LEGISLATIVE COUNCIL.

Wednesday, August 27, 1958.

The PRESIDENT (Hon. Sir Walter Duncan) took the Chair at 2.15 p.m. and read prayers.

QUESTIONS.

INDUSTRIAL CODE INSPECTORS.

The Hon. A. J. SHARD—Following on the press announcement this morning that two inspectors would be appointed to see that the safety provisions of the Industrial Code are carried out, can the Minister of Industry and Employment say whether the inspectors will have the right to prosecute when breaches of the Code are found, or will they have power only to make recommendations in regard to prosecutions, and will the Minister see that they do their work effectively?

The Hon. C. D. ROWE—As was announced in the press this morning it is proposed to appoint two additional inspectors to assist in educating people on safety in factories, with a view to reducing the number of accidents. They will have the usual powers of inspectors and I presume they will follow ordinary procedure and report matters to the Chief Inspector and then on the advice given appropriate action will be taken. I assure the honourable member that although the purpose of the appointment of these inspectors is an educational campaign, where there are breaches of the law appropriate action will be taken.

PORT ADELAIDE INSTITUTE SCAFFOLDING.

The Hon. S. C. BEVAN—Can the Minister of Industry and Employment say whether the scaffolding erected at the Port Adelaide Institute, where renovations are now in progress, was inspected and passed at the time of its erection by a scaffolding inspector, and, if so, what was the date of the last inspection?

The Hon. C. D. ROWE—I am sure we all very much regret the accident which occurred at Port Adelaide yesterday. I have already asked for a detailed report on the matter, but because of shortness of time it has not yet reached me. When I do get it and know the facts I shall be pleased to let the honourable member have an answer to his question.

HACKHAM CROSSING.

The Hon. Sir ARTHUR RYMILL—Has the Minister of Roads any further information about the Hackham crossing?

The Hon. N. L. JUDE—I indicated earlier that investigations are being made in regard to the Hackham crossing, but I have further detailed information which says that various alternatives for the improvement to the alignment of Hackham crossing have been under consideration. The straight-through route has the defects of fairly steep grade and bad visibility. A survey has been made and an estimate will shortly be available of the cost of deviating the road to the east and crossing the railway with an over-pass where the line is in a cutting. At the same time an investigation into the feasibility of serving the refinery and Port Noarlunga areas with a new road nearer the coast is being carried out. As a decision for this crossing depends on the above investigations and the increase or decrease of future rail services no action is to be taken at present to vary the present crossing.

MINES DEPARTMENT LABOUR.

The Hon. C. R. STORY—In letters to the Editor column in yesterday's press there appeared one reporting that the Mines Department was using Italian labour.

The Hon. Sir COLLIER CUDMORE—On a point of order, Mr. President, has the honourable member permission to make a statement?

The PRESIDENT—The honourable member is not yet arguing his case. I am listening to him with interest and so far he is in order.

The Hon. C. R. STORY—I noticed in the letter that reference was made to the Mines Department giving Italian labour preference over Australian labour. Has the Chief Secretary anything to report because it appears to be a serious matter?

The Hon. Sir LYELL McEWIN—My attention was drawn to the letter in the *Advertiser* and I have a report from the department concerning it. The letter was signed by an individual who claimed that he had applied for a job and did not get it. The information I have is that Mr. J. Smethurst was employed by the department as cook for the Mount Painter geological field survey on August 13, 1956. He left on his own accord on September 21, 1956. The department has not advertised for a cook for at least 12 months and the employment office has no record of interviewing a Mr. Smethurst since March of this year. There has been no application for a job and I have no explanation of the claim made in the letter yesterday that Mr. Smethurst had applied for a job.

RETIREMENT OF MR. ERIC WHITE.

The Hon. F. J. CONDON (Leader of the Opposition)—Before discussing business on the Notice Paper I desire to refer to another matter which is of interest to all members of this Council. About 34 years ago when I entered Parliament Mr. Eric White was a member of the *Hansard* staff. As this will probably be the last sitting day of the Council on which he will have the opportunity of listening to one of my speeches from the *Hansard* gallery I take this opportunity to place on record my very high appreciation of the service he has rendered. Mr. White has been a capable and hard-working member of the *Hansard* staff and my colleagues join with me in paying a tribute to his qualities as a Leader of the *Hansard* reporters in this Council, and in altering our speeches to put them in proper shape.

MURRAY BRIDGE CORPORATION BY-LAW: POULTRY KEEPING.

Adjourned debate on the motion of the Hon. E. Anthoney—

That by-law No. 40 of the corporation of the town of Murray Bridge for preventing the keeping of poultry so as to be a nuisance and injurious to health, made on July 22, 1957, and laid on the table of this Council on June 17, 1958, be disallowed.

(Continued from August 20. Page 448.)

The Hon. F. J. CONDON (Leader of the Opposition)—What I said previously about the Kingscote by-law applies in connection with this one. Naturally one is guided by the decisions of the Joint Committee on Subordinate Legislation which was appointed by Parliament to consider all by-laws and regulations submitted to it. The committee takes an impartial view when considering them and in reaching a decision as to what action should be taken. When matters are brought to Parliament all members have the opportunity to consider them, and that is the right procedure because they should be brought to Parliament. Unless strong arguments are placed before members to the contrary, and in my opinion that has not been done in this case, we should support the committee's action. The objection in this case is that the by-law is nullified by its wording, because the council reserves to itself the right to vary or waive the by-law on any pretext whatsoever. The law should be definite.

Argument has been advanced that what applies in the closely populated areas should not apply to places some distance from the town. We should not make one by-law for the country and another for the city when conditions are similar. I remember a few years ago when we had a discussion regarding the keeping of poultry in the metropolitan area and it was then decided that no person could keep more than 20 fowls. I do not want to take away from the councils power to do things within the law, because they are doing a wonderful voluntary work, and one should encourage them. I have looked into this matter and come to the conclusion that it is only fair and reasonable that the motion should be supported.

The Hon. Sir COLLIER CUDMORE (Central No. 2)—Last week I spoke shortly on another by-law which is still on the Notice Paper and related to Prospect. I then tried to show that there are different types of by-laws, in some of which it may be possible for a council to set out the exact position and some which, in my opinion, the right to the council to reserve discretion for the future should be maintained. We have four similar motions on the Notice Paper today, and another four set down for September 17. The position is becoming definitely serious. I appreciate the position of members of the Joint Committee on Subordinate Legislation and sympathize with them. They have come across one or two cases in which they feel that councils have gone beyond their powers, and therefore apparently the committee has decided that in every instance when a by-law comes before it containing this discretionary clause to exempt people from its operations it should disallow the whole by-law. To me that is an alarming situation.

I agree entirely with Mr. Condon that members of councils are doing commendable work. I well remember some 25 years ago when, what might be termed an amateur committee of my Party consisting of two or three, was expected to examine all the regulations and by-laws, which were not so numerous as they are today. They did this without pay. It was an attempt to regulate the position then existing, but, apart from that, it was no-one's special duty to study the regulations and by-laws. That position was met by the appointment of the Subordinate Legislation Committee. I appreciate its position that it cannot disallow part of a by-law or regulation, but only the whole. That is a grave disadvantage in the present set-up.

If the committee continues, as apparently it intends, to recommend the disallowance of

every by-law or regulation containing the particular provision referred to, then we shall soon be faced with the councils saying, "If you are not going to allow us to do the job, you will have to do it yourself." It is undesirable that Parliament should attempt to take away all this detail work from the councils. I suggest to the Minister of Local Government that these motions should be adjourned until the Government and its legal advisers have considered the position. It is unnecessary and undesirable for me to go into details as to how the position arose. I said last week that there were instances where by-laws could contain everything that was necessary, whereas in others discretion should be left to the council—not to its clerk. If we are to argue each of these separate cases, obviously we shall get into a difficult situation. Therefore I suggest that the Government should consider the position and submit a report concerning the best way legally to get over the difficulty that we are obviously in today.

The Hon. Sir ARTHUR RYMILL secured the adjournment of the debate.

JOINT COMMITTEE ON CONSOLIDATION BILLS.

A message was received from the House of Assembly requesting the concurrence of the Legislative Council in the appointment of a Joint Committee on Consolidation Bills.

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

That the Assembly's request be agreed to and that the members of the Legislative Council to be members of the Joint Committee be the Chief Secretary, the Hon. Sir Collier Cudmore, and the Hon. K. E. J. Bardolph, of whom two shall form the quorum of the Council members necessary to be present at all sittings of the committee.

Motion carried.

BENEFIT ASSOCIATIONS BILL.

The Hon. C. D. ROWE (Attorney-General), obtained leave to introduce a Bill for an Act for the regulation of associations engaged in the business of providing certain benefits in consideration of contributions paid to said associations, and for purposes incidental thereto.

MINING (PETROLEUM) ACT AMENDMENT BILL.

The Hon. Sir LYELL McEWIN (Minister of Mines), having obtained leave, introduced a Bill for an Act to amend the Mining (Petroleum) Act. Read a first time.

The Hon. Sir LYELL McEWIN—I move—

That this Bill be now read a second time.

This is the first amendment to the Act since it was introduced in this House in 1940. The effect of the legislation has been to create an interest in oil exploration in this State, and in order to facilitate and give greater impetus to that search it has been found that certain amendments, none of which conflict with the original intentions and principles of the legislation, are necessary. The Bill makes a number of amendments. They have been devised mainly to assist the Santos and Delhi Australian Companies to carry out the arrangements which have been made for the joint working of the areas now held by Santos under various oil licences. The Government, however, has not included in the Bill any amendments which are not likely to prove useful and convenient as general amendments of the law.

As is generally known the Santos Company has made an arrangement with the Delhi Australian Company of Texas for co-operation in the search for oil on areas now held under licence by Santos. Under this arrangement the Delhi Company agrees to carry out a substantial programme of exploration and boring from which both companies will benefit, and Santos has agreed to share its holding with Delhi. The whole of the holding will be divided into squares bounded by lines representing minutes of latitude and longitude, and every alternate square will be assigned to the Delhi Company and the others retained by Santos. Each square will be roughly a square mile. It follows that if as a result of work done by the Delhi Company oil is found on any square, Santos will necessarily hold under licence some land in proximity to the find. Thus both companies will derive benefit from work done by Delhi.

The amount of capital which is required for this work is considerable and the exploration may be protracted. Both companies have joined in a request to the Government that the law should be altered so that some greater security of tenure of oil licences than is now granted by the Act should be available.

Three types of licences are at present provided for in the Mining (Petroleum) Act. The first is the oil exploration licence which must have a minimum area of one thousand square miles. There is no maximum area. The maximum term is two years and renewals are at the discretion of the Minister. He is not obliged to grant any renewal at all, or he may grant a renewal as to part only of the

area comprised in the licence. The second type of licence is the oil prospecting licence which is designed to ensure a close examination of a relatively small area. A prospecting licence must comprise not less than eight and not more than two hundred square miles. The initial term is any period up to four years and renewals for periods of twelve months may be granted at the discretion of the Minister.

Oil mining licences comprise much smaller areas. The maximum is 100 square miles. The minimum area is normally four square miles, but the Minister may grant a licence for a still smaller area if he considers it desirable. The term of an oil mining licence can be anything up to 21 years and a licensee after having received an initial licence is entitled to renewals for successive terms of twenty-one years. An important provision in the Act in connection with renewals is section 40 which lays it down that when the holder of an oil exploration licence applies for renewal the Minister may require him to take a prospecting licence (which comprises a smaller area) and when the holder of a prospecting licence applies for a renewal the Minister may require him to take a mining licence (which is smaller still).

The companies submitted to the Government that these provisions did not grant rights for a sufficiently long term and were inconsistent with the idea of security of tenure, and asked that they should be modified. The Government agreed that longer terms for licences were desirable but considered that section 40 should be retained subject to a proviso that in special cases the Government should be in a position to make an agreement with a licensee giving him the right to obtain renewals of the whole of his area during a specified period. The Bill provides for this. In addition the Bill proposes some other amendments for the purpose of enabling the checker-board system of dividing up the area comprised in a licence to be carried out. Several provisions of the present Act are inconsistent with this system but it has been found possible to devise amendments to remove the inconsistencies without impairing the effectiveness of the Act.

I will explain the clauses of the Bill in detail. Clause 3 amends section 6 of the principal Act which deals with applications for licences. At present the law is that a licence can only be applied for in respect of land which is not at the time of the application already included in a licence. This provision would prevent the Delhi Company from applying for the grant of a licence over any portion of the Santos Company's holdings, unless that portion were first surrendered by Santos. This would be an inconvenient arrangement. The object of the provision in section 6 is to ensure that two or more different people do not hold separate licences over the same area at the same time and it is proposed to redraft the provision so as to provide for this, but to leave it open for a person to make an application for a licence over another person's area while that other person's licence is still in force. The licence applied for, of course, could only take effect after the existing licensee's rights terminate by surrender, effluxion of time or other lawful means.

Clause 4 deals with the maps which have to be attached to applications for licences. Under section 7 of the principal Act every application for a licence has to be accompanied by a map delineating the boundaries of the area applied for. Under the proposed checker-board system, each new licence will comprise some thousands of small squares of land, and it would be very difficult and unnecessary to delineate all these squares in the map. It is proposed to alter the law so that it will be sufficient if the areas on a licence are shown or indicated in the map, though not delineated.

Clauses 5 and 6 make amendments for the purpose of laying down a rule that a licence may be granted over two or more separate areas of land. At present the law is that an oil exploration licence or an oil prospecting licence must cover a single continuous area, and only in special circumstances can an oil mining licence be granted over more than one separate area. Under the checker-board system both Delhi and Santos will each require a licence over a very large number of relatively small areas none of which touches any other except at a point at the corner of the squares. The square in each licence will therefore be separate areas. Both for the purpose of enabling Santos and Delhi to carry out their proposal and on general grounds also, it appears desirable that the Government should be able to grant licences over separate areas so long as the total land included in any licence is within the limits prescribed by the Act. Clause 6 provides for this and clause 5 makes a consequential amendment.

Clause 7 enables the same person to hold two different licences over the same land. In practice this will mean that the holder of an exploration or prospecting licence will be able

to keep that licence in force concurrently with any oil mining licence which may be granted over the same land or any part of it. If the oil mining licence should be surrendered, the licensee will still have the original exploration or prospecting licence and thus the area of his operations will not be interfered with. There appears to be no reason why the same person should not have some overlapping rights over the same land so long as he is willing to pay the fees and other charges under each licence. The fact that fees are payable under each licence will no doubt prevent any person from duplicating his tenures without good reason.

Clause 8 deals with the terms, covenants and conditions which may be included in a licence. At present the permissible terms, covenants and conditions are those fixed by regulations under the Act with any modifications and exclusions which the Minister thinks fit and any clauses covering ancillary matters. In view of the proposed arrangements between Santos and Delhi, it is necessary that the Minister should have a wider power to include in a licence covenants conferring rights and imposing duties either on the licensee or the Minister. The amendments in clause 8 provide for this. Subsequent clauses will set out some matters concerning which the Minister will be entitled to include covenants in a licence, and in anticipation of this, clause 8 of the Bill makes additional amendments providing that licences may contain covenants authorized or permitted by the Act, as well as covenants prescribed by regulations.

Clause 9 provides first that the maximum term of an oil exploration licence shall be five years instead of two as prescribed at present. In addition the clause declares that a licensee who has complied with the terms of his licence and with the Act shall have a right to the renewal of his licence. The right of renewal is however subject to section 40 of the Act. Under this section as I mentioned before the Minister may, unless he has made an arrangement to the contrary, refuse the renewal of an exploration licence and require the licensee to apply for a prospecting licence, or may refuse the renewal of a prospecting licence and require the licensee to apply for a mining licence.

Clause 10 amends section 17 of the principal Act which requires the holder of an exploration licence to carry out a reconnaissance survey and to furnish periodical reports and maps. Clause 10 will enable the Minister to vary these requirements. In some cases it may be that the licensee will have already done work on the whole or part of his land and there will be no need to repeat it. In other cases it may not be possible to carry out the whole survey within the time mentioned in the Act, and thus it may be necessary to modify the licensee's obligations, or extend the time for performing them. Clause 11 deals with the right to obtain oil mining licences. At present the holder of an oil exploration licence cannot be granted an oil mining licence over any of the same land. If he wants an oil mining licence he must first obtain a prospecting licence, and while holding that licence he can apply for a mining licence. Although in laying down these rules the Act followed precedents, there does not now appear to be any reason why a company which holds an exploration licence and desires a mining licence should have to go through the procedure of first applying for a prospecting licence. It is therefore proposed to amend section 18 of the Act so that the holder of an oil exploration licence can apply directly for an oil mining licence.

Clause 12 alters the provisions of the Act dealing with the shape of the area which may be included in an oil prospecting licence. It is provided in section 21 of the Act that the area in a prospecting licence shall as far as possible be bounded by well marked permanent physical features, or straight lines. This is quite satisfactory so long as it applies to each separate area. The section goes on to say that the length must bear a specified ratio to the average width, the ratio varying between three to one and six to one. This provision would prevent the checker-board system from being carried out. The Director of Mines has advised that in this State there is no advantage to be gained by retaining the provisions setting out the ratio of length to breadth of the land in these licences. It is therefore proposed to repeal them and it is also proposed to alter section 21 so as to make it consistent with the checker board system.

Clause 13 repeals a section which is unnecessary because of the proposed new provisions allowing any licence to comprise two or more separate areas. Clause 14 deals with the terms of oil prospecting licences and the rights of renewal. It is proposed to raise the maximum term of a prospecting licence from four years to five years and to give a right of renewal to a licensee who has complied with his licence. The only restriction on the right of renewal will be that the Minister may require the licensee to apply for a mining licence instead

of a prospecting licence. If, however, in exercise of powers proposed in this Bill the Minister undertakes that he will not require the licensee to apply for a mining licence during any specified period, the right of renewal during that period will be unrestricted.

Clause 15 deals with the grant of oil mining licences. At present under section 27 of the Act an oil mining licence cannot be granted unless the area applied for has been held by the applicant under an oil prospecting licence over the area, or by some person under an oil mining licence. It is proposed, as I mentioned before, to allow the holder of an oil exploration licence to apply for an oil mining licence without going through the stage of holding a prospecting licence and clause 15 makes amendments relating to this matter. Clause 16 is a consequential amendment.

Clause 17 amends the provisions of section 30 of the Act relating to the shape of the area comprised in oil mining licences. These amendments are similar to those proposed in connection with the areas in prospecting licences. They abolish the restrictions based on the ratio of length to breadth.

Clause 18 amends the provisions of the principal Act relating to surrenders. At present under section 38 of the Act a licensee may apply to surrender a licence after giving three months notice and paying all the money due by him to the Government and his employees, but the Crown is not bound to accept the surrender. It is proposed by clause 18 to give a definite right to surrender in cases where the licensee has complied with the Act, and his licence, and has made provision for making all wells safe.

Clause 19 makes amendments of section 40 of the principal Act. This is an important clause which enables a Minister on an application for renewal of an oil exploration or an oil prospecting licence to refuse to renew the existing licence, and to require the applicant to apply for a different type of licence comprising a smaller area. It has been represented to the Government that this section seriously affects security of tenure of licences, and the companies have asked that it should be altered or modified. The Government as I mentioned considers that the section should be retained, but that in special cases the Minister should have power to give an undertaking that the powers conferred by the section would not be used against a licensee during a specified period. Clause 19 therefore lays it down that the Minister, on the recommendation of the Director of Mines, may insert a covenant in a licence that the powers mentioned in section 40 will not be used against the licensee during a specified period.

Clause 20 deals with the right to mortgage a licence. Under section 22 of the Act a licence cannot be mortgaged except with the consent of the Minister. The Minister is not obliged to give his consent. The Government is informed, however, that when oil is found in commercial quantities finance is often quickly required and it is not uncommon to give financial institutions a mortgage over the licence. It is asked that a licensee should have a right to mortgage his licence without the Minister's consent, but if there should be occasion to enforce the mortgage by sale of the licence the buyer must be a person approved by the Minister. This arrangement is not inconsistent with the objects of the present section and the Government has agreed to include it in the Bill.

Clause 21 deals with the monthly and annual reports which are required from licensees. At present these are set out in section 56 of the Act, which applies to holders of all kinds of licences. It has been suggested that section 56 should be limited to the holders of oil mining licences. The holders of exploration licences and prospecting licences are required by other provisions of the Act to make quarterly reports and it is suggested that it is unnecessary for them also to make monthly reports under section 56. The Government has agreed with this contention and has included in clause 21 amendments to provide that section 56 will be limited to the holders of oil mining licences. It is a matter of satisfaction, particularly to those of us who were associated with the introduction of the first mining (petroleum) legislation, that in a comparatively short time it has attracted capital for oil exploration work.

The Hon. Sir Frank Perry—What area is covered by the exploration?

The Hon. Sir LYELL McEWIN—I cannot give the exact area but it covers a large portion of the north of the State. A considerable amount of work has been done and capital has come from outside the Commonwealth. It is satisfying to know that the legislation has caused people to undertake the costly and technical work of searching for oil. The principles of the Act still remain. Although the Bill has 21 clauses many of them relate to what is now a common occurrence of companies sharing their exploration work with

other interests; hence the checkerboard system. I commend the Bill to the earnest consideration of honourable members because it provides a further opportunity for that desirable decentralization to which so many of the Government's efforts have been directed.

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

SHEARERS ACCOMMODATION ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from August 26. Page 508.)

The Hon. C. R. STORY (Midland)—This Bill is of some importance not only to those engaged in shearing and the production of wool, but equally important to other primary producers. As a primary producer, I realize that good relationships between employer and employee is most essential. I am old enough to remember the accommodation conditions under which many men worked in the earlier days. Clause 2 relates to the date on which the Act will operate. Mr. Densley has foreshadowed an amendment providing that it should come into operation 12 months after its passing instead of six months, and I intend to support him. Clause 3, which deals with the air space which must be provided in shearers' accommodation, provides for an increase from 300 to 480 cubic feet. Under the existing provisions one could imagine it might be difficult for a shearer to get into bed without walking over some of his fellow workers. I favour the proposed increase.

Another provision relates to the lining of rooms and separate accommodation for cooks. I did not know we had class distinction in these things, but apparently we have. My honourable friends opposite will probably give an explanation for this. Although the cook has to rise earlier than the shearers, it would appear to be class distinction to provide separate accommodation for him. I cannot imagine why. It is also provided that Asians and part-Asians should be segregated, and this despite the fact that we are trying to foster good relations with other peoples. This provision could well be deleted. If female cooks are employed separate sanitary accommodation must be provided. It is hardly necessary that decent Australians should be reminded that this is necessary. The provision that beds must measure 6ft. 6in. by 2ft. 6in. seems to indicate that there must be some giants among shearers; and they must be provided with a mattress 4in. deep. That is a better mattress than I can provide for myself.

The Bill provides that shearers' sleeping compartments must be equipped with a wardrobe, chair and table. It does not say whether these have to be polished! I presume that a corner cupboard would be suitable. Hot water must also be supplied to shearers' bathrooms. In some places it would be difficult to supply this facility, and undoubtedly it would involve much cost. Power and light must also be available. This is reasonable, as the day of the hurricane lamp is long past.

Another item which interests me relates to the provision of clothes props; owners will be expected to provide five feet of clothes line for each shearer. The provision relating to common hygiene is good and should be included. I agree that no shearers' accommodation should be set up within 200 yards of a cow shed, pig stye, stable or wool scouring plant. I could not imagine an owner doing otherwise, but evidently this provision has been found necessary. Members of our police force have plenty to do without visiting these properties and inspecting shearers' accommodation, provided everyone is satisfied and it conforms with the Act.

Earlier I said that as a primary producer I was well aware of the good relationships which should exist between employer and employee. It was stated that in the earlier days the accommodation provided for the workmen was not good enough, but I remind members that often it was not so good for the boss either. Then the country was being pioneered. In my industry and in my area it was a mark of affluence if anyone owned a refrigerator, or was in a position to provide a hot water service, and that was not many years age.

It is also true to say that wool producers have enjoyed prosperous times in recent years and provided the bulk of the income and prosperity enjoyed by the community, but I do not think the great prosperity we have heard so much about exists at present. Wool is now averaging 40 odd pence a pound, whereas when the agreement referred to by the Minister was reached wool was probably bringing about 80d. On many established properties and large holdings the new provisions sought already exist. I am a little apprehensive about the additional requirements that will be necessary under the law on war service properties established in recent years, and where people have gone on to fairly hungry country and developed it in the last few years. The economy has been based entirely on the figures I mentioned just now. I think it would cost almost £2,500 to put all these things into

operation, and that is a lot of money for a young man starting out under the war service land settlement scheme to find with wool at 40 odd pence a lb. Many of these settlers would have sufficient sheep to require them to employ three shearers and the odd rouseabouts that go to make up the term "shearers."

The Minister when explaining the Bill stated that it was the result of a conference between the various associations representing employers and employees. If the parties can reach an agreement it is a very laudable thing, but I am a little anxious that if the Bill is passed this principle may be carried into effect in other industries which have not enjoyed the great prosperity of the wool industry in recent years.

The Hon. F. J. Condon—Why shouldn't it, provided both sides agree?

The Hon. C. R. STORY—It could become the yardstick for similar enforcements in other industries which have not enjoyed this boom. I do not want to see that happen, and this method seems to be an easy way to get this principle into being. The legislation is going through without very much objection because agreement has been reached between the various parties. If stockowners feel that they are in a position to give these things that is all right, but what I am worried about is that it will be taken as a principle for other industries. There have been two notable omissions in the Bill and I cannot imagine why. Clothes props and various other things have to be provided, but there is no mention of radios or toilet paper.

The Hon. F. J. Condon—Why make a joke of it?

The Hon. C. R. STORY—The most important items cannot possibly be described as luxuries, and I cannot imagine how they slipped up on this. I was wondering if it is not getting something like what is described in the poem by Henry Lawson entitled "The Shearer's Dream," which is as follows:—

Oh, I dreamt I shore in a shearing shed
And it was a dream of joy,
For every one of the rouseabouts
Was a girl dressed up as a boy,
Dressed up like a page in a pantomime
And the prettiest ever seen.
They had flaxen hair,
They had coal black hair
And every shade between.
The shed was cooled by electric fans
That was over every chute.
The pens was of polished mahogany
And everything else to suit.

The huts was fixed with spring mattresses
And the tucker was simply grand
And every night by the billabong
We danced to a German band.
Our pay was the wool on the jumbucks' backs
So we shore till all was blue.
The sheep was washed
Afore they was shore
And the rams was scented too.
And we all of us cried when the shed cut out
In spite of the long hot days,
For every hour them girls waltzed in
With whisky and beer on trays.

I support the second reading.

The Hon. K. E. J. Bardolph secured the adjournment of the debate.

MARINE STORES ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from August 26. Page 506.)

The Hon. S. C. BEVAN (Central No. 1)—This is not very contentious legislation. It deals mainly with an application for a licence or transfer of a licence, and in that respect amends section 10 of the principal Act. That section which is rather restrictive in the light of present-day circumstances, is as follows:—

No dealer's licence shall be granted or issued or any transfer thereof permitted unless the applicant therefor shall, 10 days at the least before his application, give or send by registered letter to the clerk of the Local Court and to the Commissioner of Police a notice in writing signed by him of his intention to apply for the same, setting forth his name and address and the place where his business is intended to be carried on. The Commissioner of Police or any person authorized by him may show cause against the granting of any such application.

All the Bill does is to make it necessary for written notification to be made to the appropriate local council of the intention to apply for a licence or the transfer of a licence. The council would then have an opportunity of appearing before a local court and lodging an objection to the application.

At the moment I think only the Commissioner of Police or a person authorized by him has that authority, and in present-day circumstances the legislation does not go far enough in that respect. We can all visualize the business of a marine store dealer and the various commodities which are brought into his yard from time to time. Apart from bottles which he collects from various householders he has scrap metals and things of that nature which would be stored in the yard

perhaps for a considerable period. The Commissioner of Police has a tremendous responsibility in the administration of the police force and the maintenance of law and order generally, but he must authorize someone to investigate these things. If a council wished to lodge an objection to the granting of a licence or a transfer of a licence, and if it knew that an application was being made, it would have to make representations to the Commissioner of Police to seek his co-operation for the purpose of appearing and lodging a complaint against the issue of the licence.

This amending legislation will give councils the right to lodge an objection to the granting of the licence or transfer. In many suburban areas where marine stores are established and it is desired to transfer a licence to another person, the council may not wish that licence to continue, nor may it agree with an application for a licence in the first instance. In the eyes of the council it may not be advantageous to have a marine store established in its area. It may be in an area that the council has defined as residential, or where valuable properties are situated, and if a licence were granted to a marine store dealer unbeknown to the council it could have far-reaching repercussions. Councils may have some jurisdiction over marine store dealers under other legislation, but there could be some undesirable circumstances in which a council would feel that a licence or transfer of a licence should not be granted.

I cannot see that there will be any hardship on an applicant in having to notify a council when applying for a licence or a transfer of a licence. It will give councils an opportunity to examine the position and to lodge an objection, but that does not mean the rejection of a licence or transfer. It merely gives the council the opportunity of placing its objections before an umpire who after hearing all parties would determine whether the application should be granted. For that reason I feel that no objection can be taken in that regard.

The only other matter which the Bill deals with has been fully explained by the Chief Secretary. He stated that in actual practice the licence fee since 1927 has been £3 3s. and not £1, the increase having been authorized by proclamation. Section 10 of the Act states that the licence fee is £1, so the only necessary alteration is to substitute the sum of £3 3s. I wonder why that change in the Act was not made before now. An applicant when reading the Act could be misled, and it would only be when he was lodging his application that he would find that the fee was actually £3 3s. The legislation is worthy of support and I support the second reading.

The Hon. Sir FRANK PERRY (Central No. 2)—There are only two amendments in this measure, one of which provides for notice of an application to be given to the council in whose district the marine store is to be situated, in addition to the Commissioner of Police. That is most desirable. By its very nature, a marine store itself is not attractive, as shown by the fact that the Commissioner of Police deals with it on the basis of controlling the sale and purchase of goods that may be stolen while the council deals with it from the angle of its suitability, its locality and the way in which it is kept. The council is perhaps more concerned than even the Commissioner of Police with the licence, and so this amendment is desirable. In fact, I am surprised that it was not incorporated in the Act long ago.

The second amendment embodies in the Act the increased fee of £3 3s. which was fixed by regulation. This Bill is not contentious and is desirable in the interests of councils and the public. I support the Bill.

Bill read a second time and taken through Committee without amendment.

MAINTENANCE ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from August 26. Page 507.)

The Hon. C. R. STORY (Midland)—This Bill makes a number of useful and necessary amendments. It should have the consideration of all honourable members because it deals with the less fortunate section of our community, and particularly those who, through no fault of their own, need the State to look after, maintain, protect, and guide them. In other words, it is the responsibility of us, the representatives of the people, to provide the machinery, money and facilities for the State to act as guardians and foster parents in the case of minors, and to give protection to those deserted by the one whose responsibility it is to provide for them.

Provision is made in this Bill to cope with the problem child. In this respect we have a great responsibility, which rests also on those put in charge of these children to give them every opportunity of leading useful lives as decent citizens. We should be pleased to think

that everything is being done in our department to see that our State children are being looked after as we would like our children to be cared for if placed in similar circumstances.

The clause that appeals to me most is that dealing with the name "Industrial School, Glandore," which is to be replaced by the name "Glandore Children's Home." Like many other members, I have always laboured under a slight misapprehension as to the function of these industrial schools. The very name leaves some sort of a stigma on the inmates, who have plenty of handicaps as it is without our adding to them anything that it is in our power to remove. I strongly commend this most important amendment.

I shall be very interested in the reply of the Minister in charge of this Bill to the suggestion made by Mr. Bardolph yesterday when he advocated that moneys held on behalf of these children or wards of the State should be placed in interest-bearing funds, either in a Savings Bank or in the Treasury. Some protection must be provided for minors to see that their money is properly looked after, because they can easily be exposed to exploiters, people who do not take very much notice of their age or circumstances, but who, because these children have no parents, will exploit them in various purchases, entering into agreements with them when they are minors with no real knowledge of such things and very often not possessing the wherewithal to maintain the responsibility incurred by entering into these contracts.

The Hon. Sir Frank Perry—They are still under State control?

The Hon. C. R. STORY—Yes, but this will give better control over their earnings, from the point of view of possible exploitation. The clause gives power to serve summonses on people who evade their responsibilities by going to other States is most useful. Under the provisions of section 15 of the Commonwealth Service and Execution of Process Act, this will be possible. Where men do not know their responsibilities, having married women who bring their children into this world and then deserted them, protection should be given to those women and children. I heartily support the Bill and see no reason why these amendments will not improve the Act considerably.

Bill read a second time.

In Committee.

Clauses 1 to 3 passed.

Clause 4—"Enactment of new section 132a".

The Hon. K. E. J. BARDOLPH—Has the Government taken into consideration the money placed in a savings bank trust account, in the name of both the Children's Welfare Board and the child or ward? I do not desire to doubt proper control by the Treasury, but the Minister did not indicate in what fund that money would be placed, other than that it would be deposited in the Treasury. Unless it is specifically laid down, it may be placed in some fund that would not bear interest for the benefit of the person concerned. It may be placed in a fund where that applies. The Minister should elucidate that particular point.

The Hon. Sir LYELL McEWIN (Chief Secretary)—I have no special explanation to offer on that. The council is merely an extension of what is already in section 132 of the Act where the board is empowered to hold funds on behalf of the children. If it is desired that they hold other funds the normal procedure is that they, acting as they are on behalf of the children, should deposit the money with the Treasury. It is held in trust by the Treasury, which is not a banking department. If it is of sufficient magnitude—I do not know what will be the aggregation of these funds—a service of course has been provided in looking after the welfare of these children. If they are receiving only 2 per cent or even no interest on their money, at least they are getting value elsewhere. I do not know whether the honourable member desires any further investigation to be made into this. I am prepared to report progress if that is desirable in order to get further information.

The Hon. K. E. J. BARDOLPH—I do not think it is the amount that may be controlled by the Welfare Board that matters; it is the principle involved, whether the amount be great or small. As the Minister has just indicated, although they may not get any interest on their moneys, they are getting service from the board who do this class of work. Whether these wards are earning money, either large or small in amount, they are entitled to have it placed in some interest-bearing fund that would be under the control of the Children's Welfare Board. A definite equity should be available by having a trust account. The Minister referred to accounting difficulties.

The Hon. Sir Lyell McEwin—The honourable member is not questioning the accuracy of the statement?

The Hon. K. E. J. BARDOLPH—No. I do not challenge the honesty of the board in any way, but when money is held for a person it should be placed in a Savings Bank account to earn normal interest. If progress were reported the Chief Secretary could ascertain the exact position.

Progress reported; Committee to sit again.

MINING ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from August 26. Page 509.)

The Hon. L. H. DENSLEY (Southern)—In recent years mining has again assumed a position of high importance. In the early days there was much mining activity but for a time it has been at a low ebb and it is pleasing now to see the great interest taken in it. The prospects for the future are bright and I commend the Government for bringing down the Bill. Much encouragement has been given by the Government to people engaged in mining, and the pyrites, barytes and other undertakings have been supported by it.

Although the Bill seeks to protect owners, there is a trend now towards bureaucratic control in the industry. I feel it is undesirable to take away the confidence of the people prepared to put large sums of money into mining ventures, from which they receive no return for many years. It is only by the development of a mine that investors can get a return; consequently every encouragement and facility should be given for development. The Bill provides for the registrar, and we do not know his qualifications, and the Minister controlling the legislation. Much time will pass before we have another Minister of Mines with a natural faculty for administration, and one with a long experience of administrative work. I do not think we need take the present position as the standard for the future. Consequently, I ask the Minister to consider the possibility of doing more for people engaged in mining.

Under the principal Act and the Mines and Works Inspection Act much depends on reports issued by inspectors. Under the Bill an inspector can close down a mine mill or the mine itself without giving a reason. Of course, this could create much feeling. I suggest that in all cases where an inspector makes a complaint the mine owner or his manager have the right to refer the dispute to a mining warden or some other trained person. It seems that under the Bill if action is taken against a mine owner by an inspector or the department he will be put to much worry and expense whereas that could be easily avoided if there were the right to refer the dispute to a warden, and perhaps later to arbitration, before it went to the Supreme Court. This would be of benefit to both the industry and mine owners. The Western Australian mining legislation is considered to be up-to-date and has been adopted practically throughout the Commonwealth. I believe many in the industry desire that a review of our Mining Act and the Mines and Works Inspection Act should be undertaken by the Government in order to have more modern legislation to meet some of the disabilities under which people now work.

It is reasonable to suggest that a top level committee should be appointed. It could consist of a mining executive, a top level mining engineer or consultant and an independent solicitor with perhaps some knowledge of mining and a representative of the Government, and it could discuss the matter, with regard to the drafting of a new Act, and reach a conclusion. It would be unjust for an inspector, who might not be qualified or who might be a man free in his ideas about the rights of companies and individuals, to close down a mine because of a small complaint. I know much thought has been given to reviewing the Mining Act. Mr. S. Dickinson, an expert and at one time South Australia's Director of Mines, no doubt gave much consideration to the provisions of the Act, but it is now felt that the legislation could be advantageously reviewed, with some of the provisions, which many people regard as anomalies, being removed. I support the second reading and hope that something will be done to give mining people more confidence in the administration of both the Mining Act and the Mines and Works Inspection Act.

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

SECOND-HAND DEALERS ACT AMENDMENT BILL.

(Continued from August 19. Page 402)

Bill read a second time and taken through Committee. Committee's report adopted.

ADJOURNMENT.

At 4 p.m. the Council adjourned until Tuesday, September 2, at 2.15 p.m.