LEGISLATIVE COUNCIL.

Tuesday, November 3, 1959.

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

SUPPLY ACT (No. 3).

His Excellency the Governor's Deputy by message intimated that the Governor had assented to the Act.

QUESTIONS.

INCREASED HOSPITAL FEES.

The Hon. F. J. CONDON—Is the Minister of Health in a position to give any information on the important question of increased hospital fees?

The Hon. Sir LYELL McEWIN—I am not. I saw something in the press in which it was reported that I had said that increased fees would be involved. That was something evidently read into it by the reporter. What has taken place is in response to, I think, a remark in another place that the whole matter of hospital fees would be examined. Beyond that I have no information.

VACANCIES ON SUPREME COURT BENCH.

The Hon. K. E. J. BARDOLPH—In view of the retirement of Mr. Justice Abbott does the Government intend to appoint new judges to fill the two vacancies now existing on the Supreme Court bench?

The Hon. C. D. ROWE—The Government has the matter under consideration and it is expected that appointments will be made in the near future.

LEVEL CROSSING ACCIDENTS.

The Hon. F. J. CONDON—Has the Minister of Railways a reply to the question I asked last week concerning level crossing accidents on the Grange railway line?

The Hon. N. L. JUDE—The Woodville Corporation has suggested the provision of automatic protection at two level crossings on the Grange line in recent months. Both of these crossings are equipped with warning signs, and the corporation has been informed that it is not proposed to install automatic protection at present because of the priority of other crossings. However, for the honourable member's information I would state that of the 60 accidents which took place at level crossings during the year ended June 30, 1959, 21 occurred at crossings protected by flashing lights, gongs or gates.

COMMONWEALTH FUNDS FOR EDUCATION.

The Hon. K. E. J. BARDOLPH—Has the Chief Secretary read the report of a speech by the Minister of Education (Hon. B. Pattinson) in the *Advertiser* this morning about the urgent need for more funds to be made available by the Commonwealth Government for the purpose of erecting school buildings and providing equipment, and for the training of teachers? Does the Government intend to make urgent representations to the Federal Treasurer in order that the necessary financial aid may be available?

The Hon. Sir LYELL McEWIN—Any approach to the Federal authorities regarding finance would be through the Treasurer, and I am unaware of any such action being taken; but if the honourable member desires the information, I will obtain it for him.

CHAIR OF MENTAL HEALTH.

The Hon. F. J. CONDON—Following upon the decision of the University of Adelaide to accept the offer of the Mental Health Association of South Australia for the establishment of a Chair of Mental Health, will further financial assistance be given by the Government, or does that come under the university?

The Hon. Sir LYELL McEWIN—I will obtain the information for the honourable member.

EXCHANGE OF LAND (HUNDRED OF NOARLUNGA) BILL.

Read a third time and passed.

STATUTES AMENDMENT (PUBLIC SALARIES) BILL.

The House of Assembly intimated that it had agreed to the Legislative Council's suggested amendment.

BIRTHS AND DEATHS REGISTRATION ACT AMENDMENT BILL.

Second reading.

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

That this Bill be now read a second time.

It is designed to effect a change in procedure relating to the registration of births and deaths so as to make it possible to relieve, as far as practicable, members of the police force of duties as assistant district registrars under the Births and Deaths Registration Act and to effect an overall saving in the administrative expenses of the registration branch of the

Statistical Department. The Bill also seeks to simplify and clarify the procedure relating to the registration of births and deaths and to burials. Clause 2, which postpones the commencement of the Act to a day to be fixed by proclamation, will enable such administrative steps to be taken as are necessary before the Act is brought into operation. Clause 3 is the formal incorporation of the provisions of the Bill with the principal Act.

The effect of clause 4 is to avoid the necessity of an informant recording the necessary particulars for the registration of a birth in the presence of a district registrar or assistant district registrar. The intention is that every information statement delivered to an informant will be accompanied by explanatory directions as to the manner of furnishing the required particulars. Clause 5 clarifies the provisions of section 19 of the principal Act, which deal with the registration of the birth of a child born out of lawful marriage. Clause 6 clarifies the provisions of section 20 by expressly authorising the Principal Registrar himself to do what he may authorize one of his officers to do. Paragraph (*a*) of clause 7 similarly clarifies the provisions of section 22, while paragraphs (*b*) and (*c*) of that clause effect consequential amendments.

Clause 8 has, with respect to the registration of deaths, the same effect as clause 4 has with respect to the registration of births. Clause 9 brings section 29 into line with section 20 as amended by Clause 6. Paragraph (*a*) of clause 10 is designed to avoid unnecessary delay in registration in cases where a coroner's inquest is held into the death of any person. It is felt that notification of the coroner's verdict if given to the Principal Registrar instead of a district registrar would expedite the registration.

The Cremation Act prohibits the cremation of a body until a cremation permit is issued by the Principal Registrar or one of his officers, but provides that no such permit shall be issued unless the death of the person whose body is to be cremated has been duly registered. The new subsection (3) of section 31 added by paragraph (*b*) of clause 10 is designed to permit the registration of the death and the issue of the cremation permit in cases where the coroner's investigation into the cause of death is complete, but no verdict has been given. This will also permit the cremation where further examination of the body is in the coroner's opinion not necessary.

Clause 11 brings section 32 into line with other amended sections by imposing on the Principal Registrar the same duties as are imposed on district and assistant district registrars. The new section 32a enacted by clause 12 gives legal force to the necessary administrative practice of withholding the registration of a death in the absence of the certificate of a medical practitioner who attended the last illness of the deceased person or of an authority from the coroner who held an inquest into the death. Clause 13 brings section 33 (which deals with burials) into line with the provisions of new section 32a.

The Hon. S. C. BEVAN secured the adjournment of the debate.

LOCAL COURTS ACT AMENDMENT BILL.

Second reading.

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

That this Bill be now read a second time.

Its object is to make certain desirable machinery amendments to the Local Courts Act. The first amendment concerns certain difficulties which arise from time to time in connection with orders of imprisonment for failure to attend on the hearing of an unsatisfied judgment summons, where doubts exist as to which is the nearest court to which the defendant in the proceedings resides or carries on business. The principal Act provides by section 114 that actions shall be commenced in the court nearest to the place where the cause of action arose or nearest to the place where the defendant resides or carries on business at the time of action brought. Section 175 provides that an unsatisfied judgment summons is to be issued out of the court nearest to the place of residence or business of the defendant and, as honourable members are aware, if a defendant fails to attend on the hearing of an unsatisfied judgment summons, the court may order imprisonment for a period up to 40 days. But the court must be the court having jurisdiction nearest to which the defendant resides or carries on business (section 179). A large number of such orders is made in the various courts each week under this provision. It will be appreciated that if the court making the order for imprisonment is not the nearest court the order is bad and this could possibly lead to proceedings for false imprisonment.

The question whether a court is the nearest court can frequently be one of some difficulty, particularly in relation to the jurisdictional

boundary between the local courts of Adelaide and Port Adelaide. In many cases it is difficult to ascertain on precisely which side of the dividing line the particular defendant resides and indeed, in some cases, a circle drawn strictly in accordance with the existing provisions would bisect some houses. To cover these cases the Bill will allow a margin of one mile on either side of the dividing line. Furthermore, strict compliance with the provisions of the principal Act can lead to hardship. Although the nearest court can be easily determined means of transport to another court may be more readily available. For example, some portions of the northern suburbs are nearer to Salisbury than Adelaide, while others in the south are nearer to Morphett Vale, but in either event transport to Adelaide would be easier for a defendant. To cover these cases and, at the same time, to enable a certain measure of flexibility in administration, the Bill will enable the Local Court Judge by rules of court to define conclusively the area of jurisdiction of a local court, thus enabling the area of jurisdiction of the Local Court of Adelaide to be defined, having regard to both distance and availability of transport. Clauses 4 and 5 so provide.

Clauses 7, 8 and 9 will amend section 175, section 176 (2) and section 179 (*a*) of the principal Act to provide, in the case of unsatisfied judgment summonses, that proceedings may be issued out of a local court situated not more than one mile further from the defendant's residence or place of business than the nearest local court. The second proposed amendment concerns the provisions regarding registration in a local court of a certificate of judgment obtained in another local court so that steps for enforcement of the judgment can be taken in that other local court. The principal Act requires the clerk of each court in which a certificate of judgment is so registered to keep the original court informed of all proceedings taken or payments made on account of the judgment debt. In point of fact, in the great majority of cases, no further steps are taken in the court which made the original order, the collection of the judgment debt being carried on in the second court where the certificate of judgment has been registered. This means that much time and effort are expended in keeping the original court posted to no good purpose. The amendment made by the Bill (Clause 6) will provide that the original court need not be informed as to any steps taken or moneys paid except on the request of either party, but there is a saving clause that no further proceedings can be taken in the original court except where that court has been informed on the request of either party or the plaintiff makes an affidavit as to the balance due and owing.

The third amendment is made by clause 3. At the present time, where a warrant of commitment has been issued, a bailiff is required to execute it within five days. This gives rise in many cases to considerable hardship, for a defendant might be in a position within a relatively short time to pay the whole of the debt and costs and the bailiff might feel satisfied on this point. Yet he has no discretion in the matter. Clause 3 is designed to enable a little more flexibility in this respect. It provides that the bailiff shall execute warrants of commitment with all despatch, but in any event within one month. The fourth amendment will bring the amount of compensation which can be awarded to a defendant vexatiously summoned on an unsatisfied judgment more closely into line with modern conditions. Clause 10 amends section 181 of the principal Act by raising this amount from £5 to £20.

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

NURSES REGISTRATION ACT AMENDMENT BILL.

In Committee.

(Continued from October 28. Page 1260.)

Clause 4—"Enactment of Part IIIB of principal Act."

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

At the end of new section 33i to insert the following:—

> "(*b*) in the case of a person already, at the commencement of the Nurses Registration Act Amendment Act, 1959, in practice as a nurse aide or nurse attendant, is not less than thirty years of age and had been for at least five years in practice as a nurse aide or nurse attendant.
>
> (2) Applications for enrolment by persons entitled to enrol by virtue only of paragraph (*b*) of subsection (1) of this section shall be made within twelve months of the commencement of the Nurses Registration Act Amendment Act, 1959."

This will enable those persons over 30 years of age who have been in practice as nurse aides or nurse attendants for five years to become enrolled as nurse aides under the new provisions without the necessity of going through the two-year course to be applied in the future.

Such persons must apply for enrolment within 12 months. Substantially similar provision was included when Parliament provided for the enrolment of mothercraft nurses in 1954. This amendment was sought because otherwise a practising nurse aide would have to go back and start all over again. It is not an unusual amendment.

The Hon. F. J. POTTER—I have just seen this amendment for the first time. I am not familiar with what was done in the case of the mothercraft nurses. Does the Minister intend that the period of five years shall be continuous, that the person should have been continuously in practice for five years, or does he intend that the five years may be, say, the aggregate of a number of scattered periods? If the former is intended, I think the word "continuously" should be inserted to qualify the five-year period, and the wording should be "had been continuously for at least five years," or something like that.

The Hon. Sir LYELL McEWIN—I do not think it would be desirable to insert the word "continuously." If there had been, say, a break of a fortnight or three months for any cause whatsoever, I do not think it would be fair to preclude such an individual from applying for the benefits of this provision. I am sure that any such difficulty being placed in the way would only cause much discontent and many problems in administration. This type of clause has been included, I think, in legislation dealing with the dental and medical professions and physiotherapy—those who had been in practice for a certain period were admitted. In the case of a Government hospital, approved leave would count for continuous service, but if somebody was not entitled to leave and left one hospital and went to another, that would be a break in service. Those problems would not arise if the word "continuously" were not included.

The Hon. Sir FRANK PERRY—When the Bill was introduced I understood it was to enable a nurse aide to assist on a partly-trained basis in the treatment of sick people. I was also under the impression that it was an innovation, something not previously done in this State, though I have heard of such assistance being given by people in nursing homes. This amendment is one of those carry-over clauses that have led to much dissatisfaction in legislation of this type. I felt we were establishing legislation for semi-trained people, but now we are admitting anybody with five years' training. I do not say that the House has been misled, but these nurse aides have been in existence for many years, contrary to what I thought. If that is so, I cannot see the need for this legislation.

If these nurse aides have been in existence over the years, why introduce this Bill? As I mentioned in my second reading speech, we are building up a quasi-profession that has a tendency to lower the status of nursing. It appears now that for some time this class of person has been practising. If the present position is satisfactory, why introduce a Bill that provides for registration and all the necessary controls? This clause undermines what I thought was the original purpose of the Bill. I suppose I must accept the Minister's statement, but I will say that I have been under a false impression up to this moment in regard to the status of these nurses.

The Hon. Sir LYELL McEWIN—I think the honourable member is under a misapprehension for nothing false has been presented to this Committee. In my second reading speech I said that although I had suggested some years ago that we should follow other States in this matter, South Australia and Queensland were the last to do so. This short-term training has not been recognized in any way so that this period is wasted for those who may decide to go further and do a complete course. If we did not follow the other States one effect would be that we would not be likely to get any people who had done this work elsewhere. In our mental hospitals we have a considerable number of male attendants, and we have had men in other hospitals called nursing aides, but all that has had no recognition. When they have done five years—and not two as provided in this Bill—they can be registered. Five years is a pretty long term as compared with two, but it does enable those who are 30 years of age and have done their five years' training to have the same opportunity as girls.

Amendment carried.

The CHAIRMAN—With the concurrence of the Committee I will make the consequential amendments, namely, to insert "(*a*)" before paragraph (i) of new section 331; and to strike out the full stop and insert "; or" at the end of paragraph (ii).

Clause as amended passed.

Remaining clauses (5 to 10) and title passed. Bill reported with amendments and Committee's report adopted.

APPROPRIATION BILL (No. 2).

Adjourned debate on second reading.

(Continued from October 28. Page 1258.)

The Hon. F. J. CONDON (Leader of the Opposition)—The Chief Secretary, in his second reading explanation, gave us a great deal of information mostly concerned with amounts and figures which, perhaps, the *Hansard* reporters do not always appreciate taking. I would like to take this opportunity of saying, before dealing with the Bill before us, that at the end of this month one of the members of *Hansard,* after a period of about 36 years, will be leaving us. The Leader of the *Hansard* staff, Mr. Underwood, has been on the reporting staff since 1923. I think that is a wonderful record and I am sure that members appreciate the valuable services he has rendered to Parliament and the State. I trust that in his retirement he will be blessed with good health and enjoy the rest of his life in comfort.

The Appropriation Bill involves a sum of £80,323,000 and receipts are estimated at £79,500,000. The amount required annually, the appropriation of which is contained in existing legislation, is £21,000,000, and the amount to be appropriated under this Bill is £59,265,000. The Government is budgeting for a deficit of £791,000 and we are told that this is due to the effects of the adverse season. However, I think that the Government will be fortunate if it finishes up with a deficit of only that amount for I believe that unless we get some Commonwealth assistance it will be double that amount by the end of June, 1960. The greatest blow is felt by the primary producers, and this affects Government revenue. On the latest advice that I have had we shall be fortunate to get 5,500,000 bushels of wheat this year, though that quantity may be somewhat exceeded in barley. However, the wheat position affects manufacturers more than barley does. The flour milling industry has suffered more than any other exporting industry during the past few years. It is an industry that has hitherto stood on its own feet—but there is a limit to everything.

We subsidize primary products such as butter, eggs and other commodities and the public of South Australia is called upon to pay an increased local price to offset the lower export price, but if anyone suggested that some assistance be given to the manufacturing industry I have just mentioned there would be a hue and cry. It is one-way traffic, and although I have always supported, and hope I always will support, the giving of assistance to primary industries I am afraid that we often neglect those secondary industries which mean so much in the way of employment to the people of South Australia and the Commonwealth. We pay a home consumption price for wheat in order to protect the wheatgrower, and at the same time we sell our wheat overseas at a lower price. We do that also with butter fat. The taxpayers of Australia subsidize the dairying industry to the extent of £13,000,000 annually —two years ago it was £15,000,000. We pay 4s. 8½d. a lb. for our butter whereas the price in England, where it rose recently, is 4s. 6d. It cannot be denied that we subsidize primary producers, which principle I support, but we often forget that there are others to be considered.

Early this session I advocated an embargo on the export of wheat, and I still do so. Last year South Australia had a 30,000,000-bushel crop, but the estimate for this year is only 5,500,000 bushels. Will that affect South Australia? It may, and we do not want in South Australia a repetition of what took place in New South Wales two years ago, when that State imported two cargoes of wheat for local consumption whilst exporting wheat overseas. I am pleased that this matter has been taken up by the Australian Wheat Board which desires—only because of agitation—to keep a certain amount of wheat in South Australia to support normal flour exports. Probably it will be necessary to import wheat from Victoria in order to supply the local market and thereby enable us to maintain normal flour export and provide employment, because that is the important question I raise. Quite recently I urged the Government to agree to an increased quota for margarine, but it declined to do so. Is there any other industry in South Australia or in the Commonwealth which has an embargo placed upon its production? I have issued that challenge before, but it has not been answered. In 1956 a Bill was introduced into the South Australian Parliament providing for an increased margarine quota of 60 tons a year, but there has been no further increase. The Government said that the additional quantity was needed because of the increase in population, but has not our population greatly increased since 1956? Why should we protect the primary producers, but not give similar consideration to others? Are not those on the basic wage and other lowly paid employees, and also old age pensioners, entitled to consideration? I am not criticizing the Government, but asking it to look at this question and be fair.

We are told by the Government that the Agricultural Council decides this question of quotas. I challenge the Government to prove that since the increase in South Australia in 1956 the other States have not increased their production by 6,446 tons. Queensland and New South Wales are the two States particularly concerned and both have bigger dairying industries than South Australia. If it is fair to consider the dairying industry, why is it not also fair to consider the South Australian manufacturers of margarine and those on lower wages? Why should not the public be protected and be able to purchase goods at a reasonable price? However, Parliament has decided that margarine manufacturers can produce only a certain quantity and must then close down. That does not apply in any other State. Why is South Australia singled out?

The Hon. G. O'H. Giles—The other States are on a quota.

The Hon. F. J. CONDON—But they increase their quota whenever they like. My statement is correct, because it was stated in Federal *Hansard* in reply to a question in August last year that quotas had been increased. The total amount of table margarine manufactured in Australia is more than 16,000 tons, but the South Australian quota is only 528 tons. We have been told that there have been no increases in the other States, but since our Bill was passed their quantity has been increased by more than 6,000 tons. Why are the public not permitted to purchase an article they want? The Government should consider the fairness of my proposition and provide for a quota, not necessarily in accordance with the population, but in accordance with what is done in the other States. If the other States are justified in increasing their quota, I think the South Australian Government should give some consideration to those who possibly are not in a position to buy butter.

The Hon. G. O'H. Giles—Is the policy of your Party to encourage the production of cheap vegetable fats by cheap labour to the detriment of hard working dairy farmers of this State?

The Hon. F. J. CONDON—The honourable member advocates the employment of black labour. The other day I noticed him drinking a cup of tea, and I understand that that tea was produced by cheap labour. I have also noticed that many things he eats are imported from cheap labour countries. The vegetable fats to which he referred constitute only a small quantity of the ingredients of margarine, and they come from mandated countries. One of the main functions of the Department of Agriculture is to administer grants made available by the Commonwealth Government for improvement in primary production. I know that honourable members in this Chamber fight for the primary producers, and can any one of them say that my Party or I have ever said anything against the primary producers? All legislation that is introduced to help them has our hearty support. Neither I nor my Party objects to the £13,000,000 made available by the Commonwealth Government to subsidize the dairying industry. We do not want one-way traffic all the time.

The Hon. L. H. Densley—Could wheat be imported more cheaply than at 14s. 8d. a bushel?

The Hon. F. J. CONDON—No, but we have had it over a period of years. We are not objecting to that price, but I am trying to show that we are subsidizing primary production in many ways, and are prepared to do it because it is in the interests of the country; but we should also look at the other side and consider those who desire to purchase a cheaper article. Why should we prevent them from doing so by not allowing more production of this particular article? Can any honourable member tell me of any other industry in South Australia concerning which the Government says, "You can manufacture only a certain quantity, and then must stop"? Consider the industry in which the honourable Sir Frank Perry, a captain of industry, is engaged. What would he say if he was told he could not make more than a certain quantity of his goods? It might be said that this restriction on the margarine quota is to protect the dairying industry, but we are already protecting it. The Government subsidizes not only butter, but many other things. Consider, for instance, the egg industry. The overall loss on eggs exported last year amounted to 1s. 1¾d. a dozen, on eggs in shell 1s. 7¾d. a dozen, and on export pulped eggs it was 5¼d. a dozen. The total quantity of table margarine manufactured in Australia last year was 16,361 tons, and South Australia's quota was 528 tons. We are told by our Minister of Agriculture that nothing can be done unless it is agreed to at a meeting of the Agricultural Council. If that is so, why is it agreed that there should be increases in quotas in the other States, and no action is taken in South Australia?

I consider that one of the most important questions Parliament has to consider is the operations of the Engineering and Water

Supply Department. At the moment we are faced with a serious water shortage. What has been accomplished by the department during the last four or five years is to the credit of all concerned, but what will happen if we have another bad year? In the debate on the Appropriation Bill usually there is little debate, but I always take the opportunity to have something to say on individual lines, so I hope that honourable members will excuse me if I refer to various items. Last year the department suffered a loss on its waterworks of more than £1,590,000, which was £61,000 less than for the preceding year. Every water district showed a deficit, that for the country districts being £1,227,000, and for the Adelaide district, £369,000. The aggregate deficit on the operations of all country water undertakings was, therefore, £53,000 greater than that for the previous year but the Adelaide water district showed an improvement of £114,000 on the previous year.

Before allowing for interest charges, the surplus of earnings over working expenses (£338,000) showed a return on capital of 0.7 per cent on the mean funds employed as against 0.2 per cent for the year 1957-58. A return of 3.9 per cent would be required if these undertakings were to pay their way and meet the interest charges, which amounted to £1,934,000. In all undertakings except the Adelaide and Barossa water districts and the Morgan-Whyalla pipeline the earnings failed to meet working expenses. Adelaide water district returned 2.4 per cent on the mean funds employed, the Barossa water district returned 1.8 per cent, and Morgan-Whyalla pipeline returned less than 1 per cent. In the Tod River water district the total expenses were more than four times the earnings, and in the Beetaloo water district the total expenses were nearly two and a half times the earnings. Total earnings increased by £78,000, or by 3 per cent, to £3,106,000, due mainly to extension services. This sum was offset by reductions in earnings for excess water. Total expenses increased by £17,000 to £4,702,000. Working expenses were down by £176,000, representing a 6 per cent reduction, but interest was up £193,000, representing a rise of 11 per cent.

What is going to happen during the next few years? Two years ago the Public Works Committee recommended the construction of the Myponga reservoir at an estimated cost of £3,000,000. The committee has since received a further reference and it seems that the cost of the reservoir will increase by £1,500,000, but in addition further mains and probably extra work will be required. If the costs increase proportionately at Myponga to what they did on the Mannum-Adelaide pipeline what will happen? The Mannum-Adelaide pipeline was estimated to cost £4,500,000, but it has already cost £11,000,000 and is not yet finished. What are the water services in South Australia going to cost in the next two or three years? Water rates and assessments have been increased. Additional water supplies have to be found for the State to progress. Two new reservoirs may have to be built in the hills to cope with the demand and additions are to be made to the Mount Bold reservoir and all these projects will cost much money. The Government has to face up to the difficult position now confronting the State. Water is a most essential service—I think it is No. 1 priority, and after that comes hospital accommodation. If industry expands water must be provided. The Morgan-Whyalla pipeline was constructed for that purpose. When it was first proposed its cost was estimated at £3,000,000, but it was completed for less than that. What would the construction of that pipeline cost today? The Government will have to find the money for essential services, but I ask how has the deficit of £761,000 been calculated?

The working expenses of the Mannum-Adelaide pipeline decreased from £294,000 to £282,000. That decrease represents more than the reduction in working expenses for the Adelaide water district. Water pumped during 1958-59 was only 5,000,000,000 gallons compared with 14,000,000,000 gallons pumped in the previous year. Honourable members will note how the consumption of water has jumped. Consumption will increase still more as time goes on. The Government must be prepared at all costs to provide the water necessary to cope with increased production and increased consumption.

I note that there was an improvement of £15,000 in the results shown by the Harbors Board for the last year's operations. The surplus was £142,000 after providing for depreciation and debt charges compared with £127,000 for the previous year. This shows what can be achieved by socialistic legislation which does not appeal to all members. Here we have a board which has shown a profit. It showed a profit for the previous year, too, and it is showing a profit this year. Earnings increased by £37,000 mainly because of the board's bulk handling and mechanical handling facilities. What is the bulk handling result going to be

this year? Will the bulk handling facilities be of any use if there is nothing to put into them? Capital charges will be increased and the people concerned will have a hard row to hoe. If there were 30,000,000 bushels of grain last year and only 5,000,000 bushels this year the State will face a serious position and the Government may be called on to meet extra expense, and that will increase the deficit. There was a decrease of 138,000 tons in cargo handled. What is that chiefly due to? The Harbors Board is losing much revenue to road competition and that competition must be seriously considered by the Government. Port Adelaide handled 103,000 tons less than it did last year and the outports handled 35,000 tons less. The Minister does not control this department directly, but of the 38 revenue-producing ports 11 returned surpluses totalling £308,000. The coal-handling plant lost £37,000, or approximately 10d. a ton. When the Bill on coal handling was introduced this House was told that the coal-handling plant at Osborne would be a paying concern, but year after year it has shown big deficits.

The Hon. C. R. Story—Has Leigh Creek coal anything to do with that?

The Hon. F. J. CONDON—No, this plant handles coal from Newcastle.

The Hon. C. R. Story—But does the fact that the Leigh Creek coalfield has been developed and we do not need so much New South Wales coal have something to do with it?

The Hon. F. J. CONDON—No, nothing at all. We were told of a quick turn-round of ships and mechanical handling and all that sort of thing. What has been the result?

The Hon. W. W. Robinson—Coal is 10s. a ton cheaper here than in Victoria.

The Hon. F. J. CONDON—I will give the House the facts of the case and will not criticize what has been done in the past. These things are very important and members should realize the position and point these things out to the Government. I do not make any comments as criticism, but merely point out what has happened in the past.

The Hon. K. E. J. Bardolph—The Premier has always admitted that he acts upon good suggestions from the Labor Party.

The Hon. F. J. CONDON—Only three deep sea ports returned a surplus, and they were Port Adelaide (£99,000), Port Pirie (£178,000) and Wallaroo (£4,000). Improved conditions should be considered for Port Pirie because the surplus shown for that port was a very good one, but some ports in the northern division have not done so well. Thevenard incurred a loss of £4,000 and Port Lincoln showed a £13,000 loss. Much money has been spent at Port Lincoln on wharves and coal-handling facilities and the Government is called on to meet executive charges on those projects which do not return any income at all. Whether the cargo is handled by bulk or bag does not affect revenue. What is proposed at Thevenard? Bulk handling will not mean any extra income to the Government there, but it will mean extra expense.

The Hon. E. H. Edmonds—Are you quite sure of that? Isn't the company using the facilities paying something for the use of them?

The Hon. F. J. CONDON—Yes.

The Hon. E. H. Edmonds—You said the Government will not make anything out of it.

The Hon. F. J. CONDON—And it will not. What it makes in one place it will lose in another. In the overall picture it does not lose. For many years money has been spent on harbour construction at Port Lincoln. Does the Government receive any extra revenue there?

The Hon. N. L. Jude—The honourable member is going from railways to harbours. The wheat crop is still shifted in bulk.

The Hon. F. J. CONDON—I am taking it all round. The railways and the harbours are both Government departments. That may be news to the honourable member; I would not expect him to understand all these things! Of the other 33 revenue-producing ports, only eight returned surpluses, totalling £27,000, mainly at Stenhouse Bay, which showed a £5,000 profit, Ardrossan £12,000, Edithburgh £4,000 and Farquhar £4,000. The net cost of maintaining jetties and improvements at localities not engaged in shipping operations and from which the board has received little or no return was £70,000. I am giving this information only because these things need study and research. It is only right that we should look at the overall position. The amounts of money to be spent under this Bill deserve more than a casual glance. We are entitled to go into these matters thoroughly.

Naturally, when a Minister has several departments to control, he does it to the best of his ability. Ministers in this House take a great interest in their work, but even they can expect to receive a few suggestions at

times. The railways have shown an improvement. If the price of an article is increased, the blame is always laid on increased wages, but in spite of increased wages the working expenses of the railways for 1958-59 were £307,000 lower than they were four years ago. This is to the credit of the Railways Department. I want to point out the good things as well as the bad. The monthly average of the staff employed in operating and maintenance decreased by 417, which is over 4 per cent. Many people say, "Oh, too many men are hanging about in the railways," but the answer is that the railways are improving. They are reducing costs by mechanical means.

The Hon. L. H. Densley—And good administration.

The Hon. F. J. CONDON—I will give credit for that, too. I am not one who criticizes the Minister and the Government. I do not criticize the Government unfairly but, all the same, I think it could do better. The number of passengers' journeys fell, in the suburbs by 4.2 per cent and in the country by 6.2 per cent. That is understandable because many people travel by motor car today.

Refreshment services and bookstalls resulted in a deficit of £21,000. The main losses were on the Adelaide dining rooms and cafeteria, £27,000; and country refreshment rooms £7,000. The return on shops at the Adelaide railway station, which are I think a good innovation and should be extended, fell by £2,000 on the previous year. However, they still showed a profit of £17,000, which is a good performance.

The major reduction of £479,000 in salaries, wages and payroll tax was due to a saving in manpower from the greater use of diesel motor power and improved efficiency. That is a creditable performance in spite of what the railways are faced with today and the antagonism shown towards them. I commend the Minister of Railways for the improvement that has taken place during the last 12 months.

Record payments were made in 1958-59 for the provision of State education services, grants to other educational institutions, and allowances to students. I have suggested previously the introduction of a Bill to give the Labor Party a seat on the university council. That suggestion is worthy of consideration because year after year we are increasing the amounts granted to the university, and university education is not a political matter. Everybody is interested in education, and the best persons available should be on that council. It would mean only an alteration of the Act to increase the Legislative Council representation from two to three, which would make our representation equal to that of another place. What is wrong with electing three from here and giving the Labor Party representation on the university council?

The aggregate total payments from consolidated revenue and Loan funds last year were £16,368,000. Four years ago the costs were just under £8,000,000. The cost of conveying children to school was £545,000, boarding and book allowances amounted to £390,000, while grants to the University of Adelaide were £1,387,000, an increase on the previous year of £418,000. By comparison, the grants to other institutions have been small. The Government may well look at that because, although State education is a good thing and doing a fine job, the independent schools also play an important part. As the Minister of Education has said, they are not in a position to cope with the number of scholars. Somebody has to care for them. Why should not consideration be given to those schools assisting in the education of the young? There should be no class legislation in education. Everybody should be treated reasonably fairly, and I think the Government should consider giving more assistance to the independent schools.

There have been rapid strides at Leigh Creek. For the information of new members, I may say once again that when I first visited Leigh Creek two men were employed on the mine: one was putting coal in the bucket and the other winding the windlass. In the early days the field had a very hard time. I well remember when a line was placed on the Estimates for £200,000 for the Leigh Creek mine. My honourable friend on my left and I were responsible for the development of the Leigh Creek coalfield because it was our vote that gave the Government a majority to develop it. Therefore, let us all take some credit for what was accomplished at Leigh Creek. What is the position there today? Last year there was a surplus of £72,000, equivalent to 2s. a ton sold.

The Hon. N. L. Jude—Has the honourable member seen the Commonwealth Railways Commissioner's account?

The Hon. F. J. CONDON—The Commonwealth treated the South Australian Government very fairly as far as wages costs were concerned. This surplus of £72,000 is a great accomplishment over the years. The losses in the earlier stages of operation have now been overtaken, and the accumulated surplus is £48,000. The coal produced last year amounted

to 714,000 tons, a great accomplishment no matter who was responsible for it. Parliament can take credit for doing something in the interests of the people of South Australia.

The Hon. N. L. Jude—The honourable member can; I think he is the only one who was here.

The Hon. F. J. CONDON—And I hope to be here for a long time yet. I now turn to the question of the betting tax. I understand that a considerable amount of money will be collected today in betting tax on a certain event in Victoria, and I am pleased to note that the Melbourne Cup was run today. There has been a falling off in betting tax and a further decline of £32,000 is estimated. In view of this it is rather strange that there was an increase of £21,000, or 4 per cent, at Port Pirie. For what reason I do not know, but that is the only place in South Australia which has legal betting shops, and how the Government can justify the legalization of betting shops in one town only is beyond me.

The Hon. N. L. Jude—Are you advocating more betting shops?

The Hon. F. J. CONDON—I did not say that, but I will not take them away from the Port Pirie people. In the Consolidated Revenue account there was a decrease of £38,255 and donations to charitable institutions fell off by £4,316. Revenue from racing, trotting and coursing clubs fell off by £48,561 and the amount going to charitable institutions dropped by £4,316. Dividends and winning bets unclaimed amounted to £34,361, and for the last four or five years the Government has received over £30,000 annually from unclaimed dividends. The commission on local investments amounted to £6,074 and that applied only at Port Pirie. The Government received £1,074 of that sum and the Betting Control Board allocated the remaining £5,000 to country clubs to assist them in racing. I believe it is wrong for the Government to take any of this and that the Betting Control Board should have the right to distribute all of it.

I turn now to the Sheriff and Gaols and Prisons Department, for which provision of £450,222 is made. This exceeds actual payments last year by £58,000 and £27,000 of the increase arises from seven months' operation of the new prison farm established at Cadell. This promises to be a fine institution and I commend the Government for agreeing to establish it. It should mean a lot to those who have fallen by the wayside and accordingly much to the State. The inmates will be engaged in pig and poultry raising, fruitgrowing and dairying and it should afford the opportunity for these men to rehabilitate themselves in private life. I particularly commend Mr. Allen, the Comptroller of Prisons, for the interest he has taken in this very valuable work for which he deserves full marks.

I have referred on previous occasions to fruit fly compensation which has cost the State, in a very few years, £1,846,948. For the year ended June 30, 1959, 37,939 claims were made and the amount of compensation paid was £474,004. As I have said before, I think the Government should examine the position to see whether or not the cost could be reduced. I hope that the Government will take into consideration all the suggestions I have made. I have put them before the House in good faith and I think they are worthy of consideration.

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

UNDERGROUND WATERS PRESERVATION BILL.

Adjourned debate on second reading.

(Continued from October 28. Page 1263.)

The Hon. L. H. DENSLEY (Southern)—This Bill is one of considerable importance and of considerable concern to most members. The Chief Secretary, in introducing the Bill, said that a measure on somewhat similar lines was introduced in 1957, but it was discharged. There was, I think, only the introductory speech and it was not further discussed in the House of Assembly. The Chief Secretary went on to say:—

Not only has there been a great increase in the use of underground water for farming, industrial and ordinary purposes, but the introduction and widespread use of septic tanks has added to the demand. Problems of effluent disposal have also grown from this factor as well as the discharge of industrial waste. The general scheme of the Bill is, therefore, to provide in critical areas for control of the sinking, deepening and maintenance of wells and the amount of underground water that may be taken from wells, with a view to prevention of contamination of the source of supply.

Therefore it will be seen that this Bill will have a very widespread influence and impact on the farming community in particular. Mr. Potter gave us a very exhaustive resume of the legal aspects of the Bill and we thank him for putting the position before us. He said that at first glance he felt a degree of suspicion, and that obviously the Bill curtailed yet another freedom. I feel that the criticism offered by

other speakers was such that we must have a good look at this measure. They implied that the permits that are to be obtained every second year for the digging of wells, or the sinking of bores and the drawing of water applied to all aspects of the measure, but I hardly think that that is in accordance with the intentions of the Bill. If it were the case, the sooner we kicked the Bill right out of the door the better because it would be so onerous and so impossible in operation that it would be most undesirable for this Council to give it further consideration. However, I think that there may be a legal aspect to which Sir Arthur Rymill made some reference.

Mr. Potter likened the Bill to the Animals and Birds Protection Act and the Fisheries Act, but I can see no analogy whatsoever. They are for the protection of what is more or less public property—fish in the sea and birds and animals on the land, but I think we all agree that underground water is of vastly different significance. However, it was very interesting to hear Mr. Potter and Mr. Story. I agree with Mr. Potter's opening remark that the measure takes away from our citizens what we have always believed to be the inalienable right of landowners in regard to underground waters located beneath their own land. I have always said that the extent of our land development and the resultant production therefrom is limited to the availability of water and it is interesting to take a good look at this and see what the effects of the Bill may be. The Chief Secretary, when introducing it, mentioned particularly the areas which may be affected in the initial stages. The Bill will apply to the Adelaide metropolitan area, extending to three miles north of Gawler River, to the Murray basin and to the Mount Gambier district. I feel that as a representative of much of the Murray basin and the district of Mount Gambier I may be permitted to express some views regarding these areas. On many farming properties the only water available for household use is rain water caught on the roofs. That does not apply to only one or two, but to many hundreds of holdings. For their stock these farmers are entirely reliant upon waters obtained underground or from roofs, so it is of supreme importance that we take care not to jeopardize their source of living. In many of the areas the water procurable at very shallow depths is of a standard more or less suitable for stock, but the supply is not so good that people can go from year to year without worrying about their water requirements for stock.

Under the Bill people will be required to obtain a licence to sink, deepen or repair a well and this can have serious consequences upon people in these areas. I shall not speak on the question of the right of appeal to an advisory board, but on such things the settlers will have to consider and act upon immediately the necessity arises. It is not limited to the particular areas of which I speak. There is also the pastoral country, which is so reliant upon underground water, which is essential to enable these people to continue. The pastoral Act encourages people in those areas to seek underground basins of water, and I understand that £1,000 reward is offered to those who are successful. In the Murray area are many pockets of very brackish water and often when the better pockets of water are exhausted other sources of supply must be sought. Over a period of 50 years I should not like to say how many dozens of wells I have had to sink in looking for fresh water. One does not want to be bothered by having to seek a permit when the necessity arises to sink another well.

In my area there has been considerable experience with bores. When people are sinking for artesian water, sometimes the bore passes through an area of salty water within about 100ft. of the surface and not suitable for stock, then another salt basin a further 100ft. down, and between 230ft. and 330ft. a supply of fairly fresh water may be found. However, the great difficulty arises in bringing that water to the surface uncontaminated. In the South-East large quantities of water possibly infiltrate from Victoria. That is a very likely source of supply, and the pressure is so strong that in low basins the water is forced almost to the surface. In some parts of the district it runs over the top of the bores. Provided that source can be maintained without contamination, one can obtain fairly good water over a period, but under difficulties. Where a settler has drilled for deep water and has been able to maintain a supply, but later has been forced to cease use of the bore because of contamination or depletion of the supply, it would be desirable to insist that the bore be filled in. It is not an easy task when a bore is 300ft. deep, but if such bores are going to allow salt water to contaminate the basin, perhaps it would be desirable to take the necessary steps to see that they were filled. However, I consider it is a matter of opinion whether the water would be contaminated by

the bores not being filled in any more than by ordinary infiltration down the side of the pipe.

The water position on a large area of the South-East is so bad that the Government has not permitted its cutting up into smaller sections for allotment. I hope that the people concerned will not have to face long delays when desiring to sink fresh wells in these areas. I know that the Chief Secretary will say, "You do not think that the Government would be foolish enough to do things like that." I do not, but I believe it is undesirable to have this threat hanging over the people who will have to approach an advisory board or a court of appeal for permission to do this work. The following statement made by the Premier two years ago when he spoke on a similar Bill is rather interesting:—

Part III provides a licensing system for well drillers who are required to work on wells deeper than the prescribed depth. The duty to hold a driller's licence applies to all drillers, including those who work for the Government, but the obligation to be licensed does not extend to the owner or occupier of land drilling on his own property with the assistance of a servant ordinarily employed by him.

I should rather welcome a clause that would give the liberty mentioned by the Premier, but I find nothing in the Bill providing for such liberty. Consequently, unless we can get away a little from the difficulties associated with this Bill I should be inclined to oppose it entirely as it stands, despite the fact that I believe there may be some clauses that would be of some advantage.

It is not many years since the Murray Bridge Corporation insisted upon its ratepayers installing septic tanks, and this involved much expense. The Minister, in explaining the Bill, said that septic tanks were a source of contamination to underground water supplies. I shall not deny that, but I have heard of high bacteriological authorities who would not agree with that statement. The septic tanks were installed under the instructions of the local council. The law requires that any person who puts in a septic tank must report to and have it inspected by an officer of the Central Board of Health. I think we would be doing a considerable disservice at this stage if, under the Bill, we imposed further difficulties upon those many hundreds of people who have put in septic tanks. Although the installation must be reported to the Central Board of Health, sometimes when this is done it is many years before an inspection is made. That is the kind of thing I fear could happen under a Bill of this description. When the treated effluent is discharged into the ground I think it is safe to assume that before it reaches the basin of subterranean water the bacteria in the soil will have completely removed any objectionable properties of the water. When water from the hills flows into the reservoir one can almost visualize what goes with it, and has to accept it as a fact that it is the best water the Government can provide. Extensive drainage works are being undertaken in the South-East. Thousands of millions of gallons of good water are being drained into the sea each year, and because of the drainage schemes there must be a depletion of supplies to the north, because the large areas of flooded country are disappearing.

We must have a good look at this Bill before it is allowed to come into operation for we must be satisfied that we are doing all we can in the interests of landholders and stock raisers. I should not have any objection whatever if every farmer in my district had a similar source of supply to that available to people living in the metropolitan area and could get water by just turning on a tap. That applies to many, but there are still hundreds of places where the people cannot do this and have to rely entirely upon water they can get below ground to continue their operations. We know there is some pollution of water supplies by industries. The Government is continually, and rightly, encouraging industries to come to this State and also encouraging greater development in primary production. Often one will see press statements exhorting farmers to establish small patches under irrigation to help provide additional feed on their properties in bad times. All the extra water required has to come out of an underground basin.

The Hon. Sir Lyell McEwin—If it is there.

The Hon. L. H. DENSLEY—The Chief Secretary knows even better than I that water is not everywhere and the Government would not provide a reward of £1,000 for finding water in pastoral areas if it could be found everywhere a hole was put down. People cannot be prevented from taking water from a basin for their stock. Surely the water belongs to them and I do not think Parliament will take away water from these people after they have used underground water for stock for generations. If that water were to be taken away from the people it would be most regrettable. Contamination may occur in

bores, but all around us in the metropolitan area water is running to waste. How many people in the metropolitan area have a tank to provide them with household water? People in the metropolitan area are encouraged to use all the water they can because they are charged extremely low prices for it. That is illustrated by the way consumption has increased from a few gallons to 300 gallons per person per day. If people in the country could use water to that extent they would think they were in Utopia. Nothing should be done to prejudice the interests of those people. Land is continually being opened up and everyone knows the value of water, but this legislation does not give the required security.

A vast field of research regarding water exists. Water for human consumption and for stock can be obtained from sea water and surely there is no shortage of water that can be derived from that source. Even if it cost many millions of pounds to find an economical way to obtain fresh water from sea water I believe it would be justified. A Bill similar to this was before another place two years ago, so this legislation is not so urgent that we have to throw up our hands about it. I hope the House and the Minister will closely examine this Bill and if it is possible to allow a farmer to take underground water he should be allowed to do so, but some control should be placed on the use of the deeper water. This House should closely examine this Bill before it is passed. It may be necessary to have a clause that every well in South Australia should be registered or to control the alteration or deepening of wells, but surely soakage wells used to drain water away are better than allowing it to run into the streets and thence to the sea. This House must closely examine the question of the drainage of effluents from industry. If people are to be invited to come to this State to open industries the State must provide facilities for the disposal of the effluents from those industries. At this stage I must say that I shall be forced to oppose the Bill as it stands at present.

The Hon. G. O'H. GILES secured the adjournment of the debate.

MARKETING OF EGGS ACT AMENDMENT BILL.

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

STOCK DISEASES ACT AMENDMENT BILL.

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

FRUIT FLY (COMPENSATION) BILL.

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

ADJOURNMENT.

At 4.34 p.m. the Council adjourned until Wednesday, November 4, at 2.15 p.m.