LEGISLATIVE COUNCIL.

Wednesday, November 23, 1955.

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

PARLIAMENTARY PAPERS.

The Hon. Sir LYELL McEWIN (Chief Secretary) moved—

That it be an order of this Council that all papers and other documents ordered by the Council during the Session, and not returned prior to the prorogation, and such other official reports and returns as are customarily laid before Parliament and printed, be forwarded to the President in print as soon as completed, and if received within two months after such prorogation, that the Clerk of the Council cause such papers and documents to be distributed among members and bound with the Minutes of Proceedings; and as regards those not received within such time, that they be laid upon the table on the first day of next session.

Motion carried.

NATIONAL PARK ACT AMENDMENT BILL.

Read a third time and passed.

HIGHWAYS ACT AMENDMENT BILL.

Read a third time and passed.

LAND SETTLEMENT ACT AMENDMENT BILL.

Read a third time and passed.

PLACES OF PUBLIC ENTERTAINMENT ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from November 17. Page 1669).

The Hon. F. J. CONDON (Leader of the Opposition)—This is a very short Bill for the purpose of making regulations regarding advertisements for motion pictures, and I do not think there will be any opposition to it. I believe that the Government has received complaints from various individuals and organizations that not enough information is given in advertisements as to the class of pictures being exhibited, and very often they are unsuitable for the younger generation. This Bill provides that the advertisements are to set out whether or not films are for adult exhibition so that the public will have an opportunity to decide whether children should be allowed to see them. Some of the pictures exhibited over a number of years should have received close scrutiny, as they have not been suitable for the rising generation. In most cases there has not been any ground for complaint, but, as I have often said in this House, when a few individuals do not play the game, legislation has to be passed to deal with them. I am supporting the Bill because I think it is a step in the right direction.

The Hon. C. R. CUDMORE (Central No. 2)—I heartily support the second reading, but think it right that I should say a few words as to my opinion on the necessity for the Bill. It has been introduced because certain pictures are exhibited that are not fit for young children to see and are not labelled accordingly. But whose fault is it that children see them but that of the parents? Because they wish to go to the races or somewhere else they give their children money to go to the pictures in order to get rid of them. This is a very serious thing as affecting the general morality of the State. In the old days if parents had young or adolescent children they either took them with them on a Saturday afternoon or any other day or entertained them in some way, but I am afraid that that is dying out. There is too much money about, of course, but while I support the Bill entirely I insist that it is for the parents themselves to know what their children do, and to look after them much more seriously than they do today. One could talk at great length on this question but I do not wish to take up the time of the Council. The basis of the trouble lies with the parents, for often they do not even bother to find out where their children are going or how they spend their money.

The Hon. E. ANTHONEY (Central No. 2)—I have pleasure in supporting the second reading. I think the situation should not have reached the stage that there needs to be a prohibition on anybody attending pictures. Some very undesirable pictures are shown to the public, whether adults or not, and they are particularly harmful to children, but it is not when the child reaches the adolescent stage that the damage is done; it is much earlier than that. As Mr. Cudmore said, these young people are given money by their parents who know that they are going to the pictures, but what type of picture they do not trouble to inquire. It is time parents exercised real parental responsibility, and I am pleased that magistrates are beginning to place the responsibility where it really rests—upon the parents and not the children. I know that this Bill does not deal with motion pictures, but only with the advertising of them, but there is a Censorship Board in

South Australia, and I think the responsibility rests on the board to see that the exhibitors show a good, clean type of picture. As the Minister said, in most cases the exhibitors are co-operating.

The Hon. F. J. Condon—Is there a Censorship Board in South Australia?

The Hon. E. ANTHONEY—I understand there is. Didn't the honourable member know that?

The Hon. F. J. Condon—No.

The Hon. K. E. J. Bardolph—Are you quite convinced that there is?

The Hon. E. ANTHONEY—If there is not one now there used to be one, and if there is not there ought to be one. There is an Australian Board of Censorship to whom pictures are submitted for private viewing before release. This Bill deals with an important matter and provides that advertisements shall give the public an opportunity of knowing the type of picture to be exhibited so that the people will be forewarned, and to be forewarned is to be forearmed.

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

MEDICAL PRACTITIONERS ACT AMENDMENT BILL.

In Committee.

(Continued from November 17. Page 1674.)

Clause 3 passed.

Clause 4—"Duty to serve in public institutions."

The Hon. Sir LYELL McEWIN (Minister of Health)—I move—

In section 30a (2), to delete "eight" and to insert "six."

The amendment means that after June, 1956, medical graduates cannot practice until they have served 12 months in public institutions. I have had correspondence from the University, the B.M.A. and the Medical Board who all support this alteration, the reason being that it was necessary that the hospitals should be in a position to provide that opportunity for 12 months for every graduate, and in 1958 it is expected that the Queen Elizabeth Hospital will be functioning as a medical training school. The figures in the correspondence indicate that there will not be a sufficient number of graduates in the next two years to provide for what the Royal Adelaide Hospital could accommodate. Whereas possibly 40 students will be available there is capacity at the hospital for 48. Apparently there is no reason why the provision should not operate next year. I received a communication from the acting President of the Medical Board who states that it is considered there are at present and will be in future sufficient medical positions available at hospitals in South Australia to accommodate all the graduates. The Medical Board has no objection to the suggestion that the date of operation should be brought forward to 1956.

The Hon. F. J. CONDON (Leader of the Opposition)—In the debate on the second reading I expressed concern whether there would be sufficient positions available for graduates, but the Minister has cleared the point up. I should like to know what remuneration they will be paid at the hospitals. Are they protected in any way?

The Hon. Sir LYELL McEWIN—I cannot give the exact figure, but the best guarantee I can give the honourable member is that I asked the British Medical Association to give its views, because it represents the profession. It was indicated that it was expected that all medical graduates could be accommodated in approved institutions before the date set down, and therefore it had no objection to the provision commencing as from June, 1956, instead of June, 1958. I feel sure that had there been any suggestion that students, who had received their degrees at some sacrifice to themselves and also at some cost to the general taxpayer, would be faced with any pecuniary difficulties in serving the 12-month period the Association would not have approved the alteration.

The Hon. K. E. J. BARDOLPH—I support the amendment. Previously the practice was for graduates in their last year to apply to the Royal Adelaide Hospital for the position of resident medical officers, but some were not able to be appointed because of lack of accommodation. Our University also takes students from other States, particularly Western Australia, where there is no medical school.

The Hon. Sir Lyell McEwin—They are establishing one.

The Hon. K. E. J. BARDOLPH—Will those who graduate at our University come within the provisions of this clause, and if so will preference be given to South Australian graduates? Will interstate graduates be excluded, or will ample provision be made to accommodate all graduates?

The Hon. Sir LYELL McEWIN—I think the question is answered by the figures indicating that we will not have the number of

graduates who could be accommodated. Even if the unexpected happened and the work in our hospitals decreased to the extent that we did not require the full number of graduates, I think the position would be covered because the Governor may, by proclamation, declare any hospital or institution, either in South Australia or in any other State or country, to be an approved institution. As an essential part of their training, graduates should serve in a hospital in order to understand hospital practice and to learn something of the bedside manner, which mean so much to their success when in practice.

The Hon. E. ANTHONEY—It seems to me that this provision adds another year to the students' course, as it practically compels them to stay another year at a hospital whether they like it or not. The course is a long and expensive one, and the cost has to be borne mostly by the parents who look forward to the time when their children can graduate and earn their own living. The pay of a resident doctor has always been very low, and probably is still not sufficient to live on. Although I think it is a good thing that doctors should serve at a hospital for 12 months after graduation, that might not always meet with the wishes of their parents, and some might want to earn a living immediately.

Amendment carried; clause as amended passed.

Title passed.

Bill reported with an amendment and Committee's report adopted.

Bill read a third time and passed.

AGRICULTURAL CHEMICALS BILL.

Adjourned debate on second reading.

(Continued from November 17. Page 1677.)

The Hon. A. J. MELROSE (Midland)—I will try to confine what I have to say to as few words as possible because of the lateness of the session. My first reaction is that, although consolidation may frequently be something to be striven for and achieved, I doubt very much whether we will be very much better off with the consolidation that will result from this Bill, and the repealing of the Fertilizers Act, the Pest Destroyers Act and the Stock Medicines Act. They seem to me to have rights of legislation under their own names because they deal with relatively different subjects. We still have to deal with such diverse things as manufacturers and retailers, again quite a completely different field, and I think we are most concerned with the manufacturing side.

There are many angles from which one could criticize this Bill, but I shall confine myself to the superphosphate point of view. One thing we have to bear in mind is that superphosphate is a relatively low cost product made by bulk handling methods, and is actually a mixture, not a chemical compound. It is manufactured in tons, and is largely sold in tons. The sale of smaller packages is quite a sideline in the industry, but probably the average sale runs into several tons, some into hundreds of tons and some into thousands of tons.

Section 12 of the Fertilizers Act of 1918 dealt with tolerances allowed for the various types of fertilizers, and provided that a tolerance of 2 per cent of total phosphates would be accepted in the case of superphosphate. The reason for the necessity for this tolerance is that superphosphate is made from varying materials, there may be a considerable variation in raw materials supplied, and there is a great variety in the finished product because of the difference between the finely granulated form, where the granule might be a quarter of an inch in diameter, and the fine type that is almost like flour. I understand that the chemical composition varies greatly in those two types. Clause 32 provides that the Governor may make regulations prescribing various things, one of which is the methods of analysis and taking samples, including grab samples, and the method of dealing with grab samples. Grab samples have been taken to mean handfuls of a product taken from anywhere at any time.

In the actual manufacture of superphosphate a great variation occurs between the different parts of the same handful and, although the manufacturer may take great care, the product is subjected to all sorts of things that can affect it. When it is bagged and shipped the fine is sifted from the coarse, so that one part might not be within the 2 per cent tolerance. Because of this some form of analysis should be adopted to prove whether the whole, and not a grab sample, complies with the Act. With wheat, a hollow tube is pushed into bags at different parts of a stack and an average is taken, so I see no reason why the same should not apply to superphosphate. Some of the more costly additives to superphosphate in the way of trace elements, which really add very greatly to the cost, tend to realign themselves due to agitation of the superphosphate after it leaves the works. We must bear in mind that it is also our duty to protect the public from

unnecessary additional expense. As I said, superphosphate is a bulk handling product made and marketed in tons, and a very high degree of accuracy is not only most uneconomical, but unnecessary. If we insist on extreme accuracy or that every grab sample taken from bulk should comply with the Act, obviously the product will have to be marketed with a higher percentage of total phosphate than required, and this will add to the cost.

Although this Bill seems to eliminate tolerances, in all the other States, in England and in most parts of the world, tolerances are allowed. The present opinion in England is not that tolerances should be eliminated but that they should be widened, and we should bear this in mind. The things that I have been speaking about would have been eliminated in the first place if mutual discussions had taken place between the department and the manufacturers of superphosphate before the framework of the Bill began to take shape. A conference did take place eventually, but it was only when the manufacturers found that the Bill was well on the way that they asked to be consulted, and it was only because they asked for this conference that the department listened to their suggestion and made certain alterations.

We should be very careful not to do anything that would raise the cost of superphosphate, because it is one of the things that has been made a political chopping block. The price has been kept down to such an extent that the industry has not been able to accumulate reserves, although it has been asked to set up such industries as the Nairne pyrites and the sulphuric acid plant. These things are the real guarantee of security in the industry. I am one of those who believe that industry cannot exist without reasonable profits. I know of no management connected with this business that is making more than bare and reasonable profits. Indeed, profits have not been sufficient to enable them to finance without strain those two new industries which make for the security of the State.

I have not touched upon people who manufacture things sold in 2-oz bottles. As I said at the outset, the lumping together of all these things under one Bill is a mistake. If a person wants to find out something about stock medicines he has to wade through all the generalities of this measure and I do not see that he gains anything thereby. I realize that I must give the second reading my blessing, but it is a very faint-hearted blessing and I really think that if the three Acts had been put into better working order separately —if that were necessary—it would have been better for all concerned.

Bill read a second time.

In Committee.

Clauses 1 to 11 passed.

Clause 12—"Application for registration of a label and additional particulars."

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

To delete paragraph (*b*) of subclause (2). This matter has been brought under the notice of the Government and the Parliamentary Draftsman advises that this amendment removes a requirement from the Bill that the name of the person registering a label under the Bill must be shown on the label. Representations have been made to the Government by a firm dealing in agricultural chemicals on a large scale that this requirement will work hardship where a label is registered by a South Australian firm for an agricultural chemical manufactured and packed inter-state, since it will require either the inter-state manufacturer or the South Australian firm to print the name of the South Australian firm on the label, and this would cause considerable inconvenience.

The requirement was included in the Bill because it was considered that the public and sub-dealers should know who had registered the label, and who was thereby in effect taking the responsibility for the marketing of the product in the State. However, it is not essential to the scheme of the Bill, and in view of the representations which have been made, the Government has decided to delete the requirement from the Bill. The Government would like to take the opportunity to point out that it is possible under the Bill for the interstate manufacturer to register the label, and that for him to do so would probably be the most convenient arrangement for all parties.

Amendment carried; clause as amended passed.

Clauses 13 to 31 passed.

Clause 32—"Regulations."

The Hon. A. J. MELROSE—I move—

To delete paragraph (d) of subclause (1). This subclause prescribes the methods of analysis and taking of samples, including grab samples, and the method of dealing with them. Not only is superphosphate a substance that is manufactured from raw materials which vary considerably, but in its physical texture it is a mixture of granules, and not a straight-out chemical compound. These granules tend

to sift themselves when subjected to any form of agitation such as occurs in transport, or even in passing through the works. The whole of the mass produced may be as accurate as it is humanly possible to make it, but a grab sample might prove to be far off the mark. By taking a handful of heavy granules it could be found that the chemical analysis was quite different from a handful of impalpable dust, and therefore the industry feels that the taking of grab samples is a dangerous practice and that they should be subjected only to proper mass sampling, or something that does not allow such a field of error.

The Hon. L. H. DENSLEY—I support the amendment. From the point of view of users I think it has been generally accepted that superphosphate that consists almost entirely of large granules has a higher analysis than fine super. Consequently it became much in demand when companies were prepared to supply either granules or the ordinary mixture. Obviously there may be some difference between a sample taken from, say, a corner of a bag and another taken off the top. I think there should be an averaging.

The Hon. Sir LYELL McEWIN—I can see that the amendment could be of material importance. The purpose of the Bill is to protect the purchaser and to ensure his obtaining goods in acordance with what the branding indicates. I am not aware of what has been the previous practice as this matter does not come under my administration, but if taking grab samples has been the practice it must have gone on for a number of years without any great difficulty arising. As a user of superphosphate I would not desire an article in which say, 11 bags were according to the brand and the remainder not. In order that I may get more detailed information I move that progress be reported.

Progress reported; Committee to sit again.

ROAD TRAFFIC ACT AMENDMENT BILL (GOVERNMENT VEHICLES).

Adjourned debate on second reading.

(Continued from November 17. Page 1675.)

The Hon. F. J. CONDON (Leader of the Opposition)—The Bill provides for the payment of registration fees for motor vehicles owned by the Crown, and as a result I imagine our revenue will benefit. Primary producers only pay 50 per cent of the ordinary registration fees, but, naturally, we must look after their interests, as I always do. The Government has already provided £100,000 to fight the grasshopper menace and another £150,000 will possibly be made available. The trouble is we are always considering only one section of the community.

The Hon. L. H. Densley—One section at a time and not one section all the time.

The Hon. F. J. CONDON—A large number of vehicles are used by Government departments, and it is proposed that the full registration fees should be paid, which in turn will be transferred to the Highways Fund. The Treasurer will have the final say as to the fees to be paid. The revenue of the Motor Vehicles Department has increased considerably over the last few years. For the year ended June 30, 1955, registration fees received amounted to £2,821,000 and drivers paid £308,000 for their licences. The total receipts of the department were £3,150,000 an increase of £782,000 over the previous year. The excess of receipts over payments last year was just under £3,000,000, showing that the department is a very important one. As a result of this legislation its revenue will be still further increased. As the legislation is warranted, I support the second reading.

The Hon. L. H. DENSLEY (Southern)—I was rather surprised to hear the honourable member's comments regarding benefits given to primary producers. I have not found much in the Bill to indicate that it was the Government's intention to further ease the lot of primary producers. The principle of Government departments paying motor registration fees is a good one in that great difficulty is experienced in financing a reasonable road programme. Every little will help. My only regret is that Commonwealth Government departments cannot be included. Some years ago I asked a question in the Council concerning the number of Commonwealth vehicles on the roads and the number given was fantastic; and no doubt it has been greatly increased since. It is only reasonable because of our present financial position that Government departments should pay motor registration fees. I therefore have much pleasure in supporting the Bill.

The Hon. E. ANTHONEY (Central No. 2)—This Bill is something in the nature of a novelty in that the Crown proposes to levy a tax on itself. I think I can see the purpose for it because the Commonwealth Grants Commission—our masters—last year objected to the Government contributing a certain sum to the Highways Department. In order to avoid another collision with the Commission, the Government has ingeniously introduced this

legislation. I suppose there is no reason why Government vehicles using the Queen's highway should not pay taxes the same as other road users. The fees will provide additional funds, which are badly needed, for expenditure on our highways. The sooner that this legislation is applied the better. I hope that the increased revenue, which is expected to amount to between £80,000 and £100,000 a year, will result in our roads, even those around the metropolitan area, being placed in a better condition.

The Hon. Sir FRANK PERRY (Central No. 2)—At first glance I thought that the Government was establishing a new principle in this Bill, a principle that I would support because I believe that those who use our roads should contribute towards their upkeep. I do not agree with Mr. Anthoney that the Government introduced the Bill in an attempt to sidestep the Grants Commission. I believe that the user of any service should pay for it. It is possible that the principle being adopted in this Bill may be extended even further. The Government is establishing a precedent. I remember that some time ago we exempted the Tramways Trust from paying registration fees on its buses. If the principle introduced in the Bill is right, it seems to me that it should be applied to the Tramways Trust.

Clause 3 provides that the fees payable shall be the same as for vehicles owned by private persons, and that any question as to the amount of fee payable on any Crown vehicle shall be decided by the Treasurer. I suppose that would occur only where there was a dispute and it was doubtful under which heading a vehicle came. I believe that the same rate of tax should be paid by departmental vehicles as by other road users. If the principle involved is right, it is a pity the Commonwealth Government could not be included as well, because it has numerous vehicles on the roads. I support the second reading.

The Hon. N. L. JUDE (Minister of Roads)—First, I want to disillusion any honourable member who thinks that the introduction of the Bill is in any way associated with the Grants Commission. The truth is that it is a means whereby the expenses of each Government department will be more truly reflected in its accounts. There are many motor vehicles in Government departments and, although their registration may represent only book entries within the Government, the true accountancy position in each department will be shown. That is the main reason for the Bill's introduction.

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

BUSH FIRES 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.

In moving the second reading of this Bill, I inform members that it makes a number of important amendments to the Bush Fires Act. Section 4 of the Act lays down certain rules which must be followed if stubble is burnt between 15th October and 1st February. As is well known, conditions can vary from season to season and from one part of the State to another and, according to the circumstances at the particular time and place, it is considered that there should be some provision to enable some relaxation of the provisions in question. It is accordingly provided by clause 2 that a council may authorize the burning of stubble without the condition requiring strips to be provided round the land in question or the condition requiring four men to be present at the fire being fully complied with. In any such case the council's permission is to be given in writing and the council is to specify the conditions under which the permit is issued.

Section 5 deals with the burning of stubble between January 31 and May 15. Clause 3 is similar to clause 2 and enables a council, by permit in writing, to relax the conditions contained in section 5 relating to strips, the men to be present at the fire and the time of burning. Clause 4 provides that a council may grant permits to burn stubble on township allotments during the periods prohibited by sections 4 and 5. In such a case, the council is to lay down the conditions to be complied with by the person to whom the permit is issued and those conditions must be complied with. In addition, the person concerned must, at least six hours before lighting the fire, give notice of his intention to burn to the nearest fire brigade or fire control officer.

Section 7 of the Act prohibits the burning of scrub between October 15 and February 1. Subsection (2) provides that the Minister may give permission in writing to burn scrub for the purpose of providing a firebreak. Clause 5 widens this power of the Minister by deleting the reference to firebreaks so that the Minister will be able, if he thinks fit, and subject to such conditions as he imposes, to permit the burning of scrub for any purposes.

Obviously, Sir, such a permit will not be given by the Minister unless he is satisfied that it is desirable to grant the permit and except subject to conditions appropriate to the particular case.

Section 8 lays down the conditions under which scrub may be burnt between January 31 and May 1. Clause 6 provides that a council will have the same power to permit such burning during this period as is given to the council by Clause 2 with respect to stubble.

Section 11 of the Act provides that, subject to the conditions set out in the section, a council may vary the various burning periods laid down in sections 4, 5, 7, 8, 9, 13 and 20. The general intention of the sections is that when a variation of burning periods is made, that variation is intended to be more or less permanent as suited to the usual conditions prevailing in the locality. On occasions, however, the conditions of a particular season justify the alteration of burning periods for that season only. Clause 7 therefore provides that where the council considers the seasonal conditions warrant such a variation it may by resolution declare that any restricted burning period is to commence up to a fortnight earlier or later than that set out in the relevant section and that the closing date of the restricted period is postponed by up to a fortnight. Section 12 prohibits the lighting of fires on Sunday for the purposes set out in sections 4, 5, 7, 8 and 9.

Clause 8 provides that a council may make by-laws prohibiting the lighting of fires on Saturdays or public holidays for any of those purposes. Section 13a now provides that whenever the Minister is of opinion that a particular day is a day of fire hazard, he may broadcast a warning of the danger of fire on that day. Clause 9 repeals the existing section and provides that the Minister or a person authorized by him may, on any day, broadcast a warning of a day of fire hazard and a prohibition of the lighting of fires in the open either throughout the whole State or any specified part of the State. If any person lights a fire in the open contrary to such a prohibition he is to be guilty of an offence.

Clause 10 provides that if any aircraft is used for spraying or dusting operations and, in the course of those operations, it lands in any stubble, the owner of the aircraft is to be guilty of an offence unless either there was a hand or power pump with an adequate supply of water and two charged knapsack sprays at the place of landing or the stubble paddock was surrounded with a cleared strip.

Section 19 makes it an offence for a person, while in any vehicle in any municipality or town, during the period between October 31 and May 1, to throw out a lighted cigarette or cigar or any live tobacco ash. Clause 11 deletes the words "municipality or town" from the section. Obviously, the fire risk from lighted cigarettes, etc., is present during the summer months whether the vehicle is in a town or outside a town.

Clause 12 enables a council to secure that adequate fire protection is provided at sawmills or at premises of a kind proclaimed by proclamation. The clause provides that the council may give to the owner of the premises a notice requiring him to provide an adequate water supply, and such fire-fighting appliances and telephonic communications as are specified in the notice. The clause provides that, if an owner objects to the requisitions of the Council he may appeal to the local court who may make such order as the court deems fit. Failure to comply with the notice of the council or the order of the court will constitute an offence.

Subsection (7) of section 29 provides that certain Government officers are to be ex officio fire control officers for the State. Clause 13 provides that the Director of Emergency Fire Services is to be such a fire control officer. Clause 14 provides that if a fire control officer is of opinion that any fire has been lighted illegally on any land or, whether lighted legally or illegally, is out of control or may be reasonably expected to get out of control, the fire control officer may give directions to the occupier of the land or the person apparently responsible for the fire to take such measures to extinguish the fire as the officer deems necessary. Failure to comply with any such direction will render the offender liable to penalties.

Clause 15 enacts a scheme under which the Treasurer and insurance companies carrying on business in the State will, in every financial year, contribute to a fund called the Bush Fires Fund. During the present financial year the Treasurer is to contribute £5,000 and the insurance companies the same amount. In future years the amount to be contributed will be fixed by the Treasurer upon a report from a committee set up under the clause. In every year the amount to be contributed and the total amount contributed by the companies are to be equal. As between the companies, each company is to contribute an amount based on the stamp duty payable in respect of its business other than life assurance business.

There is to be a committee of three to administer the fund. One of the members is to be appointed from a panel nominated by the Fire and Accident Underwriters' Association.

The fund is to be used for the purpose of making payments to organizations formed to fight bush fires or fires outside fire brigade areas. The payments are to be applied for the purpose of providing up to two-thirds of the cost of any fire-fighting equipment. Thus, any such payments are in the nature of a subsidy and at least one third of the cost of any equipment must be provided from local sources. Payments from the fund are to be made by the committee but the approval of the Minister must be obtained to any payment.

Clause 16 and the schedule make extensive alterations of the penalties set out in various sections of the Act. In view of the serious effect that can result from a breach of the Act it is considered that the existing penalties are inadequate and are insufficient to act as a deterrent. Therefore it is proposed to increase substantially the various penalties.

One of the underlying factors of this Bill is the desire of the Government to decentralize power with regard to bush fires to a greater extent than previously. Many of the amendments are for the purpose of giving councils more power than they previously had, and therefore permit of a more practical application of the law at the time of bush fire outbreaks. When this Bill reaches the Committee stages, it is the intention of the Government to add a further amendment to permit officers of the Metropolitan Fire Brigade Board to take part in burning-off operations in municipal areas, and I suggest that this amendment is well worthy of the consideration of members.

The Hon. R. R. WILSON (Northern)—While the Minister was explaining the Bill I thought he could not have spoken about a subject that he knew more about. I am sure that the valuable work he has done for the fire fighting organizations is appreciated by all. Following January 2 of this year, which is generally termed "Black Sunday," suggestions came in from all parts of Australia from different organizations, and it was expected that a Bill would be introduced this season to amend the Bush Fires Act. I think reference should be made to the two valuable lives lost on that Sunday; Mr. L. G. Villis, of Kingston, who was trapped in his truck, and Mr. E. J. Pitman, of Tea Tree Gully, who had been fighting bush fires and was trapped in a home at Inglewood. It makes us realize our duties to control bush fires when persons lose their lives and hundreds of sheep are burned. I think many lessons have been learnt from that fire.

Evidence had to be collected from advisory committees and organizations before the Act could be amended to the extent to which it was desired, and that took a long time. Western Australia took two years to obtain the evidence required before making major alterations to the legislation. The Minister of Agriculture told me he did not have time to collect all the evidence that he would like to have had before making certain alterations, so I presume we can expect another Bill to be introduced next session. It is expected that districts will be split up into regions, and that there will be regional committees. This has much to commend it, because in South Australia, where climate varies so much, what applies to one district might not apply to another. Regional committees could decide the most suitable time for things to be carried out in their own localities. The Bill provides that warnings will be broadcast of extreme fire hazards, which is an excellent idea. I am also pleased to see that throwing lighted cigarettes from motor vehicles will apply to all parts of the State. Previously it was not an offence to throw out a lighted cigarette when passing through a town, but that anomaly is corrected by this Bill.

Greater authority is also vested in fire control officers. Having carried out that office for 10 years, I know a good deal about what authority should be given to these officers. They have wide powers, but this Bill gives them wider powers, which I think they are entitled to have, to determine when certain paddocks should be burnt off. This Bill gives them that authority. The emergency fire fighting organizations have given excellent services again this year. Equipment in the hands of the organizations is now valued at over £50,000. There are 141 brigades with 3,000 volunteers and last year they attended 521 fires, 200 of which were in the Adelaide Hills. It is pleasing to know that the Government has now supplied these volunteers with uniforms. To be without them was like being in the army without a uniform, and now that they have them they will feel that they are more part of the show. They were disappointed last year that, although listed on the programme at the Royal Show, they were allotted the last place on the programme on the last day, by which time most of the people had left the grounds. It is hoped that the

society will recognize the value of their voluntary efforts and give them a more prominent place on the programme next year. The Bill will improve the Act and I feel sure that in the areas where fires occur people will feel they have more security by virtue of these amendments.

The Hon. J. L. COWAN (Southern)—There are two aspects of bush fire legislation. Firstly, the very important part concerned with the prevention of fires and, secondly, that part which deals with their control. We cannot lay too much emphasis upon prevention; it is far better to prevent than to be forced to control. No doubt this Bill has been introduced as the result of the disastrous fires that took place in South Australia on January 2 last, but I am somewhat disappointed that so much time has elapsed before the Bill was brought forward. We receive it now right at the end of the session and within the period which bush fire restrictions are becoming operative. To alter the times of burning and deal with other matters of prevention and control in the middle of the season is likely to cause some confusion and is not in the best interests of those who are endeavouring to put this law into effect.

I believe that private landholders could do a great deal more in the way of securing their properties against the devastation caused by bush fires. Yesterday most of us went on the journey to Port Pirie, and looking out of the train we saw that harvesting operations were taking place all along the line. I saw much inflammable material in almost every paddock but, I think, only one place where an attempt had been made to plough firebreaks, and this is the case I think over a great part of the State.

The Hon. S. C. Bevan—Is it compulsory?

The Hon. J. L. COWAN—If farmers insure it is compulsory to provide firebreaks, otherwise their policies are void.

The Hon. N. L. Jude—Unfortunately, the companies do not keep them up to it.

The Hon. J. L. COWAN—In some cases they do, but I think people are very lax in not protecting their properties. In addition to ploughing firebreaks they can plant green covering of various kinds; lucerne will grow around almost any homestead and in paddocks, and a fire will not travel at any great rate through green growth of this nature. Furthermore, we found after the last disastrous fires that many people had not insured their properties against bushfires, and immediately there was a scramble to take out policies. However, I believe in general they are still very neglectful. Persons who have property that may be destroyed by fire, such as crops, buildings, sheds or machinery, ought to insure against those risks.

Although the Bill tightens up the Act in some ways it gives more liberty in other respects. For instance, it allows further discretionary power to councils to vary the hours of burning off in different parts of the State. That is a good idea for, as Mr. Wilson said, conditions vary over the length and breadth of our State, and what is necessary in one place is not required in others. This also, of course, decentralizes the administration of bush fire control and that is a very good thing. Members of district councils throughout the State have a remarkably good idea of what is necessary to control fires in in their own districts; they know the vagaries of the weather, seasons and atmospheric conditions and all those matters that are concerned with the risks of burning-off during certain periods. The hours of burning-off and the time of the year can well be left to district councils to use greater discretion than they have had in the past.

The Bill proposes to set up a committee to administer a certain fund, £5,000 of which will be contributed by the Government and a similar amount by insurance companies. This will be the nucleus of a fund which will be utilized for the purchasing of further fire fighting equipment and the renewal and replacement of equipment as it becomes obsolete. This equipment is very expensive and it deteriorates very rapidly when used in fire fighting. I believe that this fund will help the organization throughout the State to have available that necessary machinery which plays such an important part in fighting fires nowadays.

The throwing of lighted cigarette butts from moving cars is a serious thing. I have followed cars on occasions when cigarette butts have been thrown out; immediately there appears a cascade of sparks which are then drawn along in the vacuum created by the car and they finish up at the edge of the road. I dread to think what will happen on many roads if this carelessness continues, and I believe that the prohibition in the metropolitan area as well as in the country will educate people to be more careful in this regard.

The Hon. S. C. Bevan—Don't you think it is taking it a little too far to prohibit it in King William Street?

The Hon. J. L. COWAN—People do not have to throw them out; there are receptacles in most cars now. If people throw out their butts anywhere they tend to become careless and will drop them in places where it may cause loss of property and, perhaps, even human life. The Bill does not go far enough in connection with the lighting of fires in the open during the prohibited period and I would support the prohibition of this practice from just before Christmas until the end of February. This would cause no great hardship to anyone and it would be a considerable safeguard against the starting of bush fires. Any responsible person would never think of lighting fires in the open to boil a billy or grill chops in that period.

The Hon. S. C. Bevan—They do in the Hills districts.

The Hon. J. L. COWAN—Only irresponsible people who do not realize the consequence of their action. Places are provided at short intervals along most roads where people may do some cooking if necessary. It is not within the power of the average motorist to extinguish a cooking fire completely; it may require a considerable amount of water, sand or loose earth and none of these materials may be readily available. A fire having been lit it remains a potential danger, as for some hours the embers will remain in the ashes and a wind may fan them up and start a fire, even though the required distance around the fire may have been cleared.

I take this opportunity to pay a tribute to the Emergency Fire Fighting Services which have done remarkably good work during the past few years since they have come into existence. These organizations are mostly manned by young men within the area in which they serve who voluntarily give up their time and devote their energy and ability to a service that is available at a moment's notice. The Bill makes their services available not only for fighting bush fires, but for fires in townships where there are no fire brigades so the scope of their operations will thereby be increased. They deserve all the commendation and encouragement that can be extended to them.

I commend the Minister of Agriculture on inaugurating Bush Fire Protection Week. It is receiving the co-operation of business houses, the Education Department, Railways Department and the Tramways Trust and the broadcasting stations have all agreed to broadcast the official opening by the Governor. Lectures will be given to school children on fire hazards and the broadcasting stations will broadcast fire slogans throughout the opening day. I believe that these methods will be of immense value in bringing home the true position to those who have not any real idea of what can happen when they go into the country and light a fire. I believe that this publicity campaign will result in a tremendous amount of good, but I am disappointed that the Bill was introduced so late and will not come into operation until about the middle of the fire lighting prohibition period. It does not go far enough in some directions, but I am in full agreement with the proposed increased penalties. This will help to bring home to offenders that they must be more careful than in the past. I support the second reading.

The Hon. Sir WALLACE SANDFORD (Central No. 2)—It is many a day since the community was so profoundly shocked as on Black Sunday, January 2 last. Consequently, we all fully appreciate the necessity for substantial amendments to the legislation dealing with bush fires. I appreciate what Mr. Wilson and Mr. Cowan had to say. No doubt the Department of Agriculture will be inundated with suggestions of the best ways to handle this important problem. The taking of appropriate precautions will greatly reduce risks. It is difficult to exaggerate the value of our organized fire fighting services. During the great fire outbreak on January 2 there were many recorded acts of heroism by fire fighters, and many others which were unseen. Of all the States, South Australia is perhaps in the most danger from the bush fire menace, because conditions are very dry for several months of the year. This naturally intensifies the fire danger. It has been suggested that no fires should be lighted in the open between Christmas and February. I do not think there would be much criticism if the period were extended to the end of March, by which time the danger would be lessened. However, it is too much to expect that precautions will not still be necessary. I trust that when the Bill becomes law benefits will accrue. I doubt whether this legislation could be in better hands than those of the Minister of Local Government.

Following the disastrous fire in January it was found that many landowners had little insurance on their properties and plant, and in some cases they were totally uninsured. Although insurance is undertaken by careful people, I do not know that we can expect everyone to protect himself to the extent that

might appear necessary in the event of another fire outbreak. There are many types of insurance, including that on a dwelling and its contents, fencing, machinery and stock. Possibly many landowners would find it difficult to meet all the expenses associated with a total coverage. It is proposed to appoint a committee to handle funds raised in accordance with this legislation. I support Mr. Cowan in his eulogies to the emergency fire fighters, who did a wonderful job in the January outbreak in fighting the fire night after night under extremely hot conditions, and often following a hard day's work. Although it may appear somewhat delayed, I take this opportunity to thank these fire fighters and their women folk who helped them so cheerily. I hope that when this Bill becomes law it will result in a more satisfactory and happy conclusion to the struggles and difficulties always confronting the landowners of this State during the summer months. I support the second reading.

(*Sitting suspended from* 4 *p.m. to* 5.40 *p.m.*)

NOXIOUS TRADES ACT AMENDMENT BILL.

Returned from the House of Assembly without amendment.

ELECTORAL ACT AMENDMENT BILL.

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

The Hon. C. D. Rowe (Attorney-General)—I move—

That this Bill be now read a second time.

It makes some amendments to the Electoral Act which are desirable for the purpose of bringing the law into conformity with modern requirements. The amendments relate to diverse topics which I will explain separately. Clauses 3 to 9 deal with postal voting. The present Act provides for postal voting and is quite effective for this purpose so far as electors in Australia are concerned. It is, however, difficult, though not impossible, for South Australian electors in the United Kingdom to vote by post because there are no electoral officers either in the United Kingdom or in any overseas country who have authority to issue the necessary documents. The Electoral Act does not provide for the appointment of electoral officers to act outside electoral districts. Applications for postal ballot-papers made by electors who are overseas have to be made to the appropriate electoral officers in South Australia, and the postal vote certificates and ballot-papers are then sent to the electors. When the elector has recorded his vote, the ballot-paper is returned to South Australia. All this procedure must be completed between the issue of the writ and the third day after polling day. If there were no air mail it would be impossible for any South Australian elector in the United Kingdom to vote. With the large number of South Australians constantly visiting the United Kingdom it is desirable that provision should now be made to enable officers in that country to receive applications for postal voting papers, and issue the necessary papers in proper cases, and collect the ballot-papers after the votes have been recorded.

Clauses 3 to 9 deal with this problem. They enable the Minister to appoint assistant returning officers to act at places outside the State. They also enlarge the time for applying for postal vote certificates and postal vote ballot-papers, so that applications may be made at any time after the tenth day before the issue of the writ for the election. At present such applications can only be made after the issue of the writs. The time for sending in postal votes is also extended so that these votes may be counted if they are received within seven days after polling day, instead of three days as at present. These alterations are in line with the Commonwealth procedure, and will not appreciably delay the declaration of the poll. If the clauses are carried, the Government will be in a position to appoint an assistant returning officer in London.

Clause 10 deals with informal ballot-papers where the informality arises because insufficient preferences are indicated. In an election where there is only one seat to be filled and there are two candidates the Electoral Act at present provides that if the elector indicates his first preference and not his second preference the ballot-paper will be valid. If, however, there are more than two candidates and the elector does not indicate his preference for the full number of candidates for whom he is required to vote, the ballot paper is informal. Clause 10 deals with this position by providing that in a case where the number of candidates does not exceed the number for whom the voter has to indicate preferences and the voter indicates his preference for all the candidates but one, and leaves blank the square opposite to the name of that one candidate, it is to be assumed that the voter's preference for that candidate is his last preference and that the voter has accordingly indicated his preferences for all number of candidates for whom he is

obliged to vote. This amendment will reduce the number of informal votes.

Clause 11 increases the maximum amount of electoral expenditure which a candidate may lawfully incur or authorise. At present the maximum is £50, plus £5 for every 200 electors on the roll above 2,000. In view of the reduced purchasing power of money it is proposed to double these amounts.

Clause 12 extends the list of matters in respect of which electoral expenses may be incurred or authorized by a candidate. One of the permissible items of expenditure at present is "printing, advertising, publishing, issuing and distributing addresses by the candidates and notices of meetings." On the true interpretation of these words it appears that the only matters which a candidate can print, advertise, publish, issue and distribute are his addresses and notices of meetings. General advertising of political opinions and requests for the support of electors appear to be forbidden. It is proposed by clause 12 to include in the permissible electoral expenditure, all expenditure by the candidate on advertising and broadcasting, and all expenditure incurred in publishing, issuing, distributing and displaying addresses, notices, posters, pamphlets, handbills and cards. It is also proposed to include expenditure on telephones as a permissible electoral expenditure. These amendments will bring the State Act into line with the Commonwealth Act on these points.

Clause 13 repeals section 138 which says that all money provided by any person other than the candidate for electoral expenses must be paid direct to the candidate personally. The Government has reason to believe that this provision is by no means generally obeyed in practice. It is known that organizations sometimes pay expenditure on behalf of candidates directly to the persons who have provided the services. It is proposed to repeal section 138. There is no similar provision in the Commonwealth Act.

Clause 14 contains several proposed new sections to be inserted in the principal Act. The proposed section 155a provides that an association or a person acting on behalf of an association is not to publish or announce that any candidate is associated with or supports the policy of the association unless the candidate has consented to such publication or announcement. A provision to the same effect is already in the Commonwealth Act. The justification for the clause lies in the fact that considerable harm may be done to a candidate by a false representation that he belongs or supports an association which is disliked by his electors, or whose policy is opposed to the candidate.

Proposed new section 155b limits the permitted size of electoral posters to 120 square inches and declares that every poster which is less than 3ft. from another poster shall be regarded as forming part of that poster, and the limitation of 120 square inches shall apply to the area of all posters within three feet of another poster. In addition, section 155b follows the Commonwealth Act in providing that electoral matter is not to be written or drawn directly on roadways on footpaths, buildings and other structures. Power is granted to members of the police force to remove or obliterate electoral posters or electoral matters exhibited in contravention of the provisions of the Bill.

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

WOODLANDS PARK TO TONSLEY RAILWAY.

The President laid on the table the second report of the Parliamentary Standing Committee on Public Works on the Woodlands Park to Tonsley railway.

ADJOURNMENT.

At 6.03 p.m. the council adjourned until Thursday, November 24, at 2 p.m.