

**LEGISLATIVE COUNCIL.**

Thursday, November 3, 1955.

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

**SUPPLY ACT (No. 3).**

His Excellency the Governor intimated by message his assent to the Act.

**QUESTIONS.****ANZAC HIGHWAY TRAFFIC LIGHTS.**

The Hon. C. R. CUDMORE—In view of the somewhat ambiguous statement in today's press as to the lights to be installed on Anzac Highway, can the Minister of Roads clarify the position?

The Hon. N. L. JUDE—I received a deputa-tion yesterday on the matter and gave it immediate consideration because the Govern-ment appreciates that it is urgent, and the decision was that the installation shall be proceeded with. The press article erred some-what as to finance. The position is that the matter now rests between the Highways Com-missioner and the two councils concerned as to the proportional payments which shall be made. I stated that while the Highways Department continues to make money available for essential amenities such as this it means less money is directly available for road surfaces.

**CADELL FERRY.**

The Hon. C. R. STORY—Can the Minister of Local Government say what his department intends to do with regard to the Cadell ferry?

The Hon. N. L. JUDE—The ferry has been put in action again but representations by the councils in the district to me suggested that it might go out of action again soon. The department felt otherwise, but in view of the nature of the suggestion made by the councils steps have been taken to consider the movement of the second ferry at Blanchetown north to Cadell with the possibility of remov-ing the original Lyrup ferry, which has been replaced by a heavier ferry, down to Cadell. The department is watching the position from day to day according to the behaviour of the river.

**APPROPRIATION BILL (No. 2).**

Second reading.

The Hon. Sir LYELL McEWIN (Chief Secretary)—I move—

*That this Bill be now read a second time.*

The Treasurer recently announced that the Government this year is budgeting for a deficit of £748,000 on Consolidated Revenue Account. Receipts from all revenue sources are expected to amount to £59,765,000, whereas payments for the year are estimated to amount to £60,513,000. Of the latter amount £15,136,216 is already specifically authorized by various Acts of Parliament and this Bill provides for the appropriation of £45,376,784, being the balance of moneys required to implement the Government's proposals during 1955-56.

Members will be aware that during the years 1950-51 to 1953-54 the State accumulated surpluses on Consolidated Revenue Account amounted to £2,154,000. It has been arranged with the Commonwealth Grants Commission that any surplus in the State's accounts will be available in aid of Consolidated Revenue in subsequent years. Accordingly the accumulated surplus in Consolidated Revenue Account of £2,154,000 was used to finance the deficit which occurred in 1954-55. This deficit amounted to £2,234,000 so that the position at June 30, 1955, was that the accumulated surpluses had been completely utilized and a small deficit of £80,000 carried forward in Consoli-dated Revenue Account.

One of the most striking features of post-war Commonwealth-State financial relations is the extent to which the States have become dependent upon grants made by the Common-wealth. At present no less than 32 per cent of the revenues of the State are derived from the tax reimbursement grant, and the special grant recommended by the Commonwealth Grants Commission. Under the tax reimburse-ment arrangements the formula for determin-ing the total amount of reimbursement grants to be paid to the States, as incorporated in the Commonwealth legislation, has in every year since the inception of uniform taxation proved to be inadequate to meet State Government requirements, and accord-ingly in every year a supplementary grant has been made by the Commonwealth. The determination of the amount of this sup-plementary grant is entirely in the hands of the Commonwealth and, whether the figure is arrived at arbitrarily or by some obscure cal-culation, the final determination is made by the Commonwealth Government alone. Accord-ingly members will appreciate that the Treas-urer was not at all extravagant when in the House of Assembly he criticized the present situation in which the Commonwealth is able to dominate the whole of the financial struc-ture of the States and, in point of fact, is

able to dominate State policy in almost every sphere. It is perhaps a truism to state that finance goes to the very heart of government and the authority which controls the purse strings is in a position to control policy. Australia is a Federation composed of seven partners which are constitutionally equal and sovereign, but, until such time as the States are assured of an adequate share of the income tax raisings of Australia, State Government policy is in danger of being unduly influenced for financial reasons by the views of the Commonwealth as translated into the amount of grants to be made available to the States to enable them to meet their constitutional functions.

Before commencing on the Bill itself, following my practice of recent years I propose to give members some information regarding the proposals of the Government for which moneys are appropriated by this Bill. The total receipts on Consolidated Revenue Account for 1955-56 are estimated to reach £59,765,000, which is nearly £8,000,000 greater than actual receipts for last year, and by far the largest increase in the anticipated receipts for this year occurs in connection with Commonwealth grants which, at £19,974,000, will exceed last year's grants by £3,859,000. The grant to be made to this State in pursuance of the recommendation of the Commonwealth Grants Commission will this year be £5,400,000, which is £3,150,000 greater than last year when we received only £2,250,000 and were required to use up the surpluses of the preceding four years in order to meet our normal State expenditure. Whilst this is a very considerable increase over last year's grant, it is still less than the amount sought by the Treasurer, and is one of the factors which force the Government to budget for a deficit this year.

State taxation is expected to yield £460,000 more than last year and earnings of public undertakings should exceed last year's earnings by £1,529,000. Recoveries of interest and sinking fund are calculated to exceed last year's receipts by £1,314,000, and this item of revenue deals with recoveries of interest and sinking fund in respect of loans made to semi-governmental bodies such as the Electricity Trust, the Tramways Trust and the Housing Trust. The amount required by the Government to meet all operating purposes during 1955-56 is £60,513,000 and of this amount £15,136,216 is already appropriated under special legislation. Such specially authorized appropriations include—

	£
Statutory fees and salaries payable in accordance with the Constitution Act and other Acts	186,000
Government contribution to the South Australian Superannuation Fund . . . . .	772,000
Transfer of net proceeds of motor taxation to the Highways Fund for expenditure on roads—pursuant to the Highways Act . .	2,746,000
Interest and sinking fund payable pursuant to the Financial Agreement in respect of the State public debt . . . . .	11,322,000

The balance of £45,376,784 is dealt with by this Bill and the departments to which this amount is appropriated are set out in Clause 3. In all the Departments mentioned in this Bill the Government will have to provide increased funds to meet the cost of wages and salaries as a result of awards made by various wage fixing bodies last year. The decision regarding margins in particular operated last year for only six months. This and other determinations will be in effect for a full year in 1955-56, when the additional cost on this account will amount to approximately £1,500,000.

Police Department, £1,568,704—This is the amount required to maintain the Police Force at the standard adequate to ensure public safety. It will enable the Government to meet commitments in respect of increases in rates of pay for the force as prescribed by the most recent police award, and will permit the department to purchase motor vehicles and other equipment necessary to the efficient performance of the force.

Hospitals Department, £3,250,000.—This amount is required principally for the purposes of employing staff and purchasing the materials and equipment necessary in running Government hospitals. It includes provision for the operation on a restricted scale of the Queen Elizabeth Hospital where, for the time being, the completed nurses' quarters are being used as a temporary maternity hospital. The actual maternity hospital is fast nearing completion and I expect it to be in commission before June next. Whilst not strictly appropriate to this Bill I feel I should mention my satisfaction in progress being made at the Queen Elizabeth Hospital site towards the new general and surgical block. As members are aware, some few months ago I accepted a tender for the erection of a new ten-storey general hospital block, together with appropriate medical officers' quarters and nurses' quarters. One of the terms of the tender is that this work will be completed by Christmas, 1957, and, having

in mind the very real progress that has been made in the few months since the tender was let, and the vast activity which the builders and architects are bringing to this very large project, I am extremely confident that the target date can be met, when a long standing and very real need in the community will be satisfied in that we will have a large hospital to serve the general, surgical, and maternity needs of the western districts.

Public Health, £129,858.—This provision is £33,000 in excess of actual expenditure by this department last year, and this increased provision is made by the Government to enable the department to extend the x-ray health survey which has been so well and favourably received, to extend other T.B. services, and to provide an extended and better school medical service.

Chief Secretary (Miscellaneous), £1,608,466.—This provision is required to meet grants and subsidies to various hospitals, health organizations, and other institutions, and is £373,761 greater than the amount actually disbursed for similar purposes last year. In 1953-54 the Government made special grants totalling £203,000 towards the provision of additional accommodation for homes for aged persons. Last year a further £38,000 was similarly provided, and provision is included in the amount shown in this Bill to make further payments totalling £21,000 for similar purposes this financial year. This scheme which the Government has adopted of recent years of assisting in providing accommodation for the aged is not connected in any way with a similar scheme fostered by the Commonwealth. During 1954-55 the Government made a further departure from normal grants in that it provided £76,000 as subsidies to private non-profit hospitals towards the provision of additional accommodation. In pursuance of this same policy an amount of £73,000 has been earmarked for subsidies for hospitals run by various religious denominations, which will be applied similarly this year towards additional accommodation.

Other payments to be made under the appropriation of the Chief Secretary (Miscellaneous) this year are as follows:—Adelaide Children's Hospital £315,000, of which £90,000 is provided for the purpose of assisting with the provision of additional buildings; Anti-Cancer Campaign Committee £21,000; Burnside War Memorial Hospital £59,000; Home for Incurables £128,000, of which £83,000 is towards additional buildings; Institute of Medical and Veterinary Science £117,000; Mothers' and

Babies' Health Association £55,000; Northern Community Hospital £14,500; Queen Victoria Maternity Hospital £174,000, of which £75,000 is provided for alterations and additions; South Australian Blood Transfusion Services £35,000; Whyalla Hospital £10,500; District and Bush Nursing Society £15,000; Kalyra Sanatorium £79,000, of which £29,000 is towards a new kitchen block and staff quarters; and Minda Home £40,000, of which £35,000 is towards a new building.

Conditional subsidies to hospitals will this year require £127,000 compared with £115,000 actually disbursed last year, and £89,000 is provided for special subsidies to hospitals for the purchase of equipment and for additions and alterations, the amount of such similar payments made last year being £52,000. A sum of £20,000 is provided in connection with the provision of ambulance services; £7,500 for the Royal Institution for the Blind; and £10,000 for the South Australian Institution for the Blind, Deaf and Dumb. A sum of £8,700 is also provided for an annexe to the War Memorial to perpetuate the memory of those who lost their lives in World War II.

Publicity and Tourist Bureau and Immigration, £226,260.—This provision includes a special grant of £22,600 to be made to the Murray Bridge Corporation for the purchase of land and for development of the river front as a tourist attraction.

Treasurer (Miscellaneous), £5,424,271.—Provision is made under this line for contributions to the Commonwealth of principal and interest pursuant to the Commonwealth State Housing Agreement amounting to £355,000, and contributions to the Commonwealth for similar purposes pursuant to the Railways Standardization Agreement, £60,000. The amount payable under the Housing Agreement is recovered from the Housing Trust and credited to Consolidated Revenue; the amount payable under the Railways Standardization Agreement becomes a charge against the railways accounts. Provision is also made under the line Treasurer (Miscellaneous) for administration and maintenance costs in connection with the temporary housing scheme £105,850, which is £37,000 in excess of actual expenditure last year, the increase being required, in large measure, to meet painting and other renovation costs which, in the case of all buildings of construction such as these, must be attended to regularly otherwise they would deteriorate rapidly. Provision is also made for a contribution by the Treasury to the railways towards working expenses and railway debt charges of

£4,050,000, and a similar contribution to the Municipal Tramways Trust of £570,000. In this latter connection the amount to be paid to the tramways this year is £30,000 less than the amount paid for similar purposes last year and £130,000 less than the subsidy of the preceding year, and gives an indication that some definite progress is being made in tramway finances.

Lands Department, £580,981.—Following a payment of £39,600 last year as a contribution towards this State's share of loss on valuation in War Service Land Settlement areas, provision is included in the amount shown in the Bill for payment of a similar amount to the Commonwealth during this financial year.

Engineering and Water Supply Department, £2,026,000.—This amount is £43,830 less than actual payments last year and the estimated saving is due entirely to the fact that, with plentiful late winter rains which have enabled all reservoir storages to be filled, it is considered unlikely that there will be any necessity to pump water from the Mannum-Adelaide pipeline, and from bores, for long periods as was the case last year.

Public Works, £966,220.—This appropriation covers the cost of repairs, renovations, painting, alterations and additions to various Government buildings, and also provides for minor investigations to be carried out by the Engineer-in-Chief. It includes, in particular, provision for new furniture and equipment for new buildings at Northfield Mental, Parkside Mental, Port Pirie, Port Lincoln, Mount Gambier, Queen Elizabeth and Royal Adelaide Hospitals. Provision is also included in this amount for reconditioning the old wing at the Yatala Labour Prison to provide additional prison accommodation.

Education Department, £5,943,282.—This amount is £686,608 in excess of actual payments for this department last year, and the excess is required principally to meet increased salary rates and additional teaching staff. The increase in the Government's commitments for education over the post-war years has been quite astounding. During the last eight years, when the population of South Australia increased by approximately 27 per cent, the number of children of school-going age increased by about 64 per cent. This increase compares with 43 per cent for Australia as a whole, and explains the pressure which has been placed on the Government to keep abreast of education requirements, both as regards staff and accommodation.

Minister of Education (Miscellaneous), £993,535—Grants to the University will amount to £658,000; to the School of Mines, £190,000; to the Kindergarten Union £100,000; to the Institutes Association £21,370; to Suneden Retarded Children's Home £2,900; and to the Townsend House School for deaf and blind children £10,000.

Agriculture Department, £550,079.—This amount is required to finance the expanding services of this department in providing advice and assistance to primary producers. Some provision is made in the Bill for fruit fly destruction during this financial year, but no provision of any substance was made to combat the present grasshopper trouble. At the time the Estimates upon which this Bill is based were prepared the grasshopper problem had not appeared. The moneys necessary to endeavour to stamp out this pest will therefore have to come from special excess warrants and, at this juncture, it is not possible to estimate with any certainty the amount for which the Government may be committed in this regard. However, it is not at all impossible that the cost may exceed £50,000. In the event of any further major outbreaks the Government has approved of expenditure up to £100,000.

Minister of Agriculture (Miscellaneous), £114,563—This includes a grant of £90,000 to the Waite Agricultural Research Institute.

Mines Department, £683,000.—This amount is £90,000 in excess of the actual expenditure last year and is required to carry out the various mining geological research and development services of the department.

Harbors Board, £1,454,000.—The amount provided, which is £144,000 greater than the amount spent last year, is the amount estimated to be required for the operation and maintenance of harbor facilities at Port Adelaide, Outer Harbor, and the various outports. The increased provision is in the main required to meet increases of salaries and wages as prescribed by appropriate awards.

Railways, £15,051,268.—This amount is £294,000 in excess of actual expenditure last year, and of this the increased provision for salaries and wages accounts for £195,000. Considerable economies, particularly in connection with fuel costs, have been effected by the railways as a result of the changeover from coal burning locomotion to diesel operated vehicles. With the extension of this conversion programme it can be confidently expected that the more economic running of these vehicles will give considerable impetus to improvement in railway operating results.

Minister of Roads and Local Government (Miscellaneous), £326,399.—Included in this line is a special contribution to the Highways Fund amounting to £250,000, which is provided for the development and maintenance of country roads.

Turning now to the Bill, clause 2 provides for the further issue of £26,376,784, being the difference between the total of the three Supply Bills passed (£19,000,000) and the total of the appropriation required in this Bill. Clause 3 sets out the amount to be appropriated and the details of the appropriations to the various departments and functions. This clause also provides that increases of salaries or wages which become payable pursuant to any return made by proper constituted authority can be paid and that the amount available in the Governor's Appropriation Fund shall be increased by the amount necessary to pay the increases. Clause 4 authorizes the Treasurer to pay moneys from time to time authorized by warrants issued by the Governor and provides that the receipts obtained from the payee shall be the discharge to the Treasurer for the moneys paid.

Clause 5 authorizes the use of loan funds or other public funds if the moneys received from the Commonwealth and the general revenue of the State are insufficient to make the payments authorized by this Bill. Clause 6 gives authority to make payments in respect of a period prior to July 1, 1955, or at a rate in excess of the rate in force under any return made by the Public Service Board or any regulation of the South Australian Railways Commissioner. I commend the Bill to members.

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

#### PHYSIOTHERAPISTS ACT AMENDMENT BILL.

Second reading.

The Hon. N. L. JUDE (Minister of Local Government)—I move—

*That this Bill be now read a second time.*

Its object is to make a number of improvements to the provisions of the principal Act relating to the hearing of charges against physiotherapists by the Physiotherapists Board. Recently a physiotherapist was charged with unprofessional conduct by the board, and the subsequent proceedings revealed the need for a number of alterations to the principal Act. First, it appeared that the board should have power to impose lesser penalties than it can at present impose.

The physiotherapist in question was found by the board to have treated a child suffering from cancer while purporting to act as a physiotherapist and to have supplied various medicines for the child, including a drug called pentone which he was prohibited from supplying under the Food and Drugs Act. The board found that the circumstances amounted to unprofessional conduct and suspended the registration of the physiotherapist for 12 months. He appealed to the Supreme Court and the matter was finally disposed of by the Full Court. The Full Court held that although the physiotherapist had been guilty of unprofessional conduct, suspension was not an appropriate punishment. The court's view was that for the time being, while the standards of conduct of physiotherapists are not fully settled, the board should "hasten slowly" in the matter of punishment.

This decision has placed the board in something of a dilemma. The board has at present no power to impose any penalty other than de-registration or suspension, so that if the board cannot suspend in a case as serious as this one was, it is powerless to do anything except administer a reprimand. Even this course might be considered doubtful, since there is no specific power to censure. The board thus has little or no power to deal with minor matters at all, and if the case mentioned is regarded as serious, as it no doubt would be by many people, the board has no power to deal with many serious cases also.

In these circumstances the board has asked the Government to enable the board to fine and censure persons charged before it. The Government has acceded to this request. It believes that a fine would be an appropriate penalty for the board's purposes. It is felt that less stigma would attach to the imposition of a fine than even the shortest suspension, and the amount of a fine would almost always be less than the amount of loss involved in a short suspension. There is precedent for giving a board of this kind a power to impose a fine. The Pharmacy Act and the Veterinary Surgeons Act both give the boards created under those Acts power to impose a fine of up to £50. Clause 4 accordingly re-enacts section 32 of the principal Act to provide that the board may impose a fine not exceeding £20 where a person has been guilty of unprofessional conduct after the passing of the Bill.

Clause 4 gives the board power to censure a person charged after the passing of the Bill with unprofessional conduct. At the same time it extends the board's power of suspen-

sion. At present there are a number of grounds mentioned in section 32 on which the board may deregister, but may not suspend. In some cases the matters concerned would be appropriately dealt with by suspension, and the opportunity has been taken to enable these cases to be dealt with by suspension. Provision is also made for the board to censure in appropriate cases. Clause 4, by enactment of new section 32c, enables payment of a fine to be enforced by suspension of registration or by summary proceedings. Secondly, it was found that there was no power for the board to order payment of costs. The board has asked the Government that it should have power to award costs, and the Government has agreed to this request. There is ample precedent for the giving of such a power, and for the board to have the power is in the interests of justice.

Clause 4, by enactment of new section 32b, enables the board to award costs to the successful party. Such costs are recoverable under the Bill in the same way as a fine imposed under the Bill. Thirdly, in the course of the proceedings against the physiotherapist mentioned, it was found that, on the institution of the appeal against the decision of the board, there was no power to suspend the operation of the order of the board pending the determination of the appeal. It is clearly desirable that both the board and the Supreme Court should be empowered to suspend the operation of an order made by the board pending the determination of an appeal. Clause 5 provides accordingly.

The Bill makes several other alterations of a minor nature. Clause 4, by enactment of new section 3a, provides that a charge relating to any matter mentioned in section 32 shall be laid either by the person aggrieved or the registrar. At present the principal Act is silent as to the laying of charges, and it is considered desirable that the matter should be clarified in the manner provided.

Clause 3 makes an amendment to the principal Act consequential upon the other provisions of the Bill, and requires the registrar of the board to note on the register that an appeal has been made against an order of the board and to note the result of the appeal. As the principal Act requires orders of the board to be noted on the register, it should also require appeals against such orders to be noted. It does not do so at present.

The Hon. C. R. CUDMORE secured the adjournment of the debate.

## GAS ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from November 2. Page 1336.)

The Hon. K. E. J. BARDOLPH (Central No. 1)—I support the Bill. As pointed out by the Chief Secretary, it deals with the financial workings of the South Australian Gas Company. The Act incorporating the company was assented to on November 29, 1861. The success of the company is an indication of the far seeing ability of the early subscribers. The Act provided that the company could extend its activities to the extent of £60,000, and it was to operate in the city of Adelaide and the town of Port Adelaide. Much water has run under the bridge since 1861, and the stage has been reached where the company has developed an essential public utility. It has conducted its affairs in accordance with the desires of Parliament, and its operations have met with the satisfaction of gas users, and despite competition its share capital now stands at £1,950,000. Bonds are held to the value of £4,783,000. Naturally, the number of employees in the early days was comparatively small, but today the number has reached nearly 1,200. There always has been co-operation and understanding between the management and the employees. If that had not been so, the company could not have been in its present laudable position. The Labor Party from time to time has been branded as a wild set of Socialists having the one idea of smashing down some utility that has been built up by private or Government capital, but the conduct of this company is in full accord with Labor policy.

The Hon. Sir Frank Perry—That makes it a model, doesn't it?

The Hon. K. E. J. BARDOLPH—I hope the honourable member with his big industrial interests will emulate it. If other industries followed the Gas Company's lead there would not be so many disputes. The Australian Labor Party's policy is socialization or social control of industry, and of the means of production, distribution and exchange, such socialization or social control to be achieved to the extent necessary to eliminate exploitation and other anti-social features of industry and anti-social features of the processes of production, distribution and exchange, and that company's present policy is in accord with that declaration relative to controlling a public utility.

The Hon. E. Anthony—When did the Party put that in?

The Hon. K. E. J. BARDOLPH—It has always been in. The honourable member might desire me to flagellate this company, but I do not propose to do that. This Bill proposes amendments to the law relating to the capital, finance and accounts of the company. One-quarter of the £1,950,000 share capital will be retained in shares and three-quarters will go into bonds. Bond holdings at present amount to £4,783,000. This legislation is not to increase the price of gas but to provide some alleviation to the company in connection with taxation and other things. The Commonwealth authorities were consulted on whether the proposals would be acceptable to them. I am not suggesting that the Government can take the full kudos for this legislation because it was introduced at the behest of the shareholders, and if a Labor Government were gracing the Treasury benches it would also have agreed to the request. I support the measure, and reaffirm my statement with regard to the happy relationship between the workers and management of this company, which I hope will continue.

The Hon. Sir FRANK PERRY (Central No. 2)—I had intended to say something in commendation of the company, but I think it has already been done. I am pleased that it has the wholehearted support of the Labor Party. It is not unnatural that that is so, because this company has done a very good job over the years. It has paid dividends and has supplied gas to the community for a very long period. This Bill seems to mark a change in the set-up of public utilities. The Gas Company originally proposed to have £60,000 capital, and it then had the idea of making profits. It has made profits over the years, but at present the question of profit other than a fair rate of interest does not enter into the matter. The dividend that it can pay is limited by the Government to 7 per cent. Consequently, what equity is in the company goes to the consumer, as it cannot go to the shareholders while the company is functioning. It might if the company were liquidated, but if ever that point were reached the shareholders would not receive a great deal from the capital.

This measure marks a change in the method of finance because it will mean that a company with about £400,000 capital will be controlling £7,000,000 or £8,000,000. The directors are in the unique position of being trustees to the investiture of bonds rather than controlling the company for the purpose of making a profit. That is rather unique, but I think it is rather desirable for a public utility. I support

this proposal. It is an indication of the trend of taxation at present—that bonds and notes are sought rather than shares. The company is changing three parts of its capital from ordinary shares into a redeemable bond issue. That, of course, will make it easier for it to compete with the Electricity Trust, which obtains money more cheaply than the Gas Company can obtain it from the general public. Generally, I think nobody except the Commonwealth income tax authorities would have any objection to this Bill. I am pleased to note that the company is still expanding and is keeping abreast of the times. I am thoroughly in accord with the depreciation clause, as gas companies suffer severe depreciation because of the nature of their product. This provision will be in line with the requirements of the company. I feel sure that it will continue to supply the public with satisfactory gas at a satisfactory price, as it has done in the past, and I therefore support the Bill.

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

#### Y.W.C.A. OF PORT PIRIE INC. (PORT PIRIE PARKLANDS) BILL.

Adjourned debate on second reading.

(Continued from November 2. Page 1337.)

The Hon. E. H. EDMONDS (Northern)—This Bill provides for the transfer of portion of the parklands in Port Pirie to the local branch of the Young Women's Christian Association, which intends to build thereon suitable buildings to serve as its headquarters. From the time of Colonel Light's survey there has always been provision in our cities and towns for parklands vested in the local councils. They are reserved for the recreation of the people of the district and any proposal to take away or alienate any of these areas should have close scrutiny. With our increasing population and expanding industry there has been a tendency in recent years to push out into some of these reserves, and members will recall occasions where such proposals have met with considerable opposition. However, in smaller towns there is usually room where such encroachment can take place because the reservations are generally of liberal acreage and the whole is not required for recreational purposes.

The Y.W.C.A. is an organization with some social aspects as well as some spiritual implications and I therefore take it that it deserves every encouragement, particularly in

Port Pirie, which is the second largest town in the State and an important industrial centre. This Bill has been considered by a Select Committee in the House of Assembly and it also has the blessing of the Port Pirie Corporation notwithstanding the fact that the Bill provides that the organization shall not pay rates whilst in occupation of its premises. It will be permitted to mortgage the property to a limit of £3,000 but may not sell it, and unless the land is utilized for the purpose for which it is dedicated the Council may resume occupation upon due notice. Having regard to these conditions I cannot see any objection to the Bill. Knowing something of the locality I think it would be better to utilize the area for the purpose proposed than to leave it lying idle as it is now. There is some precedent for this proposal because adjoining lands have been granted to other organizations since 1910. In that year the Port Pirie Young Men's Association was given an area for similar purposes, and again in 1918 the Young Men's Christian Association was given an area on which it has constructed rooms and offices. I support the Bill.

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

#### WHEAT INDUSTRY STABILIZATION ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from November 2. Page 1339.)

The Hon. L. H. DENSLEY (Southern)—The reason why this Bill is before us is because of doubts expressed by the Australian Wheat Board as to whether it has authority to pay certain tolls to S.A. Co-operative Bulk Handling Ltd. It will be recalled that Parliament restricted, to certain specific instances, the payments that the board could make, and consequently the Wheat Board felt that it was not entitled to make the payments merely because the Bulk Handling Co-operative wish it. This appears to be one of the streams that has to be crossed and I dare say there will be many others owing to the unusual circumstances and the nature of the proposal embodied in this bulk handling scheme. The Bill provides that where the payee is a member of the bulk handling company, any money which the payee by writing authorizes the board to deduct and pay to the said company in respect of tolls which the payee has agreed to pay to the company may be deducted by the board and paid to the co-operative.

This Bill provides a means whereby the money can be simply collected without any risks to the co-operative and without a great deal of work to the board. Whether the principle is one of which we can be proud is an entirely different matter. I think that when the farmers were canvassed to sign applications of membership it was not made sufficiently clear what the articles of association were, although the wise thing would have been for farmers to acquaint themselves with this information before signing. The form signed was merely an application for membership, the applicant undertaking to conform to the articles of association, and in it was a clause authorizing the Wheat Board to deduct payments and pay them to the co-operative. It savours rather of holding the gun at the head of Parliament and forcing it to do something which, in the normal course of events, it had no intention of doing. Whether it is entirely desirable is another question. If we are anxious to make the Bulk Handling Co-operative successful it is probably the best way to do it.

I recall that in presenting its case before the Public Works Standing Committee the representatives of the co-operative promised that there would be a poll of wheatgrowers before the Act was implemented but no poll was held. I feel sure that if it is left to the farmers to write in to the co-operative giving the required authority a great many will probably fail to do it, and that would be nearly enough to cripple the company. If Parliament is desirous that it should go on I feel that it will have to eat humble pie and conform to the requirements of the Bulk Handling Co-operative and give the Wheat Board power to deduct tolls from payments due to the farmer. It is not a principle that I like, but I cannot see any other way in which we can ensure that the co-operative will collect its tolls, nor can I see any possible alternative.

Under new subsection 6(b) it is rather significant that the farmer who is not a member of the co-operative will have to pay the same handling charges as members plus an additional charge which, in other words, would be an amount payable towards the cost of capital construction. Whether that is entirely desirable or not, or whether we are justified in passing this Bill, I find some difficulty in deciding. I very much dislike it, but can see no other alternative and regret that further arrangements were necessary. I understand that yesterday the Minister discussed the attitude of the Australian Wheat Board to the



signing of the form for the payment of wheat on which a wheatgrower must indicate whether he is a member or not of the company. If a man signs the form, it authorizes the board to pay the requisite toll. That seems an entirely unsatisfactory way of doing it. However, I am assured by the Parliamentary Draftsman that the position is water-tight and I hope it will be. In practice, when an agent takes delivery of the farmer's wheat he fills in the claim form for him and even goes further and signs it, and now he will have the further responsibility of indicating whether the farmer is a member of the company or not. By every step we are taking in this legislation, we are building up more trouble for those associated with the scheme, and I think this is most undesirable.

The Hon. R. R. WILSON (Northern)—I spent considerable time this morning studying the Bill, which is not very clear. I find that the articles of association signed on the application for membership set out in detail the manner in which payments will be deducted and also how repayments will be made. If the form is signed and witnessed it is binding on the signatory. Ever since the Australian Wheat Board and the Australian Barley Board have been functioning farmers have had to sign claim forms before payment could be made. A new form is already in print, under the heading "Bulk Wheat Receipt and Claim for Payment." It is the usual form farmers have been used to signing ever since those boards began to function. There is another clause on the form which states, "I am a member of the South Australian Co-operative Bulk Handling Ltd., and as a member I authorize the Australian Wheat Board to deduct and pay to the company from any amounts payable to me for the wheat such amounts as I have agreed to pay to the company in respect of tolls." That is struck out if it is not applicable. I am informed officially that more than 60 per cent of wheatgrowers have signed the form, and other forms are still coming in freely.

The Hon. C. R. Cudmore—What do you mean by "officially?"

The Hon. R. R. WILSON—By the company. To secure the Government guarantee of £500,000 a total of 12,000,000 bushels had to be guaranteed to the company and that quantity has already been promised. As members of Parliament, we can do much to assist the company, which has many problems confronting it. I congratulate it on its selection of Mr. P. T. Sanders, of Ardrossan, as manager

from among applicants all over Australia. As he is a South Australian, we should pay a tribute to him. I have known him all his life. He has grown up in the grain-receiving trade, and because of his experience in handling bulk grain at Ardrossan he received the appointment.

Yesterday the Leader of the Opposition referred to the problem of separating the various qualities of wheat under the bulk handling system. With the horizontal type of silos being built, the wheat can easily be separated. The future quality of our wheats is in the hands of growers. Certain wheats yield freely, such as Gabo and Scimitar. Years ago the high quality wheats were poor yielders and that is why many wheatgrowers try to make the greatest profit possible by growing the higher yielding varieties. Then, with a ready demand for wheat, the incentive was to grow the lower grade milling wheats which gave high yields. Through the assistance of the Roseworthy Agricultural College, the Waite Agricultural Research Institute and wheat breeders we now have wheat which will yield quality wheats equal to those anywhere in the world. Yesterday Mr. Condon mentioned that wheat had been transported from Gladstone to Loxton. The objective was to get quality wheat and not to take all the wheat in the No. 18 pool as he stated. I have no hesitation in supporting the Bill. Those who signed the form will give the Wheat Board authority to deduct the tolls which they agreed to pay by signing the form.

Bill read a second time.

In Committee.

Clauses 1 to 3 passed.

Clause 4—"Payment by the board."

The Hon. L. H. DENSLEY—Can the Chief Secretary say whether the provision relating to the crossing out of a certain clause on the form will cover the position, or does he think there should be something more specific?

The Hon. Sir LYELL McEWIN (Chief Secretary)—I am assured by the Parliamentary Draftsman that the clause covers what is required. I think it is fairly well established that if a member of the company signs the form he gives authority to the Wheat Board to deduct certain amounts and pay them to the company, and apparently that is acceptable.

The Hon. C. R. CUDMORE—I am not very clear on the position. Mr. Densley referred to the alteration of the existing form which is signed when a man deposits his wheat, whereas Mr. Wilson said he had already seen the new form. I suggest we should know something

about it. Is it to be the new form which Mr. Wilson mentions, or the system which Mr. Densley has indicated?

The Hon. R. R. WILSON—No person who delivers wheat can receive payment until he signs the form, of which I have a copy. The wheatgrower makes application for payment by signing the form. Those who have not applied for membership with the company can strike out the appropriate paragraph on the form.

The Hon. Sir LYELL McEWIN—I discussed the matter with the Parliamentary Draftsman and I think the position is covered. Previously, members of the company had indicated that they were prepared to pay certain tolls and to have deductions made from their payments, but the Wheat Board was not satisfied that that authority was sufficient to cover it in making the deduction, and therefore it asked for some other provision. In this Bill we are giving the board authority to pay.

The Hon. F. J. Condon—Should not that have been mentioned when the other Bill was before us earlier this year?

The Hon. Sir LYELL McEWIN—Possibly a score of things will occur which were not brought up earlier. The board is satisfied, and this clause will give it authority to pay on the signature appearing on the claim form.

Clause passed.

Title passed. Bill reported without amendment and Committee's report adopted.

#### THE NATIONAL TRUST OF SOUTH AUSTRALIA BILL.

Adjourned debate on second reading.

(Continued from November 2. Page 1340.)

The Hon. K. E. J. BARDOLPH (Central No. 1)—In supporting this measure, I compliment the Attorney-General on his second reading speech. This matter has been agitating the minds of various societies, such as the Royal Society and the Institute of Architects, who desire to maintain and preserve some of our links with the past, such as buildings, works of art and other things of historic value. The agitation was actually commenced some time before 1949, although that was the year when there was public acclaim for a trust to be established. I support this proposal wholeheartedly. As pointed out in the *News* last night, there are many historic buildings here that should be handed down to posterity; Austral House, the home of the Morphet family at Morphetville, the old police barracks behind the Public Library and Sturt's Cottage are examples. Members will remember that

not very long ago people in the area near Sturt's Cottage desired to buy it to hand it down to future generations so that they would have a constant reminder of the person responsible for laying out the City of Adelaide. Too many links with the past have been allowed to be neglected and forgotten, so it is commendable that this legislation should have been brought before us.

The most important part of the measure is the schedule setting out the rules. The National Trust will have complete powers with regard to any property it may acquire, whether willed to it or purchased from money provided by donations. Clause 9 provides:—

The rules set forth in the schedule to this Act with such modifications thereof as shall hereafter be made under and pursuant to the powers in that behalf in such rules shall be the rules providing for and regulating the membership affairs business and management of the National Trust.

Rule 19 provides:—

The National Trust may accept any gift (whether by will or *inter vivos*) of any property, whether real or personal, of whatsoever kind and wheresoever situate, and whether in possession, reversion or remainder.

Rule 20(1) provides:—

The National Trust may invest any money which has been received by it under, or for the purposes of the Act, and is not required to meet the current expenditure.

That is all embracing, and I do not oppose it, but rule 22(2) sets out:—

All new rules and the repeal and amendment of any rules shall be submitted to the annual general meeting of the National Trust held next after the making thereof and the National Trust at such annual general meeting may, by resolution, disallow any such rule or any such repeal or amendment.

While this is part of the legislation the members of the trust can alter any of the rules. Should not such amendments be submitted to the Subordinate Legislation Committee and laid before Parliament? I am not attempting to discredit members who may constitute the trust, but they will be in control of property of considerable value, and if it is necessary for councils to submit amendments to by-laws to that Committee, perhaps this would be a wise procedure in this case.

The Hon. C. D. Rowe—That point is covered by clause 8(2).

The Hon. K. E. J. BARDOLPH—I thank the Minister. I have perused the Bill carefully, and have not raised this matter arbitrarily, but I think there should be some protection, because the trust will be an active one and responsible for valuable historic property.

The Hon. C. R. CUDMORE (Central No. 2) —I support the Bill. I think it is very desirable that we should have a National Trust here, having in mind the wonderful work the National Trust has done in the Old Country in preserving monuments of the history of England and preserving open spaces for the benefit of the public. In many other ways, as members will know, it has done a magnificent job in preserving parts of England. I compliment those who worked this matter up and approached the Government to introduce this legislation. It is proposed that the trust will finance itself. The only reason why we have this bill before us is to give freedom from taxation and succession duties which, if people are to be asked to leave things to the trust, is highly desirable.

In passing this legislation we are establishing and incorporating the trust, giving it the power to hold property, and freeing it from taxation. I think the explanation of the matter raised by Mr. Bardolph is that there are two separate things in this Bill. One is the regulations under clause 8, to which the Attorney-General referred. Those regulations are for regulating the relationship, as it were, of the public with the property of the trust, such as the hours when the public can make visits, for regulating traffic, and anything else necessary for administering and enforcement of the Act. The whole administration as it affects the public will be in these regulations which must first be confirmed by the Governor and then laid before Parliament, the same as any other regulations. The rules are perhaps the main portion of the Bill. As Mr. Bardolph pointed out, the trust can alter them at any time without submitting them to Parliament; all it has to do is submit them to a general meeting of the trust. These rules relate to the internal working of the trust, not its relationship with the public.

I draw the Attorney-General's attention to two points in the rules. Rule 20 deals with the power of investment, and provides that the National Trust may invest any money received by it. As this is a trust, although the rules do not state this, I take it that it will be interpreted that these powers of investment will be strictly limited to trust securities under the Trustee Act, which I do not think is right. The University, Public Library and other organizations have been agitating for wider powers of investment, and I think it is desirable that there should be wider power under this measure. We must keep up to date

a little. The Universities in England and Australia, and all other bodies of that sort, have been agitating for wider investment powers, and I suggest that this matter be looked at before the Bill is passed.

Another thing that strikes me about the rules is that they give power to the council to repeal or amend rules. For instance, it could wipe out all the people appointed under rule 3 and say, "We do not want representatives of all these bodies. We can run it ourselves." I think this aspect should be examined carefully, because there is no doubt that they could do this. Some consideration should be given to whether that is really the intention of the sponsors of the Bill. Otherwise I have great pleasure in supporting the Bill and perhaps we can discuss these details at a later stage.

The Hon. Sir FRANK PERRY secured the adjournment of the debate.

#### METROPOLITAN MILK SUPPLY ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from November 1. Page 1290.)

The Hon. F. J. CONDON (Leader of the opposition)—The principal Act provides for the control and regulation of the milk supply of the metropolitan area and it is administered by a board which commenced operations in 1947. The board has power to licence producers to sell milk and cream intended for consumption within the metropolitan area; to issue milk treatment licences to persons carrying on the business of treating milk for human consumption as whole milk, and to fix prices for milk and sweet cream to be paid to licensed producers and vendors. To show how the industry is expanding, milk sales increased from 14,231,875 gallons in 1953 to 14,751,071 gallons in 1954-55, and cream sales from 1,187,686 lb. to 1,215,732 lb. Last year the Milk Board issued 2,503 licences for milk producers and its expenditure amounted to £33,646.

The chief provision in this Bill deals with the zoning of milk deliveries. Zoning was set up during the war and has been continued since by mutual consent of vendors. Under this arrangement consumers are not free to purchase milk from anyone they desire to deal with and this has led to quite a number of complaints about zoning as some people felt they were not getting fair treatment. The Bill proposed to alter that and allow the choice of three vendors in any one zone. We know that prior to zoning there was a considerable

amount of overlapping of milk and bread deliveries, and it was a common sight to see five or six milkmen delivering in one short street. This, of course, must have increased the cost of delivery and I think there is something to be said in favour of zoning provided the consumer is given some choice of vendor. As I do not think the proposal will increase the cost of delivery and will make for more satisfaction. I support the second reading.

The Hon. E. ANTHONY (Central No. 2)—This Bill deals with three important aspects of the metropolitan milk supply. One is the licensing of producers. Under the principal Act, even although a dairyman did not have his premises or equipment in proper condition, the Milk Board issued a licence and gave him three months to put the premises in order. In some cases, however, the licensees failed to take the necessary action although they enjoyed the privileges of a licenced vendor. The Bill corrects that. If premises are not considered wholly satisfactory, but in the opinion of the board can be made satisfactory, it may issue a provisional licence during the term of which the board's conditions must be met.

The second matter is the reconditioning of milk. This arose, I think, from the legislation promulgated by the Dairy Board which came before the Subordinate Legislation Committee. The committee found, I think correctly, that the sale of reconditioned milk in the metropolitan area could seriously affect the vendors of whole milk and brought this possibility under the notice of the Minister and the department. This amendment is an attempt to deal with that

condition by limiting the sale of reconditioned milk in the metropolitan area. It is quite right that its distribution should be permitted in outlying places, such as Woomera, where fresh milk is not easily obtainable. There can be no possible objection to that.

The third amendment deals with zoning. Zoning was introduced under the National Security Regulations during the war and it served a useful purpose. We all know that there was a tremendous amount of economic waste in the deliveries of milk, bread and other things, with half a dozen bakers in one street. The result of zoning was to give one person an entire monopoly within a zone. To overcome this difficulty and injustice and to give the housewife a little more freedom in her choice of tradesmen the Bill provides that three vendors may operate in the same zone. I understand the retail vendors and the Milk Board do not object to this and that it is satisfactory to all parties.

I would like to congratulate the Milk Board on having done a particularly good job since its inception. It has met with a considerable degree of success in improving the cleanliness of premises and wholesomeness of the product, and I have much pleasure in supporting the second reading.

The Hon. J. L. S. BICE secured the adjournment of the debate.

#### ADJOURNMENT.

At 4 p.m. the Council adjourned until Tuesday, November 8, at 2 p.m.