LEGISLATIVE COUNCIL.

Thursday, September 25, 1958.

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

QUESTION.

IRRIGATION ON PRIVATE PROPERTY ACT.

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

Leave granted.

The Hon. C. R. STORY—I direct my question to the Minister representing the Minister of Lands and it refers to the Irrigation on Private Property Act. This Act provides for communal settlement of swamp lands or reclaimed areas, and it is proposed to amend it in such a way as to enable irrigation on higher levels to be carried out. As several groups of people are desirous of taking advantage of the Act when it is amended I should like to know whether the Government intends to introduce the amending legislation at an early date.

The Hon. Sir LYELL McEWIN—As the Minister representing the Minister of Lands is attending a Commonwealth conference I shall refer the question to him on his return.

PUBLIC PURPOSES LOAN BILL.

Adjourned debate on second reading.

(Continued from September 24. Page 865.)

The Hon. R. R. WILSON (Northern)—A Public Purposes Loan Bill comes before us each session and it affords members an opportunity to make some observations and to get information not always available by other means. Therefore, it is a valuable Bill and the sum provided this year, £27,350,000, is a very large one. Mr. Anthoney, in this debate, said that the State's capital debt as at 1956 amounted to £285,000,000, and Sir Arthur Rymill showed that the *per capita* indebtedness at the same period was £301, but they did not say anything about the worth of the State's assets that have been built up over the years by this expenditure, and it must be tremendous.

Much attention has been given to housing, and it was mentioned first on the list by the Chief Secretary. If we are to have a happy and contented people they must be provided with homes. The Housing Trust is building an average of about 3,000 houses a year, which is a wonderful effort, and in addition the War Service Homes Commission and certain societies are providing homes, so that altogether an excellent job is being done. Elections are looming next March and one cannot but notice throughout the debate a certain amount of electioneering. Last Tuesday the Leader of the Opposition had something rather derogatory to say regarding what I consider one of the most worthy projects that has been contemplated for a long time, namely, the building of a bridge at Blanchetown. The River Murray is the life-line of the State and we will become dependent more and more upon it for the assurance of a continued supply. We often find that increased production is hampered by lack of suitable transport, so that we do not get the best results from our efforts. We also know that quality is of prime importance in marketing, and with increasing competition this will become more noticeable in future in our export markets.

I recently had an opportunity to visit the co-operative cannery at Berri and it is doing a wonderful job. Those best qualified to express an opinion informed me that without good quality fruit their market is very limited. We know that ourselves, because if we do not get good quality in canned goods we do not buy that brand again. To get soft fruits away from the river in good condition presents considerable difficulties and that will continue to be the case until a bridge is built at Blanchetown. Loxton and Waikerie are two high-producing districts and the growers could get their fruit to the city in much less time if there were a bridge. I have heard of vehicles waiting for 1½ hours to cross on the punt. In hot weather fruit deteriorates very quickly and such long delays must adversely affect the quality of our preserved fruit and therefore the consumer demand for it. The bridge is estimated to cost £667,000 and £100,000 is provided for this year to enable the Highways Department to put down test piles and make other preliminary arrangements.

To place housing in a higher priority than the bridge does not appeal to me, for I think it essential that we should export quality goods in order to get revenue for the State, as well as building houses for the people. Where shall we build the houses that are talked about so much? Will they be in the suburbs or the city? It has been said that Elizabeth should

never have been built where it is. I cannot see many more houses being built in the country towns until industries go there to warrant their building.

Decentralization appears to be one of the catch cries for the coming election. Such projects as building a bridge over the River Murray will decentralize this State very much. Finance for producers is another item with which I am much concerned because, if we are going to produce as we can produce, finance must be available. The sum of £600,000 is well warranted.

Railway accommodation in South Australia is important. Standardization of railways has been discussed in this Parliament for a number of years. I had the pleasure of accompanying a deputation recently to Peterborough and I found that the standardization of the railways was proceeding rapidly. Before long we shall see a broad gauge line from Port Pirie to Broken Hill.

The Hon. F. J. Condon—Does it not depend on the trade between Port Pirie and Broken Hill?

The Hon. R. R. WILSON—Yes, the honourable member referred to that in his speech. If we get a broad gauge line there soon, it will overcome the problem of Broken Hill ore going to New South Wales. Eyre Peninsula will not benefit from standardization, for it will not apply there. In the presence of the Minister, I say that it is most important that more money be spent on railway transport on Eyre Peninsula. So many people there seem inclined to want road transport only. The geographical position of the peninsula is such that, if a producer has to rely on road transport only, his future outlook is poor. Transport by water must be and is being catered for by the huge expenditure on the Port Lincoln harbor improvements at present. The railways must improve their transport in keeping with these improvements at Port Lincoln. I know that the Minister is well alive to the bad state of the railway tracks on Eyre Peninsula. Money will have to be spent for the railway transport, which is so important for heavy freights, to satisfy the producers there.

The Harbors Board accommodation is another interesting item. On that, I refer to the speech of the Hon. Mr. Condon who, as a member of the Public Works Standing Committee, naturally has an opportunity of travelling all over South Australia. His knowledge is excellent. Therefore, I was surprised to hear him say what he did, after agreeing to a report, furnished on August 14, 1956, on the Port Lincoln harbor improvements and bulk handling system. At present the Harbors Board part of the project there has cost a lot less than was estimated. So far the installations and equipment may have cost about £14,000 more, but when that bulk handling system at Port Lincoln is operating it will be the most modern in the southern hemisphere.

The Hon. A. J. Shard—Will it operate this season?

The Hon. R. R. WILSON—Yes, and where it was taking 14 to 21 days to load a ship under the bag system, it will be loaded in 18 hours. When the honourable the Leader of the Opposition said much of the expenditure he saw there a fortnight ago was unjustified, that statement was made after little consideration.

The Hon. F. J. Condon—I would repeat it tomorrow.

The Hon. R. R. WILSON—The future will answer your criticism.

The Hon. F. J. Condon—I was one who recommended it.

The Hon. R. R. WILSON—I know; I have read the report, which shows a saving of 6.355d. per bushel.

The Hon. F. J. Condon—I was referring not to the cost of the bulk handling plant but to the Harbors Board appointments, which were unjustified.

The Hon. R. R. WILSON—I discussed that with the manager of the bulk handling company, Mr. Sanders, and he is not of that opinion.

The Hon. F. J. Condon—He wouldn't know, anyhow.

The Hon. R. R. WILSON—I think he does know. I will quote the honourable member's speech from *Hansard*:—

> The committee has presented reports on bulk handling at Thevenard and Wallaroo. At Thevenard the first boat is shortly to be loaded and it will be interesting to know what the cost of the installation proved to be and whether those responsible have achieved what they set out to do; I have my doubts. The bulk handling facilities at Port Lincoln are under construction. On a visit there about a fortnight ago I formed the opinion that a fair amount of money had been spent unjustifiably.

The Hon. F. J. Condon—I would say that again, and I have justification for saying it, too.

The Hon. Sir Frank Perry—Is it Government money or somebody else's?

The Hon. R. R. WILSON—Regarding expenditure on that part of South Australia, the Government should have the most constructive

criticism we can offer because it is so important. Other items of Harbors Board accommodation include dredging of the Port Pirie channel and harbor. In view of the intensification of the export of our minerals, particularly uranium, and other produce from that important country town of South Australia, this is work that we have been looking for for a long time. The improvements to be made to the harbor will help immensely to retain the trade from Broken Hill.

The amount of revenue received by South Australia from uranium, as mentioned in the Lieutenant-Governor's Speech, augurs well for our future. A sum of £51,000 is provided for the Tod River water district. Already a huge amount has been spent on water supply in this part of the State. I was interested to hear Mr. Story refer to those who provide their own water catchments, and I agree that that should be done wherever possible but, of course, in some parts of the State this is beyond the realms of possibility. I am pleased that the Waterworks Department is to make a number of extensions to water mains on Eyre Peninsula. These include a 6in. and a 4in. main to the hundred of Brooker. To my knowledge it is 30 years since such an extension was requested, and now it is pleasing to see that the work is to be undertaken this year. The results of investigations into the water basin adjacent to Port Lincoln are very promising and when this scheme is ultimately put into operation it will allow additional water to be available from the present supply for other parts of the Peninsula. An amount of £220,000 is set aside for sewerage at Port Lincoln, Naracoorte and Mount Gambier.

Since its establishment the Electricity Trust has made tremendous progress. The Leigh Creek coalfield, which provides the base material for the production of power, is this year to get assistance amounting to £100,000. The water provided from the Aroona Dam, which was completed two or three years ago, has proved a great boon to this part of the State. Every consideration should be given to the provision of amenities at Leigh Creek, and already much has been done in this direction. The "B" power station at Port Augusta has been allotted £2,324,000 and the regional stations at Port Lincoln (£71,000) and in the South-East (£476,000). Before very long many of our remote country districts will receive the benefit of electric power and light as the result of a Bill passed several years ago to extend electricity to the sparsely populated areas. An amount of £100,000 is set aside for fishing havens at Port Lincoln and elsewhere. The establishment of a fishing haven at Port Lincoln is most important as fishermen from many parts of the world have established themselves there, but protection against storms at this town and other coastal fishing centres must be provided because many fishermen will not risk their outlay without this protection. Much vision has been shown in making this money available for havens. I congratulate the Government on introducing this Bill, and we can rest assured that the amount proposed to be borrowed will be wisely spent. I have much pleasure in supporting the measure.

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

MINING (PETROLEUM) ACT AMENDMENT BILL.

In Committee.

(Continued from September 24. Page 867.)

Clause 19—"Power of Minister on application for renewal."

The Hon. Sir LYELL McEWIN (Minister of Mines)—I obtained leave to report progress because Sir Collier Cudmore had questioned the effect of this amendment. The purpose of the clause is to ensure that the licensee will be given adequate time to properly test the whole area under an oil exploration licence. As section 40 stands, the Minister has power to reduce the area greatly by insisting on a prospecting licence, which cannot exceed 200 square miles in area, being taken out in place of the previous exploration licence which covers a larger area of more than a thousand square miles.

There is a difference between the search for oil in countries known to contain oil, such as the U.S.A. and Venezuela, and a country which as yet has no oil, such as Australia. One attraction that Australia has for America is the fact that we have stable Governments and a respect for contracts. It was a hard job to get a worthwhile American company to help look for oil here. Some American companies that were approached said they were waiting to see how Caltex got on in Western Australia. As we know, they have so far been unlucky. Then Santos turned up favourable information and eventually interested the Delhi-Taylor Corporation, which said it would come if it could get 10 years certain, with a right of renewal. That request was presented to me personally. The corporation said that, if it could get some security of

tenure, it would consider investing money in the search for oil in this State. It was willing to accept the five years' guarantee because it was willing to trust this country to honour its word, that is, to renew for further periods of five years.

We have not amended the Act beyond that, and the Bill merely provides rights of renewal for a further period. The corporation has accepted that because it trusts the way we operate in this country. If these people are to invest millions of pounds in the search for oil, they must obviously receive something in return for the risk they take in so doing. The Premier and I both gave the assurance that we would try to obtain Parliamentary sanction for the undertaking given.

The present area of interest in South Australia has been held before by another group and been given up. The legislation introduced in 1940 arose out of a remark to me by the then Director of Mines that under existing conditions all that was happening was that we were doing everything to encourage the idea that oil would never be found in Australia. Thus, quite apart from what is said, I think we have to consider also the question of encouragement if we are to have success in our search for oil, for we are faced with the possibility that it may take many years to explore and to achieve success. We know the time that has been spent in Western Australia. I am sorry if I appear to flog this point, but it is so important that it bears repetition—we do not want our search destroyed because of failures in any part of Australia.

Going further afield I could mention what is being done in the Sahara Desert. After many years oil was found in the Sahara recently, and this is the encouragement that the French Government offered: a 50 year concession—not five years with a right of renewal. The right to prospect is given free; we insist on certain guarantees of geological background and capital available. The one stipulation made by the French Government is that a minimum amout be spent on exploration. No royalties are payable until 300,000 tons of oil have been produced and they are then levied at a moderate rate; we have stipulated a 10 per cent royalty. The French Government offers low income tax rates, but of course we have no control over that. They also permit generous depleting allowances. These are attractive inducements to any oil company and my authority is the London *Economist* of September 14, 1957.

In the Middle East the periods run from 55 to 75 years. In Iraq it is 75 years from 1925, in Bahrein 55 years from 1934, in Kuwait 75 years from 1934, in Qatar 75 years from 1935, and in Iran 60 years from 1933. My authority for that is *Middle East Oil Development* by Arabian-American Oil Company (1956). I might also mention Queensland because Santos is also interested in a licence in that State. Santos was advised that to attract American interests it must offer a sizable portion of a single geological unit for a reasonable period. Thus it had to get some part of south-west Queensland. In that State the Minister of Lands has power to grant an "authority to prospect," and the area of land, the term of years, etc., can be fixed by the Minister. Section 9 (*a*) of the Queensland Act provides:—

> Any person may apply to the Minister for an "authority to prospect" on any land and the Minister may grant such authority, the term, rent and the conditions, provisions, and stipulations as to labour and other matters shall be fixed by the Minister. Failure to comply with any conditions, provisions and stipulations so fixed shall render the authority liable to be cancelled by the Minister.

The Hon. Sir Collier Cudmore—They have no Upper House there to look after them.

The Hon. Sir LYELL McEWIN—I am giving this information to show what is the position in other parts of the world and elsewhere in the Commonwealth, and to indicate that our legislation is good and that it is respected by the companies concerned.

The Hon. Sir Arthur Rymill—What is the position in the Northern Territory?

The Hon. Sir LYELL McEWIN—I think the Commonwealth Ordinances are comparable with our legislation. As I said, the companies have been reasonable and appreciative of our legislation. There are things that they criticize which are not mentioned in this Bill, and for which they have not asked. I only hope that we may find it necessary to delete "gallons," which is a term not used in the oil business in America, and insert "barrels," and I am sure nothing would go through this place more quickly. However, they are not worrying about that at the moment as they have confidence in the political stability of this country and believe that we are a sensible down-to-earth people.

I have much more information that I could bring forward, but I think I have said sufficient to indicate that the whole purpose of the amendment is to offer some inducement

to those who are doing the job to continue and explore the very large area we have. This in turn will enable them, as has happened elsewhere, to attract even further capital. What objection could we have to it if Santos and Delhi wanted to bring in two or three other of the larger oil exploration companies with unlimited capital compared with Australian resources? That would be all to the good and all in the interests of hastening the development of our possibilities in the oil field.

The Hon. Sir COLLIER CUDMORE—I offer no apology for having raised this matter and I wish at once to express my appreciation of the trouble the Chief Secretary has taken to give us the information he has now put before us. It shows quite clearly that we were rightly entitled to a little more knowledge as to why such a loosely drawn clause should be put before this Committee. My recollection is that 18 years ago, when we had the original Act before us, the only comment I made was that it did not go far enough in allowing people with outside money to come in. I still strongly hold that opinion, but I did want to draw attention to what we were asked to pass. I feel very strongly that in Bills of this nature which have unusual clauses such as this it is our duty to draw attention to what they really mean. I said yesterday that under this, if the Director of Mines and the Minister both lost their heads, they could put in a covenant tomorrow in a new licence that section 40 would not apply for 100 years. I draw attention to the fact that no period is mentioned. Therefore it was with the greatest interest that I heard the Chief Secretary tell us what the position was in the Sahara and other big oil fields of the world. There, it was a long time, 50 to 60 years or so, but here there is no limit. In these special circumstances, we hope to get somebody with the know-how and money to discover oil for us in the centre of Australia, and with that in mind, we are prepared to put these unusual provisions into a Bill. This leaves it wide open for the Director and the Minister to make what arrangements they like. As the Chief Secretary says, that is what they do in Queensland. In other countries they give them a long term. Which is the better method I am not prepared to say. I am pleased that the House has had the benefit of this extra information which, I think, entitles us now to feel that we have looked at this Bill and discovered what it is all about. I support the clause and the Bill.

Clause passed.

Remaining clauses and title passed.

Bill read a third time and passed.

MINING ACT AMENDMENT BILL.

In Committee.

(Continued from September 3. Page 667.)

Clauses 3 and 4 passed.

Clause 5—''Registration of claim.''

The Hon. Sir ARTHUR RYMILL—I move:—

In new subsection (1) after ''claim'' to insert ''in relation to any sand, gravel, stone or shell.''

This Bill relates to mining on properties where the mineral rights are reserved to the Crown. Earlier, I pointed out to this House that, where mining was to be indulged in on private property where the owner owned the mining rights, there was a restriction that you could not mine on those properties for the substances mentioned in this amendment—sand, gravel, stone or shell. In that case there was an absolute prohibition. The Minister pointed out that there was an anomaly in relation to properties where the mineral rights were reserved to the Crown, inasmuch as no restrictions applied to them. He gave us an instance where property rights had been rather lightly interfered with by an attempt to mine for sand where a certain property was being subdivided. I agree with the basis of this clause and would bring it into line with the private property mining part, provided it is restricted to the same things. That is what my amendment envisages.

On the second reading, I pointed out to the House that the wide draftsmanship of this clause made it relate to mining generally. In effect, before you can mine for anything where mineral rights are reserved to the Crown you must have the consent of the Minister. I consider that that goes too far and that a case has not been made out for it.

The Minister replied that there had been also a case at Moana concerning rutile. This is a comparatively base material. In some form it would be a semi-precious mineral, but not in the form in which it exists at Moana. We all know that hard cases make bad law, and one sporadic happening is no reason why we should relax this restriction to cover everything. You cannot possibly envisage everything that may happen. The apparent attitude of the Minister is that, as the Government cannot foresee other things that may be mined, it has to put out the dragnet, and embrace everything that might be mined.

In other words, the control on mining is removed from Parliament and put into the hands of the administration.

We have got on very well, as I understand it, for many years with the section in its present form. It is years since this Act first operated, yet there have to be cases concerning sand and rutile in 1958 before it is regarded as necessary to amend the Act. When the amendment comes along, it is to cover not just the things that have happened but everything else. This is given as a reason why mineral rights reserved to the Crown should be placed totally in the hands of the department and its Minister, but I do not feel that a sufficient case has been made out for us to go to the extent of sanctioning that. That is the reason for my amendment. The clause makes the mining, where mineral rights are reserved to the Crown, a good deal more restrictive than it has been in the past, but we have got on for many years without any restriction at all. I do not know of any cases of hardship other than these comparatively minor ones. The effect of clause 5 is that, instead of having an open go for mining, it not only places the control of mining for these lesser materials in the hands of the administration, but it also places the control of the whole of the mining under mineral rights reserved to the Crown in the hands of the administration. That is too much a reversal of an order that has persisted, apparently for the benefit of the public, for so many years. My amendment brings this clause into line with a clause relating to the cases where mineral rights are owned by the owners.

The Hon. Sir. LYELL McEWIN (Minister of Mines)—I am sorry I cannot accept all the arguments put by the honourable member—especially when he says that, because everything has gone all right until 1958, no further action is necessary.

The Hon. Sir. Arthur Rymill—I did not say that no further action was necessary.

The Hon. Sir. LYELL McEWIN—The honourable member said we had got on very well and asked why we were seeking these powers now.

The Hon. Sir Arthur Rymill—Why such wide powers?

The Hon. Sir LYELL McEWIN—If we applied that argument and followed it to its logical conclusion, we might as well dissolve Parliament now. We have made progress up to 1958—but I will not press that argument. However, I should like to draw the Committee's attention to section 69d which relates to mining land and admittedly deals with taking out sand, gravel, stone or shell, but the warden still has authority over any other substances. He still has power to refuse permission in respect of mining on private land for privately owned minerals. That is the present position, so that there is nothing unusual about that part of it. Apparently, it is a sort of protection that private people expect to get from the department.

So far as land where the mineral rights belong to the Crown is concerned, I point out that the amendment nullifies the whole of the Bill. The fact that the mineral claim at Tea Tree Gully was mentioned was purely fortuitous: it could just as easily have concerned any other material. Speaking on the second reading debate, I said it would be quite easy to do the same thing with gold or anything other than the four substances mentioned. As the honourable member has suggested, I also mentioned rutile at Moana, which is preventing a landowner from subdividing. I could quote a further case relating to a clay claim near Houghton that would seriously jeopardize the water catchment of the owner of the land. It was the only water supply available on the property.

We cannot include only three or four items and say, "Why worry about the rest?" It should apply to the lot. If a limitation were provided, it could not work and would destroy the whole purpose of the clause. As the Act stands, there is nothing to stop anyone from working a claim for any mineral wherever he likes, within the limit set out in the Act. Provided he carried out the labour requirements he could hold up the development of a particular area indefinitely. The object is to protect and assist the owner of a property and not to interfere with him. It would be futile to restrict this part of the law only to sand, gravel, stone or shell. The position should be covered fully so that we do not have to introduce amending legislation piecemeal to deal with each matter as it arises.

The Hon. Sir ARTHUR RYMILL—I think an answer to the Minister is that in all the cases covered by the clause the owner knows that he does not own the mineral rights; the ownership remains in the Crown. Where the owner has the mineral rights himself, it is certainly right and proper that he should be fully protected, but where he does not own the mineral rights people can come on his property and mine. That is included in his title.

The Hon. Sir FRANK PERRY—I should like some explanation of new subsection (3). It would appear that some members want to preserve all these rights from other people, but not to preserve the rights against the Crown or its agent. We seem to be jealously guarding the rights of property owned by certain people against invasion by miners, but in one fell swoop it is proposed to give the Government or its agent certain powers. If the Minister is so keen to retain the first part of the clause why is he prepared to wipe out new subsection (3)?

The Hon. Sir LYELL McEWIN—I believe most members respect contracts; if a contract is made we do not interfere with it. This proposed authority will not interfere with a contract. It may be applied where there is no contract and where a miner with a miner's right enters a man's back yard and pegs out a claim. It is for the Committee to decide whether it will consider a man who has a title to his property.

The Hon. Sir ARTHUR RYMILL—Why is the Minister so anxious to restrict the protection to contracts with the Government and not apply it to any contract, whether with private individuals or the Government? It should apply to all contracts.

The Hon. Sir COLLIER CUDMORE—I cannot help feeling that there is more behind this clause than the Committee has been told. Mention has been made of sand and other minerals. If these are the things causing the real trouble, then the amendment of the clause as suggested will do what we want. Has there been an instance anywhere in the State where difficulty has arisen because a man has come into another person's back yard and pegged out a miner's right and said he intended to mine for gold or any other mineral? Has anything been brought before the Mines Department or the Minister that makes it necessary for us to alter the law so severely?

A person may say he wants to search for minerals, but under the clause he is told in effect, "You cannot do anything about it until the department decides whether it is a fair thing to the owner of the land." For a long time we have got along without this restriction and, as far as I know, the trouble has arisen only in relation to sand, gravel, clay and so on. If that is so, let us legislate to deal with these. I favour the amendment. If precious metals are found on a property, a person should be allowed to operate on it.

The Hon. Sir LYELL McEWIN—I have nothing further to add. The object of the legislation is to meet the wishes of people who come to the Government for help. Sufficient has already been said to enable every honourable member to make up his mind.

The Committee divided on the amendment—

Ayes (3).—The Hons. Sir Collier Cudmore, Sir Frank Perry, and Sir Arthur Rymill (teller).

Noes (11).—The Hons. E. Anthoney, S. C. Bevan, J. L. S. Bice, F. J. Condon, J. L. Cowan, N. L. Jude, Sir Lyell McEwin (teller), A. J. Melrose, W. W. Robinson, A. J. Shard, and R. R. Wilson.

Pair.—Aye—Hon. L. H. Densley. No.—Hon. C. R. Story.

Majority of 8 for the Noes.

Amendment thus negatived; clause passed.

Remaining clause and title passed. Bill reported without amendment; Committee's report adopted.

NURSES REGISTRATION ACT AMENDMENT BILL.

Second reading.

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

That this Bill be now read a second time.

This Bill, which has been introduced on the recommendation of the Nurses Board of South Australia, makes two amendments to the Nurses Registration Act, 1920-1956. Clause 3 enacts a new section 10a which authorizes the payment of fees to the members of the board who are not full-time employees of the Government of South Australia. This principle has been established in relation to other statutory boards and the Government sees no reason why it should not apply to the Nurses Board. Of the seven members of the board, four are not employed by the Government. It is proposed that these members should be paid a fee of £2 2s. per meeting, and as the average number of meetings per year is eleven, the yearly cost would not exceed one hundred pounds.

Clause 4 amends section 21 of the principal Act which deals with the registration of persons trained outside the State. I draw members' attention to paragraph (*b*) of section 22 of the Act which states that no person shall be registered unless he or she is over twenty-one years of age. In the past many qualified interstate nurses have come to South Australia for the purpose of completing their midwifery training; however, in recent years some of the other States have reduced the minimum age on registration from twenty-one to twenty years

and interstate nurses under twenty-one coming from those States are thereby debarred from becoming registered in South Australia until they reach the age of twenty-one years.

The Nurses Board is concerned at the resultant falling off of midwifery trainees, and the Government believes that it is in the State's interest to make some provision to enable qualified interstate nurses who are under the age of twenty-one years but are otherwise entitled to be registered, to be provisionally registered to enable them to complete their midwifery training in this State. The clause will enable such persons to be provisionally registered for the specific purpose of undergoing midwifery training, but will prevent them from otherwise practising as registered nurses. On attaining the age of twenty-one years any person provisionally registered may apply for full registration. I consider this an important measure and I commend it to honourable members.

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

INTER-STATE DESTITUTE PERSONS RELIEF ACT AMENDMENT BILL.

Second reading.

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

That this Bill be now read a second time.

The Inter-State Destitute Persons Relief Act is an Act similar to Acts of the other States of the Commonwealth, all of which were passed for the purpose of securing that persons resident in one State shall not escape their obligations to maintain their dependants resident in another State. The Acts provide facilities for the service in one State of the Commonwealth of a summons for maintenance issued in another, and provide machinery whereby a maintenance order made in one State may be enforced in another.

A conference of officers from the various States at which problems associated with the working of these Acts were discussed, recommended that a system be instituted to allow orders made in one State and being enforced in another to be varied or rescinded upon application made for that purpose in the State in which the order is being enforced. In the absence of such a system, a person against whom an order is being enforced in one State and who, through illness or lack of employment is unable to comply with the maintenance order against him, would have to journey to the State where the order was made for the purpose of seeking a rescission or variation of the order. Upon consideration of the matter the Government formed the opinion that there was a good case for legislation, and has accordingly introduced this Bill.

The terms of the Bill follow similar provisions in the Victorian Maintenance (Consolidation) Act, 1957 and allow for a provisional variation or suspension in South Australia of an order made in another State. If such an order is made, the South Australian provisional order and a copy of the evidence must be sent to the State in which the original order was made where it is subject to review by a competent court. Likewise a South Australian court has the power to confirm or discharge a provisional order made in another State.

The explanation of the subclauses of clause 3 of the Bill is as follows:—

Subclause (1) will enable a person in South Australia against whom an interstate order is being enforced to apply to a Court of Summary Jurisdiction in South Australia for a variation, suspension or discharge of the original order.

Subclause (2) provides that notice of any such application shall be given to the collector in each State. The word "collector" signifies an officer called the Collector for Interstate Destitute Persons. Such an officer exists in all the States which have legislation similar to the Inter-State Destitute Persons Relief Act.

Subclause (3) empowers the South Australian court to make a provisional order varying, suspending or discharging the original order, and provides that any such order shall have no effect unless and until confirmed by a court which has power to vary, suspend or discharge the original order.

Subclause (4) provides that the evidence on such an application shall be taken in writing and signed by the witness.

Subclause (5) states that the clerk of the court in which a provisional order is made shall forward a copy of the order and the depositions to the collector for the State in which the original order was made.

Subclause (6) deals with the action to be taken by the collector in South Australia on receipt of a provisional order from another State, and states that he shall apply on behalf of the applicant to a court which has power to vary, suspend or discharge the original order for an order confirming the provisional order.

Subclause (7) deals with a problem which is particular to this State where the collector has a dual capacity as collector and chairman of

the Children's Welfare and Public Relief Board. In the latter capacity he acts on behalf of deserted wives and children, and in such cases he would not be in a position to make an application on behalf of the interstate husband. This problem has been solved by providing that where the collector in South Australia is acting for the person in whose favour the original order was made, the Crown Solicitor for the State of South Australia shall act on behalf of the interstate husband.

Subclause (8) provides that notice of any application for the collector for the confirmation of a provisional order shall be given to the person in whose favour the original order was made.

Subclause (9) empowers the court in South Australia to confirm or discharge the original order or to remit it to the court which made it for the purpose of taking further evidence.

Subclause (10) sets out the powers of the South Australian court when a provisional order is remitted to it for the purpose of taking further evidence.

Subclause (11) preserves the right of appeal of either party against an order confirming or discharging a provisional order.

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

COUNTRY HOUSING BILL.

Adjourned debate on second reading.

(Continued from September 24. Page 869.)

The Hon. S. C. BEVAN (Central No. 1)—I feel sure that this Bill will be supported by all members. It authorizes the Treasurer to make available to the Housing Trust the sum of £368,019 for the purpose of erecting homes in country areas for people with low incomes. This amount represents South Australia's share of the grant of £5,000,000 made by the Commonwealth to the States, and assuming an average cost of between £2,000 and £2,500 for each home, including land, will provide approximately 150 homes. The Bill further provides that the rent for such houses shall be approximately one-sixth of the tenant's income with a minimum of £1 per week.

These provisions will enable people, including pensioners, to secure good homes at a rental they can afford. The Bill enables the rental to be varied should the necessity arise. The grant was made available for a specific purpose and I think we can assume that the spirit in which it was given will be honoured. A further provision is that rents collected shall be used to build further homes, and if this is properly exercised a considerable number of houses should be built in the years to come. The cost of maintenance, of course, will have to be met, but in a relatively short time it should be possible to erect more homes.

Some time ago I directed a question to the Chief Secretary, asking if it were possible for the Housing Trust to build some rental homes in the country for the employees of Government departments who reached retiring age and had to vacate departmental homes. For example, in the South-East the Woods and Forests Department employs many people at centres like Mount Burr, Nangwarry, Tarpeena and the recently constructed Mount Gambier mill. These men are provided with homes by the department and quite nice townships have sprung up about the timber-milling centres. Homes are let to the employees at nominal rentals but, unfortunately, on reaching the retiring age they have to vacate them to make room for employees filling the vacancies. The enactment of this legislation will enable people such as these, who have worked in country districts for many years, reared their familes and seen them grow up and probably marry in the district, to secure a home in their old age among their friends and relatives instead of being forced to seek a home elsewhere—in most instances in the city—at rentals considerably beyond their limited resources.

Although it is a simple Bill it will afford the opportunity for pensioners, widows and invalids to be able to live in good, well-built homes with all facilities at a nominal rent and in the locality where they have lived for many years. Therefore, I have much pleasure in supporting the Bill.

The Hon. W. W. ROBINSON secured the adjournment of the debate.

ROAD CHARGES (REFUNDS) BILL.

Adjourned debate on second reading.

(Continued from September 24. Page 869.)

The Hon. A. J. SHARD (Central No. 1)—I support this Bill which is introduced for the express purpose of honouring the promise made by the Government respecting the charges made by the Transport Control Board under the 1956 Act, which was found to be invalid. I commend the Government for honouring its word in this way, but nevertheless I think it a pity that the Government accepted the High Court's decision, thereby permitting the road hauliers to continue to use our roads almost free of charge. In traversing our main roads one cannot but be impressed by the amount of

wear and tear that large vehicles are causing, and it seems to be a defeatist attitude to accept meekly the High Court's decision without protest.

The Hon. E. Anthoney—The Government has not done that.

The Hon. A. J. SHARD—The Premier has stated publicly that in the interests of manufacturers the Government is prepared to accept the court's decision. We have heard a lot said about electioneering, but I think that that is one of the best bits of electioneering I have heard of and that the Government would have had another go at it had not an election year been looming. Victoria and, I think, New South Wales apparently have found a solution of the problem yet this Government is not prepared to try again. It says that it is in the interests of the community, and the manufacturer in particular, and that the State gains more in other directions than it loses by not charging these people a fee.

The Hon. Sir Frank Perry—I think the Premier said, "manufacturers and their employees." Don't forget that part.

The Hon. A. J. SHARD—Very well, I accept it, but what I said was that the Government does not intend to take any further action and that I think that is a defeatist attitude. The road hauliers should at least pay a fair proportion towards the cost of our roads.

The Hon. Sir COLLIER CUDMORE (Central No. 2)—I support this short and simple Bill. It is a matter of clearing up something from the past and I do not propose to go into the question of how our roads problem is to be solved in the future. The only thing that concerns me is that the Bill gives no indication of how much money is involved. I have made inquiries and been informed by the Minister of Roads that it is only £1,100.

The Hon. Sir Frank Perry—The Minister should announce it.

The Hon. Sir COLLIER CUDMORE—I have nothing more to say except that the Government could do nothing less, having given its promise. I imagine that if the sum involved had been less than £1,000 the Minister could have refunded the money without coming to Parliament, but he has come to Parliament for authority to make this refund and it was the only thing he could do.

The Hon. E. ANTHONEY secured the adjournment of the debate.

METROPOLITAN AND EXPORT ABATTOIRS ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from September 24. Page 871.)

The Hon. S. C. BEVAN (Central No. 1—This Bill appears to me to be a complete reversal of form by the Government in its previous attitude towards the establishment of private abattoirs, especially when we remember its action against the Noarlunga Meat Company and the cost of that action. The case went before the Hight Court whose decision was in favour of the company. The Government now asserts that in the light of that decision it is necessary to enact this legislation. As I understand the implication of the High Court's decision it enables private abattoirs to be established for the purpose of killing for export but it does not give those works any right to dispose of reject export meat on the local market; that is a right still retained by the State Government. If the Government refused to grant any company which might be inclined to establish abattoirs the right to dispose of its reject meat on the local market no such establishment would be in operation.

This Bill provides for a quota, the maximun being 10 per cent in weight of the quantity killed for export. This will afford sufficient encouragement for private abattoirs to be established, not in country districts, but in the metropolitan area, and I am of the opinion that it is not in the best interests of the general public to have any more abattoirs in the metropolitan area. It is often said that the export of meat should receive our full encouragement, and with that I wholeheartily agree. We should do everything possible to encourage the export of meat as one of our primary products. Even at the moment there is a huge potential on the U.S. market for Australian beef and mutton, especially the boneless varieties. I understand that a high standard has been set by the United States authorities but, given the proper equipment, the Australian producer (and especially the South Australian producer) could go a long way towards supplying the demand of the American and the Canadian markets through the failure of other overseas producers to meet the necessary demand.

The Hon. R. R. Wilson—Has America rejected any shipments?

The Hon. S. C. BEVAN—Some, but the American standard has been set high.

The Hon. W. W. Robinson—The quality of the meat is all right?

The Hon. S. C. BEVAN—Yes, but because of small defects in packing, for instance, some of the meat sent from our metropolitan abattoirs has been rejected. Given the necessary equipment, however, the metropolitan abattoirs can measure up to the standard set by the American market and has the potential to capture a large percentage of that market.

We are told from time to time that we should encourage the establishment of more abattoirs in the metropolitan area. Recently I read in the local press that they should be established there to kill for export. Undoubtedly, honourable members have from time to time read similar comments. I do not see that this is necessary as the metropolitan abattoirs can handle all the export killings brought to them, provided the producer co-operates with the Abattoirs Board.

Year after year criticisms are made about the employees and the wastage of fat stock for export because the abattoirs cannot handle the stock sent in; but that would not be so if the producer would only help himself and the abattoirs in this matter. Ten years ago the Department of Agriculture, by circular, asked producers to forward to the department an estimate of fat lambs to be marketed and the approximate date on which they would be available. Statistics were asked for to enable the Abattoirs Board to be prepared for any emergency in handling the stock sent forward. Remarkably, only 16 per cent of these circulars were replied to. Normally, the lamb season commences on August 1. It is necessary for the Abattoirs Board to have ready sufficient employees skilled in export slaughtering to meet any demand. Because of the good seasons we have had, the producers invariably hold their lambs until after the September show, which results in a rush to the abattoirs from about the middle of September onwards. Men have to be trained for the work of slaughtering and are engaged early to enable them to learn their job. Through no lambs coming forward, these men have sometimes been put off because there has not been sufficient work to keep the chains in operation.

The Hon. W. W. Robinson—Probably the lambs were not ready to be sent forward.

The Hon. S. C. BEVAN—If that is so I apologize, but the Metropolitan Abattoirs Board says that the lamb season commences on August 1. Because of good seasons the producer has held his lambs. Plenty of green feed is available and, perhaps through circumstances known only to himself, he refrains from sending the lambs to market until about the middle of September, which causes a rush to the abattoirs. The abattoirs paddocks are not stocked like the paddocks in our country districts. In fact, all the time it is hand-feeding in the abattoirs. Complaints come from the producer about wastage through delay in having the stock slaughtered.

The Hon. R. R. Wilson—A lamb producer does not hold a lamb beyond its bloom.

The Hon. S. C. BEVAN—If they are sent to the market, these lambs on reaching their bloom are shipped in August, but they can still hold their bloom as plenty of green feed is available for them. The little additional weight does not matter because the United Kingdom market has accepted it and is continuing to accept it. This extra weight is not detrimental to them.

The estimate of fat lambs for the 1957 season was 250,000, but by Christmas 500,000 lambs had been handled, which was just double the original estimate. By September 4, 1958, 50,000 lambs had been handled by the Metropolitan Abattoirs, which were in a position to handle 150,000 if the supplies had been sent to them. Many lambs could have been forwarded to the Metropolitan Abattoirs well before September 12 this year. There had been sufficient grasses to bring them to bloom in the various country districts, and sufficient rains to germinate and bring forward the grasses; so that the lambs could have been sent to the abattoirs if the producer had desired it. It is reasonable to presume that, if 50,000 lambs were ready, there were others, too.

The Hon. Sir Arthur Rymill—Why?

The Hon. S. C. BEVAN—If 50,000 had reached their bloom in one district only, it could apply to other districts, although the figures may vary a little from year to year. Greater co-operation between the producer and the Metropolitan Abattoirs Board would eliminate the difficulty.

The Hon. A. J. Shard—Has the ruling price anything to do with that?

The Hon. S. C. BEVAN—The trouble is that the producer himself is not co-operating fully to help himself and the board get the greatest benefit from his fat lambs. The Metropolitan Abattoirs have the equipment and the men to handle the stock for export and, given co-operation by producers, I feel sure that many of the complaints would be eliminated. There is no necessity to have private abattoirs established in the metropolitan area.

To say that the Bill will encourage abattoirs to be established in country districts gives the wrong impression as a private concern would want certain guarantees from the Government before considering establishing abattoirs. This is instanced by the negotiations between the Government and the Metropolitan Meat Company to establish meat works at Kadina. The company desired guarantees that it would be supplied with sufficient stock and that it would be able to dispose of reject export meat that was suitable for human consumption. Because an agreement could not be reached no further steps were taken to establish the abattoirs.

It is reasonable to assume that under this legislation private enterprise would establish in the metropolitan area and enter into keen competition with the Metropolitan Abattoirs. This would be detrimental to the interests of the producer, the general public, and of the existing abattoirs, which would undoubtedly feel the pinch. If given the opportunity, Angliss and Co. (Aust.) Pty. Ltd., would buy out the Metropolitan Abattoirs tomorrow. They have the capital and only want the opportunity to purchase them. It has already made inquiries in this direction. I suggest that if the Bill is passed it will not be in the best interests of the Metropolitan Abattoirs or the general public. I am concerned with subclause (2) of clause 2 which provides as follows:—

During every period of 12 months ending on the 30th day of June the total weight of the carcasses, portion of carcasses and meat which may be sold shall not exceed 10 per cent of the total weight of the carcasses, portions of carcasses and meat which is derived from stock slaughtered for export by the licensee at such slaughter-house or abattoirs and is exported as fresh meat in a chilled or frozen condition from the State during that period of 12 months.

If at any time during any such period of 12 months the Minister is satisfied that the weight of the carcasses, portions of carcasses or meat derived from stock slaughtered by a licensee as aforesaid which is sold or is available for sale within the Metropolitan Abattoirs area is or may be in excess of the weight which may be sold in accordance with the foregoing provisions of this subsection, the Minister, after informing the licensee of his intention to give notice as hereinafter mentioned and after considering such representations as the licensee may make to the Minister within the time appointed by the Minister, may from time to time by notice in writing given to the licensee require that, during such period or periods during the said period of 12 months as are stated in the notice, the weight of carcasses, portions of carcasses and meat which may be so sold shall not exceed such percentage (being less than the percentage hereinbefore mentioned in this subsection) of the total weight of the carcasses, portions of carcasses and meat derived from stock slaughtered by the licensee and exported as aforesaid, as is stated in the notice in lieu of the percentage hereinbefore mentioned in this subsection.

This clause gives power to the Minister in relation to the quota of meat rejected for export to be sold on the local market. How will the position be met if a licensee has a rush during a period of six months and a considerable quantity of meat is rejected for export but is still fit for human consumption? Will he be unable to place any more meat on the market in the following six months and must he dispose of it the best way he can, even dumping it at sea as was done by the Noarlunga Meat Company? I cannot see how this part of the law can work effectively. I shall wait until I hear the views of other honourable members and further explanations before deciding how I shall vote on the Bill.

The Hon. W. W. ROBINSON secured the adjournment of the debate.

FRUIT FLY (COMPENSATION) BILL.

Adjourned debate on second reading.

(Continued from September 24. Page 869.)

The Hon. A. J. SHARD (Central No. 1)—Unfortunately this Bill, which is a repetition of legislation placed before us for the last few years, is necessary. Again the Government is to be commended for introducing it to provide compensation for those who, unfortunately, have been included in a fruit fly infected area. It is only fair that they should be compensated. I take this opportunity to bring before the Government a number of complaints I have received about the way departmental employees conduct themselves when combating the infection. Five or six areas were affected this year. I can readily understand the Government's desire to combat and, if possible, to defeat the fruit fly, an action which is supported by the community, but the way some employees take control of a property when engaged on the campaign does not meet with general approval. Perhaps the Government could have another look at this legislation. The authority to enter people's property is given under the original Act, which was consolidated in 1936 and known as the Vine, Fruit and Vegetable Protection Act, 1885-1936. Section 8 of that Act relates to the powers of inspectors to enter, and is as follows:—

Every inspector may, without notice—

and that is the point I wish to emphasize—

. . . and with or without such assistants as

he may think fit, enter at all times into and upon any lands and buildings, or upon any vessel on or in which any tree or plant shall be, or shall be suspected to be, and may examine and remove any such tree or plant for the purpose of ascertaining if the same is injuriously affected by any insect or disease, and may erect such land or other marks as he may think necessary or desirable for the purpose of indicating that any tree or plant has been removed for examination under this Act, or is so injuriously affected, and may erect on any such land such notices and land or other marks as he may think necessary or desirable for the purpose of indicating that the growing or planting of any tree or plant of the kind or kinds mentioned in such notices on or in the land, also mentioned therein, has been prohibited by proclamation under this Act.

Section 10 states:—

No inspector under this Act, nor any person authorized by him, shall be deemed to be a trespasser by reason of any entry or removal under this Act, or be liable for any damage occasioned in carrying out the provisions of this Act; nor shall any person be entitled to receive any compensation whatsoever in consequence of any measures taken for the eradication of any insect or disease, or in respect of any loss or injury that may result to him therefrom, either directly or indirectly.

Those two sections are rather sweeping and wide. I do not know how many years ago those sections were written into the Act, but it was possibly before 1900 and the authority referred to the entering of vineyards and bigger areas. The fruit fly areas as we know them today did not exist.

The Hon. F. J. Condon—During the last few years we have had to pay well over £1,000,000 to finance this campaign.

The Hon. A. J. SHARD—I appreciate that. The cost is probably well worth while and I am not quarrelling with that, but I am quarrelling about the way the department's inspectors and assistants enter properties. I have received a number of complaints from people in various walks of life who think it is wrong for an inspector to have the right to enter a person's backyard without first notifying that person of the intention to enter. Since February this year these fruit fly gangs have entered places in my district as often as 10 or 12 times, and not once have the householders been notified of their impending arrival. They come in and use their sprays; they drag big hoses along driveways; and whatever disturbance they make or marks they leave on the path they walk out and leave. I think that common courtesy and decency demands that people should be told when these inspectors or their assistants are coming.

I have received a few complaints that elderly people have been nervous and have wondered who these people are. It may be that once they become known it is not so bad, but until householders know they are coming and what type of people they are they have cause for anxiety. I think the department should see that there is a foreman or some other person in authority, and I do not think that would add greatly to the total cost. That person could go ahead of the group and inform people that the fruit fly gang was on its way. One complaint I took up with the department concerned a lady who heard somebody and went out to see who it was. On finding that it was the fruit fly gang, she asked them what they proposed to do about her crop of tomatoes, and whether they were going to take them. They informed her that they were only spraying that day and would possibly be back later, and that if she could use the fruit and not take it off the property she was entitled to do so. The lady asked: "Will you be back before the end of the week?" and they said, "No, you will not be worried this week, and if you can use the fruit at the end of the week it will be all right." To make doubly sure the fruit was not disturbed, the lady remained at home on the Friday until 4 p.m. She then had to leave the property to do her weekend shopping, and when she came back at 4.45 p.m. she found that the fruit fly gang had taken 62 pounds of top-grade tomatoes and a half a case of grapes. They had simply left a note saying those things had been taken. After giving their word that the fruit would be left until the weekend, common decency demanded that it should have been left.

That is the type of complaint we are getting about these people. I told officers of the department that because of the lateness of the hour of the day and the day of the week I had grave doubts as to where the fruit went on that occasion, and they seemed annoyed when I said that I did not think it went into the sea. Somebody else had some very good tomatoes for the weekend, and I make no apologies for saying that, because I know the facts of the case. That is the type of thing that is upsetting people who wish to do the reasonable thing in assisting the Government to combat this fruit fly menace.

Another bad case brought to my notice concerned a fruit fly gang's conduct in a street in which there was a bereavement at one of the homes. One of the relatives of the deceased person approached the gang and told them that there had been a bereavement and that people were waiting for the funeral, and asked

if that house could be missed that day. The fruit fly workmen said that it could not be missed as they had instructions to go to every house in the street. The relative then asked whether there was a foreman in charge of the gang and, if so, where he could be found. He saw the foreman, who, on hearing his request, replied, "No, I am afraid it will have to be done today". After further discussion the foreman or person in charge reluctantly agreed that the house could be missed and left until the following day. That is the type of thing that is going on, and they are not isolated cases by any means. The Government should have another look at this matter, because the legislation that sanctions these wide powers is many years old. The department could win the community to its side by being a little more attentive and courteous and, where possible, giving notice to the householder of the intention to enter property.

I have not received a single complaint about the efforts of the Government in carrying out this campaign. I realize the work is costly and that the department has to pick up a working gang when it can. It is quite possible that some gangs do not fit in to the class of work as well as they might; but surely, when homes are being entered in this way, the department could at least have sufficient officers of standing to see that the work is done in a reasonable manner.

With the world shortage of food, I think the Government, instead of throwing this fruit into the sea, could use a large quantity of tomatoes and possibly stone fruits which are taken from areas a distance from the point at which the fruit fly was found. Much of this fruit could be consumed within the area as it is good quality fruit. It is not good enough to have it taken out of the district and dumped when possibly the bulk of it could be used by hospitals and other charitable organizations which would willingly take it for use in preserves and sauces. I support the legislation in principle, but I urge the Department of Agriculture to have a good look at this matter and, if the fruit fly is still with us next year, to see if the gangs can operate in a more friendly, humane and decent manner.

The Hon. E. ANTHONEY secured the adjournment of the debate.

OIL REFINERY (HUNDRED OF NOARLUNGA) INDENTURE BILL.

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

ADJOURNMENT.

At 4.56 p.m. the Council adjourned until Tuesday, September 30, at 2.15 p.m.