LEGISLATIVE COUNCIL.

Thursday, November 17, 1955.

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

ASSENT TO ACTS.

His Excellency the Governor intimated by message his assent to the Gas Act Amendment, Wheat Industry Stabilization Act Amendment, and Y.W.C.A. of Port Pirie Incorporated (Port Pirie Parklands) Acts.

METROPOLITAN AND EXPORT ABATTOIRS ACT AMENDMENT BILL.

Read a third time and passed.

INDUSTRIAL CODE AMENDMENT BILL (PENSIONS).

Read a third time and passed.

TOWN PLANNING ACT AMENDMENT BILL.

Read a third time and passed.

BRANDS ACT AMENDMENT BILL.

Read a third time and passed.

NOXIOUS TRADES ACT AMENDMENT BILL.

Read a third time and passed.

LANDLORD AND TENANT (CONTROL OF RENTS) ACT AMENDMENT BILL.

Read a third time and passed.

SUCCESSION DUTIES ACT AMENDMENT BILL.

Read a third time and passed.

APPROPRIATION BILL (No. 2).

In Committee.

(Continued from November 16. Page 1614.)

Clause 3—"Appropriation of general revenue."

The Hon. F. J. CONDON (Leader of the Opposition)—It is my intention to take the unusual course of referring under this clause to several items, and if you will permit it, Sir, I shall deal with the lot at one time because that will save a great deal of time. I wish to draw attention to the difference between the expenditure on the Public Works Standing Committee and the Land Settlement Committee. The former, with the exception of a very short break at Christmas time, meets frequently during the whole year, and the actual payments made last year were £3,092. I do not know how often the Land Settlement Committee meets, but last year £3,167 was expended on it, which is more than the actual expenditure on the Public Works Standing Committee. There may be an answer to that, but I do not know the reason for it.

The Hon. C. R. Cudmore—Its work is obviously mostly in the country.

The Hon. F. J. CONDON—That may be so, but the work of the Public Works Standing Committee costs very little to this State and there are many times when by visiting other States it could get a considerable amount of information that would be of considerable benefit. I have no animosity towards the Land Settlement Committee, but I would like to clear up this point.

My next point is in relation to the amount provided for the Department of Lands for irrigation and drainage. A fortnight ago I was privileged to listen to a very important speech in this House by Mr. Story about the trouble that seems to exist in the Loxton irrigation area. Those settlers have made out a very good case, and a committee has held a couple of meetings and will be meeting the Minister on the matter.

For some time I have been pleading for some consideration to be given to the Port Adelaide Council in the matter of unratable properties. This year I had to pay a 50 per cent increase in rates, and a similar increase last year. My position is similar to that of other ratepayers in the district, all of whom are called upon to meet increased expenditure brought about by the amount lost because no rates are paid on property owned by the Harbors Board. It is an injustice to the Port Adelaide people that they should have had to make up nearly £500,000 since the acquisition of the wharves, because the port handles the produce of the State. The same thing applies to places like Port Pirie and Port Lincoln. I know that it is necessary for councils to increase rates, but I think Port Adelaide has been singled out, and once again I ask the Minister of Local Government if he will consider granting some redress to the Port Adelaide City Council.

Mr. Story put up a strong case for the canning industry. I think the amount provided to fight the grasshopper menace is £100,000, in addition to which there has been huge expenditure on the eradication of the fruit fly and a considerable amount for frost damage compensation. The Government appears to be giving assistance to quite a number of primary industries but very little

to the manufacturers. I have on previous occasions mentioned the bad state of the flour milling industry and the situation is not one iota better than it was when I mentioned it first, when the recession set in. If we can go on assisting other primary industries why cannot we assist this very important industry allied with them on the manufacturing side?

A fortnight ago I referred to the action of the Australian Wheat Board in compelling manufacturers to accept 70 per cent of the No. 18 pool and 30 per cent of the No. 19 pool wheat. The millers took up the matter with the board and I did so too, claiming that a 50/50 basis would be better, and I submit that to the Minister of Agriculture for his consideration. Millers cannot be expected to make a good article out of an inferior product. We know that No. 18 pool wheat was infested with weevil and very little of it is shipped overseas; if it is shipped there is a dockage of 1s. a bushel. On the other hand, when this wheat is sent to the mills there is no dockage and the millers are compelled to pay the top price. Isn't that penalizing the industry? The Wheat Board says that the millers cannot take premium wheat into their properties, so what is the result? Wheat is stacked at Stone Hut and a miller is not allowed to go the five miles from his mill in order to bring that wheat down himself; he is compelled to put it on the railways which carry it one mile beyond his mill where he has to unload it and cart it back again.

The Hon. E. Anthoney—Why cannot he put it on the road?

The Hon. F. J. CONDON—If he does so he has to pay the Railways Department 9d. a bag. Is not that hampering the industry? Is it assisting farmers—the men for whom I am always fighting? I never hear country representatives in this place putting up a fight on cases like that. I have mentioned this before, but wheat in the No. 18 pool has been loaded at Gladstone and sent to Loxton in order to fulfil the 70 per cent quota, notwithstanding that 30,000 bags were stacked in the mill yard. Moreover, the wheat stacked at Gladstone is brought past another flour mill in an adjoining town and later that miller has to cart it back, of course at extra cost.

Of the 27 mills in South Australia some are closed and others are working reduced time. Twenty-one of them are in the country and the employees of those that are closed have to come to the metropolitan area for work. Do we ever hear the representatives of the dairy farmers in this place seeking to protect these men? Consider the fine mill at Balaklava. Do we ever hear a word from country members on behalf of that town? At Port Adelaide there is a fine four-storey mill that has been closed for two years, but do we ever hear other members saying anything about that? I am pointing out these things to show that there is room for improvement. If we assist primary production we should also assist the manufacturing trade by removing the anomalies to which I have referred.

Last week the Chief Secretary in reply to a question of mine of course dodged the issue. I asked that certain minutes be laid on the Table because I knew something about them. I hope the Government will urge the calling of a conference of Ministers of Agriculture to discuss the question of margarine production. Even since I referred to this matter another State has agreed to increase its quota by 50 per cent. I ask the Chief Secretary to urge the Government to police the importation of margarine from other States by sending out inspectors to the dairy districts, as was done last year. I know the wheat industry and how the manufacturer is being penalized although he is doing his best to remedy the position, but I think the Playford Government should see if justice can be done. Mr. Story recently referred to the fruit canning industry and I believe that industry and others will have the same experience as the flour milling industry if consideration is not given to them. I hope the Government will take notice of what I have said.

The Hon. E. ANTHONEY—As far as I know, despite what Mr. Condon said, there is no restraint on the Public Works Standing Committee travelling anywhere it likes to seek information, and if it is not getting that information such inattention must be costing the country thousands of pounds. If the position is as the honourable member has said, the committee is failing in its duty. If by spending a couple of thousand pounds, the committee can save many thousands, there is something wrong if it is not carrying out inspections. It appears that the travelling expenses of the Land Settlement Committee almost equal those of the Public Works Standing Committee, which is a bigger and more important committee and does a great deal more work. Mr. Condon referred to rating at Port Adelaide. The same question concerns many councils. He mentioned that the Port

Adelaide Council was losing a large sum every year, although I understand the Government made some concession to it. There are many other councils also suffering grave rating disabilities. I have in mind an application my council and the Henley and Grange Council made to the Government. I took a deputation to the Premier some months ago concerning further storm damage. The Government readily met expenses associated with the first serious storm, which cost the State much money, and I congratulate it for its promptitude and also for the amount granted. However, another storm has occurred since. The general taxpayer cannot be expected continually to meet storm damage on the sea front. It is impossible for the councils to increase their rates as they are already almost up to their limit. The necessary storm damage repairs could only be carried out by a special loan. If the Government cannot meet the expense this year, and it appears it cannot, perhaps it will make provision on next year's Estimates to meet some of the expense, especially to the Henley and Grange Council and my own council. We sent the Minister a letter on the subject, but we have not yet received a reply.

The Hon. Sir LYELL McEWIN (Chief Secretary)—I think the Leader of the Opposition concluded on a rather unfortunate note when he repeated for the second time this session what I thought was an undesirable inference that he had not been told the truth. We have had a debate on the subject to which he referred, and I gave the information available chapter and verse. I therefore regret any suggestion that I would give information to the Council which was untrue, particularly when I do not know with what degree of truth the honourable member makes his remark. The figures that he gave regarding the cost of the Public Works Standing Committee and the Land Settlement Committee were not complete. I do not think he is so ignorant that he can possibly forget or notice in the published figures in the Estimates that there is no inclusion of the amount paid to the members of the Public Works Standing Committee as salary. The figure relating to the Land Settlement Committee is all inclusive and that relating to the Public Works Standing Committee is exclusive of the salaries paid. Considered on the same basis the true figures are:—Public Works Standing Committee, £4,992; Land Settlement Committee, £3,167, from which is deducted £50 of the secretary's salary for work done as secretary of the State Traffic Committee, which makes a difference between the two costs last year of £1,825. That is the all inclusive figure. Land Settlement Committee members' total salary was £2,166, including the £50 paid to the secretary for other duties and including fees, expenses and payroll tax, which makes the total to which the honourable member referred. No amount is shown for members of the Public Works Standing Committee because provision is made elsewhere. The secretary received £1,695, and the total salaries of staff and expenses cost £3,092. These figures will be increased as the result of recent legislation and because of the increased salaries to be paid members of the committees this year the estimated cost is £6,709 for the Public Works Committee and £3,525 (including the additional £50 paid to the secretary for other duties) for the Lands Settlement Committee. It is unfortunate that the honourable member did not notice that, because I know he is not one who would deliberately misrepresent the position. The other matters referred to by the honourable member have been freely debated. I felt called upon to give that explanation to honourable members who may not have studied the Estimates which have been circulated. It shows a difference between the Public Works Standing Committee and the Land Settlement Committee of nearly £2,000 this year, and £3,000 for next year.

Clause passed.

Remaining clauses (4 to 7) and title passed.

Bill reported without amendment and Committee's report adopted. Read a third time and passed.

POLICE REGULATION ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from November 16. Page 1620.)

The Hon. W. W. ROBINSON (Northern)—In supporting this Bill, I join with other members in paying a tribute to our police force, by whom we have been blessed with very good administration and service. That was demonstrated clearly during the visit of Her Majesty the Queen, and again last Saturday, when about 250,000 people were assembled along the route traversed by John Martin's Pageant. I pay tribute to all the police commissioners who have been appointed for as long as I can remember. They have been appointed by the Governor in Executive Council, and have reflected credit on their choice.

This Bill provides for the appointment of a Deputy Commissioner of Police, which I think is advisable because it will relieve the Commissioner. With the growth of population and consequently of the police force, the duties of the Commissioner have become very onerous, and it has become necessary to have a deputy to assist him and to take his place when he is absent from duty. The Bill also provides for an extension of the age of retirement of the Deputy Commissioner, and provides that he shall cease to contribute to the Police Pension Fund on the 30th day of June after he attains the age of 60 years. I think the Bill is a step in the right direction, and I therefore support it.

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

NATIONAL PARK ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from November 16. Page 1626.)

The Hon. Sir WALLACE SANDFORD (Central No. 2)—A fortnight ago a Bill was introduced that was one of two that were the result of discussions between the Government and representatives of citizens who are interested in the formation of a National Trust. For some years a number of South Australians have taken a growing interest in the idea of forming a National Trust, but they have been impelled by diverse motives. As the Attorney-General said when explaining the measure, some of the supporters of the National Trust wish to preserve sites, buildings and chattels to remind those to come of the earlier history of our State. There are others who consider that lands should be set aside to preserve their natural beauty or because they contain examples of aboriginal art. In adddition there are yet others who consider that parts of our State should be protected so that their natural vegetation and bird and animal life will be maintained in perpetuity in the interests of science.

The commissioners of the National Park desire to see the promotion of a National Trust, contending that they already possess an organization that is well adapted to look after wild life reserves. It will be noted that the other agreement was for a National Trust, whereas where we now refer to the commissioners it means the commissioners of the National Park. The National Park commissioners control various areas, the largest of which by far is the National Park at Belair, which has an area of about 2,000 acres. Its history goes back for quite a while, and reflects on the fact that the State itself was founded only about 120 years ago. In August, 1888, the Native Fauna and Flora Protection Committee of the Field Naturalists Section of the Royal Society of South Australia came into existence, and a resolution was passed "That in furtherance of the proposed objects this section desires to recommend that Government Farm be handed over to trustees to manage." Government Farm was in what we would regard as a corner of the National Park. A house of some eight rooms was built and is still standing; in fact, it was lived in by one of the staff of the park. It was a well built one-storey house of excellent brickwork, and is within a mile or two of the oval. Two years later, in August, 1890, the Government approved of the resolution for the formation of the National Park and a year later the National Park Act received assent. The first Board of Commissioners was appointed in January, 1892. I need not bother members with other aspects of the development of the scheme except to say that the commission has always been well maintained in numbers, and in nearly all cases the commissioners have been men who were happy to give some of their spare time to the affairs of the State and particularly those which came under the three headings to which I referred at the outset of my remarks. The fencing is good; there are streams, hedges, walks and drives, and the younger folk are provided with amenities such as tennis courts, of which there are between 50 and 60, cricket grounds of which there are 10, Sheffield running tracks 3, a number of shelter sheds and an afternoon tea kiosk and shop. In recent years an 18-hole golf course has been laid out and it is well patronized on weekends and holidays.

The commissioners are quite confident that they can satisfactorily accept the responsibilities and duties. Among the commissioners there are representatives of the leading learned societies, such as the Royal Zoological Society and the Botanic Gardens Society, many of whom have sat on the board for a number of years. It is felt that if the Government will vest the duties of looking after the work that attaches to membership of the commission, the interests which they will be guarding will be in safe and progressive hands. The National Park is to some considerable extent paying its own way; the tennis courts, cricket grounds and other amenities are revenue producing,

and in addition to what the commission collects from the public it receives a Government grant and, occasionally, a special grant. Also on such occasions as when bush fires have been very bad and the cost has been great the Government has invariably helped them to overcome such financial difficulties as arise.

While therefore it may be found that the National Trust may take a long time to develop, the commissioners of the National Park may reasonably hope that they will see results from the extra powers the Bill confers upon them. They have had long experience in protecting bird and animal life and can be expected to be able to place at the disposal of their responsibilities a knowledge that their duties have taught them. As one who was associated with the National Park Commission for quite a number of years I am glad indeed to know that this power will pass to them, and I confidently hope that in the coming years South Australia will gain a very direct and lasting benefit. I support the second reading.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—"Amendment of long title of principal Act."

The Hon. A. J. MELROSE—I would like the Minster to give some assurance as to what bearing this legislation will have upon already established reserves such as Flinders Chase. Is it intended to bring them under the control of the National Park Commissioners?

The Hon. C. D. ROWE (Attorney-General)—As I understand the position this legislation will not affect the National Park or reserves such as Flinders Chase unless those who are in control of them request that they be brought under the provisions of this Bill.

Clause passed.

Remaining clauses (4 to 16) and title passed.

Bill reported without amendment and Committee's report adopted.

PLACES OF PUBLIC ENTERTAINMENT ACT AMENDMENT BILL.

Introduced by the Hon. Sir LYELL McEWIN (Chief Secretary) and read a first time.

The Hon. Sir LYELL McEWIN—I move—

That this Bill be now read a second time.

The Bill enables the Government to make regulations respecting advertisements of motion pictures, and in particular for prescribing information to be included in such advertisements. At present the Act does not enable the Government to deal with advertisements of public entertainments. The Bill has been introduced because the Government has received complaints that some advertisements of motion pictures give no indication whether the film to be shown is suitable for general exhibition or for adults only. The complainants allege that parents, through not knowing the Commonwealth Censor's classification of the films to be shown, have taken their children to the pictures on occasions when the programme was quite unsuitable for young people.

A substantial majority of the exhibitors do indicate in their advertisements the censor's classification of the films, but the practice is not universal. The Government therefore seeks power by this Bill to compel exhibitors and others to disclose information in their advertisements as to the nature of the film. It is desirable that the specific rules to be laid down on this topic should be prescribed by regulations, rather than by the Act itself, in order that alterations may easily be made having regard to any system of classification which may from time to time be in force, or any practical difficulties which may occur in administering the rules. This matter has caused concern to many organizations for a long time, and although the co-operation of exhibitors in the main is very good, there is no real authority at present to insist that advertisements for pictures must set out whether they are suitable for general exhibition. This measure will enable that to be done, and will consequently place the responsibility on the exhibitors to see that the proper thing is done.

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

LAND SETTLEMENT ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from November 16. Page 1604.)

The Hon. C. R. STORY (Midland)—This is a very simple Bill which prolongs the life of the Land Settlement Committee for another year, and I take this opportunity of paying a compliment to those members who have served the committee since it was set up in 1944. The original committee had a very big task when it started out to investigate land in the irrigation areas of Loxton, Cooltong and Loveday, and areas in the South-East, Eyre Peninsula and Kangaroo Island, and I think

they have done a very good job. However, I feel that the work of the committee must be running out because nearly everyone who is eligible for land settlement has been settled, but I think the committee could well be used for another good purpose, namely, to investigate complaints regarding technical or structural defects in the various settlements. This would obviate the necessity for independent committees doing this work. After all, those committees have no authority, whereas the Land Settlement Committee is vested with all the powers required. Moreover, it recommended various schemes in the first place and I think it is the committee's job to see where defects have occurred or if complaints are genuine. I support the Bill.

The Hon. E. H. EDMONDS (Northern)—In view of some of the opinions expressed, it may be well to review the history of the legislation and see what the object was. It had its genesis in the Government's desire to acquire land for the repatriation of returned servicemen after World War II. In my opinion the activities of the committee extended beyond that particular aspect of land settlement. Section 22 of the 1944 Act sets out the duties of the committee as follows:—

(*a*) To inquire into and report to the Governor upon any project for land settlement or any question relating to the settlement, development or working of any land, which is referred to the Committee by the Governor.

(*b*) To make recommendations under section 25 of this Act in relation to the acquisition of land;

(*c*) Any other duties which relate to the settlement, development or working of land and are conferred on the committee by the Governor.

It will be seen that the activities extended a good deal beyond the generally considered scope when the Committee was set up. During the intervening years much of its activities has been concerned with the acquisition, development and settlement of land for returned servicemen. In the course of those inquiries it covered a very wide field of inquiry and obtained a mass of information, not only concerning our dry lands but also our irrigated lands. As an indication of the extent of those inquiries I could not do better than refer to one of the later reports dealing with the proposed irrigation scheme in the hundred of Gordon, which was placed before Parliament last June. It indicates the field which has to be covered by such a Committee before it can submit recommendations. Its conclusions included the following:—

Having thoroughly examined every aspect of the scheme, and the potentialities of the land referred to in the schedule, the committee has reached the conclusion that the area in the hundred of Gordon provides good prospects of successful development as a project for war service land settlement for the following reasons:—

(*a*) The compact nature of the site.

(*b*) The suitability of the soil for the types of plantings envisaged.

(*c*) The particularly suitable climate for the types of production proposed.

(*d*) The estimated cost of the land and its development compares favourably with the cost of similar undertakings in other irrigation districts.

(*e*) The surplus water available to this State under the River Murrray Waters Act for additional irrigation development.

(*f*) Its proximity to the Berri and Loxton irrigation areas which possess all amenities, business and shopping facilities, railhead, road and river transport, area school, etc.

(*g*) The opportunity afforded of transforming marginal agricultural land into highly productive holdings for approximately 100 ex-servicemen and their families.

(*h*) The claim of South Australia to a high proportion of any expansion in horticulture.

(*i*) The limited opportunity for war service land settlement in South Australia away from the Murray Valley.

(*j*) The long experience and efficiency in the types of production proposed of men who enlisted for service from the Murray river districts and who are awaiting irrigation blocks in that area.

(*k*) The stability of employment in the irrigation areas.

Those items cover a big field of inquiry and in getting the information and arriving at its conclusions the Committee took much evidence from those associated with those various aspects. It was not just a question of considering a certain area of land and saying, "We think it is suitable for production." All the matters I have enumerated required considerable investigation and weighing of evidence. The committee obtained a wealth of information, which is not only valuable to the project considered, but also will be valuable when the Committee is considering subsequent projects referred to it. Another important aspect concerns the economics of the proposition, including the vital question of marketing, in considering which the Committee took evidence over a wide field, which is indicated by the names of the following organizations which gave evidence:—The South Australian River Council of the Australian Dried Fruits Association, the Winemakers Association, the

Federal Grapegrowers Council of Australia, the South Australian Canners Association, the Murray Valley Development League, the Murray Citrusgrowers Co-operative Association, and the South Australian Canning Fruitgrowers Association. Possibly a person outside has not the faintest idea of what is involved in presenting a comprehensive and true report of the possibilities of the projects submitted to the Committee. It is not just a question of building up information and getting a store of knowledge for a particular project, but presenting information which could be useful for any future project submitted for inquiry.

The question has arisen during the debate whether the term of this Committee should not be extended beyond the one year provided in the Bill. I am quite satisfied with the Bill, because I realize that if there are any future references it would be a simple matter to extend the legislation from year to year. It is immaterial to me if the term of the Bill is for only 12 months. I was interested, but somewhat disappointed, to hear Mr. Condon compare the work of the Public Works Committee and the Land Settlement Committee. I feel he left the matter somewhat up in the air, and I have been unable to work out just what his idea was, because I could not appreciate the value of the figures he mentioned in the comparison. I feel called upon in loyalty to the honourable gentlemen with whom I am privileged to be associated on the Committee to present the true position. At whatever the cost, members of the Committee conscientiously discharge the duties entrusted to them to the best of their ability. Although it may not get as many references as the Public Works Committee, when the Land Settlement Committee receives a reference it gets right on to the job and makes its recommendations as speedily as possible. I am not suggesting that the other committee does not do the same. I do not know what point Mr. Condon was trying to make when he questioned whether the expense was justified or not.

The Hon. F. J. Condon—I suggested a term of three years. That is the answer to what the honourable member is saying.

The Hon. E. H. EDMONDS—I will accept that. When someone comes out with a point such as the Leader of the Opposition made, I like to know its meaning. I have made these comments to give members some idea of the work done by this committee.

The Hon. F. J. Condon—I notice that some members of your committee criticized the Public Works Standing Committee for taking eight years to furnish a report.

The Hon. E. H. EDMONDS—I am not concerned about that. Individuals must carry their own responsibilities. As a representative of the committee in this House I point out that we carry out our duties to the best of our ability, and if we carry on for 12 months or 12 years I am sure that all members of the committee will act as they have done in the past.

The Hon. A. A. HOARE (Central No. 1)—I have listened with great interest to Mr. Edmonds, who seemingly omitted nothing when pointing out the duties of the Land Settlement Committee. The members of that committee go to the places to which they are instructed by the Government to go, and take evidence from witnesses. They then discuss the matter and decide whether certain land is worth purchasing or not. If they think it is not, they say so, but if they think it is a good proposition and that farmers will settle on it, they make a recommendation accordingly.

The committee has done valuable work. In some instances it has travelled hundreds of miles to take evidence that it felt would be of assistance in reporting back to the Government. I know that some people who have given evidence have been disappointed because it has decided that certain land is not suitable for soldier settlement, and I think some were annoyed about its decisions. However, the committee does not take any notice of that, because its job is to report to the Government, and every report is given in all sincerity.

The Hon. S. C. Bevan—Do you not think that the term of the committee should be extended for a longer period than 12 months?

The Hon. A. A. HOARE—This has happened in past years, and then a recommendation has been made that the committee should be renewed for a further three years. The committee judges not only the country it inspects but also other land, and tries to be honest towards those who hope that it will be cut up for soldier settlement as well as to the Government. I know that people in one place in the south of this State were disappointed by the committee, but that land was not suitable for soldier settlement. I suppose the people concerned really believed that the committee should have recommended favourably, but the committee used its own

judgment and made a report in all honesty. In the past it has been felt that it should go out of existence, but I doubt whether it should because it has done much useful work. I have seen the development that has followed the recommendations of the committee. Settlers are proud of the farms they have obtained as a result of the recommendations made by the committee, which has done its job with honesty and integrity.

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

HIGHWAYS ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from November 16. Page 1605.,

The Hon. F. J. CONDON (Leader of the Opposition)—This is a very short Bill, and provides for the transfer of certain money from the Highways Fund to Consolidated Revenue and for reimbursing the Highways Fund from the Loan Fund. The Grants Commission made a correction by reducing the amount that would have been recommended in 1955-56 by £620,000, and rejected the State's submission that the transfer of money to the Highways Fund was a proper and reasonable appropriation for road purposes. This Bill abolishes the special Sinking Fund, and repeals the provisions in the Highways Act that provide for contributions to be made to this fund. This is retrospective legislation, and I cannot let the opportunity pass without pointing that out to members who object to retrospectivity when it suits them to do so. In the Auditor-General's report, the following statement appears:—

The financial statements published herein for the period July 1, 1926, to June 30, 1955, do not include Loan Funds made available prior to 1926. The net Loan liability of the department at June 30, 1955, was £4,222,322. The total Loan Funds made available to the department were £5,254,146, of which £1,031,824 has been repaid through Sinking Funds. Of that amount, £955,577 was provided from State Government funds (motor taxation, etc.) and £76,247 by the Commonwealth.

The legislation meets with my approval, therefore I support the second reading.

The Hon. E. ANTHONEY (Central No. 2)—I suppose one could almost call this Bill a glorified piece of bookkeeping.

The Hon. F. J. Condon—That is not far out either.

The Hon. E. ANTHONEY—It is a machinery measure by which the Government is transferring money from the Highways Fund into consolidated revenue. I always cherished the idea that all moneys raised by the Government from any source should go into consolidated revenue. I think that was a prime feature of Government finance at one time, but we have drifted away from this old practice and have established special funds of various sorts, of which the Highways Fund is one. Apparently the Government is making provision for spending £600,000 to £700,000 on roads. I can remember the time not far distant when labour for road work was unavailable with the result that the money in the fund accumulated. The Government apparently thought that it could hold on to this money and take it into account in the following year's Estimates, but found that could not be done. Even before the National Sinking Fund was created many years ago the Government showed its prudence by establishing its own sinking fund. It realized that a road is a wasting asset, and provided for paying off the money over a period of years. Now that the National Sinking Fund has been created and moneys are paid into it from year to year there is no longer any necessity to make these payments from the Highways Fund. As far as I can see there is nothing else in the Bill and I support it.

The Hon. Sir FRANK PERRY (Central No. 2)—If I understand this Bill aright it is designed to correct a wave of generosity that the Treasurer had towards the Highways Department some years ago when surplus revenue was transferred to the Highways Fund. Unfortunately—and it is unfortunate—our finances are no longer controlled by ourselves, and our surpluses are subject to examination and correction by the Commonwealth Grants Commission. That body felt that the use of any surplus for this purpose was not allowable, and consequently this correction is necessary. I quite agree that the Highways Department should refund the money because it has been spent, but to penalize the department in the future would be wrong. Consequently the Government is supplying the money from Loan funds and it will be repaid, not in the ordinary way through the sinking fund, but over a short period, and it will not go through the sinking fund in the ordinary way.

It may be argued that loan money could be spent on roads of a permanent nature. It has not been the practice in South Australia to do that as roads have been regarded as

subject to rapid wear and tear and, consequently, they should not be a tax on loan money. However, I think that if we can build railways with loan money, and as a permanent roadway would probably last as long as a railway track if it is properly laid, if the necessity arose loan money could be used for construction of permanent roads, although I do not advocate it. The writing off would probably have to be quicker than the 50 years which the sinking fund provides for, but for the construction of permanent roads this method is not altogether out of court, and the Government might consider it rather than suffer the disability of inferior roads for a long time. I feel that this Bill has to be passed. I thought when the original Act was passed that the results would be something similar to what we are now called upon to rectify. I support the Bill.

The Hon. N. L. JUDE (Minister of Roads)—I should like to reply to the point raised by Sir Frank Perry. While receipts are to the same tune as they are at present we regard it as undesirable that we should enter into any further fields which necessitate the payment of interest. If, on the other hand, funds available for road-making become far greater than they are at present the payment of interest could be considered. If we attempt to draw on loan funds for a bridge, for instance, we start to hamper our maintenance fund, and before we know where we are we have to face up to an interest bill which is one of the heaviest loads around our necks.

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

PORT WAKEFIELD HOSPITAL (TRANSFER OF ASSETS) BILL.

(Continued from November 16. Page 1611.)

In Committee.

Clause 1 passed.

Clause 2—"Transfer of assets."

The Hon. C. D. ROWE (Attorney-General)—As some honourable members seem to be in doubt as to the procedure adopted yesterday in connection with this Bill, I should like to take this opportunity of outlining the position. The Port Wakefield Hospital was established in the 1930's as the result of subscriptions and voluntary labour from the citizens, and was not associated in any way with the District Council of Port Wakefield. For a number of reasons the hospital ceased to function in 1950. Recently the board of management approached the Government and intimated its desire to transfer the assets of the hospital to the local Progress Club so that the latter could build a public hall in Port Wakefield. In view of the information submitted and on the understanding that there was no opposition to the proposal, the Government considered that enabling legislation should be introduced. As the Bill was of a hybrid nature, the Government realized that the facts would be investigated by a Select Committee.

A Select Committee of this Council was appointed, and advertisements were inserted in three separate newspapers inviting interested persons to give evidence before the Committee. There was no response from the public, nor from the District Council of Port Wakefield. It was only after the Committee had written to the council drawing its attention to the advertisements and stating that it was presumed that the council had no objection, that any voice was raised against the proposal. At the suggestion of the Select Committee a public meeting was then convened by the district council, and a resolution was passed at the meeting to the effect that the assets should be retained and an effort made to reopen the hospital. In view of the opposition raised at the meeting the Select Committee recommended that the Bill be not proceeded with at present, and the report of the Committee was laid on the table yesterday.

The procedure to be followed when a Bill is reported from a Select Committee is laid down in Standing Order No. 313 as follows:—

> Except where otherwise ordered, every Bill reported from the Select Committee shall (if not recommitted to the same or another Select Committee or if notice be not given of a motion for its withdrawal) be forthwith recommitted to a committee of the whole Council for a future day, and the report of the committee shall in the meantime be printed.

When the report was tabled yesterday, I moved that it be printed, and that the Bill be recommitted to the Committe of the Whole today. I did that in accordance with the relevant Standing Order and so that members could have copies of the report before them. As it has not been possible to obtain printed copies of the report in time, I have had typewritten copies made available to members. In view of the fact that the Committee has recommended that the Bill be not proceeded with at present, I move that progress be reported.

Progress reported; Committee to sit again.

MEDICAL PRACTITIONERS ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from November 16. Page 1625.)

The Hon. F. J. CONDON (Leader of the Opposition)—This Bill will not come into operation until 1958. The chief clause provides that a medical student after completing his course must serve for a period of 12 months at a hospital before he can undertake private practice. The point which agitates my mind is whether the hospitals will be in a position to take in all the students who become qualified. Many years ago I remember being approached by a young man, who is now a well-known doctor, and had completed his course but had nowhere to go, and he asked if I could do anything to have him placed on the medical staff of the Royal Adelaide Hospital. The salary then was only £100 a year. If vacancies will be available at hospitals for all those students who pass their examinations, the position is all right.

This legislation embodies a practice which has been operating in New South Wales since 1938. It provides that no person shall practise in the profession unless he has for 12 months or for an aggregate of 12 months served as a medical officer in one or more of the hospitals or institutions referred to in the Act, or in an approved institution elsewhere. This legislation should be uniform and to this end the matter should be taken up by the British Medical Association. As far as I know, it operates only in New South Wales. Some districts find it difficult to get the services of a medical practitioner and often residents have to offer a guarantee before one is available. Some of the poorer students who have passed their university course may be faced with hardship, although the provision in the Bill relating to services in a hospital will help them to some extent. I think the Bill will result in a benefit to those concerned and therefore support the second reading.

The Hon. C. R. CUDMORE (Central No. 2)—I also support the second reading. Members were able to get a copy of the Bill only this afternoon and have not yet been able to get a copy of the speech with which it was introduced because it is not yet available. That makes it difficult for one to comment intelligently on Bills introduced under such circumstances. The principal Act has operated since 1919. They were the glorious, good old days when we had a British Empire, which has since been liquidated at the demand of the United States of America and other people and no longer exists. Therefore, reference to the British Empire which appears frequently in the Act is out of date. One object of clause 3 is to clear up questions of that kind.

Mr. Condon referred to the legislation operating in New South Wales. I have not checked it, but I understand the whole question arose because in the United Kingdom a regulation was introduced providing that a person could only be considered fully qualified and allowed to practise if, in addition to having gained his university degrees, he had served a year in a public hospital. Although it used to be recognized that the medical degree in South Australia was one of the highest in the world, the question has arisen whether people who have gained their university degree here as medical practitioners should immediately be allowed to practise in the United Kingdom unless they have also served a year in a hospital. I do not see any difficulties in it, but I suggest to the Minister that the Bill should go into Committee and progress then reported, so that it can be considered when the House meets again. I support the second reading.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Progress reported; Committee to sit again.

ROAD TRAFFIC ACT AMENDMENT BILL (GOVERNMENT VEHICLES).

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

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

That this Bill be now read a second time.

Its object is to provide that registration fees under the Road Traffic Act will be paid on vehicles owned by the Crown. The Act at present provides that the registrar must register vehicles of the Crown without payment of any fee. This exemption extends not only to vehicles used in Government Departments but also to vehicles of a number of other public authorities which are in law agencies or representatives of the Crown. It is proposed that in future they shall all pay the ordinary registration fees. It may be thought that the payment of such fees is merely transferring money from one public account into another but there is more in it than that. In the first place the registration fees paid pursuant to

the Bill will be transferred into the Highways Fund and thus a substantial additional sum of money will be made available for roads.

Secondly, the amount of the fees will be shown as an expense of the department or public authority concerned and thus the real cost of its operations will be more accurately indicated in its accounts. The clauses of the Bill provide that the general rule that Acts do not bind the Crown will not apply in respect of motor vehicles owned by the Crown, and that the registration fees payable on Crown vehicles will be the same as those payable for vehicles owned by subjects. In order to ensure a quick settlement of any questions as to whether concessional rates apply to Crown vehicles, it is provided that any question as to the amount of the registration fee on a vehicle owned by the Crown shall be decided by the Treasurer.

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

INDUSTRIAL CODE AMENDMENT BILL (GENERAL).

Adjourned debate on second reading.

(Continued from November 16. Page 1603.)

The Hon. Sir FRANK PERRY (Central No. 2)—The Bill provides for two amendments of the Industrial Code. Clause 3 amends section 167 of the Code relating to industrial boards and increases the maximum amount they can determine as weekly wages from £20 to £25. In view of the decrease in the value of money I can find no criticism of this proposal. However, I do think that when a person's salary reaches that scale it would be better if it were determined privately and not by arbitration. The second amendment is entirely different because it provides for retrospective payment of wages. The attitude of the courts and this House is that retrospectivity should be the last resource.

The Hon. F. J. Condon—This Parliament passed legislation providing for retrospective payments to all public servants.

The Hon. Sir FRANK PERRY—In some circumstances retrospectivity of wages or laws is advisable, but we should not make it a general rule. In explaining this Bill the Leader was apparently confused between the activities of the Industrial Court and wages boards. Although he has had experience in the courts, his remarks indicate that he has not had similar experience with wages boards. Wages boards are probably the best means of wage-fixing and certainly the cheapest and probably afford the greatest satisfaction to all concerned.

The Hon. S. C. Bevan—They provide for conciliation.

The Hon. Sir FRANK PERRY—That is so. In the main they determine awards applying to small industries and their activities are confined to State employees.

The Hon. F. J. Condon—And metropolitan area employees only.

The Hon. Sir FRANK PERRY—A number of wages board awards apply outside the metropolitan area.

The Hon. F. J. Condon—Where do they? They do not even apply in Salisbury.

The Hon. Sir FRANK PERRY—I think they apply in Port Pirie, Whyalla, and a number of other towns. The question of retrospectivity is incorporated in legislation relating to the Industrial Court, but a wages board's method of dealing with matters is entirely different from the court's. A wages board is summoned and immediately determines a case. The parties simply notify the secretary or chairman of the board and it meets. The cases are held in private and are not subject to publicity during hearing. Only those concerned in the actual deliberations of the board know the facts. In respect of the court, a log of claims has to be served, a hearing fixed, and the press is enabled to publicize the details of the hearing. The Bill seeks to enable wages boards' determinations to be made retrospective. The present law provides that a wages board decision shall be operative 14 days after gazettal. I agree that some time elapses before that happens, but the practice of the State and Federal courts is to fix a date ahead for the application of awards. When the basic wage was adjusted quarterly, the altered wage applied from a future date. Some six weeks or two months' notice was given of the operation of the Margins Case Award.

The question of retrospectivity does not operate, in the main, in court awards. That being so, I do not think we should agree to this proposal as it interferes with wages boards which have rendered great satisfaction during their long period of operation. An employer is entitled to some notification of the application of an award because of the complicated system of cost recording and wage adjustment. When retrospective payments are awarded, the system is disrupted and mistakes can occur which can only be rectified after considerable trouble. We must consider the effects retrospective payments have on the costing system of employers. I must concede, as I think all those who have

been associated with wages board determinations will concede, that the members of those boards are ordinary human beings looking after the interests of themselves and those they represent, and it may be that attempts are made by either side or both sides to prolong a hearing and thus delay the operation of a determination. I would not say that is prevalent, but it has happened. I believe that a slight amendment to what the Leader proposes would prevent any feeling of frustration by either side because of deliberate delays being attempted. I intend to move an amendment on these lines:—

Provided that the board may order that the determination may come into force on any day, not being prior to the day on which the board commences the hearing of the matter in question, which the board may consider equitable having regard to the length of time involved in the hearing.

If I understood the Leader's remarks, that almost covers what he suggested. I must admit that it would considerably limit the Bill, but it would provide for the preservation of the present system that allows a court, board or chairman of that board to provide for a retrospective payment if either side has deliberately delayed the proceedings. I support the second reading, and hope my amendment will satisfy the Leader and those who work under the decisions of wages boards.

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

AGRICULTURAL CHEMICALS BILL.

Adjourned debate on second reading.

(Continued from November 16. Page 1630.)

The Hon. S. C. BEVAN (Central No. 1)—This Bill is rather a lengthy one. It repeals the Pest Destroyers Act and Fertilizers Act and is designed to protect the purchasers of pest destroyers and fertilizers. This State has considerably developed its fruitgrowing, agricultural and market gardening industries, in all of which considerable quantities of these products are used. The home gardener also creates a considerable demand. If protection were not given to purchasers, unscrupulous persons could misrepresent their products by false labelling, thus causing considerable loss to producers. In those circumstances, the perpetrators could perhaps be proceeded against for fraud, and certainly for damages because of their misrepresentation. However, that might involve lengthy and expensive litigation, although I would not think any home gardeners would take such action.

I know of one case in which phosphorus was used in a preparation for rabbit poisoning, but the label did not disclose that fact. This product was used by a farmer who, on the representations made on the package, laid baits, but unfortunately the phosphorus, because of climatic conditions, created a fire that destroyed the whole of his crop. Litigation took place, it was proved that the product was not true to label, and damages were awarded because of misrepresenation.

The Hon. C. D. Rowe—Against the person who sold the product?

The Hon. S. C. BEVAN—Probably against the distributor, not the manufacturer, although undoubtedly that firm then took action against the manufacturer because of misrepresentation made to it. That is an instance in which expensive litigation took place, but ordinary people would not avail themselves of the law. For instance, the home gardener, after priding himself on his vegetable plot and flower garden and having done everything to have a successful garden, could see all his work ruined if he used an insecticide or chemical not true to label. He would not buy any more of the product, and would probably advise his friends what happened, but he would not take expensive litigation against the manufacturer or supplier.

This Bill is designed to prevent these things from occurring. It provides for an analysis to be made of any fertilizer submitted for registration, and results of that analysis will be the determining factor in its registration. If the analysis proves that the product is truly represented, it can be registered. The article must also carry a label setting out its ingredients so that the purchaser will be safeguarded by knowing just what he is buying. Perhaps it could be argued that even with these provisions there could be products that could come within the ambit of the Bill but would not be truly represented, and a product in accordance with a label could be marketed at a higher price than its ingredients warranted. Sulphate of ammonia, which is a stimulant to plant life, can be bought in crystal form. It is a quick acting chemical, and one can either sprinkle it around in crystal form or dilute it and apply it as a liquid. Perhaps some unscrupulous person, while complying with the letter of the law may market an article that is of little value. For example, he may present a product containing sulphate of ammonia in such a form as to deceive the purchaser and charge an exorbitant price for

it. The various contingencies which could arise cannot all be guarded against, but the aim of the Bill is to safeguard, not only the users of these commodities, but the manufacturers themselves and merchants who may be intermediaries in selling the products. I think the department and the Minister have endeavoured to cover all the eventualities and the consolidation of the provisions of the two Acts will be of convenience to the public and all concerned. I believe that we can all accept this legislation, and I support the second reading.

The Hon. E. H. EDMONDS (Northern)—This Bill repeals the Fertilizers Act and the Pest Destroyers Act which came into operation many years ago; I think the Fertilizers Act was passed in 1918. The Bill aims at providing legislation which will ensure to purchasers that they get articles that are true to label. It does not follow that every package shall have a label showing in minute detail the chemical analysis of the contents, but it will show by way of a declaration that a certificate has been lodged with the appropriate authorities containing all the details of the chemical analysis of the article in question. There has been considerable improvement in fertilizers, and the application of trace elements and hormones are playing an important part, not only in scientific agriculture, but in everyday practice.

As often happens with new developments, there may be manufacturers who are not quite so scrupulous as they ought to be, or who may unwittingly produce an article that does not conform to the requirements laid down by the authorities. Therefore, by this measure we are protecting the purchasers and the manufacturers who are prepared to comply with the conditions laid down. There is a great deal of detail in the 37 clauses of the Bill, but I think it unnecessary to weary members by discussing them at great length. The whole object of the Bill is to ensure that the purchaser gets a good article that is true to label and effective for the purpose he desires it. I support the Bill.

The Hon. A. J. MELROSE secured the adjournment of the debate.

BUSH FIRES ACT AMENDMENT BILL.

Received from House of Assembly and read a first time.

ADJOURNMENT.

At 5 p.m. the Council adjourned until Wednesday, November 23, at 2 p.m.