LEGISLATIVE COUNCIL.

Wednesday, October 12, 1955.

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

QUESTIONS.

MARINE DRIVE.

The Hon. E. ANTHONEY—Can the Minister of Local Government inform the Council whether the Highways Commissioner was correctly reported as having said that there would never be a Marine Drive, and, if so, was he enunciating Government policy on the matter?

The Hon. N. L. JUDE—Firstly, I do not think the honourable member has stated precisely the remarks of the Commissioner, who spoke in general terms and suggested that it would probably be impossible to build it. As we see the position today, it is far more important to conserve what we have along the seafront, which costs a lot of money, than to spend money on a Marine Drive that might suffer the same fate as other foreshore amenities constructed in the past. I would be the first to say that the construction of a marine drive is highly desirable, but the Commissioner realizes the practical impossibility of that project at the moment. That was, I think, the impression he intended to give by his statement.

RENMARK TO PARINGA ROAD.

The Hon. C. R. STORY—I ask leave to make a statement with a view to asking a question.

Leave granted.

The Hon. C. R. STORY—Honourable members are well acquainted with the fact that the River Murray level has risen in South Australia, and indications are that it will be a much higher flood than was previously thought. Some time ago I asked the Minister of Roads a question about the strip of road between Renmark and the Paringa Bridge which, if the flood rises to a higher level than in 1952, will be inundated and the Sturt Highway, the main road to Victoria, will be cut. The Government has spent a considerable amount of money in building a very good and solid road on the north side of the river from Eudunda to Barmera and the only strip at present that would become subject to flooding is that portion between Renmark and the Paringa Bridge. Will the Minister inform me what would be the cost of banking the strip of road I have mentioned to ensure that it will be kept open and what plans the department has in mind for the future in the event of another 1931 flood, which inundated that road completely?

The Hon. N. L. JUDE—I am glad that the honourable member mentioned that we now have a reasonably good highway all the way to the border on the northern side of the river, and he is quite right in saying that the remaining weakness is on the low level section prior to crossing the Paringa Bridge. It is the department's intention to pursue its endeavours to have a first class highway north of the river, and this will be dealt with as finances permit. We all appreciate that the river is very high and that it may be higher than on previous occasions. Everything practicable is being done to prevent an extended disuse of the road this year, but we obviously cannot do everything at once. I can assure the honourable member that the road between Renmark and Paringa Bridge will be raised when we can do it. I cannot make any statement regarding cost except that it will be far too great to do the work at present. We hoped that we would not have a flood of the nature we are getting for some years, by which time the road would have been raised. We have been unable to do the whole of the road south, and it is the intention of the Government that the road will be completed as an all-weather road at the earliest opportunity provided that finances are available.

The Hon. C. R. STORY—The Minister has answered one portion of the question fully, but I would like to know the cost of banking that road against the present flood.

The Hon. N. L. JUDE—I shall obtain the information for the honourable member as soon as possible.

TRANSPORT OF CATTLE.

The Hon. R. R. WILSON—I wish to make a statement with a view to asking a question.

Leave granted.

The Hon. R. R. WILSON—For many years we have read reports of the transport of cattle from the Northern Territory to the abattoirs. In last Monday's *Advertiser* appeared another letter from Mr. H. P. Davis, who owns land at Alice Springs and at Boston Island, near Port Lincoln, in which he stated that over 20 cattle were dragged from a train recently travelling from Alice Springs to Adelaide, and that trucks are often at sidings for eight or 10 hours. I do not know of any worse form of cruelty than to subject animals to this treatment on a long journey.

It has been said that the maximum time cattle can be in a truck is 28 hours and that the journey frequently takes up to 60 hours. I ask the Minister of Railways (on notice):—

(1) If it is a fact that cattle can be transported by rail from Alice Springs to the Adelaide Abattoirs in 28 hours.

(2) If not, what is considered to be the minimum time required for the journey, and

(3) In view of the long delays that occur at sidings *en route* does the Minister intend to ascertain from the Railways Commissioner whether it is possible to minimize such delays to ensure that cattle arrive at the Abattoirs with a minimum of loss of condition?

REVIEW OF STANDING ORDERS.

The Hon. F. J. CONDON—Will you, Sir, consider calling a meeting of the Standing Orders Committee with a view to reviewing the Standing Orders? I think that there are some anomalies and it appears desirable to review the necessity to seek leave to make a statement prior to asking a question.

The PRESIDENT—I will look into the question and report to the honourable member.

CONSTITUTION ACT AMENDMENT BILL (ELECTORAL BOUNDARIES).

On the motion for the third reading—

The PRESIDENT—As this Bill amends the Constitution it is necessary that the third reading be carried by an absolute majority of the whole number of members of the Council. There being present an absolute majority I put the question—That this Bill be now read a third time.

There being no dissenting voices the Bill was declared read a third time and passed.

FRUIT FLY ACT AMENDMENT BILL.

Read a third time and passed.

PORT WAKEFIELD HOSPITAL (TRANSFER OF ASSETS) BILL.

Adjourned debate on second reading.

(Continued from October 11. Page 1016.)

The Hon. F. J. CONDON (Leader of the Opposition)—This Bill is designed to conserve the local interests at Port Wakefield. As there is no further need for a hospital there it is necessary to pass the Bill in order that money in hand may be transferred to another body and used for other purposes. As the Bill must be referred to a Select Committee I think the interests of all concerned will be protected, as they will have an opportunity of tendering evidence before the committee. The land and premises in question are at present not being used and in addition there is a sum of £700 in the bank, and it is desired that it should be possible to put this money to better use. The present intention is to construct a new hall, but the Bill goes a little further than that by providing that the money may be used for some other purpose should that be deemed desirable. As the report of the Select Committee will be submitted to Parliament there is no need to debate the measure further and I support the second reading.

The Hon. A. J. MELROSE (Midland)—This measure is in the nature of a steam-roller being used to crack a nut. It arises from a slight omission from the hospital's rules and regulations or articles of association. At Port Wakefield there was established in, I think, 1936 one of those typical cottage hospitals that spring up in country towns and which serve the local doctor's practice as a means of dealing with emergencies such as accidents, or people taken suddenly ill, and a few maternity cases. Such a hospital is entirely dependent on there being a local practising doctor. At Port Wakefield this hospital pursued its precarious career until two things happened, as is the case with nearly all of these hospitals, the local doctor ceased to practise and there was no one in the town qualified to manage the hospital. It is very difficult to find a fully qualified nurse who can manage a hospital and, in most cases, chop the wood, do the cooking and care for the patients. These hospitals are of great benefit to the towns in which they are established and when they cease operating the people are very much the worse off. Two things should be borne in mind by the public. The first is the great value of these cottage hospitals and, secondly, the magnificent service rendered by the women who manage them. This hospital ran on the rocks in about 1945 when there was not only no qualified nurse but no local practising doctor. It was necessary for this Bill to be brought before Parliament because the articles of association on which the hospital was incorporated omitted to give the governing body power to dispose of its assets. We are asked to give the people interested the right to dispose of their assets. There is no reason why the measure should be opposed. All we are asked to do is to give them the machinery to carry out the winding

up, and for the money so realized from the assets to be devoted to some other public purpose. It should have the support of all honourable members.

Bill read a second time and referred to a Select Committee consisting of the Hons. C. D. Rowe, C. R. Cudmore, C. R. Story, K. E. J. Bardolph and S. C. Bevan; the Committee to have power to send for persons, papers and records and adjourn from place to place and to report on October 26.

LOTTERY AND GAMING ACT AMENDMENT BILL (RACING DAYS AND TAXES).

In Committee.

(Continued from October 11. Page 1018.)

Clause 3—"Number of times totalizator may be used."

The Hon. J. L. COWAN—I move:—

That subclause (1) be deleted.

I wish to make it clear that I have no desire to pit country against city interests. I believe these two sections of the community are both very important and have their respective interests, are dependent upon one another for their existence and both contribute to the economic stability of the State. I favour the principle of decentralization, but this Bill will centralize the horse racing in the metropolitan area on all Saturdays, therefore population will also be centralized. The metropolitan clubs will not only have every Saturday, but also all the public holidays. This monopoly will be to the considerable disadvantage of nearby country racing clubs. We have been told that the Bill will tend, to some extent, to eliminate illegal betting, but I disagree. If there is illegal betting now, it will still continue even if the clause were carried. In hundreds of country towns the public would not have the opportunity to bet unless they came to the metropolitan area or attended local meetings or travelled to Port Pirie where there is the only betting shop in the State.

We have been told that mid-week racing is the cause of much absenteeism in industry. People see a number of persons getting into two or three buses outside Parliament House on certain racing days and therefore come to the conclusion that there is a great deal of absenteeism in industry. I made exhaustive inquiries this morning from the Chamber of Manufactures, the Government Statistician, the Factories Department and people who employ labour and as far as I could ascertain there is no more absenteeism from industry, departmental stores and other places of employment on a Wednesday than on any other day. I was told by the Chamber of Manufactures that there is actually more absenteeism on a Monday than on a Wednesday, so the plea that mid-week racing contributes largely to absenteeism is a fallacy which has long been exploded.

It has been said that if country racing were eliminated this absenteeism would not continue; also that it was hoped that if the Bill were carried it would not create further mid-week racing. Last week I endeavoured to make it clear to members that it would further increase mid-week racing, because it would give to the S.A.J.C. a Saturday on which there was previously a race meeting in the country, and in lieu of that at least one country racing club would be compelled to race on a Wednesday. Country racing clubs are entitled to due consideration, which they will not get if this Bill is carried. One member said that he would do away with all country meetings held within a radius of 100 miles of the city, but country racing contributes largely to the success of metropolitan racing. It is well-known that young horses start their careers in the country and race there until they reach a standard that enables them to be brought to the city. The number of horses trained in the metropolitan area has been mentioned, but nothing was said about those trained in the country, so I point out that 50 horses are trained at Murray Bridge. This involves the Murray Bridge Club in considerable expense. I was not a member when similar Bills were discussed, but as an indication of the consistency of my outlook towards country racing interests I shall read a telegram that I sent to Mr. Bice on November 14, 1946, which read:—

This club strongly protests and considers unfair proposal to deprive country clubs of their Saturday racing dates. Thousands Adelaide visitors attend country Saturday meetings. Great financial loss would be suffered by country clubs who have expended substantial outlay on their properties.

The Hon. N. L. Jude—It has not been borne out that they would suffer financially, because they are now much better off than they were then.

The Hon. J. L. COWAN—But the club has raced on Saturdays.

The Hon. N. L. Jude—On only one day a year.

The Hon. J. L. COWAN—That is so.

The Hon. N. L. Jude—Would that club get the Saturday next year?

The Hon. J. L. COWAN—Not necessarily; that is in the hands of the controlling body. If this Bill is carried the South Australian Jockey Club will be permitted to hold one more meeting a year, which will be attended by more people than would attend a country meeting, therefore that club will derive more revenue and the Government will also obtain more in taxation than in the past or if this meeting were held in the country.

The Hon. F. J. CONDON—The honourable member has moved this amendment because he desires to protect the interests of a racing club in his district. However, it seems strange that there is more debate in this Council on small items of social legislation than on the most important matters. A similar argument was put forward when Quorn wanted extra race meetings, but as that club is still racing on a Saturday the arguments were groundless. I oppose the amendment because I do not desire to encourage illegal betting in the metropolitan area. In Western Australia in the last three weeks a colossal sum of money has been invested in betting shops and it is for members to decide whether we should return to what was in operation years ago. I agree with Mr. Cudmore that we will never stop illegal betting, and that all we can do is minimize and control it. Illegal betting increases when we have a raceless Saturday. Why not say that we will not have a cricket match here next Saturday because there will be one at Murray Bridge?

Once again we have heard the argument of decentralization, but that is a silly argument in such a matter as this because there are 136 country race meetings a year compared with 58 metropolitan meetings. In the metropolitan area only 37 trotting meetings are held each year as against 78 in the country, and Parliament in the past few years has amended the Act to extend the numbers of both racing and trotting meetings in the country. The Murray Bridge Club races on seven Wednesdays and one Saturday each year, and the Tailem Bend Club's meetings are also held on that course.

The Hon. J. L. Cowan—That is only temporary.

The Hon. F. J. CONDON—That may be so, but they are held there. Of the racegoers who attend the Murray Bridge meetings, 60 per cent come from Adelaide. This Council has unanimously decided to do its best to combat illegal betting, but illegal betting increases if we have raceless Saturdays. We once had betting shops, but Parliament decided to restrict betting to the course and increased the number of race days in the metropolitan area. No club within 100 miles of the city apart from Murray Bridge Racing Club conducts a Saturday meeting. The day Mr. Cowan seeks for the Murray Bridge Club could be allotted to any other club and if this Bill were for the purpose of giving an extra day to Quorn he would probably object to it. From the Government's point of view it is a matter of revenue, as more revenue will be obtained from a metropolitan meeting than a country meeting. There is nothing that prevents the Murray Bridge Club from racing on a Saturday, but it simply says that it prefers to race on a Wednesday. The matter is entirely in its own hands. I do not want to see a recurrence of illegal betting. For a number of years we had the sorry spectacle of seeing men sent to prison for a month for making a two shilling bet, and I am pleased to say that it was my amendment that altered the Act in that respect. I oppose this amendment.

The Hon. E. ANTHONEY—The subject of this Bill has been under discussion many times. On one occasion this place was deluged with telegrams from a certain racing club urging members to support the very thing that Mr. Cowan is asking us to do now. However, the club in question is still racing despite the fact that we were told emphatically at the time that if we voted against the Bill that club would go out of existence.

The Hon. J. L. Cowan—It never had more than one Saturday.

The Hon. E. ANTHONEY—I do not think this alteration would affect the Murray Bridge Club. I am not very interested in the sport of racing, if it can be called a sport; I think it has become big business. I am impressed by the fact that if this free Saturday is allowed to continue in the metropolitan area it will open the flood gates again to illegal betting, to which I am strongly opposed.

The Hon. J. L. Cowan—This state of affairs has existed for years.

The Hon. E. ANTHONEY—But this would accentuate it very much. I remember how insistent we were in the past that we should give the bettor the right to bet legally. If we carry the amendment it will throw the whole thing open again to illegal betting. I have obtained some figures regarding the turnover of the Murray Bridge Club. For the year 1952-53 the turnover for Saturday racing was £81,000 and for Wednesday racing £67,000. In the following year 1953-54 the figures were, respectively, £83,000 and £66,000.

That does not, of course, include the club's share in the betting tax obtained from interstate betting. These figures indicate that the club is liberally patronized and that it has a satisfactory turnover. One would think that the loss this club would sustain from losing one Saturday afternoon's racing would be only £200 or £300 a year, which should not mean much to a club which, judged by its balance-sheet, is in a sound position. From the point of view of the greatest good to the greatest number I think the day should be given to a metropolitan club. We have had Royal Commissions and all kinds of inquiries into the question of illegal betting and we have done our best by all means to curb the public instinct to gamble. Sensible people know, however, that it cannot be stopped so we must try to control it and this is the only way to do it. I therefore cannot support the amendment.

The Hon. Sir FRANK PERRY—I support the amendment. This has been a bone of contention between the various racing clubs for years until it finally came down to the metropolitan clubs granting one Saturday to country clubs. The Government, I presume at the request of the S.A.J.C., is asking that the one day be now given to the S.A.J.C., but I think that any alteration to existing privileges should not be treated lightly by this Council. The Murray Bridge Club has built up considerable assets and is a reasonably strong club for that centre.

The Hon. C. R. Cudmore—You mean for Adelaide on Wednesdays?

The Hon. Sir FRANK PERRY—It will be another Wednesday if this Saturday is taken from it. The only reasons I have heard advanced are, firstly, that it means more revenue. As this is a sport I do not consider that revenue should come into the question. I feel that racing has become an industry and that sport has long since departed from it, except for a very few people.

The Hon. C. R. Cudmore—The Government did not say anything about revenue.

The Hon. Sir FRANK PERRY—No, but the arguments put forward have strongly stressed revenue. The other aspect is illegal betting, but that goes on now.

The Hon. E. Anthoney—Won't there be more?

The Hon. Sir FRANK PERRY—I feel that illegal betting will not be increased by the alteration. It may be lessened if this clause is negatived.

The Hon. Sir LYELL McEWIN—I rise only to correct a statement that has been made by no fewer than three speakers, namely, that the Government was prompted to introduce this Bill for an extra racing day in the city, first because of the extra revenue that would be derived from it, and the other argument had something to do with illegal betting. None of these claims was made in submitting the Bill to the Council. It was a vacant date, and application was made and the Government considered that in view of the metropolitan population and the demand that they should be able to have the sport of their choice on Saturday afternoons, the controlling club had a more valid claim than any other.

I can sympathize with Mr. Cowan's remarks on behalf of a certain club. I used those arguments myself on a previous occasion, but was not able to persuade my fellow members in this Council, and a number of racing days —not one Saturday—were taken off the racing calendar of country clubs merely because it was not considered practicable for them to race in competition with metropolitan clubs. However, since that decision was made by Parliament the clubs concerned have never known greater prosperity. Sill racing on Saturday afternoons they have built up both the quality of racing and the improvements on their courses. Probably the Murray Bridge Club will be just as prosperous under some other arrangement than that which is concerning them at the moment. Only one day out of eight is involved and it is hardly conceivable that the attendances should be affected sufficiently to put the club into difficulties. In considering the interests of the sport, it can be said that anything which will strengthen it in the metropolitan area will also strengthen it generally.

The Hon. J. L. COWAN—If my amendment is carried it will only preserve the *status quo*. Mr. Anthoney said that if it were carried the gate would be thrown wide open for illegal betting. That will not be so, but the position will be just the same as it has been for a number of years. Mr. Anthoney and the Chief Secretary were under the impression that when other racing days were taken away they were taken from Murray Bridge, but that club never raced on more than one Saturday in the year, the other Saturdays being used by other country clubs. The Saturday now involved is the one remaining Saturday on which Murray Bridge Club has been operating.

The Committee divided on the amendment.

Ayes (8).—The Hons. J. L. S. Bice, J. L. Cowan (teller), A. A. Hoare, A. J. Melrose, Sir Frank Perry, W. W. Robinson, C. R. Story, and R. R. Wilson.

Noes (9).—The Hons. E. Anthoney, K. E. J. Bardolph, S. C. Bevan, F. J. Condon, C. R. Cudmore, E. H. Edmonds, N. L. Jude, Sir Lyell McEwin (teller), and C. D. Rowe.

Pair.—Aye—The Hon. L. H. Densley. No—The Hon. Sir Wallace Sandford.

Majority of 1 for the Noes.

Amendment thus negatived; clause passed.

Suggested clauses 4 and 5 and title passed.

Bill reported without amendment and Committee's report adopted.

MARRIAGE ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 5. Page 980.)

The Hon. E. ANTHONEY (Central No. 1)—The Bill deals with a subject which is really the foundation of our social life, and has for its purpose largely the rectifying of an omission in our law in that there is no limit laid down for the minimum age of marriage. On inquiry I have ascertained that in the preponderance of cases boys who married between 1951 and 1955 averaged about 17 to 18 years. In 1951 one girl married at 13, and that raises the question whether action would be taken to ensure that as she was still under the school-leaving age she should continue at school. Could she do that as a married woman? In the same year four girls married under the age of 14 or at 14, and 12 at 15. In 1952 three married at 14 and 21 at 15 and in 1953 one married at 14, and 14 at 15, and in the following year five married at 14 and 21 at 15. Therefore, it would seem that the popular age of marriage for girls under 18 is about 15. I contend that no girl at 15 is competent to carry out her proper married life and set up a home successfully. In India it is quite common for children to marry at 10 to 12 years, but we do not want that in our society. We are living in a progressive age, and the bringing up of a family is a great responsibility, as it always has been. The Bill is an attempt by the Government to bring our legislation into line with that operating in England, where I understand the minimum age of marriage is 16. I therefore support the second reading.

Bill read a second time.

In Committee.

Clauses 1 to 3 passed.

Clause 4—"Age of marriage."

The Hon. C. R. CUDMORE—I move—

In new section 42a (1) (*b*) to strike out "sixteen" and to insert "fifteen."

Mr. Robinson gave very interesting figures, and obviously he had been in touch with the organizations that waited on the Government asking for the introduction of this legislation. I think we all agree that legislation of this type is necessary, because the ages of 12 and 14 are obviously ludicrous here. I favour 18 as the age for boys, but I still have doubts whether we are not going too far in saying that girls should not be married until they reach the age of 16. My attitude is based on the figures that Mr. Robinson gave of the number of marriages of girls of 15 and I am not impressed by the idea that those girls are not sufficiently mature to set up a home. Many of them are and if they marry a man who is in a position to provide a home it seems to me that in prohibiting them from marrying we are going too far. Mr. Robinson said that over a period of 10 years 657 girls and boys under 15 were married. Only 2 per cent of this total were males, obviously shot gun weddings. I think many girls of 15 want to marry and should be entitled to do so, so having in view our climatic conditions and the development of people in this country I think we are going too far in saying that the marriage of a girl of 15 shall be void.

The Hon. E. ANTHONEY—This Bill has been introduced largely at the behest of a number of organizations, all of which I suppose have discussed this matter and have come to the conclusion that 16 is the lowest proper age for a girl to marry. If girls of 15 are not still at school, they should be. Do members consider that a girl of 15, in these competitive days, is capable of managing a house? I would think not. I would think another year at a minimum would make a great deal of difference to her outlook on life. I oppose the amendment.

The Hon. Sir LYELL McEWIN (Chief Secretary)—I ask the Committee to support the age set out in the Bill. Mr. Cudmore is concerned about making too drastic a change, but I point out that the mother country, the most conservative country when dealing with the rights of citizens and the last to interfere without justification, has adopted the age of 16.

The Hon. C. R. Cudmore—England has a different climate from ours.

The Hon. Sir LYELL McEWIN—I would not like anything we do to perpetuate an injustice to children in their tenders years, some of them still going to school, as Mr. Anthoney pointed out. I have obtained figures from the Registrar of Births which should be accurate that indicate that in 1954 only 26 girls under 16 were married.

The Hon. C. R. Cudmore—How many of them at 15?

The Hon. Sir LYELL McEWIN—I am giving the honourable member the benefit of the lot. I have not the 15 year old girls segregated. I doubt if we could find one being married at 12. Girls over 16 usually marry men about their own age but the younger the girls the greater the discrepancy in ages. Last year two girls under 16 married men between 30 and 35 and two married men between 25 and 30, which shows that the majority of girls under 16 marry men much older than themselves. The Bill provides something that is not provided elsewhere, that when the parents become over the age prescribed it is possible for the children of the marriage to be legitimized, thus removing any problems relating to the children. I think that is the appropriate gesture to make for anyone under the age prescribed, because the opportunity is there to do this. If the age is 15 we will merely open the gate that this legislation is attempting to close. Marriages of girls of this age, although the parents may consent, fail in the majority of cases. I ask the Committee not to alter the age set out in the Bill.

The Hon. C. R. CUDMORE—The Minister has referred to subclause 2, on which he has an amendment, but that has nothing to do with my proposal. I was impressed by Mr. Robinson's quotation:

> As that great statesman, William Ewart Gladstone, said, "The aim of all legislation should be to make it easy to do right and hard to do wrong."

I wish to make it easy to do right, and I think the right age to permit females to be married is 15.

The Hon. F. J. CONDON (Leader of the Opposition)—During my speech I expressed my views at some length and said that I thought the age of 16 was too low, so I cannot support the amendment.

Amendment negatived.

The Hon. Sir LYELL McEWIN—I move—

In new section 42a to strike out "celebrating" and to insert "contracting."

In dealing with the legitimation of children born of under-age parents the Bill refers to the "celebration" of a marriage where it should refer to the "contracting" of a marriage, and the amendment makes the necessary correction.

Amendment carried; clause as amended passed.

Title passed.

Bill reported with amendment and Committee's report adopted.

MAINTENANCE ORDERS (FACILITIES FOR ENFORCEMENT) ACT AMENDMENT BILL.

(Continued from August 30. Page 647.)

Bill read a second time.

In Committee.

Clauses 1 to 3 passed.

Clause 4—"Power to make provisional orders of maintenance against person resident outside South Australia."

The Hon. C. R. CUDMORE—I move the following amendment:—

Insert the following new paragraph:—

(*b*) by striking out the words "and acting for" in the seventh line of subsection (4) thereof, and inserting in their place the word "in."

In new sub-section (4*a*) strike out "and acting for" and insert "in."

These are purely drafting amendments and do not alter the Bill. I noticed in the Bill in new sub-section (4*a*) (*b*) the word "that court or any other court of summary jurisdiction sitting and acting for the same place," and it seemed to me that what was really meant was "in the same place." Upon inquiry I discovered that the words in the Bill were copied from section 5 (4) of the principal Act. As it is useless to put right the wording in this Bill without correcting the wording in the principal Act my amendment does two things. First it corrects the mistake, if such it were, in the principal Act, and secondly, the wording in the Bill before us.

The Hon. Sir LYELL McEWIN (Chief Secretary)—The Parliamentary Draftsman states that the amendment will improve the language in the principal Act and in the Bill and therefore I accept them.

Amendments carried; clause as amended passed.

Clause 5—"Power of court of summary jurisdiction to confirm maintenance orders made out of South Australia."

The Hon. Sir LYELL McEWIN—I move:—

To strike out the words "or rescission," wherever occurring.

The Parliamentary Draftsman advises that these amendment are all for the same purpose. The Bill at present provides for the confirmation in South Australia of a provisional order for the variation or rescission of a maintenance order originally sent to South Australia for confirmation and enforcement. Since drafting the Bill, my attention has been drawn to the fact that the intention of the Maintenance Orders (Facilities for Enforcement) legislation is that, while an order for variation of a maintenance order made in the country in which the maintenance order originated should be provisional only, and forwarded to the country in which the order is being enforced for confirmation, an order for rescission made in the country where the order originated should be final and not merely provisional. These amendments therefore alter the Bill to provide for the confirmation in South Australia of a provisional order for variation only.

The Hon. C. R. CUDMORE—I have not had an opportunity to consider the effect of this amendment, but from the Minister's statement it seems quite clear that there can be no provisional order for a rescission, for if an order is rescinded that is the end of it. I support the amendment.

Amendment carried; clause as amended passed.

Remaining clauses (6 to 8) and title passed. Bill reported with amendments and Committee's report adopted.

MINING ACT AMENDMENT BILL.

The Hon. Sir LYELL McEWIN (Minister of Mines), having obtained leave, introduced a Bill for an Act to amend the Mining Act, 1930-53.

Read a first time.

The Hon. Sir LYELL McEWIN—I move—

That this Bill be now read a second time.

The first feature of this Bill is to authorize the use of funds for the carrying out of research and development work on minerals in a much wider field than in the past. The history of industrial development in the State is closely related to development of its mineral resources and much of the success in finding them and utilizing them has been due to the Government's policy of maintaining a strong group of technical and scientific officers of high standing in the Mines Department who are specialists in chemistry, physics, metallurgy, chemical engineering, geology, etc. The research and development work of the Mines Department has already received world acclaim in relation to the successful development of processes for the treatment of uranium. The plants now operating at Radium Hill and Port Pirie are the result of this work. The successful reproduction of the results of laboratory and pilot plant work in the plants clearly demonstrates the practical value of this work. Without it Radium Hill would have been incapable of development. The department's research facilities have particularly attracted the attention of other interests concerned with the development of uranium deposits elsewhere in Australia.

Numerous requests for investigational work have been received by the department ranging from sample assays to complex processing advice. A scheme has been worked out whereby charges for this work will be made. The charges will be determined by the Minister from time to time, but the intention is that the costs of the work for companies operating outside the State will always be fully recovered. Special concession rates for certain work, as for instance that for Governmental authorities outside the State, may be deemed desirable from time to time. Therefore, the Bill provides for the determination of the charges by the Minister as in the case of work for organizations within the State. It is not proposed to alter any of the principles applying to work for organizations within the State which will at all times receive priority consideration.

At present the Mines Department is undertaking the development of a uranium treatment process for the Rio Tinto Company, which holds an option over certain mining properties in Queensland. It is most gratifying that a world-wide company such as this should have selected the department to undertake this vital work. There is little doubt that, overall, the expansion of activities to deal with certain request work from outside the State will be beneficial to the State as it provides a very positive means of enlarging the boundaries of knowledge of mineral resources generally. This first section of the Bill is to provide the necessary authority.

It should be noted that the research laboratories of the department have been planned to deal with the full range of mineral investigational work. Uranium has been most prominent, but it should be recalled that the department's research findings played a big role in the development of the Nairne pyrite deposit and the establishment of a local

sulphuric acid industry based on local raw materials. Current investigations include the processing of barytes, the study of limestones for a high grade lime industry, the study of low grade iron ore treatment methods, the development of a uranium metal process, etc. In all this work the Government clearly recognizes that the enlargement and successful development and exploitation of the mineral wealth of the State will increase the productivity of all persons engaged in producing goods, in transporting goods and in performing all manner of services generally. This particular amendment thus provides a further service to the industries of the State, which, almost without exception, have a very close tie with the State's mineral resources.

Secondly, the Bill provides the Minister with authority to grant mineral leases for uranium or thorium to approved companies or persons desirous of working deposits of these minerals. These leases differ from the normal mineral lease in that the Minister will have complete discretion regarding the granting of the leases, and when granted they will contain in the lease conditions, certain requirements relating to the work to be undertaken and for the sale of the uranium or thorium produced. It will not be possible to obtain the right to a uranium or thorium lease by pegging a claim, as in the case of other minerals by being the holder of a miner's right. In each case title to a uranium deposit can only be obtained by application to the Minister for a special mining lease or a uranium lease and the Minister will have absolute discretion in granting same. In presenting this amendment it will be noted that the Government has changed its policy on uranium mining whereby, having now established plants for treating ore and concentrate, it is desirous of having the assistance of private enterprise in developing and working deposits which will provide significant amounts of ore suitable for treatment to maintain these plants in production. By agreement with the United States and United Kingdom authorities, it was decided to construct the Port Pirie chemical treatment plant with a greater capacity than that decided on for the Radium Hill mine. It is accordingly desirable to have developed other uranium mines to permit this plant to operate continuously at near-capacity output, thereby securing lower operating costs.

The Government proposes to call tenders seeking offers for uranium mining leases from interested companies for the exploitation of the Mount Victoria deposit in the Crocker's Well area, and also to seek their support in the further testing of the area. For this purpose special mining leases of two years duration, carrying the preferential right to uranium, will be made available to approved applicants. To date the Government has not granted any titles for uranium because it has always adopted the viewpoint that without treatment facilities, as are now established at Port Pirie and Radium Hill, mining ventures for uranium in South Australia would have little prospect of success. Experience, especially in relation to the special conditions of uranium occurrences in South Australia, has clearly shown that adherence to this policy has been a wise one. The amendment will now enable only approved private companies to lease areas for the mining of uranium. In general, the granting of leases will be limited to organisations who have sound technical backing and capital resources and the Department must also be satisfied that the uranium deposits concerned must be capable of providing a reasonable output of ore amenable to treatment in established plants.

The third feature of the Bill is to permit the Government to purchase the uranium ores or concentrates for treatment at Radium Hill or Port Pirie. It is the corollary to the lease amendment. Such appropriations as are made for the purchase of uranium ores and concentrates will form essentially working capital for a revolving fund as the payments will be reimbursed from the proceeds of the disposal of the product. Instead of financing the development of new mines, the Government's financial resources will be conserved for public works and other services. Investigations have revealed that a number of companies will be interested in developing and further testing the new prospects discovered by the Department on the basis of being paid for the uranium content of the ore or concentrates delivered to the Government's treatment plants. One of the main attractions lies in the fact that chemical treatment facilities are not involved in their planning and financing and for the most part the working of leases will merely involve the establishment of mining plant and community facilities. It is proposed that the announced Commonwealth schedule of prices for uranium will be the basis of payments to successful tenderers. Guarantees to purchase the output of the lease over a period of years will also be a condition of any lease granted.

The following is the Parliamentary Draftsman's report on the Bill:—

Clause 3 enacts a new section 110a of the principal Act, which will empower the Minister of Mines to conduct research and investigation

into problems relating to mining, minerals, and other substances obtained by mining. Such work may be done both for the Government and for the general public, including persons in other States. When any such work is done for a member of the public the Minister is empowered to make a charge for it. The development of uranium mining in this State has necessitated a good deal of research, which has been undertaken and paid for out of money voted by Parliament; but the power of the Government to do this work has been questioned by the Auditor-General, particularly in cases where the work has been done at the request of persons in other States. When any such work desirable that when facilities for research are established they should be used for the benefit of the Commonwealth as a whole and it is therefore proposed in this clause to place beyond doubt the legal power of the Government to conduct researches for persons either in or outside the State.

Clause 4 empowers the Governor to grant mineral leases for the mining of uranium and thorium. Under the present law mineral leases cannot be granted for this purpose. The existing provisions of the Mining Act applicable to uranium and thorium were passed solely for the purpose of enabling the public to prospect for these minerals and the only leases which can now be granted for uranium and thorium mining are special mining leases which have a term of not more than two years. Under the clause it will be open to the Governor to grant ordinary mineral leases, which have a term of 21 years with rights of renewal. The Bill will enable such leases to be granted to any approved person whether he does or does not hold a mineral claim or a special mining lease. It is desired that the Government shall have a discretion in the matter of granting uranium or thorium mining leases, and that a person shall not be entitled to such a lease solely because he has pegged out a claim. Under this clause the Governor will be in a position to ensure that uranium or thorium mining leases are granted only to competent persons having adequate financial resources.

Clause 5 deals with the terms and conditions of the proposed uranium and thorium leases. It re-enacts section 111b of the principal Act. This section at present applies only to special mining leases. The clause extends its operation so that it will apply to the proposed 21 year mineral leases. It lays it down that a uranium or thorium lease may require the payment of rent and royalty rates different from those applicable to an ordinary mineral lease. The rent for an ordinary mineral lease is 1s. an acre and the royalty is 2½ per cent of the gross amounts realized from the sale of the metals and minerals. These rates might not be suitable for a uranium or thorium lease, particularly if the Government has, before granting the lease, expended money on exploration and development. It is therefore proposed to enable the Governor to fix special rates. It is also proposed that in a uranium or thorium lease the Governor will have power to specify the developmental and other mining work which the lessee is obliged to perform and to require the lessee to perform that work with skill and efficiency and within a fixed time or any extension thereof granted by the Minister. Uranium and thorium leases may also contain provisions providing that the Government shall purchase any uranium and thorium won by the lessee in the mining operation.

Clause 6 empowers the Governor to purchase, sell, dispose of or use any uranium or thorium obtained from mining operations conducted within the State. The money required for any such purchase will be paid out of money voted by Parliament. The other amendments are consequential.

The Bill is an important amendment of the Act and I commend it to the consideration of members.

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

ADJOURNMENT.

At 3.57 p.m. the Council adjourned until Tuesday, October 18, at 2 p.m.