LEGISLATIVE COUNCIL.

Wednesday, October 22, 1958.

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

ELECTORAL ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 15. Page 1204.)

The Hon. Sir ARTHUR RYMILL (Central No. 2)—I have three substantial reasons for not supporting this Bill. First, my political tenets are against compulsion, except, of course, where there are exceptional circumstances or some compelling reason why people should be forced to do or not to do something. Secondly, I have always been against compulsory voting for any Chamber and, thirdly, I am particularly against compulsory voting—in which I include compulsory enrolment—for this Chamber. The third reason is linked with the franchise as well, and I will give details of those three reasons.

The first is that Liberals do not believe in compelling people to do things that they do not want to do unless there is some particular reason why they should be so compelled. Our political creed is that the individual comes first. There are certain principles that must surround that, of course, such as the rights of other people and that sort of thing, but our political creed is that unless it is necessary to do so you do not compel people to do things against their will. Secondly, I said I was against compulsory voting for any House of Parliament and I have very strong reasons for that. I can see only two things whereby any real advantage can be gained, but I can see many disadvantages. The reasons that go to make compulsory voting an unpalatable tenet are that we want an informed vote and a voluntary vote. In both instances I believe that it is essential that we must have people who vote really knowing what they are doing and wanting to vote, for if they do not want to vote it means that they are not interested in the situation or have not examined it.

There may be two motives whereby compulsory voting can be said to be an advantage, but they are not motives that I regard as desirable. The first is that certain members—possibly of either of our great Parties—may think that compulsory voting gives them some political advantage. That is an intangible, and I do not think one can clearly say whether it gains political advantage for one side or the other; in certain circumstances it may be of advantage to one and in other circumstances of advantage to the other. The second one—and I am not suggesting, of course, that this was in the honourable member's mind when introducing the Bill because I know it would not be—is the question of laziness on election day. Most candidates work hard to try to get themselves elected and if one has to make people do things, not only on election day but beforehand, it is much harder than if they have to do it by law. Candidates try to get the electorate to record votes in their favour and it is certainly much easier if they come along of their own accord than if one has to try to get them to come along. That is where the question of laziness comes in, but I make it clear that I am not criticizing Mr. Condon in that regard because he is the antithesis of lazy. There is that aspect, however, and I believe it has been in the minds of some people when supporting compulsory voting.

I listened intently to the honourable member's speech when explaining the Bill and I even made a couple of interjections. I have since analysed the speech and I find that, although the honourable member gave certain reasons for his introduction of the Bill, he did not give any substance for those reasons. What I mean may be best illustrated by an example; the honourable member made a great point of the fact that the other place and other States have compulsory voting. That, of course, is so, but he did not say why they had it, and I cannot find any reference in his speech as to why we should have compulsory voting. He relied more on such points as the one I have mentioned and on the fact that this Act had not been altered for many years and thus should be altered. I do not think that was a very acceptable reason for I cannot subscribe to the view that, because an Act has not been altered for a long time, it necessarily should be altered. Some Acts are just as up-to-date a hundreds years after as they were when first passed.

The Hon. F. J. Condon—Unfortunately, some members aren't up to date.

The Hon. Sir ARTHUR RYMILL—Some try to keep up to date, and I believe in trying. We can only do what is within our capacity, but if we try to the best of our capacity we are doing the best job we can. The other reason given by Mr. Condon—again a generality, without any particular substance—was that it was democratic that people should be enrolled compulsorily and should vote compulsorily. I challenge that statement because it seems to me the complete converse of democracy that a person should be forced to enrol and vote.

The Hon. S. C. Bevan—Your Party subscribes to it in the Federal field.

The Hon. Sir ARTHUR RYMILL—The fact that other people do other things in other places does not sway me one little bit. What I base my conclusions on is the background and substance of what the position is. I say that compulsory enrolment and compulsory voting is the converse of being democratic because it is compulsion, and democracy does not include compulsion, as I see it. By making people enrol and vote we say, in effect, "If you do not go to a lot of trouble and put yourself on the roll we will fine you." We also say to them, "If you do not vote on election day we are going to drag you along by the scruff of the neck under penalty of a fine." If that is democracy, my conception of democracy is wholly out of gear. These are my reasons for voting against the second reading.

Another point I think I should enlarge upon is why I consider compulsory voting even more out of place for this Chamber than for other places. I referred to the matter in my maiden speech in this Chamber nearly three years ago when dealing with the franchise, of which I am a wholehearted supporter, when I said:—

> An important factor in the franchise is not only the qualification for being an elector but the fact that one must accept responsibility. That argument goes for voluntary enrolment and voluntary voting as well.

The acceptance of responsibility is a part of my conception of democracy. I do not intend to deal with the franchise today because this Bill, strangely enough I suppose, does not deal with that matter. However, the two things are linked to some extent. I hold that our franchise is a responsible one. It demands responsibility, and part of that responsibility is the fact that we are not forced to vote, but that we have to think it out for ourselves and do it for ourselves. That is portion of a responsible vote. For those reasons I oppose this Bill.

The Hon. A. J. SHARD (Central No. 1)—I support the Bill, which is simple and straightforward. Clause 3 provides that persons entitled to be enrolled shall be enrolled. The Bill provides that voting at elections for this Chamber shall be compulsory. I listened intently last week to the second reading speech by Sir Collier Cudmore in opposition to the Bill. I regret that he is absent from the Chamber due to sickness, and therefore I will say what I wish to as kindly as I can. Sir Collier is usually very sound in his opposition to any Bill, but to my amazement he did not advance one reason for his opposition to this measure. He said that he had taken a determined stand in 1942. Sir Collier, when he opposes something, is usually logical and gives sound reasons, which I respect. Since coming to this Chamber I have often heard Sir Collier take a point and been told by Ministers that he was wrong, but when a reply has come back after an adjournment it has often proved conclusively that he was right.

On this occasion I took the opportunity to look at what Sir Collier Cudmore said in his second reading speech in 1942, and I was amazed when I saw that he said less then than he did last week, which leaves me wondering why he is opposing the measure. Sir Collier, in 1942, said:—

> This measure refers to only two matters, compulsory voting for the House of Assembly and the prevention of outside people from supporting candidates at elections without their consent. I have never been in favour of compulsory voting but, if those who have considered the matter in another place want it, I am not particularly concerned in regard to opposing or supporting it.

The rest of his speech was in connection with the second matter. In 1942 he advanced no reason for opposing this provision. I give credit to Sir Arthur Rymill, who today tried to advance reasons for opposing the Bill, however lukewarm and insincere they were.

The Hon. F. J. Condon—They were very weak reasons.

The Hon. A. J. SHARD—Yes. He did everything to justify the attitude of the Liberal Party in retaining its stranglehold on this Chamber. The difference is that one gentleman merely opposed the measure and the other advanced some reasons, no matter how weak they were, for opposing it. I am astounded that my friend, Sir Collier Cudmore, is put in that light. I do not want to take the matter any further because the gentleman is ill and it is not my policy to throw brickbats at any person in that position.

In reply to Sir Arthur Rymill, I say that his arguments do not carry conviction. Assuming that his view of democracy is right and our attitude, that people should be compelled to enrol and vote, is wrong, how much more wrong is it from the point of view of democracy to deny to people who wish to do so the right to enrol and vote? Under the franchise as it exists today not more than 60 per cent of the community can enrol. Can that be called democracy? Assuming that it is left on a voluntary basis and the public can be

convinced that it is their duty to enrol to vote for this Chamber, and the Government denies them that right, no-one can suggest that that is democracy. Sir Arthur Rymill says his Party does not believe in compulsory enrolment or compulsory voting.

The Hon. Sir Arthur Rymill—I did not say that. I said we did not believe in compulsion.

The Hon. A. J. SHARD—In that case you do not believe in compulsory enrolment or compulsory voting, yet the Government and the Party it represents have accepted that position in the House of Assembly since the 1944 election although it had the numbers if it wanted to reverse the position. Although that practice applies in respect of the House of Assembly, it is denied in respect of this Chamber. Some people would like to enrol for the Legislative Council on a voluntary basis and vote for its candidates, but they are denied the right even to enrol. Is that democracy? I believe in some form of compulsion. For instance, I believe that people should be compelled to take an interest in those elected to Parliament and they should be compelled to enrol immediately they are entitled to, and also compelled to vote to elect the members.

The Hon. Sir Arthur Rymill—You cannot compel them to take an interest.

The Hon. A. J. SHARD—The door knocking of our Party, of which we have done much in recent years, teaches us quite differently. Many people want to enrol for the Legislative Council, but are denied the right. In one district that we have visions of winning we found that many who want to enrol said they were not permitted to do so. If a house is in the joint names of the husband and wife, or both have a property, they can enrol, but if they pay rent only the master of the house can enrol. Often the wife takes more interest in politics than the husband, but because of the present set-up she is denied the right to vote for the Legislative Council. If the members of the Liberal Party wanted to show their sincerity in real democracy they would introduce a Bill in this Chamber to provide for adult franchise on a voluntary basis with voluntary voting, but under the present set-up they will not grant any semblance of democracy in the franchise for this House. I know that the numbers are against us on this measure, but I hope that in future something will be done providing for compulsory enrolment for the Legislative Council so that democracy can be properly expressed.

The Hon. C. D. ROWE secured the adjournment of the debate.

HOLIDAYS ACT AMENDMENT BILL.

Second reading.

The Hon. F. J. CONDON (Leader of the Opposition)—I move—

That this Bill be now read a second time.

Although this is only a short Bill of five clauses it is a very important one and I ask members to give their support to this measure, which is long overdue. The most important clause is clause 2, part of which reads:—

A proclamation bringing this Act into operation shall not be made until the Governor is satisfied that arrangements which will operate generally throughout the State have been made and will be carried out for keeping trading banks open until 5 o'clock p.m. on every Friday which is not a bank holiday.

Whenever a major alteration in our legislation is attempted some people always oppose it. They seem to think that the world would come to an end if certain legislation were carried. In spite of all the fears expressed at the time of their passing, I cannot remember any attempt to repeal the laws relating to the 48-hour week, the 44-hour week or even the 40-hour week.

The Hon. Sir Frank Perry—The 40-hour week came through the court.

The Hon. F. J. CONDON—Had the bank officials an opportunity to go to the court they would have been there long ago, but this Bill offers their only opportunity for consideration to be given to their request. They would be happy to have the opportunity to approach the court.

The Hon. Sir Frank Perry—They would rather go to the court?

The Hon. F. J. CONDON—They have not the opportunity.

The Hon. Sir Frank Perry—They have.

The Hon. F. J. CONDON—Until the law is altered they cannot approach the court and their only redress is to approach Parliament. Over the years certain members who have said that the State could not afford certain alterations in the law are the very ones who now say that South Australia is the most prosperous State in the Commonwealth. The original Bill was amended in the House of Assembly as the result of an agreement between the Government and the parties concerned that the banks would remain open until 5 p.m. on Fridays. I do not know what the attitude of the banks will be on this, but it is our duty to give those interested equal opportunity with others. My honourable friend, who is presumably an advocate for the banks, will probably oppose this,

but I want him, as a captain of industry, to consider whether he is prepared to give our bank employees the same consideration as is given to other employees in industry. That is all we ask. We are asking for nothing to which the bank employees are not entitled.

Naturally, any legislation that is passed will affect a certain section of people; it may cause a little inconvenience to some. I do not know that all legislation is unanimously received; there is always a section of people against it. My experience has proved that people who have fought against the introduction of some legislation have been the first to appreciate it and apply for the benefits to be derived from it. Mr. Bice knows how many people opposed the introduction of water schemes simply because they had made provision on their own holdings and did not want to meet any extra expense. Those very same people were the first to see that they were connected to the various schemes and that they received earlier consideration than others. No matter what argument I put forward this afternoon, my honourable friend (Sir Frank Perry) will not agree to it because he has fixed ideas. I do not deny him his opinion. I was pleased to hear him on this matter. Undoubtedly, he criticizes the Bill. I do not mind him doing so, so long as he supports it in the end. Many honourable members in this Council will criticize a Bill but will support it in the end.

The Hon. A. J. Shard—They will have a couple of bob each way!

The Hon. F. J. CONDON—Under section 98 of the Bills of Exchange Act, banks are obliged to open for presentation of bills of exchange on any ordinary day not prescribed as a bank holiday. The bank holidays are prescribed under State, not Commonwealth, legislation and it rests with this Parliament, and this Parliament only, whether or not banks close their doors on Saturdays. Is it essential for people to bank on a Saturday morning? I say no. The banks are open for one and a half hours on Saturday mornings and the business done then is restricted to the deposit and withdrawal of cash, and a certain amount of cheque business is done that could be done in any other part of the week.

Today in Australia the 40-hour five-day week is, according to our industrial tribunals, the norm to which those tribunals will tend unless some exceptional reason exists to the contrary. Bank officials would like to be in the same position as other Australian workers, able to go to the court and press their claim. Then, if the court were free to award or refuse these conditions as they saw fit, the bank officers would be able to press their claim as other workers can. Unfortunately, because of section 98 of the Bills of Exchange Act, they are unable to do that. The courts have no power to require that banks close on Saturday.

I do not want to speak at length because I realize that honourable members recognize the importance of this legislation and, if I am any judge, are favourably inclined to give it a try. I am supported in my contention by the remarks of the Premier who suggested a compromise. The people concerned were prepared to agree to a continuation of duties in the banks on Friday afternoon until 5 o'clock, and that is all right as far as I am concerned. It is now normal for industrial tribunals to prescribe that the basic working week of 40 hours prescribed under an award shall be worked over five days, and that penalty rates shall be paid for week-end work or for work on more than five days in a week. As a result, most employers do not work their men on Saturdays. The employer is free to close when he so desires, but banks are not in this position, for under section 98 of the Commonwealth Bills of Exchange Act any day is a business day—that is, a day on which banks must open for the presentation of bills of exchange unless it is a bank holiday. Bank holidays are prescribed by State legislation under the Holidays Act. Therefore, to allow banks to choose whether to work their staff on Saturdays and to put the workers in banks in the same position as other workers, it is necessary to amend the Holidays Act.

The Bill adds a special schedule of bank holidays to the Act, and the day appearing in that schedule is Saturday. In other words, on proclamation the legislation will provide that banks doing banking business must close on Saturday. An amendment accepted in another place by the Government provides that the amending Act shall not be proclaimed until the Governor is satisfied that arrangements operate throughout the State for opening trading banks until 5 p.m. for business on Fridays, and that he may, in effect, revoke the proclamation of the Act if those arrangements no longer hold good.

Since it is necessary to canvass the merits of Saturday morning closing, let me briefly deal with the bank officials' case, and in passing may I say the managements of the banks have voiced no opposition to this measure. This is hardly surprising as they are experiencing difficulty in obtaining staff under present conditions. In common with their

colleagues in other mainland States, South Australian bank officers, over a period of years, have been fighting their case for a five-day working week. Their employers, the banks, are required by section 98 of the Federal Bills of Exchange Act to open on all days other than proclaimed bank holidays. In the Federal Court of Conciliation and Arbitration and in the Western Australian court, the matter of a five-day week for bank officers has been held to be beyond the jurisdiction of the courts.

It follows that the only practical course open to bank officers in pursuing their objective is to strive for an amendment to the Holidays Act enabling Saturdays to be proclaimed bank holidays. In Tasmania, New Zealand, parts of the U.S.A. (including New York) and Canada, banks are closed on Saturday mornings without disruption of commerce and industry and without hardship to the general public. Why can't it be done in South Australia?

The Hon. Sir Frank Perry—That is universal closing in Tasmania and New Zealand.

The Hon. F. J. CONDON—Yes, probably; I suppose that is so on Saturday mornings. What inconvenience will it cause? I remember when it was proposed to close butcher shops: it was said it could not be done.

The Hon. A. J. Shard—We could not do without bread on Saturdays!

The Hon. F. J. CONDON—Exactly, but these reforms must come and I say that the people concerned in this legislation are entitled to the same consideration as Parliament has given to other people. Workers in almost every field, including Government departments, enjoy a five-day week. Why not the bank officer?

Concerning the attitude of his employers, the bank, he will tell you that they are not opposing this proposal. It may well be that the banks, although reluctant to take part in what is necessarily a political measure, acknowledge, firstly, that because of the five and a half day week recruitment of staff has become so difficult that, without exception, banks have found it necessary to lower appreciably their previously high standards. The alarming increase in staff turnover since the 5-day 40-hour week became general in 1947 has generated inevitably a host of burdens and difficulties. Secondly, the banks would acknowledge that with the introduction of a 5-day week efficiency within the banks would be stepped up immeasurably as a result of improved health and morale of bank officers, a more rational spread of work over five days of approximately eight hours each, and the easing of staff problems.

One could give several added reasons why this legislation should be passed, but I do not want to beat the air, for I feel sure that as another place has unanimously passed the Bill this Council will heed its example. I can only reiterate that objections have been raised to other Bills in the past, but having become law, no attempt has been made to repeal them. In asking members to give this Bill a speedy passage I draw their attention to the fact that this Bill cannot become law until the Government is satisfied that everything is in order.

The Hon. E. Anthoney—What does the honourable member mean by that?

The Hon. F. J. CONDON—That everybody is satisfied that the agreement entered into has been honoured.

The Hon. E. Anthoney—The public have no say in it.

The Hon. F. J. CONDON—In how many things have the public a say? They have no say in compulsory voting, which my friend will oppose; they have no say in many things, but they send us here—

The Hon. Sir Frank Perry—To interpret their wishes.

The Hon. F. J. CONDON—It is a pity my friend did not wake up to that long ago.

The Hon. Sir Frank Perry—This is a matter of judgment.

The Hon. F. J. CONDON—It is not. It is a question of coming to an agreement, and probably I have more confidence in the Premier than the honourable member, in as much as he is prepared to make arrangements—

The Hon. Sir Frank Perry—You might explain the clauses. That is what we want to know about.

The Hon. F. J. CONDON—The honourable member is trying to bait me. I could go on for a long time, but I do not want to weary members because I feel that it is a foregone conclusion that they will support the Bill. Why waste time? I again commend the Bill to honourable members and ask for an early and favourable result.

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

WHEAT INDUSTRY STABILIZATION BILL.

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

COLLECTIONS FOR CHARITABLE PURPOSES ACT (CHEER-UP SOCIETY INC.).

Adjourned debate on motion of the Hon. Sir Lyell McEwin (for motion see page 1273).

(Continued from October 21. Page 1274.)

The Hon. R. R. WILSON (Northern)—This is the second occasion on which the Cheer-Up Society Incorporated has made money available for distribution to other bodies. In November, 1947, it provided £15,250 for distribution to 18 bodies and now it is making available a further sum of £1,500, this time to three bodies to which I shall make some reference. I am sorry, indeed, that Sir Collier Cudmore is not present, for he has been very active on all occasions in dealing with matters such as this. He rang me on Monday morning and asked if I would look into this motion and speak on it. I notice that on November 26, 1947, he expressed bitter disappointment in regard to the distribution of the first-mentioned sum because he felt that it had been collected for ex-service personnel and was being distributed to others who had not been in the services. He did not oppose the motion, but I can quite understand his feelings because he has always taken a great interest in any kind of charitable work on behalf of ex-service personnel. His desire is, not only to assist service pensioners, but also those who cannot prove that their sickness is due to war service. There is no doubt about this being a grave reality. On the cessation of hostilities hundreds of servicemen did not want to become drones on the community and therefore made no claim for disability, as possibly they were entitled to do. It is these people who are creating a problem now. The Distress Fund of the R.S.L. is giving assistance to 550 of them and, since 1936, has expended £216,253 in this way. That of itself must convey to everyone that the money is being made available to people who are in real distress and who, without assistance, would have a very poor ending to their lives.

I notice that Sir Collier wondered who made the recommendation for the distribution, and I can inform members that both in 1947 and in 1958 the distribution was recommended by the committee of the Cheer-Up Society. Mr. Dudley Matthews is the president of the society and Mrs. Morison, whose husband was the caretaker at Parliament House for many years, is the secretary. As a tribute to the great work and loyalty of people who have worked so hard for the society, as well as those who have contributed to it, we should record in *Hansard* for future occasions some account of its work and that of the organizations to which this money will go. I shall refer mainly to the Cheer-Up Society itself and, with the permission of the Council, will read a report covering some of its history:—

The Cheer Up Society, founded in 1914 by Mrs. Alexandra Seager, was widely supported by a generous public. In 1919 the hut was closed and taken over by the Railways for an institute. In 1939 the Cheer Up Society quickly called its members together again, and with great difficulty work was commenced, there being the lack of a fund to finance the purchase of equipment, etc. Toc H kindly lent their rooms, until the honourable the Premier made arrangements for the Railways to take over the basement of the old Implement Building as an institute, and the Cheer Up Society took over a sadly neglected and dilapidated old Cheer Up hut. Two friends came forward and offered to pay bills for £500 for repairs and renovations, and after a struggle for months the work of this well known club for men of the Navy, Army, Air Force and Merchant Navy serving in World War II was got under way. It was a lesson to those who worked at the hut, that to start such an organization in time of a sudden emergency was almost an impossibility unless funds were available, and the executive committee decided to keep a certain sum after the cessation of hostilities, in case the need should arise to commence activities again. Through the very careful management of the honorary organizer and the committee there was enough money in hand in 1947 for the society to recommend to the Chief Secretary that the sum of £15,250 be distributed among various organizations, and much equipment, crockery, linen, etc., was given to Service charities. The balance of the money was to be held, should the society be called on again in any national emergency, to enable it to commence work quickly. The committee after giving every consideration to the matter decided to ask that £750 be given to the Missions to Seamen War Memorial Building Fund Appeal; £500 to the Soldiers' Home League Incorporated (War Veterans' Home) Building Appeal, and £250 to the Home for Aged Trained Nurses Appeal by the R.S.S. & A.I.L. Sisters' Sub-Branch. This money would be from the accrued interest of the investment.

I understand that the Cheer Up Society still has approximately £4,000 invested in Government bonds, which it intends to keep. Little is known of the work of the Missions to Seamen, and I think when members hear the report I am now going to read they will realize what a worthy body this is, not only for our own people but for people outside Australia and, in fact, all over the world. Her Majesty the Queen is the Patron, H.R.H. the Duke of Edinburgh is the President, and His Excellency the

Governor of South Australia is the South Australian Patron. The report is as follows:—

A world-wide organization for the moral and spiritual welfare of seafarers of all nations and creeds. There are 83 Missions to Seamen in ports all over the world. The mission is known as the Flying Angel Mission to men of all nations. Missions in South Australia are at Port Adelaide, Outer Harbour, Port Lincoln, Whyalla and Port Pirie. The Port Adelaide mission in Todd Street is the headquarters in this port. The building was erected 50 years ago, on land which is said to be reclaimed. The water rises and falls in the cellar even now, and the back of the building is dropping. The honorary architect, Mr. James Hall, says the building is beyond repair, and his estimate to rebuild on our present valuable site—facing several wharves in the new Port scheme—is approximately £50,000. This would include a building for recreation, a caretaker's flat, etc., and a memorial chapel. This would all be in memory of 25,000 British Merchant Seamen, and all other seafarers who lost their lives in the world wars. The 25,000 men of the British Merchant Navy were lost in the last war. There were more men lost at sea than in either of the other services, and these men have no known graves, so we think it fitting to have this living, useful memorial to them in our own port. Any port in the world is not a nice place, and it is always a lonely man who is an easily tempted one. The Missions to Seamen provides a pleasant place for a stranger in a strange land—a place that is open seven days and evenings every week of the year, a place where there is a homelike atmosphere, the ever-welcome cup of tea, a billiard table, and table tennis, writing material, a canteen where voluntary helpers are on duty to sell toilet requisites, stamps, shoe laces, and the many things a man away from home cannot get ashore to buy during the day. Every mission has a Chaplain or lay reader. Every ship is visited when it comes into port and the men invited to the mission. Not only the merchant ships, but all men of the Royal Navy as well. (The Chaplain here is the Naval Chaplain at H.M.A.S. Torrens, and he does their welfare work for compassionate leave, etc.) When Navy ships visit this port their personnel use the mission as is their equal right. Every Missions to Seamen has a chapel —the seafarers' chapel, where men of all nations and creeds can worship together and do worship together. When a seaman is put ashore sick, the hospital telephones the mission or the hospital visitor, and the patients are regularly visited, pyjamas, etc., provided, letters written, fruit and books provided, shipping agents contacted, and dear ones in far-off countries written to. If a patient dies, and many do, their remains are brought to the Seafarers' Chapel where the Chaplain conducts a service, and if a burial is to take place they are taken to the Missions to Seamen's portion of the Cheltenham cemetery, where there are about 60 graves in our Garden of Memory. This part of the cemetery is cared for by the Missions to Seamen; it is for men of all nations and creeds who have died far from home and loved ones.

The mission in this port had the first mission sports ground in the British Empire. There, after a long voyage on a tramp, a tanker or a cargo or passenger vessel, seamen can play soccer, tennis and cricket, and have a shower, and work off surplus energy, and loosen up after weeks in a confined space on a ship. This sports ground is a great asset. Two dances for seafarers are held each week at Todd Street, and the mission provides the hostesses from the voluntary helpers. (These girls broke a mission world record last year by raising £1,003 for mission funds.) It is not realized how many Asian seamen are in our port each month, but we at the mission know how lonely they are and how they enjoy a cinema show, and to entertain them the mission has two cinema shows each week; these are largely attended. Hot baths and showers are available at the mission and largely used. At least three services are held each week, two of them after 8 p.m. so that seamen coming off duty can attend; they always know there is a chapel if there is a Mission to Seamen in a port, and do not have to look for one. Books and magazines are distributed in hundreds; we never have enough to satisfy the demand.

Australia's prosperity depends greatly on its exports and imports—without the ships and the men who man them, we would be in a sorry plight; they are our very lifeline in time of war and of peace. It is the very great privilege of the Mission to Seamen in this port, on behalf of the people of South Australia, to provide a home from home for these men who are so far from their own countries, and it is of national importance to welcome them and provide a decent place for them when ashore on leave. And for those who gave their lives, it is the hope of us all that we can build a War Memorial building worthy of their sacrifice. Money from the Cheer Up Society funds will greatly assist in this hoped for new building of the Missions to Seamen at Port Adelaide. For the year, Chaplain's visits to ships total 883; there were 141 church services, attendances 4,842; 130 entertainments, attendances 15,105; 171 sports matches, attendances 6,080; seamen served with suppers totalled 18,422; letters posted at mission by seamen totalled 11,658; library books exchanged totalled 2,600; and 1,200 bundles of magazines were put on ships. The Mission to Seamen is doing work that is making our port of Adelaide a better place.

I now wish to refer to the £500 to be allotted to the War Veterans' Home at Myrtle Bank. In 1947 the Cheer Up Society made £1,000 available to this home. In 1953 the Toc H moneys which were on hand were distributed, and the War Veterans' Home received another £1,000 from that fund. Members of Parliament were invited on that occasion to visit Myrtle Bank by the late Colonel McCann, and I know that everyone was impressed at what he saw at the home. The accommodation then was for 50 men only. The late Colonel McCann and Mr. Digby

Howard launched a public appeal for the first time since this home was opened in 1932. Mr. Milford Lee at present heads a very strong committee. The appeal was launched to enable the home to provide additional accommodation. The men are all pensioners, and no appeal was ever made to the public because these men helped to keep themselves, portion of their pension being taken for their board. The appeal was launched with a target of £25,000, and on the opening day the South Australian Government made a wonderful gesture by donating £2,500 to this worthy cause. I am happy to say that the fund has now reached £24,600, and the £500 which we hope the fund will now receive will mean that the goal has been reached. One wing has been in use for some considerable time and the other is nearing completion. The Red Cross has done wonderful work at the home and provided much money. The home will be able to accommodate 105 men, all of whom are single men or widowers, when the building is completed. The recreation room will seat 200 people.

Anyone visiting this home will notice that the morale and spirit of these burnt out old Diggers has been greatly lifted, and it is pleasing to see that they are thought of by the public in being given this home to live in. The home requires much money for its maintenance. The superintendent, the cook and the handyman are the only paid people at Myrtle Bank. The secretary, Mr. Digby Howard, has not even an office, but does the work in an honorary capacity in the city. An amount of £250 has been allotted to the Home for Aged Trained Nurses. An appeal for funds was made by the Returned Sisters Sub-Branch of the R.S.L. The home is available to any aged trained nurse, who need not necessarily have served with the forces. They have such a love for their nursing that many nurses do not marry. Great comfort will be provided for nurses at the home and the £250 will be of immense benefit. I have much pleasure in supporting the motion and I feel sure that all honourable members will do likewise because the Cheer-Up Society gave very careful consideration before deciding on the organizations to benefit.

The Hon. F. J. CONDON (Leader of the Opposition)—We are all indebted to Mr. Wilson for the information he has imparted and I heartily support what he said. Members are aware of the valuable work that was done by the Cheer-Up Society as far back as 1914. In its trust fund account at the Treasury the society has £5,679 and the Commissioners of Charitable Funds hold more than £150,000. I strongly support what Mr. Wilson said regarding the Mission to Seamen. I know much about its work. In recent years it has extended its activities to Port Pirie, Port Lincoln and other out-ports and it is doing a wonderful job, which is highly appreciated by seamen. It gives service to men of all denominations and nationalities and provides them with the opportunity to be entertained. They are always welcome. The money involved cannot be transferred to the various organizations without the consent of both Houses of Parliament and I therefore support the motion.

Motion carried.

ROAD TRAFFIC ACT AMENDMENT BILL.

Read a third time and passed.

POLICE OFFENCES ACT AMENDMENT BILL.

Read a third time and passed.

ADVANCES FOR HOMES ACT AMENDMENT BILL.

Second reading.

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

That this Bill be now read a second time.

The principal effect of this Bill will be to extend to a substantial degree the benefits which prospective home purchasers may obtain under the Advances for Homes Act. Under that Act the State Bank of South Australia is authorized to make advances to home purchasers, the funds used for this purpose being made available from the loan funds of the Government. The Act at present provides for a maximum advance of £2,250 and the amount advanced is not to exceed 90 per centum of the value of the security, that is, the value of the dwellinghouse in question and its allotment of land. The Government considers that in the light of present day building costs and the current cost of building alloments the present provisions of the Act should be liberalized.

It is proposed by the Bill that where the advance does not exceed £3,000 the advance may be an amount not exceeding 95 per centum of the value of dwellinghouse and land. Thus, not only is the amount of the maximum advance increased, but the minimum amount which the applicant must find as a deposit is decreased from 10 per cent to 5 per cent. It

follows that if an applicant has a block of land valued at £160, and most blocks now have a much greater value, and the house to be erected is valued at £3,000, making the total value of the security £3,160, he could be made an advance of up to £3,000. Where the advance exceeds £3,000, it is provided that the advance is to be limited to 85 per centum of the value of the house and land. It is considered that as the maximum advance increases, the amount required as deposit should be increased. It is provided that the maximum advance that may be made is to be £3,500 as compared with the existing maximum of £2,250.

It will be for the State Bank to decide what amount will be required as a deposit in a particular instance. These alterations of the law are made by clause 3, which amends section 22 of the Advances for Homes Act. That section lays down the conditions under which an applicant may receive an advance to enable him to erect or purchase a house, extend an existing house or discharge an existing mortgage. Clause 2 makes similar amendments to section 18 of the Act, which is the section which lays down the conditions under which the State Bank may sell a house to an applicant. That section now provides that a purchaser of a house from the State Bank is to pay the deposit fixed by the bank. In general the section provides that the deposit to be paid by the purchaser is to be not less than 10 per centum of the purchase price and, if the purchase price exceeds £2,250, the deposit is to be not less than 10 per centum of the purchase price or the amount by which it exceeds £2,250, whichever is the greater.

Clause 2 provides that the deposit under section 18 is to be fixed by the bank, but that, if the balance of the purchase money remaining after payment of the deposit does not exceed £3,000, the minimum deposit is to be 5 per cent of the purchase money instead of the existing 10 per cent, and if the balance of purchase money exceeds £3,000 the minimum deposit is to be 15 per cent of the purchase money. Thus, the amendments proposed by clause 2 for the sale of houses follow the same pattern as that proposed by clause 3 for the making of advances.

Clause 4 amends section 32 of the Advances for Homes Act. That section provides that the maximum period for the repayment of an advance is to be 42 years. Clause 4 alters this period to 50 years. The State Bank will, as is now provided by the Act, have the power to fix the term for any particular advance, but the maximum period will be 50 years instead of 42. Clauses 5 and 6 make amendments to the Act consequential upon the amendments proposed by clauses 2 and 3.

Apart from the amendments made by clauses 2, 3 and 4 no alteration is made to the existing provisions of the Act relating to the conditions upon which advances may be made.

The remaining clauses of the Bill make amendments relating to other matters. Clause 7 repeals Parts IV and V of the principal Act. Part IV enables the State Bank to expend for housing purposes advances made to it by the Commonwealth under the Commonwealth Housing Act, 1927, whilst Part V authorizes the bank to enter into an arrangement with the War Service Homes Commission for the purposes of the War Service Homes Act, 1918. Parts IV and V are not now operative and the State Bank has suggested that they be repealed. The remaining clauses of the Bill amend Part VI of the Act. Part VI was enacted during the 1914-1918 war and it provides that the State Bank could erect houses, which were not to cost more than £700, for the purpose of being sold or let to widows and widowed mothers of members of the armed forces who died as the result of service in that war. Of the houses built under this scheme some were sold, but 49 houses still remain which are let to these widows.

Section 72 fixes the maximum rent at 7s. 6d. per week and this is the rent now being charged. However, section 69 provides that a widow who is a tenant must undertake the maintenance of the house and provides that the tenancy agreement is to contain a covenant to this effect. The State Bank has pointed out that all the houses concerned were built before 1917 and, in instances, are up to 70 years old and that the maintenance liability is beyond the means of the tenants. The bank points out that the houses have appreciated in capital value and that, if the maintenance liability were undertaken by the bank, any outgoings would be more than recouped by the appreciation of the capital value of the houses. Accordingly, clause 8 deletes subsection (3) of section 69, which provides that the widows who are tenants of these houses are to undertake the liability for maintenance, and provides that the covenant to this effect in any tenancy agreement is to cease to have effect.

Clause 10 redrafts section 74 and provides that the bank will, in the future, undertake the liability for maintenance of these houses and

that the cost is to be borne from the Advances for Homes Loan Account. Section 74 in its present form provides that, at the request of the tenant, the bank may carry out repairs and recover the cost from the tenant by weekly payments. In a number of cases widows, who are tenants, are liable to the bank for such repairs carried out before the passing of the Bill. It is considered that, consistent with the proposals for future maintenance, these existing obligations should be extinguished and clause 10 provides accordingly. Clause 9 amends section 70. This section, among other things, provides that the bank may sell any house erected under Part VI if it is satisfied that it is no longer required for the purposes of the Part. The bank has pointed out that, in instances, houses have come back into its hands which were in a very bad state of repair and where it would be better to sell the houses instead of effecting repairs. Clause 9 extends the power of sale to include a house which is unfit for the purpose of Part VI.

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

RIVER MURRAY WATERS ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 21. Page 1283.)

The Hon. C. R. STORY (Midland)—This important piece of legislation has been given a good hearing by honourable members, who have listened to some interesting speeches since the Bill was introduced. Both sides of this House have taken a keen interest in the debate. I feel that well they might take an interest in this particular measure when we have heard so much recently about the great amount of industry that has been brought to South Australia and the amazing way the State has developed. This one-and-a-half-page Bill is probably one of the most important pieces of legislation brought down in this House for many years. An industry of £4,000,000 or £5,000,000 makes colossal headline news, but a matter such as this cannot be measured in actual pounds of money.

The Hon. E. H. Edmonds—It has had plenty of publicity.

The Hon. C. R. STORY—Yes, but some of it was not good.

The Hon. Sir Arthur Rymill—The Labor Party said it was a political stunt.

The Hon. C. R. STORY—That is so; we have heard all sorts of things about it. However, I do not want to get involved in politics because I do not want to bring politics into this. I shall devote myself to the essence of the matter under consideration.

In 1886 the Chaffey brothers put out what is known as the "red book," a document valuable today as a collector's piece, telling the people of England to come out and join the small band who were starting an irrigation scheme on the Murray River at either Renmark or Mildura. In the preamble to this booklet the Chaffeys set out that this Murray River water, when applied to the soil, was liquid fertilizer. Nothing has proved truer than that because, wherever Murray water has been taken, the country has developed and flourished. We have only to go to places like Whyalla to see the effect that Murray water has had.

The Hon. F. J. Condon—Whyalla would not be there but for the pipeline.

The Hon. C. R. STORY—That is so. Mr. Condon yesterday made mention of the circumstances surrounding the establishment of the Whyalla pipeline, and I am quite sure that honourable members were most interested. At the outset, I should like to compliment those who played the principal part in making possible this agreement. Firstly, we can be eternally grateful to the Premier of South Australia for the lone fight he put up in the early stages of these negotiations. Secondly, we can be proud of Parliament for backing the Premier. All parties in this Parliament agreed that this was something for South Australia, and they went ahead and supported the Premier. Thirdly, we can be grateful to Mr. J. R. Dridan, the Engineer-in-Chief, South Australia's representative on the River Murray Commission; to our legal friends, Sir Edgar Bean and the Crown Solicitor, who made up their minds and backed their opinion by giving the Government the advice they did; and to the Government for the tenacity with which it pursued a line once it had made up its mind. When the history of this is written, South Australians will always remember the work of those people so closely associated with it.

The River Murray Commission's main function is to police the River Murray Waters Act. It is a commission set up by the three principal States—Victoria, New South Wales and South Australia. Its main objects are:—(1) to conserve water; (2) to see that no obstruction is placed in the main stream that will cause damage in flood; (3) to regulate the pool

levels between locks; and (4) generally to administer the storages of the Murray throughout its length.

Regulation of the pool levels, in my opinion, is one of its most important functions. The pool level between locks is established. For instance, between locks Nos. 6 and 5 the pool level at Renmark is 19ft. 1in.; in other words, 19ft. 1in. of water is in that pool at that point. It is the job of our representative on the commission to see that that water is kept at that level. Much skill and absolute liaison between his lock masters and himself are needed to ensure that these pools are kept and maintained at their right level for irrigation purposes.

When the earlier settlers were established, the pumps available were low-lift and fairly inefficient. The consequence was that most of our irrigation was done on the low levels. In the case of Renmark, the first irrigation settlement in Australia, the first lift was 34ft. above the water level at that time. Subsequently, it was raised to a 42ft. level (on a contour of 42ft.). It was quite an innovation when we were able to raise water economically to 60ft., which did not happen until about the time of the First World War. Now, it is common practice to have water lifted to 150ft., producing economic crops from the land.

Much has been said recently about the storage of water in the main stream by putting in a weir at Swan Reach or Blanchetown, in the narrow cliffs. Many problems are involved in this storage of water in the main stream of the Murray. Our present-day problem of seepage would be aggravated ten-fold if these people's plan were put into operation.

The Hon. K. E. J. Bardolph—Whose plan are you referring to?

The Hon. C. R. STORY—The advocates of weiring the River Murray.

The Hon. K. E. J. Bardolph—Are they Charitable Funds holds more than £1,500. I

The Hon. C. R. STORY—Some of them are very technical. The point I am trying to make, however, is that we rely entirely upon this commission to decide where it is best to conserve the water. I sincerely hope that it will always be allowed that power because it is expert at the job. If we dammed up the river indiscriminately, we would force a great many people out of business in the low-lying areas where they have been established for a long time and are doing useful work. Lake Merrity and Lake Woolpoolu, two lakes now existing above Renmark, are possible storage areas well worth investigation. Then there is Lake Victoria, for which we shall always be grateful to Mr. Dridan, who in the early stages strongly advocated it. Lake Victoria has helped South Australia as a storage basin more than the bigger weirs up the river. We can always get a big storage of water from Lake Victoria, and respective Governments have spent much money in recent years on extending the storage capacity of the lake.

Mr. Cowan yesterday raised the important matter of evaporation, which is a real trouble to us. I have spoken here before of an area known as Pike and Mundic. They are two branch rivers or creeks leaving the main stream and flowing for many miles, spreading out into shallow lagoons. People are taking up the area adjacent to those two creeks and are developing large holdings for horticulture. Unless we are prepared to do a lot of snagging and cleaning out of these streams, there will be much saline water in the low-level parts of the river. I hope that an investigation will be made now into that matter. There would be hundreds of acres of land covered by about 1ft. to 18in. of water, and one can imagine the evaporation that takes place on those flats in a long dry summer. As soon as we get the first fresh water down from Lake Victoria, that saline water and the salt around the edges of those pans are picked up and taken back into the main stream, and that is where the salt content of the river above Renmark is often found to be very much less than the salt content at, say, Berri, or especially Waikerie. It is the picking up of the salt from those evaporation pans that causes the trouble. Often we have to put that salty water on to the irrigation property.

The Hon. R. R. Wilson—Are experiments to prevent evaporation successful?

The Hon. C. R. STORY—Not in this area. There are huge expanses of flats. My feeling on the matter is that we should channel the water into the creeks themselves, build banks where necessary and force the water around the edge of the cliffs to enable people to get a good supply of fresh water. We should cut the water off entirely from those flats so that, when there is a decent rise, it does not take down all that salt. I hope that the department will appreciate that point of view because it is most important that we keep the water in the river as fresh as possible.

The future of Murray water in South Australia is, I think, reasonably clear. Our primary industry development will take place in the valley itself, to a large degree adjacent to the river or a few miles back from the main stream. The soil and climate are eminently suitable for development of the type of produce being grown there now. Any development on a large scale should be along the lines of canned fruit. We can go in for more canning varieties, but I think we would be wise to leave dried fruit alone until we see exactly what the position will be. We are able to market about 38,000 tons of dried sultanas, and above that it is anybody's guess. We should develop the things for which we know we have a market or a potential market. I am sure that before many years we will see more and more reticulation from the main river into the mallee country which has wonderful soil; if water can be found it will grow anything. It is light soil and blows away when it is dry, but with water it is very productive. That is the way I feel that primary industries will benefit from the additional amount of Murray water that, I am sure, we will get as a result of this Bill.

We know that secondary industries have been established here because they have been assured of good conditions for setting up industry, mainly, I think, due to the effect that this Government has had on people who wanted to invest money here and, secondly, because we have been able to guarantee them an adequate supply of water. The proposed oil refinery will be one of our biggest consumers, and a few industries of that size will require an awful lot of water; the steelworks at Whyalla is another example of that. The need to conserve water in Australia is one of the things that is grossly neglected; people do not realize the quantity of water we waste, or the amount we do not catch when we could. For example, if every building in the metropolitan area had a tank capable of storing 4,000 gallons we would be in a much better position. Suppose there were 50,000 buildings each storing 4,000 gallons of water it would provide some 200,000,000 gallons which, in anybody's language, is a nice lot of water and would at least be some provision for times when water was scarce. The Bill itself is contained in only 1½ pages, but it is the schedule that counts.

The Hon. Sir Arthur Rymill—It is very complicated. Do you understand it?

The Hon. C. R. STORY—It is complicated, but I have such utter confidence in those who drew it up—

The Hon. K. E. J. Bardolph—That you have taken it as read?

The Hon. Sir Arthur Rymill—My interjection was not facetious for I found it very difficult to understand.

The Hon. C. R. STORY—It is probably intuition with me from my long association with the river. I have read the schedule very carefully and I have explicit faith in those who drew it up. Within the limits of my lay ability I am very satisfied.

The Hon. Sir Arthur Rymill—You do not think we need to study it further.

The Hon. C. R. STORY—Every member should study every bit of legislation that comes before us.

The Hon. K. E. J. Bardolph—Should it be referred to a Select Committee?

The Hon. C. R. STORY—It has been before a very competent Select Committee.

The Hon. K. E. J. Bardolph—I meant a committee of this House.

The Hon. C. R. STORY—We have listened with interest to members who have spoken, but it seems rather strange to me that in some quarters this measure appears to have been played down a little. I thought that this was something of which everyone would be extremely proud, but I think that its importance has not been fully appreciated and that perhaps it has not the support it warrants. I mentioned earlier the establishment of irrigation schemes in the early stages by the Chaffey brothers, and I want to hark back to that for a minute. Sir John Downer was Premier of this State at the time and it all arose from an agreement between the Victorian and South Australian Governments for the setting up of a Royal Commission to see how Murray water could best be used. As a result of that commission The Right Honourable Alfred Deakin and two colleagues went to America and there interested themselves in and took evidence from the two Chaffey's. Sir John Downer was successful in having them come to South Australia and he introduced his legislation about the same time as Victoria. However, the efficiency of the two Parliaments was such that he was able to get his legislation through before Victoria and so was able to establish the first irrigation settlement in Australia. I think we ought to be proud of the fact that we have the oldest irrigation area in the Commonwealth. From that time onwards irrigation along the river has been extremely important. The ex-servicemen of two world wars have been

rehabilitated by settlement along its banks; the annual output from these areas is terrific considered either from the angle of direct taxation or indirect taxation.

The Hon. K. E. J. Bardolph—How would you measure the monetary value?

The Hon. C. R. STORY—I would put it at a very conservative estimate of £20,000,000. In excise duty alone it has justified all the writing off that has ever been done by Commonwealth or State Governments. Excise duty is a most important source of revenue for the Federal Government. At one time a 10-acre property planted with wine grapes would be producing 100 tons of fruit, returning to the grower about £2,000 annually, but the excise duty on the spirit produced from that property would be £20,000, so I feel irrigation has really justified the early predictions made by the pioneers who had the courage to put their money—which they lost, incidentally—and their time and energy into the great development that has gone on.

The World War II soldier settlement of Loxton has been carried on under entirely different conditions, namely, spray irrigation with very efficient high pressure pumps. It has had the benefit of financial backing by the Federal and State Governments and the advantages of technical advice, and I sincerely trust that this settlement will prove to be as great a money spinner to the Government as has been the case with the older settlements.

The Hon. K. E. J. Bardolph—What volume of water is used in the spray systems annually?

The Hon. C. R. STORY—It could not be put down at any given figure because there are so many irrigation schemes, but it is of interest to note that last year the quantity of water used from the Mannum-Adelaide pipeline was twice as great as that used on the biggest irrigation scheme on the upper Murray. In other words, Adelaide used more water than the biggest individual scheme on the river.

The Hon. K. E. J. Bardolph—That would be due to industrialization.

The Hon. C. R. STORY—I am not entering into a discussion on that aspect, but am merely instancing the fact that the water is being used for both primary and secondary development. We have been extremely fortunate to have this legislation brought in, and should be extremely grateful that the tenacity of this State has brought about this agreement. I sincerely hope that, with the assistance of Murray River water, this State will continue to advance at the same rate as it has in recent years. The only point I make is that it may be necessary in the near future for a survey to be carried out to ascertain to what extent development can go on in relation to the quantity of water available; that is the only thing that will limit the development of South Australia and that is why I can never get out of my mind the thought that we should conserve every gallon of water available to us. I have much pleasure in supporting the Bill and congratulate all those concerned in bringing it about.

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

FIREARMS BILL.

In Committee.

(Continued from October 15. Page 1214.)

Clause 5 passed.

Clause 6—"Prohibition of possession or use of firearms by persons under 15 years."

The Hon. L. H. DENSLEY—The Chief Secretary in his second reading speech said:—

There is an absolute prohibition of the use or possession of a firearm by a person under the age of 15 years.

I point out that the 1956 Bill was similar to this one, and when explaining that legislation the Chief Secretary, dealing with the question of exemptions, said:—

Only one of these requires to be mentioned. It is that a farmer, or the servant of a farmer, or a person residing with a farmer, is not required to hold a licence in order to use a firearm on the farmer's lands. Similarly, a person under 15 who is employed by or resides with a farmer may use a firearm on the farmer's lands.

Do the same conditions apply to this clause as applied in 1956? Almost invariably a child under 15 years of age on a farm has far more use of a rifle than he will have after he is 15, and most 10 or 12 year old boys on farms are very competent.

The Hon. Sir LYELL McEWIN (Chief Secretary)—The matter raised by the honourable member is no doubt important. I would like to be definite on the point, so I move that progress be reported.

Progress reported; Committee to sit again.

BROKEN HILL PROPRIETARY COMPANY'S STEELWORKS INDENTURE BILL.

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

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

That this Bill be now read a second time.

The Bill and the Indenture are the outcome of negotiations extending over a number of years. The Government had for a long time held the view that if the Broken Hill Proprietary Company should decide to establish additional steelworks, South Australia had a better claim to them than any other State. Representations to this effect were made to the company. In February, 1955, the directors informed the Government that although the company's programme of new works was not then sufficiently advanced to permit the immediate erection of additional steelworks, the possibility of developments at Whyalla would be considered in 1959 or 1960. The company's programme of construction made good progress and early this year negotiations between the Government and the company were re-opened, and specific proposals considered. The company was favourably disposed towards the establishment of steelworks at Whyalla, but felt that it could not embark on the large expenditure involved in this project without firm arrangements with the Government on fundamental matters. The principal of these, put shortly, are as follows:—

(*a*) The availability to the company of iron ore and jaspilite deposits:
(*b*) Rights for the company to prospect for all natural substances required for steelmaking:
(*c*) Rights for the company to be granted mining leases giving rights to such substances:
(*d*) Security of tenure of prospecting rights and mining leases:
(*e*) Satisfactory arrangements for housing and labour:
(*f*) Satisfactory supplies of water:
(*g*) Rights over certain parts of the foreshore and adjacent land:
(*h*) Arrangements to provide that the steelworks would not be rendered unremunerative by too rigid price control.

These were the main requirements. In return the company was prepared to build the steelworks within about 10 years, to pay royalties at rates based on 18d. a ton on the iron bearing substances required for its works, to pay for the prospecting work done by the Government on iron leases taken up by the company, and to pay proper prices for water, electricity and other services. After a good deal of discussion and correspondence, agreement on all the main items was reached between the Ministry and the company. Thereafter a draft Indenture was prepared by representatives of the Government in collaboration with the commercial manager and legal advisers of the company. The draft was subsequently considered in detail by Ministers and approved by them. The object of the Indenture is to set out in legal form the original arrangements made between Ministers and the company, together with the ancillary details.

It is sometimes thought that in giving perpetual rights to iron ore, the State is doing something remarkable or unusual, but this is not so. Whenever anything is sold outright, the buyer obtains perpetual rights to it. Under our mining laws, whenever a person pegs out a claim and obtains a mineral lease pursuant to the preferential right conferred upon him by the Mining Act, he gets a lease for 21 years with rights of renewal from time to time for an indefinite period. In effect the minerals are sold to him, subject to his doing the work necessary to obtain them. This is what is being done in the case of the company. The company is being sold iron bearing materials in consideration of rents and royalties and an undertaking to build a steelworks. There is not a great deal of difference between the company's mineral leases and any other mineral leases. It is true that the company's leases are for fifty years in the first instance, whereas others are for 21 years, but having regard to the rights of renewal applicable to all leases in this State there is not much difference. The Bill ratifies the Indenture, provides for carrying it out and makes some amendments of the law relating to the company's railway between Whyalla and Iron Knob. I will explain the operative clauses in their order.

Clause 4 declares that the Indenture (which is set out in the Schedule to the Bill) is ratified and approved and shall be carried into effect notwithstanding other laws. It also empowers various Governmental authorities, namely, the Minister of Works, the Electricity Trust, the Housing Trust and the Highways Commissioner to carry out the obligations which fall upon them under the Bill or the Indenture. Clause 5 places a duty on the Governor and Ministers to ensure the carrying out of the Indenture. Clause 6 enables the Government and the company to vary the terms of the Indenture by agreement, but only for the purpose of more effectively carrying out the intention of the Bill and the Indenture. Although great care and much thought have been put into the preparation of the Indenture, it is realized that as time goes on it may be found necessary to vary some of the details. The simplest and most expeditious way of doing this is by agreement between the parties. Any alteration of fundamentals would, of course, need an Act of Parliament. Clause 6 also provides that any agreement made for the

purpose of varying the Indenture must be laid before Parliament and will not come into operation until it has laid before both Houses for at least seven sitting days. This will give members an opportunity to make known any objections to what is proposed.

Clause 7 protects the company and any subsidiary company carrying on works at or near Whyalla from liability based on the discharge of effluent into the sea, or smoke or gas into the atmosphere, and from liability for creating noise or dust. In order that the company may get the benefit of the protection it must be shown that the discharge of effluent, smoke or gas, or the creation of noise or dust is necessary for the efficient operation of the works of the company, and is not due to negligence. It is obvious that a certain amount of noise, smoke and dust is unavoidable in the operation of steelworks, and the most that can be reasonably expected of a company operating such works is to take a proper degree of care to reduce these things to a minimum. Clause 8 is a legal matter only, providing that legal proceedings or arbitrations arising out of the Bill or Indenture may be brought by or against the Government under the name of "The State of South Australia."

Clause 9 repeals some provisions of the private Act known as the Broken Hill Proprietary Company Limited's Hummock Hill to Iron Knob Tramways and Jetties Act, 1900. This is the Act which authorized the company to build the railway from Whyalla to Iron Knob. At the request of the company the Government proposes to repeal sections 10, 12, 15, 26 and part of section 11 of the Act. The Government has inquired into the present operation of these sections and is satisfied that they are no longer necessary and can be repealed without injustice. For example, section 10 so far as it has any operation at present says that the company's tramway must have two rails and a gauge of 3ft. 6in. and the rails must be not less than 20 lb. to the yard. On the other hand the General Tramways Act which also applies to this tramway says that the gauge must be 4ft. 8½in. The only effective provision in section 10 is the one which says that the tramway must have two rails. If this means anything, it means that the line cannot be duplicated. Section 12 of the 1900 Act limits the speed of the company's engines and carriages to 25 miles an hour. This is clearly obsolete. Section 15 appears to be aimed at making the company a common carrier with obligations to take all the passenger and goods traffic offering. The company, however, points out that its tramway is not designed or operated so as to be able to provide a service for the general public, and that owing to the growth of motor traffic the public demand for the use of its railway is negligible. Section 15 also provided that the old jetty at Whyalla had to be available for the shipping or unshipping of goods. This jetty has for some years not been used for any purpose other than the loading of material by the company's conveyor belt, nor is there any demand that it shall be so used. Section 15 also provided a limitation on the charges which could be made by the company for the use of its railways and jetties and the substance of these provisions so far as they may now be necessary is retained in section 11 of the Bill. For these reasons the Government agreed to propose the repeal of section 15. It is also proposed to repeal section 26 of the 1900 Act. This provides that if the railway is not used for the carriage of flux for any continuous period of three years the Government can cancel the company's rights to the railway and thereupon all the railway lands and all the buildings on those lands and the old jetty will be forfeited to the Crown. Such a provision cannot be justified under modern conditions.

Clause 10 provides that several sections in the General Tramways Act shall not apply to the company. The company's railway was for a reason not known to the Government called a tramway and the Act of 1900, which authorized the construction of the railway, provided that the General Tramways Act, 1884, should apply to it. As the General Tramways Act contained provisions designed for the establishment of tramway systems in city and suburban streets, it contains many things which are not applicable to a line such as the Iron Knob railway. The company has asked that some of these sections should be declared not to apply to the company. The Government is satisfied that the company's request is justified.

I will give the House some examples of the kind of provisions which these sections contained. Section 6 provides that the tramway lines are to be 4ft. 8½in. gauge and shall be constructed so that the uppermost surface of every rail is level with the surface of the road. The rails must have a groove not more than 1¼in. wide. This is obviously inapplicable. Section 23 provides that the promoters of the tramway undertaking must pay rates at a sum per mile to local authorities. Section 26 provides that if it is represented to the

Governor that ratepayers are not getting the full benefit of a tramway he may licence some person other than the tramways authority to use the tramway. These are samples of the provisions which are being repealed as regards the company. I do not think any further details need be given, but if any member desires further information, I shall be glad to supply it. Clause 11 provides that the company may make charges for passengers and goods on the railway not exceeding the amounts charged by the Railways Commissioner for the same kind of traffic, and may make charges for the use of any of its jetties not exceeding those charged by the Harbors Board. This clause is in line with the existing law, but contains amendments to remove references to the Marine Board, which has ceased to exist.

I now come to the provisions of the Indenture itself, which is in the schedule to the Bill. The first clause of substance is clause 3 which sets out the obligation of the company to construct steelworks. This clause binds the company to spend a sum of £30,000,000, neither more nor less, before December 31, 1970. Although the company does not accept any legal obligation to spend more than £30,000,000, there is good reason to believe that the expenditure on the steelworks and associated undertakings will be very much more than £30,000,000. For example, clause 3 (3) provides that the expenditure on the construction of the treatment plant for jaspilite will be additional to the expenditure on the steelworks. Besides this, there will necessarily be considerable expenditure at Iron Knob and on the leases, and for the provision of water. By subclause (5) it is provided that if the company is delayed in the construction of steelworks by any cause beyond its reasonable control the time for completion will be postponed accordingly. Any such delays will be reported to the State from time to time.

Clauses 4 to 13 inclusive contain provisions respecting the prospecting and mining rights of the company. As I previously explained, these are fundamental to the Indenture because, unless these rights are granted, steelworks could not be justified. The effect of clause 4 is to give the company a 20 year prospecting licence over what is called the Middleback Range area. This area is shown in a map attached to the Indenture as Appendix "A." It is a strip of land running north-east and south-west—nearly 6 miles wide and 42 miles long. Iron knob is in the northern part of it. It contains most of the iron-bearing substances which will provide iron for the steelworks. The company's rights to prospect for iron ore and iron bearing substances in the area mentioned are exclusive. In addition the company has a non-exclusive right to prospect in the area for substances other than iron ore or iron bearing substances. The clause also provides that if before the expiration of 20 years the company finds that it no longer requires any rights given by this clause, it must notify the Government of that fact and thereupon the rights will cease to the extent indicated in the notice. To prevent interference with the company's operations it is provided that the Government will not grant mining claims or mineral leases in the Middleback Range area to any other person unless the company reports that the area concerned does not contain iron ore or iron bearing substances required by it. The company is obliged to report on this question whenever requested to do so by the Government.

Clause 5 of the Indenture gives the company a right during the 20 year period to take up any mineral leases it desires in the Middleback area for the purpose of mining and obtaining iron ore and iron bearing substances. These mineral leases will be for the same term as those provided for in the Indenture of 1937, that is to say for 50 years in the first instance with rights of renewal for periods of 21 years. The form of these leases is set out in the Appendix "B" to the Indenture. The reason for setting out the form in the Indenture is that the ordinary form of mineral lease is not wholly consistent with the special rights and obligations of the company. The main differences between the form in the Indenture and the ordinary form used under the Mining Act are that the form in the Indenture sets out the special provisions as to rent and royalty applicable to the company, and some of the provisions of the ordinary mineral lease which cannot apply to the company are omitted in the new form.

Clause 6 of the Indenture deals with the possibility of discovery of new deposits of iron ore in what may be called "reserved areas." Under section 6 of the Mining Act the Government has power to declare any part of the State to be reserved from the operation of the Act. In a reserved area members of the public are not entitled to peg out claims or obtain mining leases. Some substantial areas are now reserved, and the practical effect is that in these areas no-one but the Government can carry on prospecting and mining. As the reserved areas include land in which iron-bearing substances may exist, the company asked

that the Government should give it notice of any worthwhile discoveries so that it might apply for leases if the Government should decide to de-control the area. The Government considered that there was no objection to giving the company notice of these discoveries and the right to apply for leases, but felt that a discretionary power to grant or refuse such applications should be retained. By clause 6, therefore, the Government has agreed to give the company the right to apply for leases over minerals discovered in reserved areas and, while retaining a discretion to grant or refuse the applications, has agreed, when considering them, to pay regard to the matter set out in the recitals to the Indenture, that, is, the facts that the company is establishing or operating steelworks, and the value of such works to the State as a whole.

Clause 7 provides that in areas other than reserved areas the company will have the same right as ordinary members of the public to prospect for iron ore and iron bearing substances and to be granted mineral leases. It is also given the right to apply to the Government for protection of areas in which it is carrying on prospecting or is about to carry on prospecting operations for iron bearing substances. The company pointed out that its prospecting operations or plans in any area might be rendered abortive by a proclamation declaring the area to be reserved from the Mining Act. By way of a safeguard against this, the Indenture empowers the Minister to make declarations that any specified areas are approved prospecting areas. Any such declaration will remain in operation for up to four years, and during that time the company will be entitled to carry out prospecting operations within the approved area and apply for mining leases without any risk that the area concerned will be declared a reserved area.

Clause 8 is an important clause providing that in addition to the ordinary rents payable by the company for its mining leases, it will pay to the Government a sum of £12,000 a year for 20 years as additional rent for all the leases granted under the Indenture. The purpose of this is to recoup the Government for the cost of the exploratory work which it has already carried out in the Middleback Range area. The prospecting and boring which the Government has done are of considerable benefit to the company as it has shown where additional deposits of iron bearing substances are situated. The benefit of this work will accrue to the company from time to time as its operations progress, and for this reason it was considered equitable to provide that the payment to the Government should be spread over a period of years. In all, the Government will receive £240,000 under clause 8.

Clause 9 provides for royalty at the existing rate of 1s. 6d. a ton to be paid by the company on all iron bearing substances obtained from its iron leases. The initial rate of 1s. 6d. a ton is however subject to variation. The agreement provides that the rate is tied to a basis selling price of £21 7s. 6d. a ton for foundry pig iron c.i.f. Port Adelaide. For each increase or decrease of a complete pound in this price, the royalty will increase or decrease by one penny a ton. The full rate of royalty will be payable on the high-grade iron ore which is fed directly to furnaces or shipped without beneficiation. The low-grade ore which has to be treated and concentrated before being fed to furnaces or shipped will carry a royalty of sixpence per ton because it takes approximately three tons of the low-grade material to make one ton of material suitable for blast furnaces.

Clause 10 contains some details relating to the payment and computation of royalty. These are ancillary to the provisions of clause 9, and do not call for special explanation. Clause 11 is a clause similar in principle to one contained in the Indenture of 1937 and also to a provision of the Mining Act. It enables the company to amalgamate its leases for the purpose of the labour conditions. This means that it is not necessary for the company to employ any specified number of men, horses or horsepower on any one lease as long as the total number of men, horses and horsepower employed on all the leases satisfies the total obligations of the company in this matter. Clause 12 contains an agreement by the Government that it will collaborate with the company in carrying out prospecting and exploratory work to locate the deposits of substances (other than iron) required by the company for its operations generally. The company will pay reasonable costs of any work done by the State under the clause and the Government binds itself to grant the company the necessary mineral leases to obtain these substances.

Clause 13 gives the company a right to renewals of its mineral leases from time to time for periods of 21 years or any shorter period desired by the company. All mining leases under the Mining Act are renewable indefinitely for periods of 21 years, and the main difference between the rights of the company under the

Indenture and the rights which it would have under the Mining Act are that the Government is bound under the Indenture as far as possible to grant a renewal on the same terms as the previous lease. This is, in fact, the practice under the Mining Act. Clause 14 is similar to a clause in the Indenture of 1937 under which the Government agrees to obtain land in certain cases for the company's operations. The clause provides that if the company, for purposes of the steelworks, requires the fee simple or other rights over land comprised in a Crown lease and the Government has power to resume such land, the Government will exercise the power of resumption and sell the land to the company at a reasonable price. The Crown also undertakes to sell to the company at an agreed price any Crown land which is not subject to any lease or agreement and is required for the steelworks.

Clause 15 provides that the Government will within two months after the ratification of the Indenture take over from the company and operate the water reticulation system in the Whyalla water district. The calculations for determining the price are nearly complete and it is contemplated that the new arrangements will come into force without delay. Clauses 16 to 20 contain the provisions which have been agreed on between the Government and the company as to the supply of water to the company. They incorporate and supersede the provisions of the Northern Areas and Whyalla Water Agreement made in 1940.

By clause 16 the Government agrees to provide water for the operations of the company and its subsidiaries at Whyalla or within the Middleback Range area. Furthermore, if the company should undertake the local reticulation of water at Iron Knob or any other place within the Middleback Range area, the Government agrees to supply the water for that purpose. These obligations, however, are all subject to the condition that the Government will not be obliged to supply more than one thousand million gallons a year except after three years' notice that a larger supply is required. The price of the water is set out in clause 16 and the maximum and minimum rates per thousand gallons are the same as in the Northern Areas and Whyalla Water Supply Act, 1940. The schedule of rates has, however, been modified so that the lower rates become applicable a little earlier in the scale of consumption. As an example of what this means, I mention that under the 1940 Act the first 500 million gallons cost the company 2s. 4d. a thousand. Under the new arrangement only the first 300 million gallons will cost 2s. 4d. a thousand, and the next lower rate of 2s. 3d. a thousand will apply to water above 300 million gallons instead of water above 500 million gallons. The reason for this adjustment is, of course, that the company will no longer be the local water authority at Whyalla and will not be buying water for this purpose. If the company requires any water to be delivered to it at a point elsewhere than on the Morgan-Whyalla pipeline, the scheduled price will be increased by an amount based on the expenditure incurred in connection with the construction and maintenance of a branch pipeline, and the cost of pumping.

Under clause 17 if the company requires water at any place in the Middleback Range area, for example Iron Knob, it is given the option either itself to construct a branch main from a point on the Morgan-Whyalla pipeline, or to ask the State to construct such a main at the expense of the company. If the company constructs a branch main and the Government should undertake reticulation from that main to local consumers, the company is obliged to sell water to the Government from the main at an agreed price. Of course, in this case the company would first have paid the Government for the water at the point of delivery from the Whyalla pipeline into the main.

Clause 18 is a clause similar to one in the 1940 agreement, which says that any water delivered to the company must be accepted in the condition in which it is drawn from the Murray with only such changes as occur during its transmission through the pipeline.

Clause 19 provides for a minimum annual payment for water by the company. It is similar in principle to the minimum payment clause in the agreement of 1940, but the amount of the payment is reduced from £40,000 to £24,000. This reduction also is justified by the fact that the company will no longer be the water authority for Whyalla.

Clause 20 contains machinery provisions relating to the supply of water to the company which are ancillary to the main provisions on this topic. They are similar to those in the 1940 agreement and call for no special explanation.

Clause 21 contains provisions as to electricity. It is contemplated that the Electricity Trust will take over from the company the reticulation of electricity to retail consumers at

Whyalla and will erect a high tension line from the Port Augusta power station to Whyalla to provide electricity both for local reticulation and for any supplies required by the company. The details of these arrangements have been worked out between the company and the Electricity Trust and are not in the Indenture. The only obligation on the Government under the Indenture with respect to electricity is to facilitate the making of a just agreement between the company and the Trust, and the Government has already taken steps for this purpose.

Clause 22 deals with the important matter of housing. Under this clause the Government agrees to arrange for building houses at Whyalla for employees of the company and its subsidiary and associated companies during the construction of the steelworks and extensions of the company's undertaking. There is, however, a limit on the State's obligation, in that it cannot be called upon to provide more than 400 houses in any one year. The company agrees to give the Government notice of its housing requirements, and the Government will arrange consultations between the company and the Housing Trust.

Clause 23 provides that the Government will, as far as its powers and administrative arrangements permit, assist the company to obtain adequate and suitable labour for the construction and operation of the steelworks. The question of labour is vital to the whole undertaking and has given the company much anxiety. The State Government, of course, no longer has a labour exchange but it may be able to assist the company in any labour problems by joint action with the Commonwealth or other means.

Clause 24 empowers the company and its subsidiaries to take sea water for its operations at Whyalla and to construct works either on land occupied by the company or on the sea bed, for the purpose of obtaining and pumping such water.

Clause 25 gives the company the right to use, occupy and reclaim parts of the foreshore and sea bed within an area north of Whyalla which is set out in the plan shown in the Bill as Appendix "C" to the Indenture. If the company reclaims any of this land the Government may make a grant of the fee simple. The area in question is a wide stretch of foreshore and sea bed which is of no use to anybody but the company or a similar organization carrying on a large undertaking requiring a site on the foreshore.

Clause 26 provides that the sites of the company's works will continue to be outside the area of the Whyalla Town Commission or any other local government body unless any of such land is disposed of and used for residential purposes. In that case it will become liable to be brought within a local government area if so desired. Difficult problems arise when costly works such as steelworks and blast furnaces which cover large tracts of land are brought within local government areas and, as these works do not require many of the services provided by councils, the simplest solution is leave them outside the councils' areas. They are, of course, subject to controls exercized by other Governmental authorities, including the Central Board of Health.

Clause 27 gives the company the right to take the Whyalla to Iron Knob Tramway across the Port Augusta-Whyalla Road by means of bridges, level crossings, tunnels or cuttings. It is likely that some crossings additional to the present one will be required as a result of the establishment of the steelworks. The clause provides for these and also lays it down that any work done for the purpose of taking the railway across or above or below the road must have the approval of the Commissioner of Highways.

By clause 28, the State agrees to facilitate the construction of any railway which may be decided upon for the purpose of connecting Whyalla with any State or Commonwealth railway. The State also agrees to consult with the company, or arrange consultations between the company and the Commonwealth, as to the route of any such railway in the neighbourhood of the company's land at Whyalla and as to the location of the terminal. As the company is itself a railway authority, there will be a definite need for such consultations.

Clause 29 is similar to a clause in the Indenture of 1937 under which it is provided that no new charges will be imposed upon the company in respect of the use or occupation of its wharves or on the shipment or carriage of goods over its wharves. At present the company pays port dues but no wharfage or tonnage rates. As the jetties and wharves have been built and are maintained by the company at its own expense, it is reasonable that the company should not be charged for using them.

Clause 30 lays down a rule as to prices, which is in accordance with Government policy. It provides that the Government will not take

action to prevent the company or any of its subsidiaries or associated companies from selling its products at prices allowing such company to provide for reasonable depreciation, to build up reasonable reserves, and obtain a reasonable return on its capital. Subject to the requirement that they must be reasonable, the company may determine the rates of these items.

Clause 31 provides that with the consent of the Government the rights or obligations of the company under the Indenture may be assigned. The Government has a discretion to grant or refuse consent, but must not unreasonably withhold it. No assignment of obligations will release the company from liability.

Clause 32 provides that the company will, whenever requested by the State, give the State a list of its subsidiary and associated companies and particulars of its interest in each such company.

Clause 33 makes some amendments to the Indenture of 1937. One of the requests specially made by the company as a condition of undertaking to spend the £30,000,000 was that the company should be given security of tenure of its leases and rights under the Indenture of 1937 as well as those under the new Indenture. The Government considered this request a reasonable one and agreed to it. Most of the rights in the Indenture of 1937 are, in fact, of indefinite duration but the company's legal advisers thought that there might be some implication of a time limit. In order to remove doubts, some amendments to the Indenture of 1937 have been agreed upon to make it clear that time limits are not applicable. These are set out in clause 33 of the Indenture.

Clause 34 deals merely with the mode in which notices may be given and does not provide for any new rights or duties.

Clause 35 has been inserted at the request of the company to provide that the State will at all times take the necessary steps to secure to the company the rights which are provided for in the Indenture, and to prevent those rights from being impaired or prejudicially affected. The Government's duty would be the same whether or not this clause were included in the Indenture but, as a clause to the same effect was in the Indenture of 1937 and the company specially asked for it, the Government agreed to include it in this Indenture. It is provided, however, that taxes on the property of the company or of any of the associated or subsidiary companies at rates applicable generally will not be regarded as an impairment of the rights of the company.

Clause 36 is another clause dealing with labour. The substance of it is that, if sufficient suitable labour is not available to enable the company to construct and operate steelworks in addition to carrying on its ordinary activities at Whyalla, the Government will consult with the company with the object of agreeing upon modifications of the obligations of the parties under the Indenture.

What I have said is intended to give honourable members an idea of all the principal matters dealt with in the Indenture. The Indenture is, however, a long document and there are many details in it upon which one might speak at great length. It is, however, not necessary to deal with these details at the present juncture but, if any honourable member desires fuller information on the meaning of any clauses or the reasons for them, it can be readily made available. The Indenture was executed by the company on August 22, and by His Excellency the Lieutenant-Governor in Executive Council on September 4. In another place, this Bill was examined by a Select Committee and unanimously approved.

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

WRONGS ACT AMENDMENT BILL.

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

INDUSTRIAL AND PROVIDENT SOCIETIES ACT AMENDMENT BILL.

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

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

That this Bill be now read a second time.

The object of this Bill is to increase the permissible maximum shareholding of members of Industrial and Provident Societies—commonly called co-operative societies.

Section 5 of the principal Act of 1923 provides that no member shall have an interest in the shares of a co-operative society exceeding £500. This limit was fixed in 1923. It was previously £200, having been fixed at that amount in 1864. For several years past the Government has received representations from diverse sources suggesting that the present limit should be raised. A Bill for this purpose was introduced in 1951 but in the course of its passage through Parliament a number of objections were raised—some on side issues—and the Bill was shelved. However, requests

for an increase in the permissible shareholding have steadily continued, and the Government has recently given further attention to this question. The demand for an increase comes from societies on the River Murray and a large society in Adelaide.

The member for Chaffey, Mr. King, recently sent out a circular to a considerable number of co-operative societies asking them to express their views on the proposal for raising the maximum shareholding of an individual member to £2,000. The numerous replies which he received indicated unanimous approval of this proposal. No one objected to it; a number of societies strongly supported it, and some actively pressed for it.

The Government is satisfied that there is a good case for the increase. Since 1923, when the present limit was fixed, wages have more than trebled and prices have risen almost as much and these factors alone would justify an increase to £1,500. In addition, it is necessary to take account of the fact that co-operative societies are operating on a bigger scale than in 1923. Both the value and the quantity of the commodities in which they deal have considerably increased. There is no doubt that an increase in the shareholding is necessary in the sense that if it is not made the business of some societies will be unduly restricted and hampered.

The Government, therefore, has brought down this Bill to raise the permissible shareholding to £2,000 and to make some incidental amendments. The effect of the clauses is as follows:—

Clauses 3, 5 and 8 strike out the words "five hundred" wherever they are used to indicate the maximum shareholding and insert "two thousand." Clauses 4 and 6 deal with what are called nominations. One of the privileges conferred on a member of an industrial and provident society by the Act is that he may by writing delivered to the society in his lifetime nominate a person to whom any shares or other property he may have in the society shall pass on his death. Any such nomination is under the present law valid up to the amount of £200. These provisions prescribe a simple method by which a man may enable his dependants to obtain some ready money immediately upon his death. In view of the increases which are proposed in connection with shareholding it is proposed to increase the amount which may be disposed of by means of a nomination from £200 to £500.

Another increase is also provided for by clause 6 of the Bill, which amends section 27 of the principal Act. This section provides that if a member of a society dies without leaving a will and without having made any nomination, and at the time of his death has shares, loans or deposits in the society not exceeding £200, the society may, without letters of administration, pay the amount to the Public Trustee for distribution among persons entitled by law to receive the money. It is proposed by clause 6 of the Bill to increase the amount which may be dealt with in this way from £200 to £500.

Clause 7 re-enacts section 59 of the principal Act which makes it an offence for a member of a society to have an interest in the shares of a society in excess of the prescribed limit. At present the section allows a person to retain an interest above the prescribed limit for not more than three months but if he retains it for more than three months he is liable to a penalty. This rigid rule occasionally creates hardship and the Government has been asked to give the Registrar a power to authorise a person to hold an interest above the prescribed limit for more than three months in any case where a person has become entitled to the excess under a will or intestacy or where, for any other reason, the Registrar deems it just to give his consent. This principle is embodied in the re-enacted section.

The only other clause of the Bill which I need mention is clause 9 which declares that the amendments made by the Bill shall apply to societies now in existence and the members of such societies and any nominations made by such members and now in force.

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

LOCAL GOVERNMENT ACT AMENDMENT BILL.

The Hon. N. L. JUDE (Minister of Local Government), having obtained leave, introduced a Bill for an Act to amend the Local Government Act, 1934-1957.

The Hon. C. D. Rowe for the Hon. N. L. JUDE—I move—

That this Bill be now read a second time.

This Bill makes a number of amendments to the Local Government Act. The amendments made by the various clauses are of a disconnected nature and are of varying degrees of importance. The amending Act of 1957 removed from the Act the provision limiting to £100 the allowance which can be made to the chairman of a district council. A consequential amendment should have been made

to section 52 and clause 2 remedies this omission. Clause 3 provides that a district council may appoint one of its members to be deputy-chairman. A number of district councils have adopted the practice of appointing a deputy-chairman but there is no statutory support for the practice. Clause 3 provides, as consequential upon the appointment of a deputy chairman, that, if a deputy-chairman is appointed by a council, he is to preside at meetings of the council in the absence of the chairman. Under the clause a deputy-chairman will be appointed only if so desired by the council.

Section 228 provides that a municipal council may, in respect of any financial year, fix an amount, not exceeding 10s., which shall be the minimum rate payable in respect of any assessed property. District councils are given similar power by section 233a but the amount mentioned in that section is 5s. Clause 4 proposes to delete these limiting words in each section leaving it for the council to decide, with respect to any financial year, what is to be the minimum rate for the area. In the case of properties the assessed value of which is very low, which is often the case with vacant land in country areas, the present limit for the minimum rate does not permit of a council recovering by way of rates the administrative cost of assessing the land, issuing rate notices and receipts. In the case of some land value councils, the rates recoverable from properties comprising dwellings or other buildings, are so low as to be insufficient to meet the costs of the various services provided to the ratepayers. By removing the limitations now provided in sections 228 and 233a it will be left to the council to fix the minimum rate suitable to the local circumstances. If a council so desires, it need not fix a minimum rate but if a minimum rate is fixed, it must, under the sections, apply uniformly throughout the area.

In 1952, paragraph (j4) of subsection (1) of section 287 was enacted giving a council power to subscribe to such as local government associations and organizations formed for the development of any part of the State in which the area of the council is situated. It was provided that, in any financial year, the total of these contributions was not to exceed £50. It is considered that this amount is now inadequate and clause 5 proposes to increase the amount to £100.

Section 289a provides that all revenue derived by a council from the sale of timber is to be paid into a special fund and applied towards tree planting purposes. It has been pointed out that the necessity to establish a special fund means opening a separate banking account and creates some administrative problems. Clause 6 therefore amends sections 289a by removing the necessity to establish a separate fund, but preserves the obligation to expend on tree planting the revenue in question. Subsection (3) of the section now provides that, if at any time the money in the fund exceeds £300, the Minister may authorize the expenditure of the excess for other purposes. Clause 6 amends this to provide that if the revenue in any financial year exceeds £300, authority may be given for the expenditure of the excess.

Section 319 provides for the making of contributions by adjoining owners towards roadmaking costs. Subsection (9) of the section provided that when a roadway was widened the council could recover contributions from the adjoining owners. The 1957 Act deleted this subsection, there being some doubt whether subsection (11) limited the total of an owner's contribution to 10s. a foot. It is considered that subsection (9) should be re-instated and this is done by clause 7 which also amends subsection (11) to make it clear that an owner's total contributions for any purpose under section 319 are limited to 10s. a foot.

Section 352, which was first enacted in 1903, provides that if an owner of land contributes to the cost of making any roadway, footway, passage, lane, etc., he is to have a right to use the roadway, etc., which is to be appurtenant to his land. This section is open to serious objections. In the great majority of cases, the roadway, etc., is a public highway over which the public, including the owner of the land in question, have rights of access and it is quite unnecessary to provide for any special rights as is done by the section. In the few cases where the roadway, etc., is not a public highway, the owner is given statutory rights which are not endorsed upon any certificate of title and intending purchasers of land affected by the rights have no means, short of a search of all the appropriate council records, of ascertaining whether any rights exist. Even this is not sufficient, as the contributions may have been made to the owner of the land on which the roadway is situated. It is considered that, not only does section 352 serve no good purpose but it can have mischievous effects as it is virtually impossible

to ascertain with certainty whether any particular land is affected by rights given by the section. It is therefore proposed by clause 8 to repeal the section.

However, it is considered that any existing rights under the section should be preserved subject to their being registered on the appropriate certificate of title. Clause 8 therefore provides that an owner of land claiming a right under section 352 is to make an application to the Registrar-General for the registration of his right. This application is to be made within 12 months after the passing of the Bill and after that time any right not registered will cease to have effect. On receipt of an application, the Registrar-General is to give notice to persons affected and is to give further notice of his decision in the matter. From that decision there will be a right of appeal to the Supreme Court. It is provided that, if the roadway, etc., is a public highway, the right is not to be registered but in other cases, where the right is established, it is to be registered by the Registrar-General. This amendment is strongly supported by the Registrar-General.

Section 528 and following sections provide that a council may require buildings within its area or any part of the area to be provided with septic tanks. Clause 9 provides that the council, with the approval of the Central Board of Health, may require the septic tanks to be "all purpose" tanks, that is, tanks capable of dealing with sullage and waste water in addition to sewage. At one time it was considered that a septic tank would not function if sullage or waste water was directed into it but it has been found that these "all purpose" tanks are equally as efficient as those limited to sewage.

Various provisions of the Act provide that a member of a council is not to vote or take part in any debate on a matter in which he is interested. The question was recently raised whether a councillor who was a member of, say, a local fire fighting organization or similar body, could vote on a proposal before the council to subsidize the organization. Obviously, the existing provisions are intended to provide that a councillor will not take part in proceedings before the council from which he can profit personally and it was never intended that these provisions should apply to such as the cases mentioned. Clause 10 therefore provides that a councillor shall not be deemed to be "interested" in a transaction between the council and a non-profit making organization of which the councillor is a member.

Section 779 provides a penalty not exceeding £20 for the offence of destroying or damaging property of the council such as streets, bridges, trees, street signs and the like. Clause 11 increases this maximum penalty to £50 as it is considered that the present maximum is inadequate to deal with the vandals who wantonly damage public property of this kind.

Section 783 makes it an offence to dump rubbish of various kinds upon streets and other public places. Clause 12 extends the articles to which the section applies to include debris, waste and refuse. The dumping of rubbish on roadsides is prevalent and it is considered that, in order to deal adequately with this offence, the existing maximum penalty should be increased from £20 to £40. In addition clause 12 increases from £5 to £20 the maximum penalty under subsection (2) for permitting rubbish to fall from a vehicle onto a road.

Clause 13 increases from £10 to £50 the maximum penalty under section 784 for the offence of wilfully or maliciously damaging or removing a fence or gate erected under section 375 across a road subject to lease or under section 376 as an extension of a vermin-proof fence. Until the amending Act of 1957, an application for a postal vote had to be witnessed by an authorized witness but that Act altered the law to provide that the witness was to be a ratepayer of the area. The result is that, if a ratepayer is in another part of the State, he must secure a ratepayer for the particular area to witness his application and in many cases this would be either impossible or very difficult, although, if he is outside the State, his application can be witnessed by an authorized witness. This result was probably not intended when the Act was amended in 1957 and clause 14 therefore provides that, as regards a ratepayer making an application for a postal vote within the State, his application may be witnessed either by a ratepayer of the area or an authorized witness.

Clause 15 merely corrects a drafting error in section 27 of the amending Act of 1957. My colleague, the Minister of Local Government, has spent a great deal of time in preparing this Bill and I feel that the credit for it is largely due to him. If others wish to bask in that reflected glory they can do so by supporting the measure.

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

LAND SETTLEMENT ACT AMENDMENT BILL.

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

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

That this Bill be now read a second time.

The object of the Bill, which is similar to the one passed last year, is to extend the operation of the Land Settlement Act until the end of next year. The Government believes that the time has not yet arrived when the provisions of the principal Act may be allowed to lapse, and the effect of the Bill is to extend the term of office of the members of the Committee and the power to acquire certain land in the South-East for a further 12 months.

Clause 3 of the Bill extends the term of office of committee members until December 31, 1959. Clause 4 amends section 27a of the principal Act and will enable the Government on the recommendation of the committee to acquire lands in that portion of the western division of the South-East which is south of drains K and L, up to December 22, 1959.

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

ADJOURNMENT.

At. 5.17 p.m. the Council adjourned until Thursday, October 23, at 2.15 p.m.