LEGISLATIVE COUNCIL.

Tuesday, October 25, 1960.

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

QUESTIONS.

FIREWORKS.

The Hon. F. J. CONDON—Following on my question of last week regarding the unnecessarily early sale of fireworks, can the Attorney-General say whether the Government intends to take action in the matter?

The Hon. C. D. ROWE—I have given careful consideration to the matter and, like the honourable member, we are disturbed about the unnecessary damage that is being caused, mainly to children, because of the use by them of fireworks. It seems to me that in the first instance the responsibility in this matter must be placed on the parents of the children concerned, and that it is most unwise for children to be allowed to use fireworks unless they are under the immediate supervision of their parents or guardians, or the persons responsible for them. That seems to be where most responsibility rests. On the question of whether anything can be done by way of legislation, it is obviously too late for that matter to receive attention this year, but I assure members that the Government does not view lightly the unfortunate accidents that have occurred, and we are giving careful attention to the matter to see whether any action can be taken.

ROAD TRAFFIC SIGNALS.

The Hon. G. O'H. GILES—I ask leave to make a brief statement prior to asking a question.

Leave granted.

The Hon. G. O'H. GILES—I understand that under the Road Traffic Act there is no regulation making it obligatory on the driver of a vehicle to give a hand signal when pulling out from one stream of traffic into another, perhaps prior to overtaking vehicles in the stream of traffic in which he is travelling. I have felt strongly about this matter since returning from overseas, and I hope that the Minister of Roads will support my opinion that this is a dangerous practice in South Australia, and it is possibly the only way in which our road users can be considered to drive in a dangerous fashion, compared with drivers overseas. What are the Minister's views on the matter?

The Hon. N. L. JUDE—The point taken by the honourable member is an interesting one. It was decided before the modern motor car, with all the electrical accessories to indicate turning, stopping and so forth, became part of our daily life that we should have a limited number of definite hand signals. Prior to these being accepted as legal, we had one well-known signal, which is still used in many countries, and which is known as "patting the dog" or slowing down, but there was never any indication to show a deviation from the line as opposed to a direct turn to the right. The question is important, but I draw the honourable member's attention to the fact that now winking lights are recognized legally in this State through regulation they virtually take the place of hand signals on modern vehicles, but there is still no differentiation between the turning to the right signal and the deviation to the right signal. The honourable member has raised a point, and I shall be happy to take it up with Sir Edgar Bean, who is advising the Government on various sections of the Road Traffic Act.

STOLEN MOTOR VEHICLES.

The Hon. A. C. HOOKINGS—I ask leave to make a brief statement prior to asking a question.

Leave granted.

The Hon. A. C. HOOKINGS—It has been reported recently that a large number of motor vehicles have been stolen in this State. I read in the press this morning that the number had doubled this year. The previous number given was in excess of 1,000; this morning's figure was 2,000. It is a mattter on which I have spoken previously, and it is a practice that is becoming increasingly annoying to many people. The experience I have had elsewhere relates to a different make of car, but in this morning's press the Holden was regarded as the No. 1 car for stealing, joyrides and other purposes. Will the Chief Secretary take up the matter to see whether any effectual deterrent measures can be introduced in this State?

The Hon. Sir LYELL McEWIN—I will obtain a report from the Police Department to enable the matter to receive the Government's consideration.

PETERBOROUGH TO TEROWIE RAILWAY LINE.

The Hon. E. H. EDMONDS—I ask leave to make a brief statement prior to asking a question.

Leave granted.

The Hon. E. H. EDMONDS—My question relates to the railway line from Peterborough

to Terowie. On Sunday evening last I was a passenger on a railcar making a trip on this line, and in my opinion a serious accident was averted only because of the diligence of the driver. The section of the line concerned was very badly out of alignment. I describe it as a modified "S" in the railway line. I have been told that in the northern areas, which are subject to severe temperature changes, expansion and contraction causes that to happen. If that is so regular line inspections should be made to ensure safety. Will the Minister of Railways obtain a report on this matter to see whether a regular trike patrol could be made over that section prior to a railcar travelling on it when variations in the weather are likely to cause such abnormal conditions?

The Hon. N. L. JUDE—I do not know whether it was the inordinate amount of traffic on that line during the week in question which caused the unusual conditions, but I will obtain a report for the member.

RAILCAR COLLISION.

The Hon. G. O'H. GILES—Has the Minister of Railways any information about the recent collision between two railcars in the Adelaide hills?

The Hon. N. L. JUDE—Usually in these cases a departmental inquiry is held forthwith to ascertain the reasons for the accident. I have a lengthy report of the accident giving details of damage not only to personnel but also to tracks and railcars, and it states the time that the line was out of order and so on. Until the departmental inquiry is concluded I shall have no report on the reasons for the accident. However, the report I have is available to the honourable member and anybody else who is interested in it.

MARGARINE QUOTAS.

The Hon. F. J. CONDON (on notice)—Will the Chief Secretary, on behalf of the Minister of Agriculture, lay on the Table of the Council copies of minutes of the Australian Agricultural Council on discussions regarding quotas of margarine for the years 1956, 1957, 1958, 1959, and 1960?

The Hon. Sir LYELL McEWIN—The minutes of the Australian Agricultural Council meetings are confidential. However, the Director of Agriculture has prepared a statement on margarine quotas which I shall make available to the member.

ROAD TRAFFIC BOARD BILL.

In Committee.

(Continued from October 20. Page 1475.)

Clause 4—"Constitution of Road Traffic Board"—which the Hon. Sir Arthur Rymill had moved to amend by inserting after "person" in subclause (2) (c) "representative of local government interests."

The Hon. N. L. JUDE (Minister of Roads)—This amendment, to which considerable attention was given by members, has received careful consideration by the Government. Having regard to the fact that local government is closely concerned with this Bill, the Government thinks that the clause as printed is not unreasonable. However, I wish to make it clear that the Government feels that a person "representative of local government interests" should not be interpreted by any member to mean that a person immediately associated with local government must be appointed. In other words the Government believes that the nominations to this board should still be the prerogative of the Government and not of any particular body. Having made that statement I am prepared, on behalf of the Government, to accept the amendment.

The Hon. Sir ARTHUR RYMILL—I am grateful to the Minister for his explanation and intimation. What he has said is precisely what I had in mind when I drew the amendment. I did not want it to be possible for any organization to nominate any particular individual to the Minister, whether it be a local government organization or any particular local government body. In other words, it was my intention throughout that the Minister should be free to nominate whosoever he wanted to represent local government and, as I said before, it need not even be a person in local government if the Minister thinks there is someone better who can do the job. All I want, and what I understand the Minister now agrees with, is that there should be a person on the board representing local government to whom local government may go and make representation and who will have a voice on the board on behalf of local government. The board will consist of three persons and therefore this person would be in the minority if he were trying to favour local government inordinately. The party most affected by this Bill is local government and I therefore felt it was important that councils should have a direct voice on the board and I am glad the Minister has decided to accept the amendment.

The Hon. F. J. CONDON—I support the amendment because it is reasonable. I congratulate the Minister on doing the right thing when he knows he is defeated. He should be unhappy to think that I did not move the amendment.

Amendment carried; clause as amended passed.

Clauses 5 to 7 passed.

Clause 8—''Functions of Board.''

The Hon. Sir ARTHUR RYMILL—I move—

In paragraphs (*a*) and (*g*) to strike out ''Governor'' and insert ''Minister''.

The purpose is for the Minister to have the responsibility rather than the Governor in Council.

The Hon. N. L. JUDE—The Government is prepared to accept the amendment.

Amendment carried; clause as amended passed.

Clause 9—''Financial provision.''

The CHAIRMAN—Clause 9 printed in erased type is a money clause which the Constitution Act (Section 61) provides shall originate only in the House of Assembly. However, Council Standing Order No. 281 provides that such a clause may be printed in erased type and ''shall not be deemed to form any part of the Bill'' and Standing Order No. 301 provides that no question shall be put in Committee upon any such clause. If the House of Assembly agrees to the suggestion of the Council, it will amend the Bill by inserting the clause, which may be discussed by the Council when such amendment is returned by the Assembly for the concurrence of the Council.

Clause 10 passed.

Clause 11—''Review of Traffic Board's decisions.''

The Hon. Sir ARTHUR RYMILL—I move—

At the beginning of subclause (2) (*d*) to insert ''shall report to the Minister who''.

This is a very important amendment on which I base my support in general of the Bill. The object of the amendment is to shift the right of appeal from the board to the board so that it will be from the board to the Minister. If my amendment is carried the board will still review its own decision on appeal, but it will then report to the Minister, who will have the ultimate responsibility of determining the appeal. Much authority is taken away from local government under the Bill, and the amendment will ensure that if local government is aggrieved with a decision of the board it will have an independent authority, namely, the Minister, to whom it will go to get, in effect, an independent answer in judgment of the case that may arise between the two parties.

Amendment carried; clause as amended passed.

Clause 12—''Unsatisfactory traffic signals, devices, etc.''

The Hon. Sir ARTHUR RYMILL—I move—

In subclause (3) to strike out ''him'' and insert ''it''.

Amendment carried; clause as amended passed.

Clause 13—''General speed limits.''

The Hon. G. O'H. GILES—In the outlying parts of a country like Australia one should not always think in terms of speed limits. I hope that the authorities will see that speed limits are sensibly enforced so as not to make a farce of the position, and that the Minister will make sure that the provisions of the Act are administered with that factor in mind.

Clause passed.

Clause 14—''Speed in declared zones.''

The Hon. F. J. POTTER—On behalf of the Hon. Mrs. Cooper I move—

In sub-section (3) of new section 43 (*c*) after ''zone'' to insert ''and on any road or street forming a junction or intersection with the zone at or near the point at which that street or road joins the zone''

Mrs. Cooper explained the position in her speech on the second reading. Whether the provision should be inserted in the clause, or whether it is a matter for administration, is for the Committee to decide.

The Hon. N. L. JUDE—As I indicated to the Hon. Mrs. Cooper when she raised the matter, it is one that is worthy of consideration. Looking at the verbiage of the clause, one could argue that there is an omission which might be rectified. I consulted Sir Edgar Bean, who drafted the Bill, and he pointed out many practical disabilities associated with the amendment. It has not been the habit of any Government to place in the hands of every constituent or voter a complete set of the Statutes so that he may know whether he is breaking the law or not. Also, it has not been the habit of the Government to erect signs at every municipality or township throughout the State indicating a 35 m.p.h. speed limit. In the main, any variation in speed limits will be upwards so that where a township has a road five or 10 chains wide through it the limit of 35 might be removed. It might put a financial burden on councils if they had to erect signs at every small intersection with a main highway. Motorists coming out of side ways generally are within the law even if they drive

at 30 miles an hour. In a few cases it might seem desirable for a council to erect signs on narrow roads having busy shopping centres and schools. The Road Traffic Board, when approached by a municipal or district council to erect a sign, would also have to consider the whole policy throughout the State, as signs might have to be erected on all side roads if one application by a council was granted. This is an administrative matter that can well be left to an expert committee as the erection of these signs will only be necessary in certain cases. I am quite certain the board's powers will be wisely used. Under these circumstances I regret that the Government is unable to accept the amendment.

Amendment negatived; clause passed.

Clauses 15 to 21 passed.

Clause 22—"Pedestrian crossings."

The Hon. N. L. JUDE—I move—

After "amended" insert "(*a*)".

This amendment is consequential on the next one I shall move, which is a technical amendment brought about by a recent court case in which it was found that monitors or school prefects who had the duty of assisting school children to cross the road, should stand on the roadway. Honourable members, and particularly parents of the children, realize that it is not necessary for monitors to stand on the carriageway, and the amendment is to permit them to stand on or near the proposed crossing.

Amendment carried.

The Hon. N. L. JUDE—I move—

After paragraph (*a*) to insert the following new paragraph:—

(*b*) by inserting "or near" after "on" in the second line of subsection (5a) thereof.

Amendment carried; clause as amended passed.

Remaining clauses (23 to 26) and title passed.

Bill read a third time and passed.

EMERGENCY MEDICAL TREATMENT OF CHILDREN BILL.

Adjourned debate on second reading.

(Continued from October 20. Page 1459.)

The Hon. F. J. CONDON (Leader of the Opposition)—This Bill has caused me much concern because of the religious beliefs of some people, but after giving it much deep thought I have decided to support the second reading. In 1958 a Bill to amend the New South Wales Public Health Act was introduced, but because of the lateness of the session it was shelved. On March 9 of this year it was reintroduced, and in it was a new feature related to the conferring of legal protection on medical practitioners who gave blood transfusions to minors in emergency cases as life-saving measures when parental consent could not be obtained, or had been refused. From time to time the press has mentioned cases where the doctor has considered that a child should be given a blood transfusion in order to save its life, but opposition has been encountered from the parents. For the most part the objections have been based on religious grounds. In the normal course of events it is undesirable to interfere with or disregard the religious beliefs of people, but when the life of a child is involved and a blood transfusion is urgent the State should over-ride parents' objections.

In matters of a spiritual nature it can be conceded that the parents should have the right to control their children, but I think that it is the view of the general public that they should not have the power of life or death over their children when the control is based on religious beliefs. There is no justification for preventing children from being given blood transfusions in attempts to save their lives, whether or not the objections of the parents are based on moral, religious or other grounds. The Bill contains safeguards relating to the procedure to be adopted by the medical practitioner giving the blood transfusion. Careful consideration must be given to the principles involved and to the conscientious objections held by certain sections of the community. The Bill is the best possible solution of the problem, but it is a problem that is not free from difficulty. We must have the courage to make the move when it involves the life or death of children for whom we may have a soft spot. We pay a tribute to medical science for evolving the wonderful technique of blood transfusion, and to the Red Cross Society and others who are interested in benefiting the community and through selfless service have organized a blood collection and the storage of the blood bank. With utmost respect I suggest to people of religious faith and conscience that they are not the only people with responsibility to their children. The Bill enables medical practitioners to perform life-saving operations upon children whose parents refuse to give their consent to such operations, or cannot be found. Blood transfusions have resulted in the saving of thousands of lives and it is hard to justify this

medical attention being refused to children, and to adults.

Similar legislation has been passed in New South Wales and Queensland. The Bill provides that a medical practitioner may give a child a blood transfusion without getting the consent of the parents. It contains several safeguards. For instance, a second opinion can be obtained but that will provide a difficulty, particularly in country districts. For some time Leigh Creek did not have a doctor and when one was required he had to be brought from a town many miles away. In some towns a doctor cannot be obtained quickly, and it would be much more difficult to get a second opinion. Under the Bill certain responsibilities are placed on the doctor. In other States parents have been placed on trial in the court for refusing to permit their children to receive blood transfusions, and some people have been convicted. I remember one case in another State where a parent stood trial because he refused to allow his child to receive a blood transfusion. One does not like to interfere with the religious beliefs of people, but when those beliefs are associated with the life or death of a child there should be legislation to deal with the matter, and, therefore, I support the second reading.

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

APPROPRIATION BILL (No. 2).

Adjourned debate on second reading.

(Continued from October 20. Page 1471.)

The Hon. R. R. WILSON (Northern)—I support the Bill. Last week the Hon. Mr. Condon wondered whether any value was attached to discussing this measure, but I believe there is considerable value in it, even though we cannot amend the Bill. The debate gives members the opportunity to comment on matters affecting their districts, and they can ask Ministers for information about certain subjects. Mr. Condon said that whenever he sought information from a Minister he got only a half-baked reply. I do not think that is correct for when a question is asked here the Minister concerned always gives an appropriate reply. Mr. Condon spoke about abolishing the Legislative Council, and said that the press would be more responsible for its abolition than anything else. The newly elected Leader of the Opposition in another place said that the policy of his Party was to abolish the Legislative Council, and if that is so why doesn't Mr. Condon accept it?

The honourable member also criticized the Treasurer, but I point out that the Treasurer does not control Parliament, or even this place, as suggested. He is the Leader of the Government and in that position gives the advice expected of him. He does not wish to control any place. He leaves that to the majority of members in the places concerned. Estimated payments for the current year amount to £85,516,000 and receipts are estimated at £85,828,000, resulting in a budgeted surplus of £312,000, which compares with the deficit for the previous 12 months of £311,000. It is wonderful that we were able to get through the drought with such a small deficit following the heavy expense incurred in pumping water from the River Murray to ensure an unrationed supply for the metropolitan area. This year the reservoirs are all full and little expense should be incurred in pumping and that, together with the expected good agricultural season, may result in a greater surplus than is estimated.

Last week-end, commencing Friday, I travelled 870 miles and did not see one poor crop or poor pasture. The State has never been in such good condition and never has there been such promise of a good season. At Yeelanna, where I farmed for many years, I saw barley crops that I estimated would return not less than 60 bushels to the acre. Some will probably go far beyond that. I have never seen such density in crops before. The crops are healthy and promising but, as the Hon. Mr. Condon said, the harvest is not yet in the bag. However, the indications are that we shall have a record harvest.

I had intended speaking on the fire danger that will result from such a quantity of inflammable crops and pastures, but I shall leave that until the Bush Fires Bill is debated, when I shall have something to say about fire protection. If the season finishes as it promises considerable trouble will be experienced in accommodating the immense quantity of grain that will be delivered to the terminals. Wonderful progress has been made on bulk handling installations, but no provision for bulk handling of barley exists, except at Ardrossan, and barley must be handled in cornsacks. With wheat the marketing of the grain is dependent on the delivery time and also on shipping. A new type of silo, called Behlen, is operating in Victoria and Western Australia and the manufacturers of the silo claim that operating costs in Victoria will amount to 2s. 6d. a bushel and in Western Australia they will be 2s. a bushel. If that

is correct it would be a good idea to introduce that type of silo to South Australia to accommodate the surplus grain that cannot be accommodated in the bulk handling silos. Barley handling is a different matter because, although feed barley could be bulk handled, good quality barley could not because there are many different grades of barley and present bulk handling conditions could not cope with the grades.

Following on the drought year the wool industry had a good clip and very little break was noticed, but some low prices were received. Last Saturday week I attended the Orroroo show where a Mr. Duffy exhibited a Merino fleece from a wether that yielded 31¼ lb. of wool valued at 5s. 2d. a lb., resulting in £8 2s. 6d. for the fleece. If sheep owners had many sheep like that the industry would be doing much better than it is at present. Many wool growers are receiving low prices. Lambs and cattle are at present in excellent condition but prices for lambs are moderate. I was amazed to read in today's paper that, at Port Lincoln freezing works last week, out of a total of 1,519 sheep slaughtered 169 were rejected for export purposes because of bruises and dog bites. That represents a rejection of 11 per cent. There is an obligation on the part of everyone handling delicate sheep to try to avert this loss because the producer is the sufferer. Buyers of lambs take likely damage into consideration and pay accordingly.

Last Saturday morning I had the pleasure of attending the launching of the *Iron Dampier* at Whyalla. The ceremony is sacred and one never tires of seeing these great ships constructed and launched at Whyalla. We are proud of the industry and of the hospitality which is extended by the Broken Hill Proprietary Ltd. to visitors. We also saw the partly constructed 32,000 ton ship which will be ready for launching in a year or two. Shipbuilding creates a wonderful market for the steel industry on Eyre Peninsula and it is an industry that is urgently required in that part of the State.

Last weekend I travelled 870 miles from Adelaide and on the whole journey I travelled on first-class roads. I congratulate the Highways Department and the Minister on the excellent progress made on sealing our roads which makes such a difference to people travelling long distances. Only 30 miles of the 870 were unsealed. In view of that how can people say that little has been done by the Government in the last 30 years? I believe that the information gained by the Minister during his overseas visit should prove of great value to the State in connection with roads. I have been told of a new road-building method of which the Minister has not informed us. If that method is adopted it could result in an acceleration of road sealing. I hope the eight miles of road north of Yeelanna to the bridge over Salt Creek will be sealed following a promise by the Minister.

The item allocated for Railways under the Bill absorbs much money. It is interesting to note that before long the standardization of the railway line from Port Pirie to Broken Hill may be commenced. However, people living *en route* from Peterborough to Cockburn suffer great disabilities regarding transport and the time tables are most inconvenient. This train leaves Adelaide at 6.10 p.m. on Tuesday and Thursday and at 4.45 p.m. on Sunday. The down train leaves Broken Hill at 7.35 p.m. on Monday, Wednesday and Friday. There are only three trains a week and passengers are required to change trains at Terowie. The bus which travels every day is not allowed to pick up passengers *en route* from Cockburn to the city. That results in great disadvantages to the people living in those isolated areas because women and children cannot be expected to get up at 2 a.m. Better facilities are available for the people if they wish to travel by bus to avoid the long journey by car. If the people were allowed this amenity I do not believe the railways would lose any revenue. The Minister today informed me that this matter was being considered and I think it is only fair that the residents should receive this advantage.

Under the heading of Agriculture I wish to deal with a serious matter that is causing grave concern in the northern areas of the State. Noogoora Burr is brought into South Australia on sheep from other States. It comes mainly from New South Wales and Queensland and has been found in the Murray Mallee and in the northern and central districts. The burr is a hard type and I saw one at Orroroo. It has hooks like a fish hook and is almost impossible to remove from the wool. Regulations exist giving power to shear sheep found with burr, but I do not know whether it is possible for all sheep purchased and brought into this State to be inspected to see whether they have the burr.

The Hon. N. L. Jude—Why are they allowed to go into Victoria?

The Hon. R. R. WILSON—I do not know. I have a letter, given to me by the member

for Rocky River, which shows that sheep have been taken from Wilmington through Willowie and down to Booleroo Centre and Wirrabara, and they have been found to be carrying the burr. A Mr. Mills from Willowie reported that he found wool containing seeds hanging to bushes where the sheep had been grazing. If that position is allowed to continue the State will be infested with this burr in no time to the great detriment of the wool industry. The Minister of Agriculture is making every effort to control this weed.

Last Thursday Sir Arthur Rymill made an interesting statement regarding the need for a new hall to suit a city like Adelaide, and it gave us food for thought. I hope that eventually something will result from it. I support the second reading.

The Hon. A. C. HOOKINGS (Southern)—It gives me great pleasure to say a few words in support of this Appropriation Bill, which is the second introduced since I entered the Chamber. If we cast our minds back 12 months it will be remembered that the State was passing through a grave period, grave not only to South Australian primary producers, but to every citizen. The public was warned by Government leaders regarding the possible effects of the drought conditions. Although I am a resident in a more favoured part of the State, I was also greatly concerned. After reading the Treasurer's Budget Speech I was filled with pride because of the figures he presented. Last year the Bill provided for an expenditure of about £80,000,000, but this year the Government is budgeting to spend £85,828,000, an increase of £5,556,000. Those facts give us great heart for the future prosperity of our State and indicate the excellent work the Government is doing. In every department that I studied I found that increased expenditure was proposed.

Although it would be possible for me to speak on numerous subjects in such a debate, I will confine my remarks to one aspect. The Governments of Australia must carefully watch our primary production position. Some honourable members may say "You come from the land and perhaps you are a little one-eyed in relation to primary production," but I remind them that primary producers are the backbone of Australia. Production from the land represents about 80 per cent of our national income. Since the war the Governments of Australia and many of its citizens have been concerned about the limited number of people living in our glorious country, and it was wisely decided that increased population was necessary if we were to hold this country. The population position must be closely watched by our leaders.

The migration policy adopted by the Commonwealth Government has been largely responsible for big industrial expansion. Citizens know only too well how beneficial the establishment of secondary industries has been to South Australia and it is to be hoped that the present state of affairs continues. Because of the increase in population primary production must be stepped up to supply the quantity of food needed in Australia, and also the additional quantities required for export to keep up our national income. In Australia we have only limited areas where primary production can be intensified, and this applies to only small areas in South Australia. Everything possible should be done to promote greater production and efficiency, and this can be done by giving every support to the Department of Agriculture so that it can, by experimentation and knowledge obtained from overseas, transmit valuable information to primary producers. I and other honourable members know only too well some of the difficulties that can arise when carrying capacity is stepped up in our higher rainfall areas. These difficulties are not insurmountable, but research is necessary. In the past primary producers have responded to findings of agricultural research. I trust that the Government and Parliament will bear in mind that primary production must be increased.

Although I was not present to hear every honourable member who has spoken, I have read the speeches and I congratulate those who have contributed to the excellent quality of the debate. One of my colleagues in the Southern District remarked that many primary producers were in need of financial assistance, and I wholeheartedly support this statement because their costs have reached heights that were not visualized a few years ago. Wool prices have fallen, and although it is not expected that there will be any further drop, some wool producers are somewhat alarmed. I believe that we have nothing to fear at the present juncture. Because of the increasing population there will be a greater demand not only in Australia, but from other parts of the world, for increased meat supplies, and this should enable many South Australian producers to transfer from the production of wool to the production of meat.

I agree with the Hon. Mr. Wilson's remark concerning improvements to our roads. The Highways Department is to be commended for the excellent work being done, and I congratulate those responsible for improvements in the hills section of the Mount Barker Road. It has speeded up traffic and has shown what can be done with modern machinery and highly skilled engineers. I support the second reading.

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

LANDLORD AND TENANT (CONTROL OF RENTS) ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 19. Page 1429.)

The Hon. F. J. POTTER (Central No. 2)—I rise to oppose the second reading, as I did last year. Honourable members may recall that on that occasion when I rose to debate the matter I was caught by the Standing Orders and had to deliver a speech, as the saying goes, "off the cuff". However, on this occasion I have had time to marshal a few facts about the position. From my inquiries throughout the community, including those from people with whom I come in regular contact, I find it is generally believed that this legislation has outlived its usefulness. This is a fact that the Government should not and cannot ignore. It is easy for a Minister to come along and say, "You can make a statement like that, but obviously you must have been inquiring from those who have an axe to grind or from people who represent sectional interests. Possibly you have been speaking to some of your supporters in the district of Mitcham or in Central District No. 2 generally, and that is the kind of reaction you have got". I have not been consulting sectional interests when I state that it is generally believed that this Act has outlived its usefulness, but have been talking to people of all shades of political opinion, including in particular members of my own profession and magistrates who administer the law, and I have not heard one dissentient voice. The general concensus of opinion is that this Act should be dispensed with and the old law allowed to resume its full operation.

How long will the Government cling to this measure, which was introduced during the war? It had its uses and was suitable for a few years after the war, but now there is really no shortage of reasonably decent accommodation. It is said that there is a list of people wanting a Housing Trust house, but not all of those people are inadequately housed or not housed at all. The rule of law depends so much upon public opinion that when public opinion starts to say it is about time we got rid of a thing, then the Government should be concerned and should consider whether or not public opinion may not be right. The Minister in his speech said—

> It has been the aim of the Government to relax control bit by bit and to endeavour to see that substantial justice is done between landlord and tenant.

If we examine the position we find that the last major relaxation under this Act was in 1956 when premises were allowed to be acquired for the purpose of sale, that is, to be repossessed following a notice to quit on that ground. This followed a contest between this Council and another place which lasted into the early hours of the morning and which was only won after this House had stood firm for its proposed amendments. Since 1956, except for a few minor amendments which I introduced into this Chamber last year and was successful in having passed, the Government has done nothing except to tighten up the legislation and the Minister must be referring to a period before 1956 when he says there has been progressive relaxation. The Government now finds itself down to the hard core of this apple and it will not throw that core away. The Minister in his second reading speech said that there was still a substantial number of houses subject to the control given by the Act. In other words, he is saying there are a large number of dwellings still subject to control and a large number of persons who would be affected if this Act were allowed to lapse. The Government really has no knowledge of these numbers at all. I remind honourable members that an honourable member in another place asked the Premier for certain information about operations of the rent fixation on dwellings, received certain information, and then asked how many dwellings would be affected by this legislation at present and the Premier replied:—

> I cannot give that information; the Government cannot give that information; no Government can give that information because we do not know.

The Premier said that since the fixation of rents and the operation of the Act there had been all sorts of relaxations. People were allowed to have written agreements by which

they escaped the operation sometimes of the rent control provisions, sometimes of the recovery of tenement provisions, and sometimes of both. The Premier said:—

It is quite impossible for us to give the information the honourable member requires; we do not know.

I agree with what the Premier says because, of course, he does not know. What sort of situation is it when we are asked to pass an Act to apply to a section of the community when the Government does not know how many people are involved? On this point I would like to apply a few of my own stab tests. If the Premier does not know perhaps we could give him a little information, a few straws in the wind, shall I say. Honourable members will remember that a couple of weeks ago I asked the Chief Secretary how many rent fixations had been made on dwellings in the 12 months ended June 30, 1960, and he informed me the number was 622. According to statistics, the estimated number of dwelling-houses in South Australia at the end of December last was 265,000, which means that a fraction over .04 per cent of fixations were made regarding dwellinghouses. Does that seem a significant section of the community for the Government to be worrying about? If that test is not considered a good one and not scientific enough, then we can look at other matters.

In 1955 the Adelaide Local Court dealt with 548 recovery of tenement cases, which would be about 97 per cent of all cases of that type in South Australia. Let us assume that they were all tenement cases under the Landlord and Tenant (Control of Rents) Act. I suppose that most of them were, but there would be a small percentage that would not come under the Act. In 1955 the actions commenced totalled 22,904. In other words, 2.5 per cent of the court's work was concerned with landlord and tenant matters. In 1956 there were 413 cases in a total of 30,202 summonses, or 1.3 per cent. In 1957 there were 410 in 35,981, or 1.1 per cent; in 1958 there were 380 cases in 40,568 or .9 per cent; in 1959 there were 269 in 41,029, or .6 per cent.

I took another relevant test. I asked the Law Society for figures showing the number of solicitors that had been assigned under the poor persons' legal relief scheme to deal with landlord and tenant matters. No so long ago under that scheme solicitors dealt with a tremendous number of cases. The figures I obtained show that for the year ended June 30, 1952, there were 110 cases, 89 in 1953, 55 in 1954, 67 in 1955, 60 in 1956, 37 in 1957, 57 in 1958, 30 in 1959 and only 14 in 1960. Does that not suggest that we are reaching the stage where the legislation deals only with a small number of people and that the Government should not continue with it? I do not care which figure is taken, .04 per cent or the .6 per cent, for in any case such a small number of people are concerned that the Act should not continue to operate. The Minister suggested that if control were lifted there would be a great upsurge in rents. No doubt he was thinking that the cost of living figure might, in consequence, show an adverse trend. Maybe he was thinking of the position that allegedly developed in Victoria, which has uprooted the legislation.

The Hon. A. J. Shard—Maybe what happened in Victoria frightened our Government.

The Hon. F. J. POTTER—The Victorian result cannot be an indication of what would happen here. In this matter we have had some relaxations since 1953.

The Hon. F. J. Condon—Would you say that they are "dinky-die" Liberals in Victoria?

The Hon. F. J. POTTER—I do not know, but at least they were prepared to stand up for their convictions and consequently they removed the legislation, subject to a few minor safeguards. There is no thought of bringing it back. I give our Government credit for allowing since 1953 some contracting out of the Act, of which many people have taken advantage. The general consensus of opinion is that if there were a change in the cost of living figures in South Australia as the result of the removal of rent controls it would be merely a ripple on the surface of the water, and something not to be regarded as significant. Of course, there will always be people who will say that the ripple is like a terrific wave, but we should not exaggerate in that way. In effect, the Government has asked us to turn the handle of the duplicating machine with a view to turning out the legislation for another year, but I for one will not do that. Indeed, if the handle must be turned it is the function of this place to look into the four corners of the legislation to ascertain whether amendments can be made to it so that its operation will be less an injustice than it is. I have put several amendments on members' files. I have gone through the legislation with a fine tooth comb and hope my amendments will receive serious consideration. I shall move them because I believe it is the function of all members to look at the Act in that way. We should not have a Bill merely altering the date of the operation of the Act. Wherever

we find an injustice we should attempt to remedy the position. I shall have more to say on these matters during the Committee stage.

The Hon. F. J. Condon—How do you know the Bill will pass the second reading.

The Hon. F. J. POTTER—I don't know, and I hope it does not. It will not pass the second reading with my vote in favour of it. I hope that the members who could not make up their minds on other occasions will join with me on this occasion in voting against the second reading.

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

DOG FENCE ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 19. Page 1423.)

The Hon. F. J. CONDON (Leader of the Opposition)—The Bill deals chiefly with increased penalties for damage done to and the removal of fences. Both employer and employee are liable for such damage or removal. Representations have been made to the Pastoral Board and to the Dog Fence Board by the Stockowners' Association regarding the recovery of penalties and compensation. Under the Bill the penalties for wilful damage are fines of £50 and £100. Under the Vermin Act the penalty for a similar offence is £20 or imprisonment for six months. Why send a man to gaol for six months for not paying a fine of £20? There should be some uniformity in this matter. Under new section 43(1) a person causing damage without lawful excuse has to prove that he is innocent. Why should the onus be on the defendant? This is another big departure from previous practice. Why shouldn't the prosecutor have to prove his case? I object to the provision.

Clause 3(3) empowers the court, in addition to or in lieu of any penalty imposable under the provision, to order a convicted person to compensate the person responsible for maintaining the damaged fence. When the driver of a vehicle causes damage the employer is responsible unless the owner proves that the driver was not in his ordinary employment. I believe that the payments to owners for the maintenance of fences during 1960 amounted to £20,396, that the income subsidy from the State Government was £6,494, that rates declared under the Dog Fence Act totalled £12,337, and that the penalties levied for late payment amounted to £50.

The Bill increases the penalties, and when we compare them with the penalties in force a few years ago, bearing in mind the change in money values, I think it can be said that they are reasonable, but I object to a man being imprisoned for six months for not paying a maximum fine of £20. In Committee I shall refer to this matter again.

The Hon. R. R. WILSON (Northern)—The Hon. Mr. Condon outlined the provisions of the Bill, which are mainly for the purpose of increasing penalties for damage to the fence. Much damage is done to Government property, and the Dog Fence Board and the Vermin Board sought increased penalties to enable them to deal with people who cause damage to dog fences. Usually when a car breaks down in an isolated place the first thing the motorist does is to use wire to repair the damage, and the wire is usually obtained from the fence. If a dog fence or a vermin fence happens to be the nearest available, these people usually have no hesitation in breaking down the fence. However, I agree with Mr. Condon that it is hard to understand why a £20 fine should be associated with a term of imprisonment of six months, particularly when the Bill seeks to impose a fine of £100 or a term of imprisonment of six months. I am interested to know the reason for that small fine. If this Bill were not necessary, the people mainly concerned would not be asking for it. I support the second reading.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—"Penalty for damaging or removing dog fence."

The Hon. F. J. CONDON—This clause provides for a penalty not exceeding £100 or imprisonment for a term not exceeding six months. That means the penalty of £20 provided by the Act is being increased to £100. It is of no use my moving an amendment, but I protest against the term of imprisonment for six months.

Clause passed.

Title passed.

Bill read a third time and passed.

VERMIN ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 19. Page 1424.)

The Hon. F. J. CONDON (Leader of the Opposition)—The Bill proposes to repeal section 229 of the principal Act which states:—

Any person who destroys or injures any vermin fence, dog-proof fence, or wire netting fence, or any part thereof, or any gate therein,

shall be liable to a penalty not exceeding £20, or to be imprisoned for a term not exceeding six months.

A new section will be inserted as follows:—

A person who without lawful excuse, the onus of providing which lies on him, damages or removes, or does any act or makes any omission of such a nature as to be likely to cause damage to, any vermin fence dog-proof fence or wire-netting fence, or any part thereof, shall be guilty of an offence and liable on conviction to a penalty not exceeding £100 or to imprisonment for a term not exceeding six months.

Members will note that the term of imprisonment is not altered, but the fine is to be increased from £20 to £100. This Bill is similar to the Dog Fence Act Amendment Bill. Under the line "Vermin Fencing Act," accumulated losses from the operations of this undertaking to June 30, 1960, including the deficit for the current year, were £223,618. The capital losses have been recouped from the Loan funds. This is a rather expensive matter, and I wish to place the facts on record.

The Hon. E. H. EDMONDS (Northern)—This Bill is almost identical with the Dog Fence Act Amendment Bill. The Hon. Mr. Condon spoke about the penalty, but, in this case as in most cases, it is a matter of making the penalty fit the crime. Damage done to the dog-proof fence may indirectly cause great loss. People associated with the pastoral industry know that where dog fences run through their properties and gates are left open stock may wander out and be lost, or the wild dogs may come in and cause hundreds of pounds worth of damage before they are eradicated. Pastoralists repeat the old process over a long time of ridding their properties of vermin and dogs, and these points should be considered when the question of penalty is debated. I support the Bill because I have seen what damage can result from offences of this type. People in pastoral areas fully support any move to help them maintain necessary safeguards against vermin and dogs.

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

ENFIELD GENERAL CEMETERY ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 19. Page 1426.)

The Hon. A. J. SHARD (Central No. 1)—This Bill represents an attempt to assist the people in charge of the Enfield General Cemetery. The Minister, in his second reading speech, fully explained the Bill and said that the trust administering the cemetery was in financial difficulties and could not meet its liabilities. It owes the Government £31,877 and possibly that is not the trust's only liability. The Enfield General Cemetery did not function properly from its commencement, and the reason for this was explained by the Minister. He said that when the Enfield General Cemetery was established the lack of burial space in other cemeteries in the northern suburbs was not as acute as was generally believed. I can vouch for that statement because I was a member of a Select Committee that dealt with this matter in 1944 or 1945. The committee was told that the Main North Road Cemetery was full and that the Dudley Park Cemetery was nearly full. Subsequently a small property was purchased near those cemeteries and burials are still taking place there. Because of the facts outlined by the Minister and because this matter was referred to a Select Committee and debated in another place I do not intend delaying the Bill, which should be passed without much discussion. The Select Committee appointed from another place reported:—

1. In the course of a thorough inquiry, your Committee held five meetings, took evidence from six witnesses and, in company with members of the Enfield General Cemetery Trust, inspected the Enfield General Cemetery.

2. Advertisements inserted in the *Advertiser* and the *News* inviting persons desirous of submitting evidence in connection with the Bill to appear before the Committee, brought forth two replies.

3. Your Committee called evidence from the following persons:—

Mr. E. A. Ludovici, Assistant Parliamentary Draftsman.
Mr. E. H. Richmond, Chairman, Enfield General Cemetery Trust.
Mr. V. F. Roberts, Secretary, Enfield General Cemetery Trust.
Mr. R. Borg, representative of Payne's Properties Proprietary Ltd., Melbourne.
Mr. J. Elliott, President, S.A. Funeral Directors Association.
Mr. R. D. Fisher, Hon. Secretary-Treasurer, S.A. Funeral Directors Association.

4. The representatives of the Enfield General Cemetery Trust, in evidence, expressed satisfaction with the proposals contained in the Bill.

5. Your Committee is of opinion that there are sufficient safeguards in the Bill to ensure that the interests of all are sufficiently protected and recommends that the Bill be passed in its present form.

I understand the trust intends to sell burial space in advance and hopes to sell all available land within the next six years, and from

the money accumulated and invested there should be sufficient capital to run the cemetery on a profitable basis. In view of the evidence given to the Select Committee and the Minister's speech on the second reading, I agree that the Council should support the Bill.

The Hon. Sir ARTHUR RYMILL (Central No. 2)—I also support the Bill and think I can subscribe to everything that the honourable Mr. Shard has said. I have examined the Bill but not the findings of the Select Committee, and I am grateful to the honourable member for drawing our attention to the details of the report. I am happy to rely on the fact that there was a Select Committee appointed and also from my own perusal of the terms of the Bill, which is designed to help the trust to get out of certain financial difficulties. The Bill is a reasonable one, and the powers placed in the trust are more or less limited, but apparently are sufficient to enable it to put its financial status on a satisfactory footing. I therefore support the second reading.

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

REAL PROPERTY ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 19. Page 1427.)

The Hon. F. J. CONDON (Leader of the Opposition)—This legislation is of importance. Clause 3 removes the absolute requirement that the Registrar-General must enter on the registry book all names of all parties to instruments that are registered. Clause 4 enables the Registrar-General to exercise his power to correct, within certain limits, errors in certificates of title which relate to State boundaries measured on the ground. The Bill is on similar lines to legislation existing in Victoria and Western Australia. Additional powers are given to the Registrar-General to destroy records, documents and so on, but he must have the approval of the Attorney-General. The Registrar-General's department has become a very important one and naturally documents must accumulate, some of which have no further significance. Clause 5 deals with the licensing of land brokers and increases the bond they must provide by 100 per cent.

Departmental receipts for the year ended June 30 include the following:—Registration of deeds and licence fees for registration of transactions of real and personal property, £190,727; licence fees paid by land brokers, £1,150; town planning fees for subdivisional plans, £4,462; making a total of £196,539. Salaries paid and incidental expenses, including certain town planning expenses, amounted to £165,114, and the excess of receipts over payments amounted to £31,425. This appears to be a very profitable department. I support the second reading.

The Hon. F. J. POTTER (Central No. 2)—I also support the second reading. It is provided that the Registrar-General can disregard certain differences in correcting certificates of title. These differences arise as a result of measurements shown on plans that are sometimes found to be inaccurate when compared with the actual survey of title and the measurements shown thereon. The limits provided by this clause are narrow, but I think they will prove of great assistance, in spite of the fact that certain districts, particularly some in the metropolitan area, are "out to blazes" when compared with the actual title. I can instance particularly the district of Norwood where surveys were conducted many years ago and it is frequently found that titles are wrong when compared with a more recent survey. I am sure that this provision will be welcomed by the Registrar-General and enable him to correct titles in accordance with the more accurate surveys.

The other major alteration proposed by the Bill deals with the destruction of papers, writings, plans and diagrams which are held in the Registrar-General's office. One cannot but be impressed by the fact that there is a big accumulation of documents in the department that have been there for many years and are now gathering dust. Probably no-one would want to look at them again and I think that they could be safely destroyed, subject of course to the provision of section 31 of the Libraries and Institutes Act that anything of historical importance that would be useful to the Archives should be made available to the authorities concerned. Largely, the Bill effects administrative reforms and I am sure it will have the support of every honourable member.

The Hon. Sir ARTHUR RYMILL (Central No. 2)—I also support the measure. Only one thing causes me concern and I should like the Attorney-General to deal with it if he proposes to reply. It relates to the provision that the Registrar-General shall have power to destroy certain documents, instruments, etc.,

subject to the approval of the Attorney-General. The Minister in his speech referred to certain items he had in mind that would come within the definition, and referred to duplicate and triplicate instruments. I have no doubt that what the Minister said is correct. What concerns me is that there are certain instruments in the Land Titles Office that are completely out of date, but are extremely important possibly in completing a chain of title on a search back or a search forward. Although I realize there is no intention to destroy these instruments, it could well be that some Attorney-General or Registrar-General might think that these documents had served their purpose. On my reading of the clause these instruments could be destroyed. I feel it is rather a pity that there should be power to destroy original instruments that must always retain a value of some sort. Even though we must rely on the common sense of the people exercising this authority, I should like to have seen some proviso that the original instrument should not be destroyed.

I cannot visualize any case where, for instance, an original certificate of title in the Lands Titles Office should be destroyed. As most honourable members probably know, the register books contain the original certificates of title, and the title with which the registered proprietor is issued is a duplicate certificate. That duplicate certificate is not, and never becomes, of much value; it is of some use as a record for the registered proprietor, but such registered proprietor can always obtain a new one if it is lost or destroyed. The valuable instrument is the original which is filed in the Lands Titles Office. I think that there should at least be some proviso that in no case shall original certificates of title be destroyed even though they may be out-of-date, totally cancelled or for any other reason, because they do form a chain of title in the search. I suppose we should rely on the common sense of the people who are administrating this provision, but I always feel that when we are making a law we should really not go any further than is necessary because, as I conceive it, it would never be desirable to destroy an original title, and I rather feel that it is a pity that that at least is not exempted from this clause. I should like the Minister to reassure me on that matter, otherwise I support the Bill.

The Hon. C. D. ROWE (Attorney-General)—The Hon. Sir Arthur Rymill has expressed some anxiety as to whether some original document would be destroyed and difficulties would be created thereby. For some years the Registrar-General has been pressing for amendments along these lines because of the extraordinary difficulty we have in providing sufficient space. This procedure has been instituted in other States, particularly, I think, in Western Australia. The note I have on this matter from the Parliamentary Draftsman states:—

The Registrar-General has also been pressing for a number of years for an amendment which would empower him to destroy certain classes of documents. Where, for example, a certificate of title is totally cancelled, it is retained by the Registrar-General in addition to the original certificate of title in the register book. The same goes for duplicate copies of discharged mortgages and duplicates and triplicates of surrendered leases. The Registrar-General informs me that he has some thousands and thousands of such duplicate and triplicate instruments which serve no useful purpose since the original is already held by him. His suggestion is that we should adopt a proposal which was, I understand, recently enacted in Western Australia where the Registrar-General is empowered to destroy instruments on the certificate of the Attorney-General.

I can see the force of the Hon. Sir Arthur Rymill's argument, but I think the answer is that the Registrar-General and his officers are the people who, above everyone else, know what documents should be preserved, either to enable us to get a complete tracing of a chain of title to land or to ensure that they are preserved for historical or other reasons which may interest the Libraries Board. Because we are dealing with very specialized officers in this matter, and because any decision they may make is subject to the approval of the Attorney-General, I feel that the Bill adequately covers the point.

Bill read a second time.

In Committee.

Clauses 1 to 3 passed.

New clause 3A—"Amendment of principal Act, section 100".

The Hon. C. D. ROWE (Attorney-General)—I move to insert the following new clause:—

3A. Section 100 of the principal Act is amended by inserting at the end thereof the following proviso:—

Provided that the Registrar-General may in his discretion at any time without being so required by the said proprietor, issue to the said proprietor a certificate or certificates for the said portion or balance or any part or parts thereof.

The object of the new clause is to enable the Registrar-General to issue separate certificates of title for each of several blocks into which a piece of land has been subdivided. In the case of a large subdivision where the certificate of

title sets out the numbers of the blocks, various dealings take place in relation to each of those blocks during the process of registration. For example, block No. 1 may be sold, but before the transfer is registered it is sold again perhaps two or three times or mortgaged, and similar transactions are taking place with respect to blocks 9, 11 and 13. The Registrar-General has to police the original certificate while the various transactions are proceeding, and it becomes a matter of great difficulty and involves much loss of time keeping pace with what is going on. If the Registrar-General, as soon as one block is sold, can issue separate titles for each of the remaining blocks the various transactions affecting each block can be related to the one separate title. In connection with this matter, it has become more important that we should do this because the Government has recently purchased a machine for the mass production of certificates of title which results in a great saving of time and cost, and the issue of separate titles in respect of separate allotments will complement the saving of cost and will be a further step in the direction of streamlining and modernizing the work of the Registrar-General's department. While the amendment is not entirely of a machinery nature, it is designed to make the work of the department a little easier and to facilitate the streamlining and following through of dealings with a particular block of land, and I think it is desirable.

The Hon. Sir ARTHUR RYMILL—I assume, although the Attorney-General has not said so precisely, that it is also part of the intention of this section that the Registrar can make a person, who has a partially cancelled certificate of title lying in the Lands Titles Office, take a live title for it. I have always felt that the procedure relating to partially cancelled titles, whereby the owner of the balance of the land, having sold a portion of his land, left a title lying in a sort of semi-dormant state in the Lands Titles Office was bad because it left on the books of the Lands Titles Office a title that purported to be for a certain aggregate of land but, in fact, on examination it was found that parts had been transferred out of it; only part of the land remained in that portion, but it was still there in a sort of moribund state, half alive and half dead.

I assume that one intention of the clause is to get over that and to force the registered proprietor, if the Registrar-General so desires it, to take what I am referring to as a live title instead of leaving a partially cancelled one. I see no objection to that in principle because I think it is proper that these records should be kept as up-to-date and in as clear and clean a state as possible because, as the Attorney-General has said, this is a very important office and this is a very important Act; and, of course, it is the Act that embraces our Torrens system of title registration which has now gone to such remote parts of the world as Belgium and other places. Those places have followed the lead given by Sir Henry Torrens in introducing this Act, which is quite a feather in the cap of South Australia. I think that, having instituted the method here, we should be the first to keep it spring-cleaned, as it were, and I am all in favour of that being done.

New clause inserted.

Remaining clauses (4 and 5) and title passed.

Bill read a third time and passed.

BUSH FIRES BILL.

Adjourned debate on second reading.

(Continued from October 19. Page 1420.)

The Hon. F. J. CONDON (Leader of the Opposition)—In 1959, £52,000 was paid by way of subsidy toward bush fire relief, fire fighting organizations and research. Every precaution must be taken to prevent bush fires. The growth this year has been terrific, and in many parts of the country it is hard to view the crops for the growth of weeds on the roadside. There is nothing in this Bill dealing with councils' liability to destroy weeds in city and suburban areas where a definite hazard exists. The weeds allowed to grow in some main streets and gutters in our suburbs are an absolute disgrace. For years councils have taken little interest in cleaning up gutters, with the result that we find weeds three and four feet high which constitute a danger, particularly in congested areas where people are lighting matches and smoking cigarettes. Some provision should be made in the Bill to compel councils to act to prevent any dangers of bush fires.

The Bill contains 107 clauses and repeals 12 Acts. It will bring the legislation up-to-date. It is the result of active parties' interest in the protection of life and property. With the good year we have had and the bountiful feed available, extra protection is necessary. The Bill continues the operation of the Bush Fires Advisory Committee of nine persons, but the committee's constitution is altered as the Bill provides for three nominated members instead of one. The Conservator

of Forests, the Commissioner of Police and the Railways Commissioner, or their nominees, must comprise the board. The Bush Fires Fund Committee is responsible for working out the contributions to be made by insurers and the Government to the Bush Fires Fund, which is used for subsidizing fire-fighting organizations and councils. The name of the Committee will be changed to Bush Fires Equipment Subsidies Committee.

One of the chief alterations made in another place is in respect of compensation under the Workmen's Compensation Act for injury or death of fire control officers and members of crews of fire-fighting appliances. When the Bill was introduced into another place, I was not too happy with this clause, which had unsatisfactory features. If a council did not insure against its liability, no compensation was payable. A necessary alteration was made. Now, under the Bill, a council must pay compensation under the Workmen's Compensation Act for injuries to fire control officers and members of crews of fire-fighting appliances caused by accidents arising out of and in the course of their duties. This liability is independent of insurance but the council is required by the Bill to take out an insurance policy, based on the living wage plus a margin of £1 or such other margin as the council may fix by resolution. That is the compensation to which an injured person will be entitled.

As regards the burning off of stubble and scrub, the Bill provides for two uniform periods—the first from November 1 until February 15, the second commencing the following day and ending on April 30. The seasons are changing and it may be necessary to alter dates as circumstances arise. As regards burning at week-ends, the Bill allows for exemption for fires for lime or charcoal burning. As regards control of places where fires may be lit in the open, the Bill gives councils more powers of control. This is a Committee Bill. I support the second reading.

The Hon. A. C. HOOKINGS (Southern)—Generally, I agree with what the Leader of the Opposition has said except his proposal that provision be made compelling councils to control the growth and spread of weeds by the roadside. I remind honourable members that the Act already provides that councils should take action in that direction. One of the many merits of the Bill now before this Chamber is that it gives more power to the local authorities. We should not worry about grass growing at the side of the road because it is up to the local authorities to see that that is removed or destroyed before it becomes a great fire danger.

The Hon. F. J. Condon—Are they not compelled to do it by law?

The Hon. A. C. HOOKINGS—The local authority is not compelled to. Perhaps I made a misstatement when I said we should not worry—I worry and I know everyone worries about grass at the roadside. Every council in this State worth its salt will do its utmost to get rid of that hazard before the peak of the fire danger arrives.

Generally, the Bill is a great improvement on the old Act. It is much simpler and easier to follow. Also, it is a little more flexible and gives more power to the local authorities. I remind honourable members that South Australia is a big State with greatly varying meteorological conditions. I have had experience on an advisory board where primary producers on the West Coast were asking for one period for scrub burning, and those from Kangaroo Island for another, and those from the South-East for still another. It is difficult to arrange a uniform time for the burning off of stubble and scrub in a State with such varying weather conditions. It is gratifying to note that more power is vested in the local authorities to alter the restricted periods for burning in accordance with their particular needs, having regard to seasonal variations. In some years, in a very wet spring, the grass may dry off much later than it does in a year like, say, 1959. Therefore, it is possible under this Bill for a council to have a burning-off period within its own area. I think that provision will meet with general approval.

The clauses relating to compensation for volunteers and members of fire-fighting organizations and emergency fire units in the country have greatly concerned local authorities. It will be generally acceptable that provision is made for everybody to be covered compulsorily when he takes part in fighting a bush fire. There is no doubt that the work done particularly in rural areas, not only by local emergency fire service units but also by volunteers from the district, is something of which we are proud in this State. The numbers of volunteers who have turned out in recent years to do their utmost in combating bush fires, in helping to stem the holocaust, have been most gratifying. I for one sincerely hope, even in this season of so much fodder, so many wonderful crops and so many weeds at the roadside, that we shall not need

volunteers but that everybody in the State will take every precaution to see that no fire outbreaks occur.

It is known generally that it is every farmer's and landowner's responsibility in this State before the grass dries off to ensure that every precaution is taken to make his or her homestead or home safe. That is one thing we have learnt from past disasters. Too many people living in South Australia do not in the early part of the fire hazard season take the precautionary measures necessary to ensure the safety of their homesteads and buildings from possible fire disaster. This being one of the worst fire hazard years for a long time, I trust that everyone will take all necessary precautions.

Mention has been made of the Bush Fires Advisory Committee and I congratulate those responsible for the formation of this body. I commend each member of it for the work he is doing, and I particularly refer to the chairman, Mr. Melville. I have seen some of the great work done by the committee since its establishment. It will help considerably to make South Australia safer in the matter of bush fires. The Bill passed through another place with only one amendment being made to it. It is an excellent measure and I support it.

The Hon. R. R. WILSON secured the adjournment of the debate.

EXCHANGE OF LAND: HUNDRED OF SKURRAY.

Consideration of the following resolution received from the House of Assembly:

That the proposed exchange of land in the Hundred of Skurray, as shown on the plan and in the statement laid before Parliament on August 25, 1959, be approved.

The Hon. C. D. ROWE (Attorney-General)—The proposal was fully investigated by the Land Board, which recommended that action be taken to effect the exchange. In its report the board stated that because of the increasing popularity of the recreation and camping reserve at Blanchetown (section 138, hundred of Skurray) the limit had been reached for shack sites on the reserve close to the River Murray, and, in an endeavour to find accommodation, campers trespass on the adjoining freehold section 44. The owner of section 44 (Murray Pastoral Company Ltd.) would be glad to be free of trespassers and "fence cutting" and the district council of Truro would welcome additional river frontage areas to accommodate the increasing number of visitors.

To relieve the situation the Murray Pastoral Company is prepared to relinquish its ownership of section 44, provided it can obtain the freehold of section 42, hundred of Skurray, and the adjoining 150 links river reserve. That reserve is isolated and has no practical access, and a similar area would be regained by the acquisition of section 44. The board has made a valuation of both parcels of land in the proposed exchange, and considers that they are of equal value. They are of approximately the same area. The proposed exchange would thus be advantageous to the public, the district council and the owner of the freehold land. In these circumstances, I ask members to agree to the motion.

This motion simply provides for the exchange of one piece of land for another, the effect of which will be to increase the size of the Blanchetown camping area, which, with increasing tourism, is not meeting needs.

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

TRAVELLING STOCK ROUTES: HUNDREDS OF DAVENPORT, WOOLUNDUNGA, GREGORY AND WILLOWIE.

Consideration of the following resolution received from the House of Assembly:—

That the travelling stock routes, containing 4,468 acres, in the hundreds of Davenport, Woolundunga, Gregory and Willowie, extending south-easterly from Stirling North to Wilmington, and easterly from Wilmington to Willowie, as shown on the plan laid before Parliament on August 11, 1959, be resumed in terms of the Pastoral Act, 1936-1959, for the purpose of being dealt with as Crown lands under the provisions of the Crown Lands Act, 1929-1957.

The Hon. C. D. ROWE (Attorney-General) Following representations by the district councils of Wilmington and Port Germein, investigations were made by the department to ascertain whether the stock routes were still required. These investigations included personal inspections and interviews by departmental inspectors and the Pastoral Board with landholders, local managers of stock firms, clerks of the district councils, and the secretary of the local branch of the Stockowners' Association. The local manager of one stock firm, when interviewed regarding the portion between Wilmington and Willowie, did not favour the resumption on general principles, but did not submit any evidence to show that it was still required. All other persons interviewed agreed that these stock routes had not been required

for travelling stock for some years, as practically all movement of stock in the district is now carried out by motor transport. Information obtained indicated that, perhaps because of this, Wilmington had declined in importance as a centre for stock sales. The fact that for many years large portions of the stock routes have been fenced across by adjoining landholders is further evidence that they are no longer needed for travelling stock.

In supporting the proposal both district councils stated that the areas now provide loafing ground for itinerant graziers and stray stock, and present difficulties in the control of vermin and noxious weeds. The Stockowners' Association has recommended that the stock routes be resumed and that adjoining landholders be given the opportunity of leasing the land. There is general agreement that a three-chain road, with certain areas reserved for camping or stock-holding, will adequately cater for travelling stock on the hoof. In view of all these circumstances, I ask members to agree to the motion.

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

MENTAL HEALTH ACT AMENDMENT BILL.

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

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

That this Bill be now read a second time.

It repeals section 20 of the Mental Health Act 1935-1959 which provides for six months' leave of absence for every superintendent, deputy superintendent or other medical officer of an institution who resides therein after each period of five years' continuous service. This section was enacted in 1913 when medical officers all lived in houses in the grounds of institutions, were working for 56 hours on active duty each week and were on passive duty for the remainder of the week. The hours of duty were thus almost continuous. In addition to this, the methods of treating mental illness in 1913 were much more exacting and strenuous than they are today. Clearly the conditions of 1913 do not operate in 1960, and many of the officers concerned do not reside in houses in the grounds. Under these circumstances it has been decided that section 20 should be deleted from the Act and that medical officers should enjoy the ordinary long service leave applicable within the Public Service. Clause 3 accordingly, by sub-clause (1), repeals section 20 of the Act.

Subclause (2), however, is designed to meet the case of officers now holding office who were engaged on the terms that they would be entitled to the six months' leave provided by section 20. It will empower the Minister to direct that any officer now holding office may be granted one period of six months' leave of absence at the end of the current period of five years' service dating either from his first appointment or a previous five year period in respect of which long service leave had been taken. Subclause (3) is consequential in the sense that it prevents any period of service in respect of which six months' leave has been granted under section 20 of the principal Act in the past or is granted pursuant to subclause (2) of clause 3 of the Bill being taken into account for the purposes of the Public Service Act, which will, of course, now apply to officers in the ordinary way.

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

POLICE PENSIONS ACT AMENDMENT BILL.

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

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

That this Bill be now read a second time.

Its object, broadly stated, is to raise police pensions by approximately 12½ per cent with corresponding increases in contributions and certain additional increases in relation to the pensions and contributions applicable to the Commissioner, Deputy Commissioner and Superintendents. The Bill is based upon a full report by the Public Actuary and, I may add, its terms have received the approval of the Secretary of the Police Association. Dealing with the operative clauses in order, I refer first to clause 3 which provides that the Act is to come into force on a day to be fixed. This will enable the necessary administrative and other arrangements to be made before a proclamation is made.

Clause 4 amends section 14 of the principal Act by increasing the amounts of annual contributions payable. In the case of ordinary members, the increases are of approximately £3 or £4 per annum. In the case of Superintendents, the Deputy Commissioner and the Commissioner, the increases are substantially larger, but, as I point out later, the pension rights in these cases are substantially greater.

Subclause (2) of clause 4 will increase the maximum amounts payable by corresponding amounts.

Clause 5 of the Bill amends section 20 of the principal Act (which now provides for a cash payment of £1,500 and a pension of £420 a year on retirement at 60) so as to give members of the force the option of having a life pension of £480 or £580 per annum until age 65 and thereafter £425 per annum. Clause 6 increases the pensions for invalidity on duty from £420 to £480 per annum, an increase of a little over 12½ per cent. Clause 7 increases the ordinary invalidity pension from £210 per annum plus £12 for each year of age at retirement in excess of 40 years to £240 and £13 for each such year—again an increase of approximately 12½ per cent. Clause 8 increases widow's pensions from £210 to £240 per annum.

Clause 9 of the Bill inserts two new sections into the principal Act. I deal with the second of these at a later stage. The first of the new sections is along lines similar to that which was introduced in 1957. It increases the additional amounts payable to Superintendents, the Deputy Commissioner and the Commissioner by amounts commensurate with the increases in contribution. These particular increases derive from the extension of maximum pensions payable in respect of members of the Public Service from £1,183 to £1,638, which extension has been made since the Police Pensions Act was last amended in 1957. Corresponding provisions relating to widows are included in the new section. Clause 10 provides for an increase in all pensions now being paid (except children's allowances) by 12½ per cent.

I have not so far mentioned the second of the new sections introduced by clause 9 of the Bill. The new section 30d is a special provision not related to the question of general increases. It sometimes happens that a sergeant or a commissioned officer reverts to lower rank at his own request on the grounds of ill-health. In such a case such a member would, of course, be entitled only to the benefits applicable to that lower rank. Following upon representations of the Police Association and after a report from the Public Actuary, the Government has decided that some reasonable provisions should be made to cover possible cases of hardship. The new section will provide that a member reverting to a lower rank in the circumstances mentioned will be entitled to a cash payment certified by the Public Actuary as the surrender value of the difference between the contributions paid by him and the contributions applicable to the lower rank. But, if the member concerned has reached the age of 50 years and has held the higher rank for at least five years, he will be able, if he so desires, to continue to pay the higher rate of contribution and receive the benefits applicable to that higher rank. I commend the Bill as an equitable measure in view of changing financial circumstances.

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

WATER FRONTAGES REPEAL BILL.

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

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

That this Bill be now read a second time.

Its object is to repeal three Acts passed in 1886, 1902, and 1910 which are now obsolete. When these Acts were passed, the Port Adelaide wharves and much of the water front were privately owned and the main purpose of the Acts was to prevent the erection of structures on the bed of the Port River or canal which might unduly restrict navigation. All three Acts became outmoded when the Harbors Act was enacted in 1913 conferring upon the Harbors Board wide powers for the control of harbours and all harbour works. Among other things, the Harbors Act confers on the board power to alter the water frontage alignments, and there seems to be no good reason to retain these old Acts on the Statute Book. The present Bill will repeal all three.

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

COMPANIES ACT AMENDMENT BILL.

Returned from the House of Assembly with amendments.

ADJOURNMENT.

At 5.20 p.m. the Council adjourned until Wednesday, October 26, at 2.15 p.m.