LEGISLATIVE COUNCIL.

Tuesday, May 10, 1960.

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

SUPPLY BILL (No. 1).

Read a third time and passed.

APPROPRIATION BILL (No. 1).

Read a third time and passed.

TRAVELLING STOCK WAYBILLS ACT AMENDMENT BILL.

Second reading.

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

That this Bill be now read a second time.

When the Travelling Stock Waybills Act was amended in 1956 it was provided that it should be a defence to a drover charged with conveying stock within a hundred without a waybill if he proved that the stock were being conveyed in daylight to a distance of not more than 20 miles—in other words stock could be conveyed to up to 20 miles in daylight hours. This amendment was made to section 6 of the Act requiring drovers to carry and produce waybills. A consequential amendment was not made to section 5, which still requires every owner at the time of delivering stock to a drover to deliver a waybill. The law is thus anomalous because, while a drover may convey stock up to 20 miles in daylight hours without a waybill, an owner is required to provide the drover with a waybill whether the movement is to take place in daylight or otherwise.

The object of this short Bill is to cure the defect by adding a further subsection to section 5 along similar lines to that which was added to section 6 in 1956. Clause 3 accordingly so provides. The new subsection is in terms almost identical with those of the former amendment as it has been deemed inadvisable to depart from the language there used.

The Hon. F. J. CONDON (Leader of the Opposition)—A person desirous of shifting stock from one place to another must be in possession of a waybill showing where he obtained the stock, where he took them from, and the point of delivery. If he employs a drover he must provide a waybill for him. I understand that under this Act only one prosecution has taken place and one warning issued, so apparently not many breaches of the law have occurred. This Bill is simply one to correct an anomaly, as the Attorney-General has pointed out, and therefore I support the second reading.

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

STAMP DUTIES ACT AMENDMENT BILL.

Second reading.

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

That this Bill be now read a second time.

The object of this Bill is to clear up doubts that might possibly arise in connection with the definition of a hire-purchase agreement for stamp duty purposes arising from a typographical error. The definition of ''hire-purchase agreement'' in the Bill which was enacted last year to provide for payment of stamp duty on hire-purchase agreements was designed to accord with the definition in the uniform Hire-purchase Agreements Bill. That Bill however does not define ''hire-purchase agreement'' exclusively—it does no more than provide that a hire-purchase agreement shall ''include'' transactions of the type set out. In the interests of uniformity it was intended to use the same formula in the Stamp Duties Act Amendment Bill, but the word ''means'' was used instead of the word ''includes.'' It might be suggested that by using the word ''means'' Parliament intended to limit the scope of the agreements to be subjected to stamp duty. This was of course not the intention. The intention was rather to provide that whatever the meaning of a hire-purchase agreement was, or was not, it was to include certain types of transaction which might otherwise be considered to be outside the scope of the definition. Clause 4 accordingly substitutes the word ''includes'' for the word ''means'' in the definition and makes the amendment retrospective.

The Hon. F. J. CONDON (Leader of the Opposition)—Clause 3 of the Bill amends the definition of ''hire-purchase agreement'' in section 31b of the principal Act by striking out the word ''means'' therein and inserting in lieu thereof the word ''includes.'' When the Stamp Duties Act Amendment Bill was before this House on December 3 last, members on this side opposed it on the ground that it would result in increased taxation. I stress that we were told before the election last year that there would not be any increased taxation. Last year revenue from stamp duties was up by £94,000 and cheque bills increased by £7,267 to £374,000. Receipts under this legislation increased by £2,645 and totalled £148,652.

This Bill will result in further increases because it extends the scope of the Act. Revenue from conveyances, transfers, mortgages and other instruments increased last year by £85,259 and totalled £939,648. The total amount received from stamp duties, less commissions and refunds, was approximately £1,758,000, combined with succession duties of £3,884,800. The excess of receipts over payments for the year amounted to £3,850,000. I support the Bill because it merely extends the Act and does not alter any policy.

The Hon. Sir FRANK PERRY (Central No. 2)—This Bill is designed to correct an anomaly that crept into the Act last year. I accept the Chief Secretary's explanation of the amendment. The Leader of the Opposition referred to increased taxation, but I do not think the Bill is concerned with taxation because it simply alters the verbiage to that intended by the Government when the amending Bill was introduced last session. If the implementation of the Act will be facilitated by this amendment I think the House can accept it on the word of the Chief Secretary.

Bill read a second time and taken through Committee without amendment. Committee's report adopted.

SWINE COMPENSATION ACT AMENDMENT BILL.

Second reading.

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

That this Bill be now read a second time.

Its purpose is to extend the definition of "disease" in the Swine Compensation Act. That Act provides for the establishment of a fund from the proceeds of a stamp duty from which compensation is payable where swine or carcasses are condemned because they are suffering or suspected to be suffering from disease. Section 4 of the Act defines "disease" for the purposes of the Act. The definition does not cover the disease known as infectious rhinitis, an outbreak of which recntly occurred. In an endeavour to contain and prevent the spread of this disease, destruction was ordered giving rise, not unnaturally, to claims for compensation which the Government has felt should be paid. I do not think that any objection will be taken to the inclusion of this disease within the Act and the Government feels confident that Parliament will grant the necessary authority to cover payments which have already been made.

The particular disease to which I have referred is covered by clauses 3 (*a*) and 5 of the Bill, the latter clause operating to give retrospective effect to its inclusion in the principal Act. At the same time the Government is of the opinion that the definition clause should be extended by the addition of diseases declared by proclamation and this amendment is effected by clause 3 (*b*) of the Bill. Clause 4 inserts into the principal Act a new section empowering the Governor to declare additional diseases by way of proclamation or to remove any proclaimed diseases from the list.

The Government believes these additional provisions to be necessary. Indeed, the very fact which has moved it to bring in the Bill at all illustrates the necessity for the provision now sought. The disease of infectious rhinitis has not occurred at any time during the history of the State. It did not occur at a time when Parliament was in session. There is no reason why other diseases might not occur in future or that outbreaks should necessarily occur when Parliament is in session. Measures have to be taken in these matters without delay. It is embarrassing to any Government to be in a position where it cannot safely take urgent and necessary measures to prevent the spread of a disease in swine, pending the enactment of amending legislation. It is with this consideration in mind that I move the second reading and commend the Bill to members.

The Hon. F. J. CONDON (Leader of the Opposition)—I am not able to work up much enthusiasm for the Bill submitted this afternoon, but it is a very important one. The Swine Compensation Act was passed to enable pig owners to be compensated for the compulsory destruction of any of their pigs. The maximum amount payable for the destruction of an animal is £30 and the Bill provides that compensation may be paid in the case of infectious rhinitis and that the Governor may by proclamation include other ailments in the disease definition. There are five clauses in the Bill.

I draw attention to the fact that this is retrospective legislation, dating back to December, 1959, and I mention "retrospective" for a purpose. It is interesting to ascertain the position of the swine compensation fund. I understand it is in a very healthy condition—evidently more healthy than some of the pigs. On June 30, 1958, the credit balance was £89,049. Receipts during 1958-59 amounted to £18,760, and payments to £15,244. The

credit balance in June last was £92,565. In supporting this legislation, honourable members can be satisfied that the fund is in a position to stand further claims. Until such time as there is provision for the branding of swine, which will enable the origin of outbreaks of disease to be traced, there seems little chance of eradicating rhinitis. As the disease occurs only occasionally and little can be done to reduce losses, except possibly by vaccination, this method of control is now being considered. This legislation will assist those who have spent much money in extending their pig herds, and it is only right that they should be protected. I think we are doing the right thing in passing this Bill, because it will enable those who suffer to be compensated.

The Hon. W. W. ROBINSON (Northern)—I support the second reading, which provides for the inclusion of infectious rhinitis in the proclaimed pig diseases—tuberculosis, swine fever, infectious pneumonia of swine (including swine plague), swine dysentery, swine erysipelas, and swine paratyphoid (necrotic enteritis). The inclusion of rhinitis will provide for all the known diseases of pigs and there is also provision that should any other disease become known in this State it can also be included by proclamation, whether Parliament is sitting or not, and this is very satisfactory. Since the original Act was introduced in 1936 it has played an important part in keeping pig herds free from epidemics. There are times when there is a slight epidemic of swine fever, but the fact that an owner can be recompensed to the extent of seven-eighths of the value of the pig or that part of the carcass destroyed encourages the owners to notify early, and thus the trouble is cleaned up at its source. We rarely hear now of a serious outbreak of disease in pig herds, but many producers were ruined some years ago when a plague descended upon their stock. This Bill provides for the payment of a stamp duty of 1½d. in the pound up to the value of £30, or a maximum of 3s. 9d. a head.

The Hon. Sir Frank Perry—That is for all pigs slaughtered?

The Hon. W. W. ROBINSON—Yes, but this does not apply to store pigs or those sold for the stud. As the Hon. Mr. Condon said, the fund has accumulated £92,566. Expenditure authorized by this Bill as a debit against the fund for payments already made to those who lost stock through rhinitis amounts to about £1,500. Rhinitis was imported into South Australia on the introduction of the Landrace pig from our neighbouring State, where, I understand, it is not regarded very seriously because, they claim, it does not exist in other States. The disease has been traced to pigs imported into Australia from Ireland. There was a movement afoot in South Australia by a number of breeders to import this breed of pig from Ireland early this year, but owing to the outbreak of the disease the quarantine regulations prevented them from doing so.

The Landrace pig is one of the most important breeds of pigs for the production of bacon. It was developed in Denmark over the years and is regarded as the ideal pig for that purpose. It has been developed to such an extent that one can order up to say 1,000 sides of bacon and depend upon their being uniform in weight and quality. Breeders have developed a system of feeding, resulting in the right proportions of lean and fat in the carcass, so they have a very ready sale throughout the world. Denmark is so proud of this type of pig and, realizing its value, has prohibited its export to any part of the world. In Copenhagen a monument of a sow and litter has been erected, typifying the value the Danes place on this breed of pig. The information given by the Chief Secretary and the voluminous account of the matter given in another place by the Minister of Agriculture are sufficient to persuade me to accept the Bill. I think it unquestionable that we should support the proposal to make the Bill retrospective, though the Hon. Mr. Condon took some exception to that.

The Hon. F. J. Condon—I only asked members to be consistent.

The Hon. W. W. ROBINSON—It is only fair to compensate those whose pigs have been slaughtered, and as the amount involved is only about £1,500 the proposal is amply justified.

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

SOIL CONSERVATION ACT AMENDMENT BILL.

Second reading.

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

That this Bill be now read a second time.

Its main objects are to simplify and clarify certain provisions of the principal Act and to prohibit persons from creating certain conditions by cultivation, burning off or stock grazing on their land as a result of which sand drifts on to other land causing damage to that land or loss to other persons. The

principal Act has a provision whereby an additional area may be included in a soil conservation district, but no provision exists whereby a district may be divided into two or more districts or whereby part of a district may be transferred to another district. Such a provision would be necessary and desirable, for example, if a district were constituted in the Upper South-East, to enable the Meningie area of the Murray Mallee district, for convenience of administration, to be transferred to that new district. This omission in the principal Act is remedied by a new subsection (7) added to section 6a by clause 3 and the short amendment of section 6c contained in clause 4 of the Bill.

Considerable difficulty has been experienced in the interpretation of the expression "occupiers of land" in sections 6a (1) and 6c (1) of the principal Act. These sections provide as follows:—

6a. (1) At least three-fifths of the occupiers of land in any area may present a petition to the Minister praying that that area shall be constituted a soil conservation district.

6c. (1) If the committee recommends that any additional area be included in a district, and the Minister is satisfied that at least three-fifths of the occupiers of land within the additional area consent to the inclusion of that area in the district the Governor may . . . declare that the additional area shall be included in the district.

In order to give effect to these provisions it is necessary to ascertain the number of "occupiers" of land in each particular area in question. It is not always possible or practicable to make a complete survey of those areas for that purpose, and it is felt that for the purposes of the Soil Conservation Act only the persons who are concerned with soil conservation should have a say in the constitution of soil conservation districts. As occupiers of houses in towns and townships are not faced with the problem of soil conservation they are not concerned with the constitution of those districts, but unless they are excluded from the applications of the expression "occupiers of land" for the purposes of those sections they still form a substantial proportion of occupiers of whom three-fifths have to be in favour of the proposal. The Government has therefore accepted the principle that the word "occupiers," for the purposes of those sections, should be defined—(*a*) with respect to land in municipalities and districts, as resident ratepayers who are owners or occupiers of ratable properties not less than five acres in extent; or (*b*) with respect to other land, as resident owners, lessees or managers of land of not less than five acres in extent used mainly for agricultural or pastoral purposes. This principle is given effect in the new subsection (8) added to section 6a of the principal Act by clause 3.

The object of the new section 6j enacted by clause 5 is to place on persons who, by ill-considered or careless cultivation, burning off or stock grazing on land prone to sand drift, cause sand drift conditions detrimental to other land the responsibility for the conditions they thereby create. The existing provisions of the Act are considered adequate to enforce action to arrest sand drift when it becomes evident, but experience has proved that those provisions are not adequate to prevent damage due to ill-considered or careless cultivation, burning off or stock grazing and after the Advisory Committee on Soil Conservation and several district soil conservation boards had considered a number of propositions relating to this problem the provisions contained in this clause were considered to provide the most effective solution.

Section 13j (2) of the principal Act empowers the Advisory Committee on Soil Conservation to do any act or work specified in a soil conservation order if a person bound by the order fails to do so. It has been rightly pointed out by the committee that if the work is not done within a particular or specified time, further work might have become necessary because of the delay. Cases could occur, for instance, where because of delay in carrying out orders to seed drift areas, those drift areas would extend, or where owing to urgency on account of seasonal conditions, bushing would be required. But the Act confers no power on the committee to do more than the person bound by the order failed to do and clause 6 remedies that omission.

The proviso to subsection (1) of section 13n of the principal Act was enacted in the drought year of 1945 as it was feared that because of the conditions at the time the Soil Conservator might be inundated with applications for soil conservation orders under that section. Most sandy areas where trouble is more likely to occur are now within soil conservation districts where the Sand Drift Act does not apply. Moreover, methods of control under the Sand Drift Act are not as appropriate for soil conservation as those under the Soil Conservation Act and the need for this proviso now ceases to exist. Clause 7 (*a*) of the Bill accordingly repeals it.

Section 13n of the principal Act provides that as regards land which is not within a soil

conservation district or within a district for which no board exists, any person may apply to the Soil Conservator for a soil conservation order, and empowers the Conservator to make a provisional order. The new subsections (3), (4) and (5) added to that section by clause 7(*b*) merely confer on the Minister the same power, as regards that land, as the Conservator has, thus making it unnecessary for the Minister formally to apply to the Conservator for an order which in any event (whether made by the Minister or the Conservator) would still be subject to confirmation by the committee.

The Hon. F. J. CONDON (Leader of the Opposition)—As there is nothing controversial in this Bill there is no reason why I should not give it my support forthwith, as I think it is quite important. As will be seen from the Minister's explanation, the several amendments are merely of a machinery nature in order to rectify anomalies that have cropped up in the operation of the Act.

Clause 7 deals with an important matter because, in the past the efforts of one man could be nullified through the lack of effort of a less energetic neighbour. Considerable trouble was caused in cases like that. Most of the settled areas of South Australia have suffered to some extent from erosion. Wind erosion has been serious in the sandy mallee, in the marginal agricultural areas, and in the north-eastern pastoral country. In the sandy mallee areas south and east of the Murray River, in a large part of Eyre Peninsula and on Yorke Peninsula the problem is caused by long sand ridges which occur at intervals in better soils. The annual rainfall in some of these areas is less than 15in. and the sandhills drift rapidly if the country is over-cultivated or over-grazed and in addition to damaging roads and railway lines the erosion can be a menace to the more stable land surrounding them.

The Soil Conservation Branch of the Agriculture Department offers advice and technical help to landowners free of charge, and an advisory committee on soil conservation comprising landholders and representatives of Government departments has been formed. Soil conservation districts established by councils have been formed when 60 per cent or more of the landowners have petitioned for their formation. During 1958-59, 91 landholders gave notice of their intention to clear scrub land totalling 180,000 acres, most of which was on Eyre Peninsula, in the Upper South-East, and in the Murray Mallee. One soil conservation order was made by the Murray Mallee Soil Conservation Board on the application of the Minister. I think the legislation is necessary and I support the second reading.

The Hon. L. H. DENSLEY secured the adjournment of the debate.

JUSTICES ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from May 5. Page 398.)

The Hon. F. J. CONDON (Leader of the Opposition)—I support the Bill but wish to make some suggestions because it does not go far enough. However, it improves the existing legislation, which we have been told has been a success, and therefore the Government intends to improve it further. Why should section 57a limit the simplified procedure prescribed therein to public officers? Why should it not apply to private prosecutions too? Why should not breaches of awards and other offences be dealt with in this way?

I have noticed that in some country areas where a man has been charged with drunkenness his name has been published in the provincial press, but often that sort of thing is not published in the Adelaide newspapers. The country papers name the accused whether he is fined 5s., 10s. or £1 for the minor offence of being drunk. No man goes out intending to get drunk, but what happens if he does get drunk during a week-end and is arrested? He may be bailed out, but he is forced to appear before the court on the Monday morning although he intends to plead guilty. The man may live in some distant part of the country and although he has been bailed out on that simple charge he must remain in Adelaide over the week-end and as a result he probably loses a day's work on the Monday. Why should he not be able to plead guilty in the same way as that provided for in the Act? I think that is a fair question to put to the Government. I am not speaking of the habitual methylated spirit drinker but of the man who is charged for the first time. Why should he be called before the court when the Act enables other people who have committed offences to enter a written plea of guilty without having to appear in court? I seriously submit that point to the Government for consideration.

The Hon. Sir Frank Perry—How would you extend that procedure?

The Hon. F. J. CONDON—The man who was arrested could simply tell the sergeant that he intended to plead guilty and sign a form

to that effect. I do not contend that that should be done in serious cases, or where imprisonment may be ordered.

The Hon. F. J. Potter—A defendant may be imprisoned for a first offence for drunkenness.

The Hon. F. J. CONDON—Yes, but that is not usually done. On many occasions I have been asked to bail people out, and on one occasion the man arrested was from another State. He wished to return to his home on a Sunday afternoon but could not because he had to appear in court on the Monday morning. I think he was fined 10s. In a case such as that power should be given to the authorities to accept a plea of guilty by letter from the defendant. The Bill is designed to simplify procedure and the defendant may, in certain cases, enter a written plea of guilty which excuses him from the obligation to appear in court. That provision should be of benefit to many people. This Bill proposes to extend that procedure. In November, 1957, the following section was inserted in the principal Act:—

57. (*a*) Where a member of the police force makes a complaint for a simple offence not punishable by imprisonment either for a first or subsequent offence, he may, by using a form of complaint and summons bearing the endorsement prescribed by rules made by the Governor under section 203 of this Act, and causing two copies thereof to be served on the defendant, initiate a procedure whereby the defendant may plead guilty without appearing in court in obedience to the summons.

The Hon. F. J. Potter—The relevant words are "simple offence not punishable by imprisonment."

The Hon. F. J. CONDON—I realize that. For a number of offences, imprisonment is not provided. Section 62 (*b*), which was amended in 1957, deals with the non-appearance of a defendant in court and provides that the court may proceed to convict if the defendant sends a plea of guilty in writing. If the defendant does not appear before an order is made, the court is adjourned to enable him to appear and make submissions on the question of penalty. A defendant may plead guilty by completing a form before a justice of the peace, a solicitor, or a police officer three days before the date of hearing. The completed form shall be served either personally or by post on the complainant or the Clerk of the Court of Summary Jurisdiction specified in the summons as the place of hearing of the complaint. I am not very enamoured of the serving of a summons by post, for anything could happen to it. That may be extending the matter a little too far, although I am not opposing it. According to the Attorney-General, the legislation passed in 1957 has been a success and I am asking honourable members to extend it a little farther.

Under section 62 (*b*) the court can be adjourned to enable the defendant to appear and make submissions on the question of penalty. This gives him the opportunity of being heard on any submission of extenuating circumstances. The Clerk is required to give written notice to the defendant informing him of the adjournment, and the defendant then has the right to be heard on the question of the penalty; but, if he does not appear the court has power to make an order for imprisonment or one disqualifying him from driving, if it is proved that the notice was served on him personally or by post. What I have submitted is worthy of consideration, although not much that the Labor Party puts forward is ever considered. I am asking the Attorney-General at least to say that there is a little merit in what the Opposition submits. I consider this good legislation in that, instead of the accused being dragged into court for a minor offence, he can, through his solicitor or in writing, plead guilty. Under these circumstances there is a saving of time and money, particularly the time of the court.

The Hon. Sir Frank Perry—Does not he get away with a very small punishment under those conditions?

The Hon. F. J. CONDON—I do not know about that. Consider for instance an occasion when I jay-walked in front of Parliament House. A police officer was waiting on the other side of the road and he said, "Do you know that you are committing an offence?" I replied, "I do not think I am." He then said, "I want your name. This will cost you a fine," but I said, "It will not," and it did not. Why should I be dragged into court for such a small offence? The Adelaide City Council every other Monday has a meeting for the making of by-laws.

The Hon. Sir Arthur Rymill—I would agree if you said every third Monday.

The Hon. F. J. CONDON—The fine for an offence may be only 10s. I should say that every member of this Chamber breaks some by-law every day. Why should he be dragged before the court and not given an opportunity

to plead guilty by letter? In that respect, there should be a change. I support the second reading.

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

COMPULSORY ACQUISITION OF LAND ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from May 4. Page 382.)

The Hon. L. H. DENSLEY (Southern)—I believe that the private ownership of land is necessary to our way of living. We have lived under those conditions, and we do not like to see our rights whittled away. I think it is generally accepted by the people of this State that land required for public purposes should be purchased by the Government or by the authority that will do the work, and consequently acquisition of that kind is not looked upon as causing any great hardship. The principal Act remained in force for many years without amendment, and it was amended for the first time as recently as last year, when we dealt with a series of amendments made necessary principally by the enhancement of land values taking place because of the State's progress rather than because of any alteration of principle. Section 30 was amended in relation to the jurisdiction of courts, section 31 in relation to the time during which a promoter might apply to the court in cases of dispute, and section 44a in relation to certain matters arising owing to death of the owner.

One's first reaction to the Bill is why, after so many years, it has been found necessary to bring it forward now. I do not think we have been told of the causes, although I believe it has been said that the Adelaide City Council has had some difficulty in regard to the acquisition of certain land and has sought some amendment of the Act; of that I have no positive information. So we find ourselves faced with the second amending Bill in two years. This one provides that if any person entitled to compensation receives any rents, licence fees or other income from his property, 75 per cent of this income shall be deducted from the compensation payable to him.

Under the principal Act the rate of interest payable to the landowner if negotiations extended beyond 12 months was five per cent. Although that rate was reasonable at the time the Act was passed, obviously it is not reasonable today. Anyone who has a loan or an overdraft has to pay considerably more than five per cent, and we ought to have some regard for present-day values. I think it can be said definitely that the amendments in this Bill are heavily loaded in favour of the promoter as against the landowner. Surely, in a democracy, where I think all people agree that the private ownership of land is fundamental, we should not lessen the importance of that factor in the stability of the State. Land under threat of acquisition cannot be expected to provide the same degree of income as if that threat did not exist. A landowner, whether of agricultural or grazing land, or land held for business purposes, cannot possibly arrange his programme to take full profit from the land when he does not know when he will have to vacate it. Consequently, it is most difficult to agree that five per cent is adequate compensation to be paid during any delay in negotiations. We should, if anything, lean in favour of the landholder rather than limit him to the uttermost in the matter of the interest.

The Act makes full provision for the promoter to force a decision, and it is very much easier for him to take action than for the private individual, who may be seriously handicapped by lack of funds in taking action. Therefore, I feel that those bodies that are termed the promoters should bear the burden rather than that it should be placed upon the landholder. The promoter is usually in a much better position to take the matter to the court than is a private individual. I should say that there are not many instances of compulsory acquisition where the owner really wants to part with his land. No doubt everyone of us could quote cases where a decision has not been reached for a very long period. I can cite the case of a man who had to part with only two acres of his property. The argument dragged on for 17 months and still there was no finality. Although the remainder of the property had been sold at the price asked by the owner, the promoters were not prepared to pay anything approaching the same amount for the two acres they required, and negotiations dragged on. In another instance the promoter sought land for school purposes. Although ostensibly the land had been bought and buildings were put upon it, payment had still not been made for two or three years afterwards.

I think we could do much to tighten up the provisions in relation to the promoter rather than place further difficulties in the way of the landowner. This is something we should look closely into. In any case I would like to see the Bill defeated. I think we could

carry on quite well without it; it would be fairer to landowners and not too hard on promoters. As regards interest, it is quite time that we took steps to ensure that a more reasonable rate of interest is paid to landowners than is provided for in the Act. It is my intention to oppose the Bill.

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

HIRE-PURCHASE AGREEMENTS BILL.

Adjourned debate on second reading.

(Continued from December 3, 1959. Page 2083.)

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

That the debate on this Bill be made an order of the day for tomorrow.

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

The Council divided on the motion:—

Ayes (15).—The Hons. Jessie Cooper, L. H. Densley, E. H. Edmonds, G. O'H. Giles, A. C. Hookings, N. L. Jude, Sir Lyell McEwin (teller), A. J. Melrose, Sir Frank Perry, F. J. Potter, W. W. Robinson, C. D. Rowe, Sir Arthur Rymill, C. R. Story and R. R. Wilson.

Noes (4).—The Hons. K. E. J. Bardolph, S. C. Bevan, F. J. Condon (teller) and A. J. Shard.

Majority of 11 for the Ayes.

Motion thus carried.

ADJOURNMENT.

At 3.35 p.m. the Council adjourned until Wednesday, May 11, at 2.15 p.m.