

**LEGISLATIVE COUNCIL.**

Wednesday, August 19, 1959.

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

**QUESTIONS.****RAILWAY FREIGHT RATES.**

The Hon. F. J. CONDON—Referring to the statement in the press that it is proposed to increase railway fares, does the Government intend to increase freight rates also?

The Hon. N. L. JUDE—The matter has been under consideration, but no decision has yet been reached.

**STANDARDIZATION OF BROKEN HILL-PORT PIRIE LINE.**

The Hon. F. J. CONDON—With reference to the standardization of the Broken Hill-Port Pirie line, has the Minister's attention been drawn to remarks made in the Federal Parliament by Senator Paltridge which conflict with statements made by the Premier of South Australia?

The Hon. N. L. JUDE—I have read with some disappointment, as apparently the honourable member has, the report in the press. It is the Premier's intention to make a statement in regard to the matter very shortly.

**MENTAL HEALTH ACT AMENDMENT BILL.**

The Hon. Sir LYELL McEWIN (Minister of Health) obtained leave and introduced a Bill for an Act to amend the Mental Health Act, 1935-1958. Read a first time.

The Hon. Sir LYELL McEWIN—I move—  
*That this Bill be now read a second time.*

Its object is to make three amendments to the Mental Health Act. The first amendment is designed to avoid the position which now arises when patients are admitted to the Enfield Receiving House. As the law now stands, it provides that the Public Trustee automatically takes control of the patient's affairs and administers them, and this irrespective of whether the patient is so mentally disordered as to be incapable of managing his own affairs or not. Probably about half of the patients admitted to the Enfield Receiving House are not incapable of managing their affairs and in this case, apart from the unnecessary extra work entailed for both the Superintendent and the Public Trustee, the fact that the patient's

affairs are automatically taken over by a Government officer is not welcomed by the patient himself and is not conducive to the treatment of his condition. Under the proposed amendment this position will be rectified in that the provision for the Public Trustee to take over the patient's affairs will operate only where the Superintendent so certifies.

The second proposed amendment will empower the Public Trustee, without an application to the court, to take up new issues of shares in companies on behalf of patients by virtue of their existing shareholdings. Many patients desire the Public Trustee to take up such new issues and frequently near relatives have asked the Public Trustee to do so. The third proposed amendment will enable the Public Trustee to sell personal effects not claimed within two years from the date of death or discharge of a patient and retain the proceeds. It is also provided that the Public Trustee may pay to the Treasurer, for the general revenue, any unclaimed moneys in his hands six years after death or date of discharge of a patient. An additional provision will enable the Treasurer to refund to the Public Trustee any such moneys, on the Public Trustee's certificate that the identity and whereabouts of the persons entitled have been ascertained. The amounts involved are often fairly small and it is considered desirable that refunds should be obtainable without expense. Provisions similar to those suggested in relation to the taking up of shares and dealing with unclaimed moneys and effects are contained in the relevant New South Wales legislation.

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

**LOCAL GOVERNMENT ACT AMENDMENT BILL.**

Adjourned debate on second reading.

(Continued from August 18. Page 463.)

The Hon. F. J. CONDON (Leader of the Opposition)—I congratulate the Minister of Local Government on introducing this important Bill so early in the session as it gives members, both here and in another place, greater opportunity to consider its contents. It will be another week before we have a further discussion on this Bill and I propose briefly to place my views before the Council, for it is my intention to move certain amendments when the Bill reaches Committee. A similar Bill was passed by this Council last year with very little debate. Only three speakers addressed themselves to it, and the

Bill passed through Committee without amendment. However, in another place there was considerable debate and several amendments were inserted which this Council would not accept, and so the Bill lapsed.

This being my first opportunity of speaking to a Bill drafted by the new Parliamentary Draftsman, Dr. Wynes, I congratulate him on his appointment and feel sure that he will be of great assistance to members in the same way as his predecessors, Sir Edgar Bean, Mr. Cartledge, and Mr. Marshall.

This might almost be called a Municipal Bill because it was drafted on the recommendations of the Municipal Association and the Local Government Association. Probably they know their own business but, although it is my intention to support the second reading, a lot can be said both for and against the measure. I want to draw attention to one point particularly. The Government should consider giving councils the power to reduce rates paid by old age, invalid, and widow pensioners. Some councils have desired to extend a concession to these people but under the present law are unable to do so. During the past five years rates have been increased and so have some of the assessments. In one year a council may increase its rates and in the next year increase the assessment, and this is a double burden on ratepayers. People with fixed incomes, such as pensioners and those on superannuation, are penalized when they have to pay increased council rates, water rates and other charges. In my district the council desired to give a concession, and in some cases remit rates, but was not allowed to do so. I ask the Government to consider this aspect and give councils the right to allow some little concession. If they desire to do so, we should not stand in their way.

Clause 4 provides for the present voting time for council elections to be altered from 8 a.m.-6 p.m. to 9 a.m.-5 p.m. Parliament should also consider reducing the polling hours for State elections, as the present period of 8 a.m. to 8 p.m. is rather long.

The Hon. Sir Frank Perry—Why would you favour reducing the hours?

The Hon. F. J. CONDON—Even if the finishing hour were 9 p.m., some people would rush in at the last moment to vote. At present it is not compulsory to vote for Legislative Council candidates, but I hope that this position will be altered. It is already compulsory for people to vote for candidates at Federal elections and for the State House of Assembly. Some people, rather than pay a fine, would

make it convenient to vote for Council candidates even if shortened hours were provided. Clause 6 gives councils power to subscribe to life saving clubs if they so desire. This is an innovation and is worthy of support. Clause 12 deals with vehicles left in streets and gives councils the power to dispose of any vehicle when the owner offends against this clause. I take it that this would apply to any vehicle left unattended. When travelling in the metropolitan area and also in the country I have noticed vehicles and trailers left unattended at night, and this probably occurs at weekends. I take it that this clause will not apply to them, but only in certain circumstances. A vehicle may be left in a street for two or three days because it is damaged. If the action is warranted, the council will have power to sell the vehicle and recoup itself for any expenditure involved.

I notice that the Government has not missed the opportunity to provide for increased penalties. Honourable members know my views on this question. I do not mind a reasonable increase, but over the years we have been inclined to go a little too far. Members should have a good look at this clause. Clause 13 provides for the minimum penalty for an offence against by-laws to be increased from £10 to £20. Clause 3, which deals with the appointment of a deputy mayor or a deputy chairman, was discussed by Parliament last year. It may so happen that a mayor or a chairman of a district council is ill or absent from a town, and under this clause the council will have the right to appoint a deputy mayor or a deputy chairman. That is a reasonable request and should have the support of members. Clause 5 deals with minimum rates. It is proposed to amend section 228 of the principal Act by striking out “(but not exceeding ten shillings)” and to amend section 233a by striking out “(but not exceeding five shillings).” Another important clause relates to contributions for road construction. Anyone with council experience knows that this is a very controversial matter. Often a person is called upon to pay a moiety that is beyond reason. The law that compels a person who is sub-dividing an area for house building to make roads is a good one, and clause 8, which deals with this problem, needs the close attention of all members. Mr. President, would I be in order in asking whether I may conclude my remarks at a later stage?

THE PRESIDENT—The honourable member will have to conclude his remarks at this sitting because Standing Order No. 200 makes

it quite plain that in this place, unless an immediate adjournment is pending, no member can get leave to continue his remarks.

The Hon. F. J. CONDON—I was under the impression that that was so, but I thought it might be interesting to new members to know what the Standing Orders were in that respect. I recognize this is an important Bill, and publicity should be given to this most contentious legislation. I do not know of any other Act that contains as many sections as the Local Government Act, which is one that is debated in Parliament more than any other. I have spoken today to let honourable members know my views and to give the matter wide publicity.

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

#### HONEY MARKETING ACT AMENDMENT BILL.

Second reading.

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

*That this Bill be now read a second time.*

The purpose of the Bill is to extend the life of the Honey Marketing Board for a further term. Parliament first passed a Bill to create the Honey Marketing Board in 1949 and provision was made that the appointment of the board was to be subject to a poll of growers, a grower being defined as one with 10 or more hives. The poll being favourable, the board was established. It has survived a condition inserted in 1953, that not more than once in every two years 100 or more growers may request from the Minister a poll as to the desirability of the Act continuing in operation. It is quite evident that the board has been satisfactory to growers because no such request has been made. In 1953 the operation of the Act was extended for five years, and this Bill extends it until June 30, 1964.

The Hon. S. C. Bevan—How many have been stung by it?

The Hon. Sir LYELL McEWIN—That depends on the nature of the beast meddling with the bees. I have had only one sting, and it is quite a healthy thing, for bee stings are considered a good cure for rheumatism. When I found myself with the responsibility of taking over this Bill on behalf of the Minister of Agriculture I sought and obtained certain information. I received a letter which I think expresses the views of the growers themselves because it was distributed at the time of the conference in August, 1959. Honourable mem-

bers will gather from one or two paragraphs in the letter, which I will quote, that although South Australia has a Honey Marketing Board all the other States do not have a similar board. What I shall quote suggests that South Australia is on a little better footing through having a board which provides an opportunity for blending honey and sharing the local market among the growers rather than perhaps a few getting the more profitable local market and the others taking the less profitable export market. I inquired as to where the consumer came in under the operations of the board, and I was assured that the board's operations were directed towards the provision of a better article for the consumer at the minimum price that would offer reasonable compensation to producers of the article. Let us have the views of growers regarding the matters to which I have referred. This is one quotation:—

Reorganization is essential if we are to survive. Let us take stock, as at June 30, 1959, and ascertain whether we are solvent and progressive as an industry, and decide whether there is a necessity for us to reorganize or not. I am sure all will agree that some form of reorganization is essential if we are to survive at all. The present system of marketing is so antiquated that one is forced to ask whether we live in an age of enlightenment; and it does appear that any move to put the industry on a stable basis, is destined to fail before it begins. The necessity for all beekeepers to have working capital, to take full advantage of all opportunities offering, means that some producers are forced to sell at cheap rates which in turn depresses the market, with a consequent fall in over-all values to all producers. Really it is a tragedy to allow the present set of circumstances to continue without any effort being made to put our house in order. Yes, most of us now know a Producers Controlled Orderly Marketing Scheme, where all producers and distributors of honey play their part financially for the betterment of the industry, as an industry. It has to come or we will be back in the gutter, where we have proven so many times, to be where we sit too often.

The letter further states:—

The problem is how to prevent the weak seller from grabbing all of the local sales. There is only one answer to that. A system of control which will give every beekeeper the same price for each grade of honey whether it is sold on the local or the export market.

Later, in referring to a State marketing board, the letter proceeds:—

Most producers of honey today can see nothing but disaster ahead if the present chaotic marketing conditions continue. Many who were strongly opposed to the introduction of a Commonwealth Marketing Plan when the poll

was taken in 1954 now realize that the adoption of the plan would have been beneficial to the industry. A State Board cannot hope to achieve as much as the Commonwealth scheme, but it appears to be a step in the right direction and the only one that can be taken now to improve our marketing conditions.

They are the comments which were set out in a letter distributed during the Federal conference.

The Hon. L. H. Densley—Are you quoting that to support this Bill?

The Hon. Sir LYELL McEWIN—That is what I am supposed to be doing. I hope the growers are consistent because those are their remarks, and I thought they implied that a State board was better than no board. They suggested that they had made a mistake when they did not adopt a Commonwealth scheme in 1954, and I think that was probably so. There are limitations under a State board as

compared with a Commonwealth board, and that is probably what the honourable member's interjection related to. Whether the growers will go further I do not know, but the suggestion is that half a loaf is better than no bread. I am not a practical beekeeper, although a number of beekeepers are operating within my electorate, so I can appreciate the place of honey in the home and the many other uses for it. Anything that will give stability to a primary industry, whether it be large or small, is worthy of consideration by the Council, and in that light I present it for the contemplation of members.

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

#### ADJOURNMENT.

At 2.47 p.m. the Council adjourned until Tuesday, August 25, at 2.15 p.m.