position further I move that progress be reported.

Progress reported; Committee to sit again.

CONSTITUTION ACT AMENDMENT BILL (No. 3) (GOVERNOR'S ALLOWANCE).

Adjourned debate on second reading.

(Continued from November 12. Page 1439.)

The Hon. F. J. CONDON (Leader of the Opposition)—The Government has introduced a number of small Bills which some members have referred to as "chicken feed," but they must be necessary otherwise the Government would not have introduced them. The Bill increases the Governor's allowance for salaries of the staff at Government House to £2,650 a year. If a contented staff is to be maintained they must be treated reasonably and receive adequate remuneration for their services. This increase has been recommended by Treasury officials and there should be no objection to it. The staff and officials at Government House maintain a high standard of service and are entitled to the same consideration as others. I would have been prepared to move an amendment to provide that the staff should receive cost of living increases but as the Federal Arbitration Court has suspended cost of living adjustments I shall not do so. There have been substantial increases in all costs and the increased allowance is designed to meet this position. We frequently enact legislation to increase the salaries of certain public servants and there should be no objection to this measure, which I support.

The Hon. E. ANTHONEY (Central No. 2)—This Bill attempts to rectify a position which has not redounded to the credit of this State and which might be termed an underpayment to vice-regal representatives. We have been extremely fortunate in those who have represented the Monarch in this State and the present incumbent of that high office is no

exception. The allowance has been the subject of debate before and I think members will agree that many vice-regal representatives have been greatly underpaid and had it not been for their personal means would not have been able to discharge their duties properly. The Government is rightly attempting to rectify that anomaly. Mr. Condon mentioned that costs have increased and undoubtedly that applies with regard to the staff of Government House. The payment of this allowance will ensure that His Excellency is not inconvenienced by members of his staff leaving to seek better paid employment. That has occurred previously and has caused much upset in the vice-regal household. I have pleasure in supporting the second reading.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—"Allowance for salaries of staff."

The Hon. E. ANTHONEY—I am pleased that the Government has recognized at long last the great service rendered by the Lieutenant-Governor who is frequently called upon to act as Governor during the absence of His Excellency and is providing that he may receive the benefit of the increased allowance.

Clause passed.

Title passed.

Bill reported without amendment and Committee's report adopted.

SAVINGS BANK OF SOUTH AUSTRALIA ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from November 12. Page 1440.)

The Hon. F. J. CONDON (Leader of the Opposition)—I have closely scrutinized this Bill and suggest that members do likewise as it represents a departure from the usual method of appointing officers to the Savings Bank. Clause 3 repeals and re-enacts section 19 of the principal Act and empowers the trustees to appoint or dismiss officers within the automatic salary scale or to increase their salaries without the approval of the Governor. I support the Bill and pay a tribute to these officers for their unfailing courtesy and attention to duty. I have had transactions with the bank, particularly the Port Adelaide branch, for many years and the trustees are fortunate in having such an efficient staff.

I take this opportunity to pay a compliment and a last tribute to the late General Manager, Brigadier-General Moten, whose untimely death may be said to have been due to overwork and overstrain. He joined the service as a lad at Mount Gambier and worked his way by diligence and efficiency to the highest position possible in the bank's service, and was deserving of the highest commendation. He was a distinguished soldier who served his country well, and I always found him to be a gentleman. His death is a severe loss not only to the Savings Bank but to the general public.

The Hon. E. ANTHONEY (Central No. 2)—I have pleasure in supporting the Bill and I, too, pay my tribute to a very fine institution which has rendered signal service to the community by its efficient management and policy. It instituted, for example, the Schools Savings Bank, which has helped many families considerably and taught children the very excellent quality of thrift. The bank has grown considerably in the last few years and I have no doubt that this has intensified the difficulties of management. It is for that reason that the trustees have asked for this amendment in order to obviate a good deal of unnecessary administrative work. It empowers trustees to employ and dismiss staff within the automatic wage scale, but higher positions will still be filled as heretofore, namely, with the approval of the Governor. I have consulted the Bank Officers' Association which considers that this measure will not interfere with their prerogatives and rights, so that no-one will be injured.

I, too, would like to add my few words regarding Brigadier-General Moten, whose death we all regret. Outside his bank activities he was much respected in the community and a man who did a wonderful job for South Australia both in peace and war. The least we can do is to pay this small tribute to his memory.

The Hon. Sir WALLACE SANDFORD (Central No. 2)—I, too, support the second reading and as others have traversed most of the ground it is unnecessary to bring forward any further reasons for granting the request of the trustees for this amendment. It is simply a machinery measure to enable them to meet conditions which have developed with the expansion of this valuable institution. The Savings Bank has rendered great service to this State. It has been in existence for over 100 years and it is of interest to note that on June 30 last the amount standing at the credit of depositors was £88,392,000, and that the increase over the previous year's total was

nearly £7,500,000. The total interest credited to depositors since the bank started is over £34,500,000, so it will be seen that this is a gigantic institution when we consider the paucity of our population compared with the rest of Australia. It is our duty to see that all necessary requirements for the continuance of the management of the Savings Bank, whose powers should be extended as the responsibilities of the trustees increase, are available to them, and there is every reason to hope and expect that the passing of this Bill will be an expression of appreciation of the work the bank has done for the people of South Australia. We pride ourselves on being a thrifty community and it is in the achievement of such an institution as this that we are best able to see what has taken place in a relatively short time. I understand that no question of policy is involved so I feel sure that members will approve of the Bill.

I would like to associate myself with the remarks of Mr. Condon and Mr. Anthoney regarding Brig. Moten whom so many of us knew so well. He was a very highly regarded officer and a great South Australian and one of that numerous band of men to whom we owe a debt, the value of which it would be difficult to estimate.

The Hon. R. J. RUDALL (Attorney-General)—I rise merely to associate the Government with the tributes which have been paid to Brigadier-General Moten and am very pleased indeed that the Leader of the Opposition and other members took the opportunity to refer to him because I think all members will agree that in his death we have lost a man who filled a very great place in the public life of this State. He was not only a very distinguished soldier, but he had by his own ability risen to the position of General Manager of the Savings Bank and occupied a proud position in the life of this State. He associated himself with many public activities in a most wonderful way and the State is the poorer by his loss.

Bill read a second time and taken through Committee without amendment; Committee's report adopted.

BUILDING CONTRACTS (DEPOSITS) BILL.

Adjourned debate on second reading.

(Continued from November 10. Page 1361.)

The Hon. C. D. ROWE (Midland)—Although most of what can be said on this Bill has been said, there are one or two points I would like to cover. Its provisions were contained firstly in section 14 of the Building Materials Act and, when that Act ceased to be in force, by the Building Operations Act. Now that the latter Act has ceased to operate, it becomes necessary, if we desire this type of legislation, to pass this Bill. It provides protection to owners of land who enter into arrangements with builders to erect houses for them. It relates only to contracts for the construction of a dwellinghouse or any building, structure or fence which is appurtenant to a dwellinghouse, and has no application to a factory or a farm building, which is not part of a dwellinghouse, or conveniences appurtenant to it. With the building position easing, and it's becoming easier to secure contractors, this Bill probably is not very necessary, but it will provide protection for people who are forced to pay money in advance to a contractor. Anyone entering into a contract should be wary of a builder who asks for a deposit months before he starts on a building. The only time he should ask for a substantial deposit is when he has some doubts about the financial stability of the person for whom he is going to build, because he would then be entitled to ensure that he would not be left lamenting before completion of the job. Except in these circumstances, I advise intending home builders to be wary of a contractor asking for advances, and to employ another contractor rather than rely on the protection afforded by the Bill. Although the building industry has become more competitive, and those who are not financially stable have been weeded out, this Bill will protect those who enter into contracts to have homes built for them. I support the measure.

The Hon. E. ANTHONEY (Central No. 2)—When I first read this Bill I thought it was another of those measures which are frequently passed to protect people against their own folly, but after further consideration I realized that, owing to the influx of New Australians who are not accustomed to our laws, some provision should be made for their protection, because unlike our own people they do not know how to deal with these matters. Although we must not label all contractors as dishonest, there must be some protection in case there should be even one who is not honest. People should take reasonable precautions when entering into contracts, but for those who do not do so some protection against unscrupulous contractors is necessary. I support the second reading.

Bill read a second time and taken through Committee without amendment; Committee's report adopted.

HONEY MARKETING ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from November 11. Page 1411.)

The Hon. F. J. CONDON (Leader of the Opposition)—This Bill amends the Act of 1949. Clause 3 deals with the duty to sell and deliver honey, clause 4 with polls on the continuation of the Act, and clause 5 extends the period. I ask why this Bill extends the Act for five years when it has been the practice of this Council to extend other legislation for 12 months only. Another departure is provision for a poll which enables producers to do away with the legislation at any moment. When a poll was taken four years ago, by a two to one majority the producers decided they wanted this legislation. However, as there appears to be no outside opposition, and those concerned are satisfied, I support the Bill. Honey is handled in 60 lb. tins. Production has doubled in three years, and honey previously sold in Victoria now comes to this State. I ask whether a higher price is obtained on the London markets than in South Australia, because in the past South Australian consumers have paid high prices to enable goods to be sold cheaply overseas. It has often been said in this House that we cannot obtain parity prices, and my reply has always been that we pay higher than overseas prices for many commodities. The only exception is wheat, and Mr. Robinson has often complained that wheatgrowers have not been able to obtain London parity prices for wheat consumed in the Commonwealth; however he did not say anything about meat or butter. We pay 7½d. a pound more for butter in this State than is paid for it in London. I am prepared to pay a higher price if it is going to help an industry that must rely to a certain extent on exports, but I do not want one-way traffic all the time.

When speaking on the second reading of this legislation in 1949 I said that it was the producers who received the benefit. When producers have conducted polls in favour of retaining boards, it has always been to their benefit. This type of legislation has been strongly opposed in the past by a section in this Chamber. I do not object to the producers saying whether they want the board to continue or not; that is their responsibility. The board consists of seven members appointed by the Government, three of whom are elected by the Honey Packers Association, and three by the producers. In the Act there was no right of appeal, to which I objected, but this meaasure provides a right of appeal to the Minister. I consider that the life of the Bill is too long.

The Hon. L. H. Densley—It is the same as it was last time.

The Hon. F. J. CONDON—Yes, but on the last occasion things might have been different. If this legislation is extended for five years, why not extend the Prices Act, the Landlord and Tenant Act and others for a similar period? Surely it would be just as easy for the Government to extend this Bill for 12 months and, if necessary, extend it again at the end of that time; instead of this we have something entirely different, that is, that the honey producers can veto this legislation at any time they desire by a majority vote. They are not concerned with whether the legislation is to be extended for five years, but with whether they have the right, by a majority vote, to discontinue the operations of the board. I support the second reading.

The Hon. L. H. DENSLEY (Southern)—I support this Bill which is for the continuation of the present system for another five years. However, I see no reason why it should be limited to five years. The original legislation did not provide for the abandonment of the system and with the inauguration of a means whereby honey growers can appeal against the continuance of the board it would be appropriate for the board to be a permanent fixture. The method of election seems strange in that when a member's services conclude after four years it is the duty of the growers to place before the Minister a panel of names from which an appointment can be made. I fail to see anything democratic in that system. A clause should be included setting forth a system whereby a board can be appointed by a vote of the producers. Mr. Condon referred to the 5-year period, but the setting up of a marketing board cannot be compared with landlord and tenant and prices legislation which were introduced as war measures. The more permanent a board is the better because it is established to implement a marketing plan under which a reputation is built up and business effectively transacted.

As there is provision whereby the board can be discontinued it would be better if it were established for all time. Obviously growers have been well satisfied with the activities of the board. Although there was a two to one vote initially favouring its establishment, at that stage many South-Eastern

growers marketed their honey in Victoria and were not keen on the establishment of a board, but since then 85 per cent of the honey which was going to Victoria is now being handled by the board. I believe nearly all honey producers favour the continuation of the board. The board blends the honey, and varieties are graded and consigned as one quality. The low grade quality honey is sold separately and the Leader of the Opposition may be interested to know that the low grade honey is sold overseas at practically the same price as the best grade honey sold in South Australia, therefore there is nothing to complain about so far as overseas prices are concerned. Because the sales of the board have doubled in three years and because of the 127,000 tons of honey produced in South Australia it handles 117,000 tons, the eastern States are anxious to have legislation under which they will be associated with South Australia in a Commonwealth scheme. The legislation which has been introduced there is identical with that introduced here which proves that the producers as a body are happy and anxious that the board should continue. If a vote of the growers decides that the board shall be discontinued a period of three months is provided during which the board may dispose of its honey and wind up its activities. That is not a long period and I think it should be extended. I support the second reading.

The Hon. W. W. ROBINSON (Northern).—This Bill extends the operations of the Honey Marketing Act for five years. New section 36a provides:—

At any time after the thirty-first day of December, nineteen hundred and fifty-four, not less than one hundred producers may present a petition to the Minister asking that a poll shall be taken to decide whether this Act shall continue in operation.

The Honey Marketing Board was established to develop and preserve the honey industry in South Australia and to promote and protect the interests of honey producers. Before the Act of 1949 was proclaimed, a poll was held to determine whether the scheme should operate and of the 500 producers entitled to vote 302 supported and 151 rejected the proposal. Since the legislation has been in operation the industry has been placed on a sound basis and the scheme has met with general approval. Prior to the introduction of the legislation the producer was hawking his product and was unable to make reasonable sales because growers competed with each other. After a year of high production and low prices many left the industry and the following year there was low production and prices soared. That was neither good for the industry nor for the consumer. At a conference of South Australian beekeepers held last July the following resolution was carried:—

That this meeting expresses its confidence in the South Australian Honey Board as at present constituted and congratulates members on the excellent results obtained.

The principle function of the board is to maintain a high quality honey of a uniform standard, to promote sales on the home market and secure markets for the exportable surplus. A good export market was built up in Great Britain, especially in supplying the brewing trade with its requirements, but recently large scale purchases of sugar have been made from Cuba and this has almost destroyed our trade with Great Britain. California and Argentina have also become strong competitors and the board has had to seek markets elsewhere. At present Germany is taking our surplus but at a greatly reduced price.

The board's operations have been satisfactory to producers and consumers and a high quality honey of a uniform standard has been placed on the market. Honey is produced from a number of flora including blue gum, red gum, lucerne and Salvation Jane, and it has been blended to produce a uniform flavour to which the consumer has become accustomed. About four years ago a test was made in Victoria to ascertain the taste of the public and a majority of persons favoured honey produced from banksia which is grown particularly in the southern districts of Victoria. They had become accustomed to the flavour but we would regard it as low grade honey. The board has fulfilled the purpose for which it was established and I have pleasure in supporting the second reading.

The Hon. J. L. COWAN (Southern)—In considering this Bill we might well be guided by the successful operation or otherwise of the principle Act which has operated for four years and, as others have stated, has stabilized the industry. It has been affirmed and approved by beekeepers practically everywhere. Since the Bill was introduced last August beekeepers have had ample time to examine it and express their views and many have informed me that they are entirely satisfied with the way the Honey Board has handled their produce. The honey produced in South Australia varies considerably in quality and flavour in different parts of the State. Each

plant that produces a flower is capable of producing honey with a distinctive flavour some of which is palatable and some not. Therefore, to bring about a uniform quality, it is necessary to blend it and establish a standard that becomes recognized by and acceptable to consumers. This has been one of the most important functions of the board.

It is of interest to note the fluctuation in production over the past five years, and I quote the *Statesman's Pocket Year Book* for 1953. In 1948-49 production amounted to 10,906,372 lb., but in the following year it dropped to 5,178,477 lb. In 1950-51 it was 5,802,711 lb. and in 1951-52 it was down to the low figure of 4,190,594 lb. According to figures quoted by the Minister production for the year ended June 30, 1953, was a little over 7,000,000 lb., so it appears that production is going up to a high figure again, and this can be attributed to the successful operations of the board. When it came into existence there was a considerable surplus of honey, but the board established markets overseas and that surplus was disposed of. Since then the board has been able to sell all the honey produced each year despite considerable opposition from other countries and a declining overseas market. I support the Bill and trust that the board will be able to carry on as successfully in the future as it has in the past.

Bill read a second time.

In Committee.

Clauses 1 to 3 passed.

Clause 4—"Polls on continuation of Act."

The Hon. R. J. RUDALL (Attorney-General)—I move the following amendments to new section 36a (8)—

In the fifth line to strike out "after" and insert "upon," and after "day" to insert "subsection (2) of section 21 of," in the sixth line to strike out "as regards any honey sold or delivered," and to strike out all the words after "shall" in the seventh line and insert "be repealed."

These are drafting amendments only. Clause 4 provides for a poll of honey producers to be held on the question whether the principal Act should continue in operation. The scheme of clause 4 is that, producers having voted against the continuance of the principal Act, they should cease to be bound to deliver their honey to the board after a proclaimed day falling within three months of the poll and that, after a subsequent proclaimed day, the principal Act should cease to operate altogether. The object of this scheme is to release producers from the operation of the principal Act as soon as possible after the poll is decided, while giving the board an opportunity to wind up its affairs. As at present drafted, clause 4 (which was inserted in the Bill in another place without much time for consideration) does not convey this meaning very closely, and these amendments merely clarify its meaning.

The Hon. F. J. Condon—Why do all these things have to be found out in this place?

The Hon. R. J. RUDALL—That is one of the advantages of having a house of review.

Amendments carried; clause as amended passed.

Remaining clause (5) and title passed, and Bill reported with amendments.

Committee's report adopted.

BUILDING ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from November 11. Page 1405.)

The Hon. F. J. CONDON (Leader of the Opposition)—In 1937 a Building Act Inquiry Committee was appointed to report upon the operations of the Building Act and it consisted of the Lord Mayor and representatives of architects, councils, master builders and others. Unfortunately, reports of this kind are submitted to the Government and not to Parliament, and I think it would be of assistance to members if they were tabled so that members would know the suggestions made by committees from time to time. The Bill clarifies the law and tightens it up in certain directions by giving protection to people who are in need of it. Hitherto the police have been responsible for a good deal of the administration under the Act and they and councils will be relieved of some of their obligations.

The Bill increases the time allowed to institute proceedings from six months to 12. We know that it has taken as long as 12 months to build some houses, a thing unheard of years ago, so I think this extension of time is a step in the right direction. Municipal and district councils will be given wider powers under this measure. For instance, it will be necessary for contractors and building owners to provide plans in duplicate, for it has been found in some cases that the actual construction has differed from the plans submitted to the council and quite a number of people have been taken down. Clause 3 provides that a duplicate of the approval of plans shall be supplied by the council to the person by whom the

plan, drawn to specifications, has been submitted. Clause 13 repeals sections 135 to 138 of the Police Act, and the power contained in those sections is provided in this measure. Another clause deals with building surveyors. In small councils it is difficult to have two separate officers to fill the positions of inspector and surveyor, but under this Bill the duties of both offices can be combined. The referee's fee will be increased from £2 2s. to £3 3s. The Building Act deals with a number of matters which should be under the control of councils, such as cellars projecting into footpaths and other dangerous matters. Where there is a projection outside a building, councils should take steps to protect people in the same way as they should keep roads and footpaths in repair to prevent accidents. The Bill transfers power from the police force to municipal councils, and in my opinion the police should never have had these powers. Unfortunately, some councils are very lax, and in some cases that is to the detriment of the public; however, this legislation is an improvement, and I support the second reading.

The Hon. F. T. PERRY (Central No. 2)—When any Act is passed that deals with buildings and various methods of construction, it must be amended from time to time by Act or regulation. In 1937 the Act was amended to provide for the appointment of referees to decide matters in which there was a difference of opinion between the council and builders. The proposed amendments, which are not very serious ones, are an improvement. Although any Act such as this is looked upon by some as a restriction which will hamper people who want to build, I think it is necessary because building in the metropolitan area must be controlled, and Parliament has handed over to the councils the responsibility of administering this law. Certain obligations are placed on the person wishing to build and the architect or builder because they must now show on the plans the methods by which sewage and waste water are disposed of. Although this may be all right in the city, it is somewhat difficult in the country where drainage is not so satisfactory. The councils now desire to know whether a building will be connected to the sewerage or whether it will have septic tanks, and this information must be shown on the plans and made available to councils when they consider plans.

The Bill also provides for keeping a duplicate set of plans on the job, and those who know something about building will realize this is a difficult thing to do unless there are several prepared. However, as this will make things a little more convenient for the contractors, nobody can object to that. A duplicate set must be approved by the council, one to remain in the architect's office and one to be kept on the job. At least three or four sets must be made for every building. The repealing of certain sections of the Police Act cannot be objected to, because, although they may have been necessary when there was no Building Act, all these matters should now be in the hands of councils. The main criticism I have heard of this Bill is that it waters down the authority of surveyors. When the Act was passed, it was intended to raise the status of those in authority who had the duty of passing plans submitted for construction of buildings, and the surveyor was given the authority. In many cases surveyors are university graduates with considerable training and knowledge. This Bill provides that certain types of buildings can be approved by an inspector who has the approval of the council to act as a surveyor.

The Hon. K. E. J. Bardolph—The powers of the surveyor are delegated to the inspector.

The Hon. F. T. PERRY—The council has to approve the inspector who deals with the classes of buildings enumerated, such as single-storey structures and buildings in which there is no superstructure resting on anything other than the walls. Naturally that is a severe stricture on any class of building, and an inspector would be sufficient authority to pass buildings of that type. The watering down of the technical man is perhaps not in the best interests of the industry. I was struck by the statement made by the Chief Secretary that the fee for a referee was originally £2 2s., which has now been increased to £3 3s., because he stated that the hearings of some disputes last for two or three days. It seems to me that £3 3s. is not a sufficient fee for a referee who is performing a public service, even if the hearings lasted for only two or three hours instead of two or three days. It is too small when it is realized that after the hearing the referees must furnish reports. These men are acting in the interests of the industry, and are not being adequately paid for their work. They provide these services on behalf of the industries with which they are associated in an almost voluntary capacity. Clause 11 enables councils to take definite action in relation to buildings erected contrary to the Act. In such instances, a council can obtain a court order

and, if the owner is not available, enter such premises and dismantle the structure objected to. There are many buildings in and around Adelaide which do not comply with the Act but because no complaint has been lodged within six months they are permitted to remain and there is no provision whereby they can be demolished. Clause 12 extends the period in respect of which a complaint can be made from six to 12 months. If it were possible to exercise proper supervision over building operations six months would be adequate but officers have not been able to exercise the necessary supervision and consequently the Act is being amended to give them further time. The powers of councils are strengthened and the powers of builders weakened but I assume that that is quite in order.

I pay a tribute to the Building Act Advisory Committee which was appointed in 1937. Mr. Condon said that we are not always presented with the reports of that committee. All reports relating to the Act are tabled although those relating to the regulations under the Act are not. The committee is virtually an honorary one meeting under the chairmanship of the Assistant Parliamentary Draftsman, and is doing a good job in recommending alterations and additions to the Act. I support the Bill which will clarify the authority of councils and lead to better control to the benefit of all associated with the building industry.

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

ADJOURNMENT.

At 4.06 p.m. the Council adjourned until Wednesday, November 18, at 2 p.m.