LEGISLATIVE COUNCIL.

Tuesday, November 15, 1960.

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

ASSENT TO ACTS.

His Excellency the Lieutenant-Governor, by message, intimated his assent to the following Acts:

Bush Fires.
Hawkers Act Amendment.
Real Property Act Amendment.

QUESTIONS.

TREATMENT OF ALCOHOLICS.

The Hon. F. J. CONDON—I ask leave to make a brief statement prior to asking a question.

Leave granted.

The Hon. F. J. CONDON—I read a press article about the Government's proposals for the housing and treatment of alcoholics. These proposals will take some time to carry out and a petition has been drawn up signed by 29 residents of Port Adelaide asking the Port Adelaide City Council to do something to curb inebriates from occupying premises conducted by the organization known as Archway Port at Port Adelaide. The following resolution was carried by the Port Adelaide City Council:—

That our members for the district be asked to approach the State Government with the request that the Government speed up its plans for the care and treatment of alcoholics, emphasizing the problems that exist in the areas complained of, and in addition that some institute or building be made available immediately for the care and treatment of alcoholics, and that the present powers of the Inebriates Act be imposed so that alcoholics would be detained to receive treatment for as long as deemed necessary. Also emphasizing that in the opinion of the council it is considered that the Port Adelaide municipality is not a suitable area for the establishment of such an institution.

I commend Archway Port and the Reverend Mr. Johnson for the work they have accomplished over many years. Will the Minister of Health indicate whether the Government can do something in this direction until its proposals for the treatment of alcoholics reach fruition?

The Hon. Sir LYELL McEWIN—Much consideration and research have gone into the matter of doing something for inebriates and particularly for those who have reached the chronic stage. While that study has been made the Government has assisted Archway Port in the work it is doing. I am glad that the honourable member mentioned the good work that is done at Archway Port.

I told the honourable member when answering a question a week or so ago that I was preparing a proposal for submission to Cabinet. That has now been completed and has been approved in principle, but there is still a great deal to be done in connection with it. Legislation has to be reviewed and a building provided, and that will take time. I assure the honourable member that the proposal has now taken some concrete form and although it will be expedited it will still take some time to carry out. The honourable member used the word "immediately", but all I can say is that arrangements will be made as soon as a building can be made available and as soon as the necessary legislation can be enacted. A Bill will probably be brought before the House for consideration early in the next session. However, that will not prevent the Government from proceeding with the provision of the facility which will be on Government owned land in proximity to the Yatala Prison. Cadell was considered, but we believed that was too far away. The site chosen is suitable for the purpose and it will enable us to use the services of the Sheriff who, I think everyone will agree, is a good officer to take charge of the home when it is established. Other professional appointments will be made of persons to assist him. The whole arrangement will require organization that cannot be completed in 24 hours, but it will be proceeded with as speedily as possible.

MOUNT BARKER ROAD DWARF WALLS.

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

Leave granted.

The Hon. G. O'H. GILES—My question relates to the roadhouse opposite the Eagle-on-the-Hill on the main hills road. I have inspected the dwarf walls that exist along the edge of the new highway and I am satisfied they constitute a death trap to traffic trying to leave the roadhouse on the western side and wishing to continue towards Adelaide. The openings in the dwarf walls are such that a vehicle has to make a U-turn and does not come back to the traffic at right angles. Will the Minister of Roads look into the matter and see what can be done to make this safer for traffic leaving this rather busy roadhouse and entering the main stream of traffic?

The Hon. N. L. JUDE—I will take up the matter with the Traffic Engineer.

RADIUM HILL DISTRICT WATER CHARGES.

The Hon. W. W. ROBINSON--I ask leave to make a statement prior to asking a question.

Leave granted.

The Hon. W. W. ROBINSON—When in the north-eastern part of the Frome District recently, at Radium Hill, I was apprised of a problem relating to water charges. I should like the Minister of Roads, representing the Minister of Works, to take up the question of charges for water from the Umberumberka main which goes to Radium Hill and serves country as it passes through. It was stated that 30s. a 1,000 gallons is being charged to station people for water from this main. I understand this matter does not come within the jurisdiction of the South Australian Government, but I should like the Minister to take it up with the Minister of Works to see whether some remission can be made on existing charges.

The Hon. N. L. JUDE—I will obtain a report for the honourable member.

HEPATITIS.

The Hon. F. J. CONDON—Has the Minister of Health a reply to my recent question regarding the outbreak of hepatitis?

The Hon. Sir LYELL McEWIN—I gave the honourable member a reply to his question which I thought answered it fairly substantially. I think he referred to injections and I have obtained the following report from the Director-General of Public Health:—

1. Possible preventive injections—gamma globulin—A fraction of pooled human serum has been given by injection in an attempt to give partial or complete protection against a number of infections. It is that part of human serum which contains the protective antibodies that the body has made as a result of attacks of infectious diseases. It is recognized that gamma globulin injections give some temporary protection against measles and other virus diseases. This is thought to be because most adults have had measles and have developed antibodies against it. Measles antibodies are therefore present in high concentration in the gamma globulin fraction of pooled human serum. Hepatitis has not the same widespread prevalence as measles. It is possible that gamma globulin contains some antibodies to hepatitis, but this cannot be demonstrated directly as the virus of hepatitis has never been isolated. In summary, gamma globulin injections give some temporary protection against measles and other very common virus diseases. There may possibly be some brief protection (perhaps six weeks) against hepatitis, but this is not known, and strong protection could not be expected.

2. Question of spread by drinking water—With regard to the suggestion that hepatitis may be spread by drinking water, current opinion is that the people become infected by swallowing the virus and it is therefore possible that any item of food or drink may become contaminated and be the means of spread. However, the whole of the metropolitan water supply, and many country supplies, are chlorinated, and this makes them most unlikely vehicles for the spread of this or any other infection.

CRICKET INCIDENT.

The Hon. W. W. ROBINSON—I ask leave to make a statement prior to asking a question.

Leave granted.

The Hon. W. W. ROBINSON—I do not know whether the Council will regard my question as somewhat unorthodox, or an unorthodox subject for Parliament. Yesterday afternoon at the Adelaide Oval, when the cricket match between the West Indies and South Australia was in progress, an incident occurred which I think is worthy of appreciation. Will you, Mr. President, convey to the person concerned, Kanhai, a West Indies cricketer, the appreciation of this Council for his sportsmanship, which I think was in the best traditions of cricket as we used to understand it? When Jarman was batting he hit a ball to Kanhai, who juggled it to another fieldsman, and the umpire gave Jarman out. When Jarman started on his return to the pavillion, Kanhai said that he scooped the ball up from the ground, and the batsman was allowed to resume. If the Council agrees, will you, Mr. President, convey to Kanhai our appreciation of his conduct, because it was in the best traditions of cricket?

The PRESIDENT—I should be pleased to do it, if it is the request of the Council. I will put it to the House—are members in favour of congratulations being conveyed to Mr. Kanhai?

The Hon. K. E. J. BARDOLPH—On a point of order, Mr. President, I quite appreciate the sentiments expressed by the honourable member, but I do not think this is a fit and proper place to carry a congratulatory message in regard to any sport.

The PRESIDENT—It is not a point of order.

The Hon. K. E. J. BARDOLPH—Under what Standing Order can we do it?

The PRESIDENT—I do not quote Standing Orders. I give rulings. Is it the request of the Council that a message should be sent?

On the voices the Council agreed to the President sending a message to Mr. Kanhai.

MARGARINE.

The Hon. F. J. CONDON (on notice)—

1. What action is the Government and the members of the Legislative Council, Southern Division, taking to prevent the importation of table margarine into the South-East?

2. Did the Standing Committee of the Agricultural Council at its meeting last week agree to the Tasmanian Government's request for an increase in the quota of table margarine?

The Hon. Sir LYELL McEWIN—The replies are:—

1. No information has been received of table margarine being imported from other States.

2. No. This decision is supported by the Commonwealth committee of inquiry into the dairying industry, which has recommended against any increase of quotas for the production of table margarine.

PUBLIC SERVICE SUPERANNUATION FUND (ARRANGEMENT) BILL.

Read a third time and passed.

PUBLIC WORKS COMMITTEE REPORTS.

The PRESIDENT laid on the table the following reports by the Parliamentary Standing Committee on Public Works, together with minutes of evidence:—

Clapham Pumping Station, and Clapham-Springfield Water Main.

Mount Gambier Technical High School.

Mount Gambier High School (Additional Buildings).

EMERGENCY MEDICAL TREATMENT OF CHILDREN BILL.

Returned from the House of Assembly with amendments.

HIRE-PURCHASE AGREEMENTS BILL.

The House of Assembly intimated that it had agreed to the Legislative Council's amendments Nos. 1 and 2, Nos. 4 to 27, and Nos. 29 to 31 without amendment, had agreed to amendment No. 3 with an amendment, and had disagreed to amendment No. 28.

In Committee.

Amendment No. 3 as amended.

The Hon. Sir LYELL McEWIN (Chief Secretary)—When the Bill was previously considered here 31 amendments were made to it. The other place has accepted 30 of them, although it has amended one of them, and insisted on the retention of clause 3 of the Bill as introduced here. Paragraph (*e*) of clause 3 has been accepted by another place, except that there is an alteration to the wording. This is purely to rectify a drafting mistake. I move that the amendment made by the House of Assembly to the Legislative Council's amendment No. 3 be agreed to.

The Hon. Sir ARTHUR RYMILL—This part of the amendment relates to a drafting mistake and as the mover of that amendment I am happy that the matter be tidied up.

Amendment agreed to.

Progress reported; Committee to sit again.

KIDNAPPING BILL.

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

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

That this Bill be now read a second time.

The object of this Bill, as its long title indicates, is to make provision for the punishment of kidnapping. In view of recent events with which all honourable members are familiar I need not stress the desirability of a measure of this kind. It is enough to say that the Government and people of this State, no less than those in other parts of Australia, were shocked and disgusted with recent happenings in New South Wales and the Government has accordingly decided that adequate legislative provision should be made in case any person in this State should feel tempted to embark on similar activities. Although, happily, kidnapping and similar offences have not been frequent, or even usual, in British communities and, indeed, have been practically unknown in this country, it is necessary that adequate steps should be taken to ensure that the law is not found wanting. The common law does of course make some provision for the offence of kidnapping, that is the carrying off of a person against his will or against the will of his parents, and the offence is punishable by fine and imprisonment. Our own Criminal Law Consolidation Act also provides by section 80 for the punishment of child stealing which carries a term of imprisonment for up to seven years. It is felt that neither the common law nor the provision to which I have just referred goes far enough either by way of definition or by way of punishment to meet what is universally regarded as an extremely serious offence.

Accordingly clause 2 of this Bill is designed to cover any form of enticement, abduction, seizure or carrying off of any person whether for ransom or reward or for any other purpose,

to the intent or whereby such a person may be held, confined, imprisoned, or prevented from returning to his home, or removed from this State. The maximum penalty is imprisonment for life and a whipping may be ordered. The clause is drawn in the widest possible terms and is designed to avoid as far as possible any loopholes. Subclause (2) provides that a person under the age of eighteen shall be incapable of consenting to being carried off. I believe that clause 2 of the Bill is self explanatory. Clause 3, which is in two parts, covers demands of money or property with menaces or threats in relation to life or safety either of the person or of property. The clause is in two parts. Subclause (1) relates to the demand of money or property, while subclause (2) covers threats whether accompanied by demands of money or property or not. It is considered desirable to have both subclauses, so that two separate offences are created and proceedings appropriate to the circumstances may be taken under either one. The demand or threats, it will be observed may be made by any means whether by writing, by word of mouth or otherwise. The Criminal Law Consolidation Act does provide for the demand of money with menaces (section 195), but this provision is limited to written demands. Section 160 provides for demanding money with menaces, but there must be an intent to steal. Similarly there are provisions relating to threats to burn or destroy, but these are limited to written threats and the Statute appears to make inadequate provision to cover threats to life or property in general, particularly oral threats. For example, a person might telephone a parent suggesting that if a sum of money were not paid something might happen to a child or a relative or that something might happen to certain property. The object of clause 3 is to cover possible cases of this kind.

The Government has attempted in this Bill to cover kidnapping and threats in the widest possible terms. As I have said already kidnapping has fortunately been a rare event in this country, but the Government believes that in view of the changed circumstances and the rapid technical advances that have been made in recent years the time has come for legislation which will act as a deterrent should anyone be misguided enough to attempt what every section of the community regards as one of the worst of crimes.

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

LICENSING ACT AMENDMENT BILL.

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

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

That this Bill be now read a second time.

It amends the Licensing Act in nine respects. In summary the amendments will do the following things:—

1. Authorize the grant of a special permit for the supply of liquor with meals at the chalet at Wilpena (clause 4).
2. Provide that holders of storekeeper's Australian wine licences may sell in minimum quantities of one pint instead of one quart as at present (clauses 5 and 17).
3. Empower the licensing court to permit the keeping of stores and shops for the provision of services and the sale of such items as newspapers and souvenirs in conjunction with licensed premises (clauses 6, 7 and 8).
4. Exempt hotels from the general provisions governing the consumption of liquor at dances (clause 9).
5. Extend the hours for liquor with meals from 9 p.m. to 10 p.m. with 30 minutes' grace (clauses 10 and 11).
6. Make it clear that a publican may charge for refreshments supplied at a social gathering at which dancing takes place where a special permit has been obtained (clause 12).
7. Make special provision for gatherings for charitable purposes in licensed premises (clause 13, first part).
8. Make special provision for permits for "wine tastings" (clause 13, second part).
9. Make some administrative amendments (clauses 3 and 16) and some consequential amendments which were overlooked when the Act was last amended (clauses 14 and 15).

I shall explain the foregoing matters in the order stated.

The first amendment is designed to meet what are regarded as reasonable requirements in connection with the chalet at Wilpena. It is unnecessary to refer honourable members to the attractions of the chalet, but it is considered the consumption of liquor with meals should be allowed there for the benefit of persons staying there or passing through. Although it is understood that some unused hotel licenses do exist in the area, it is thought desirable to make the present provision which

will enable the licensing court to grant a special permit to the lessee of the chalet authorizing the sale and supply of liquor of any kind for consumption on the premises to persons having a *bona fide* meal on the premises between 12 and 2 p.m. and between 6 and 10 p.m. with thirty minutes' grace. Clause 4 of the Bill accordingly inserts a new section 14a in the principal Act.

The second amendment speaks for itself and needs little explanation. Section 18 of the principal Act provides that the holder of a storekeeper's Australian wine licence may sell on his premises to be taken away wine in quantities of not less than one reputed quart bottle. Some table wines are bottled in pints, a convenient container size sought by the smaller family, and it is considered that it should be freely available in licensed stores. The necessary amendments are effected by clauses 5 and 17.

The next amendment, effected by clauses 6, 7 and 8 of the Bill, will enable the court to grant exemptions from the existing provisions of the principal Act placing restrictions on the keeping of retail stores together with licensed premises and the prohibition of communication between licensed premises and stores. Clause 8 of the Bill will insert a new section 149a and it will be seen that the exemptions that may be granted are limited to stores, shops or rooms used for what I may describe broadly as services for guests and others as well as shops and stalls for the supply of books, magazines, tobacco, flowers, toilet requisites, curios and souvenirs. It is not uncommon practice in other States for such types of shops and stores to be kept in and about licensed premises and indeed in many parts of the world there is no restriction at all. The Government believes that the new section, which will leave the licensing court to authorize a general oversight, is warranted and will meet the normal requirements of hotel guests and others.

The next amendment relates to those sections of the principal Act which were inserted in 1945 after the cessation of the National Security Regulations prohibiting the consumption of liquor at dances in public premises without a special permit to be granted on certain conditions. Those sections are sections 150a to 150d inclusive. Section 150d defines "public premises" as any premises other than dwelling houses used for residential purposes. While the Government believes that the restrictions on the consumption of liquor in and about dance halls should be continued, it appreciates that there is a great difference between a dance hall or other premises on the one hand and hotels on the other. Accordingly clause 9 of the Bill will provide that for the purposes of the sections concerning consumption of liquor at dances, "public premises" will not include licensed hotels.

The next amendment concerns hours and is self-explanatory. Clause 10 of the Bill will extend the hours for the supply of liquor with meals in restaurants from 9 p.m. to 10 p.m. (paragraph (*a*)) and will also provide for thirty minutes' grace to enable patrons to finish drinking any quantities of liquor purchased before 10 o'clock. Subclause (2) is consequential making the new hours applicable to existing premises. Paragraph (*b*) of subclause (1) will insert in subsection (5) of section 197a of the principal Act a prohibition upon the supply of liquor with meals to persons under 21 years, a desirable amendment covering a gap in the present law.

Clause 11 of the Bill makes similar provisions regarding hours in relation to liquor with meals at hotels and the last few words in subclause (2) are consequential upon the amendment made concerning hours on Christmas Day in 1954. The next amendment relates to section 199 of the principal Act which governs special permits for the supply and consumption of liquor in licensed or unlicensed premises on special occasions extending beyond the normal hours. When the principal Act was amended in 1945 by the insertion of the special provisions governing the consumption of liquor at dances, subsection (2) of section 199 was also inserted. That subsection provides that it is an offence for a person to make any charge for admission, entertainment or refreshments at any gathering at which dancing takes place. In a recent judgment it was held that this subsection must be read as excluding the holder of a publican's licence who would otherwise not be entitled to make any charge for refreshments. The interpretation of the subsection has been a matter of some difficulty and doubts have been expressed regarding its application. To clear up the doubts so far as licensed premises are concerned, clause 12 of the Bill expressly provides that a publican may make a charge for refreshments. The restriction upon charges for admission will remain.

Clause 13 of the Bill will cover two matters. The first part of the clause inserts a new section 199a in the principal Act to enable the grant of a special permit for a gathering to be held in aid of a charitable purpose.

Difficulties have arisen in the past concerning the holding of such functions which, although in aid of the most worthy causes, have been found to be against the law having regard to the particular provisions, among others, of section 199 relating to the ordinary type of special permit. The new section 199a provides that a special permit may be granted by a licensing court magistrate upon application and after a hearing, where the particular function is being held for a charitable purpose within the meaning of the Collections for Charitable Purposes Act. It has been considered desirable to make a special provision to cover these cases and the reference to the lastmentioned Act will enable some general control to be authorized in respect of such functions.

The second part of clause 13 of the Bill introduces a new section 199b which will enable the court to grant a permit for what is commonly known as "wine tasting" functions. Honourable members will be already aware of the fact that wine tastings are not unknown, but doubts have been cast upon their legality owing to the phraseology of the principal Act. Having regard to the fact that properly conducted wine tastings so far from being harmful should be encouraged under proper conditions the new section makes special provision for such functions.

The last amendments are of an administrative and consequential character. Clause 3 of the Bill is administrative. The principal Act provides that there shall be a licensing court for each licensing district to consist of one person appointed thereto by the Governor. This gives rise to administrative difficulties because, if the particular magistrate appointed for a licensing district is away, whether on leave or sick or otherwise, a special appointment has to be made by the Governor. It is proposed to alter the principal Act by empowering His Excellency to appoint such special magistrates as he thinks fit to be licensing court magistrates, every licensing court to be constituted by any one of such magistrates. This will mean that a licensing court for any district can be constituted by any one of the magistrates without a special appointment. Clause 16 is also administrative. Section 212 of the principal Act provides that the superintendent of licensed premises and inspectors shall be officers in the Police Department. For some time now the superintendent and inspectors have in fact ceased to be officers of the Police Department, being administratively under the Attorney-General. Clause 16 will remove the outdated subsection (2) of section 212.

The consequential amendments overlooked when the Act was amended in 1954 are covered by clauses 14 (1) (*a*) and (2) and 15 (1) (*a*) and (2). In 1954 the hours in respect of Christmas Day were altered from half past two to half past three, but the consequential amendments to sections 203 and 209 were apparently overlooked. It is for this reason that these particular amendments are made retrospective to the 1954 amendment. Paragraph (*b*) of subsection (1) of clauses 14 and 15 will effect the necessary consequential amendments in relation to the extension of night hours from 9 to 10 p.m. effected by this Bill.

The Hon. F. J. CONDON (Leader of the Opposition)—In order to obviate, if possible, prolonged sittings of the Council I intend speaking immediately on Bills that are introduced and I hope that this example will be followed by other members. We may be able to avoid long sittings if we do some homework and members should realize that some homework may be necessary to speed along the business of the Council. I assure the Government that the Opposition will assist in every possible way to ensure that the remaining business is conducted as speedily as possible.

I support this Bill without reservation, but the time is not far distant when we should have a general overhaul of our licensing laws, not so much of hours but in other directions. However, I have no intention of proposing any alteration to it at present. Our licensing laws have always been controversial. Some people, with good intentions, desire prohibition; others prefer moderation. In my opinion we must meet the demand of the times. I do not support the increasing of drinking hours, because I consider the present hours are satisfactory. Recently a number of members visited Wilpena Pound and I consider that after anyone has travelled long distances over dusty roads in the summer there should be provision to meet their liquid requirements. I do not think the privilege would be abused. In recent years quite a few hotels have been closed in our northern areas, such as at Beltana, Hawker and other places. The Government and the Tourist Bureau are endeavouring to encourage tourist traffic and I consider that at the Wilpena Pound Chalet the proprietor should be given a licence to serve liquor with meals, as applies in other parts of the State. Government contributions for the establishment

and maintenance of the Wilpena chalet, and improvements to other resorts last year decreased by £8,000. Improvements and repairs at Wilpena cost £3,400 last year, £2,500 less than for the previous year, and total payments to date amount to £16,700. In addition, the lessee has made improvements in terms of his lease, and certain of these costs will be offset against future rent payments. I was told that about 10,000 people visited the Wilpena Pound area in a few days. If people desire to consume liquor at the chalet, we should not interfere.

There are one or two anomalies in the Act. An interstate visitor can come to South Australia and invite friends to have a drink at an hotel after the 6 o'clock closing time, but a man from Mount Gambier cannot do that; yet a man four miles across the border would be permitted to do so. This also applies to a man who comes from Broken Hill, whereas a man from Cockburn is prevented from doing the same thing. The same position applies to some of our river towns near the border, and to other parts of the State. If an interstate visitor has the privilege to extend hospitality to his friends at an hotel after hours, why cannot a South Australian? The law would see to it that the privilege was not abused. Therefore, I favour an alteration of the Act. It all rests on the administration. I am not advocating an extension of hours, but that a reasonable time should be allowed for a licensee to clear his bar after the 6 o'clock closing. I have been at a country hotel bar at 5.55 p.m. when a police officer arrives and he clears the bar at 6 o'clock. I believe that a reasonable time should be allowed after 6 o'clock for the consumption of liquor already ordered. Under the Bill it is proposed to extend the time of serving liquor at meals from 9 p.m. to 10 p.m., with half an hour's grace for the consumption of liquor. Liquor must not be purchased after 10 o'clock. Why should not 10 minutes or a quarter of an hour's grace be permitted after 6 o'clock to enable a person to complete consuming liquor in an hotel bar? I do not suggest that anyone should be permitted to purchase liquor after 6 p.m. in the bar. If it is fair in one instance, it is fair in the other. We should take a reasonable view of the position, and so long as a man is not flagrantly breaking the law he should be permitted to have a drink two or three minutes after 6 o'clock and be allowed a reasonable time to consume it, and not be bundled out at 6 o'clock.

The proposed extension for the serving of liquor at meals from 9 p.m. to 10 p.m. is reasonable, because sometimes a dinner does not commence until 8 p.m. at functions and the service is perhaps not as fast as usual. I support this proposal for extending the period by one hour. It is also proposed in the Bill that hotel licensees should be able to cater for permanent boarders. We are far behind the other States in our liquor laws. Other States are endeavouring to improve the position relating to tourists. In this and in other respects we are far behind the social legisaltion of the other States. If any legislation is abused, Parliament has the opportunity to repeal it. I do not think that South Australians abuse the law or any concessions they have been granted. The clause relating to overseas and interstate visitors and permanent boarders is worthy of adoption. There is nothing wrong with the provision relating to charges for refreshment. The Government does not propose to alter the section relating to the drinking of liquor within 300 yards of a dance hall, and I agree that the present provision should remain. I understand that this provision was inserted because many young people indulged in drinking in motor cars. An hotel licensee must not serve liquor to a person under the age of 21 years. I am expressing my own opinion on this Bill. As it deals with a social matter all members of the Labor Party are free to vote on it as they choose. I support the second reading because I believe it will assist greatly in inducing more tourists to come to South Australia.

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

SUPREME COURT ACT AMENDMENT BILL (No. 2).

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 increase the remuneration of the judges of the Supreme Court. Clause 3 provides for an increase of salary of £500 per annum for the Chief Justice and other justices of the court, with effect from July 1, 1960. There has been no increase in judicial salaries since 1958 when the present rates of £5,750 and £5,000 respectively were fixed with effect as from July 1 of that year. Since that time, as members know, there have been two adjustments to salaries of members of the Government service, the general increases being about £500 for the most senior officers. Indeed, during the

current year this Council passed a Bill to give effect to the second adjustment, and adjustments were made to the salaries and allowances of members of the Parliament. The present Bill will make the necessary adjustments in the case of the judges.

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

CROWN LANDS ACT AMENDMENT BILL.

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

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

That this Bill be now read a second time.

Under the Crown Lands Act certain limitations are imposed on the unimproved value of lands which a person could hold to qualify for the transfer or subletting of lands or the surrender of leases for other tenure under that Act. The present limitations so far as the transfer and subletting of land are concerned were fixed in 1929, and so far as the surrender of leases is concerned were fixed in 1937. Since those limitations were fixed the steep rise in the unimproved values of lands has resulted in a considerable reduction of the area of land which a person may hold under such a lease or agreement. In an analysis made by the Commissioner of Land Tax, which also takes into account income derived from various classes of land in various localities, the Commissioner has expressed the view that the present limitations are unrealistic in relation to the 1960 assessments and that higher ceilings are justified. The main object of the Bill is to raise those ceilings in accordance with the Commissioner's recommendation, only so far as the surrender, transfer and subletting of land are concerned.

Section 181 of the Act deals with lands repurchased for closer settlement. Subsection (1) of that section precludes an agreement being made under Part X of the Act for the allotment of repurchased land to a person who already holds repurchased land of the unimproved value of £7,000, or who would by virtue of that allotment become the holder of such land exceeding that value. As this subsection is drafted it could be argued that an agreement could be made to allot repurchased land to a person who already holds repurchased land, the unimproved value of which exceeds £7,000, as it could not be said that the land was of the value of £7,000. Subsection (3) of that section enacts that, provided the limit fixed by this section is not exceeded as to repurchased land, the section would not prevent a person from holding repurchased and other lands up to the unimproved value of £7,000. The implications of this subsection are not clear. No provision of the section precludes a person from holding any land exceeding £7,000 of unimproved value. It is quite conceivable that land of the value of £7,000 when allotted to a person could increase in value thereafter and the Act does not require him to cease to hold that land after such increase. The obvious intention of the subsection is that no allotment or transfer of repurchased land could be made to any person who as a result of the allotment or transfer becomes entitled to any repurchased or other lands the unimproved value of which exceeds £7,000.

Subsection (1) deals with the allotment of repurchased land and subsection (2) deals with the transfer and subletting of such land. It is intended that in future all transfers under the Act will be dealt with under section 225 and that allotments will be dealt with under subsection (1) of section 181. Clause 3 accordingly repeals subsections (2) and (3) of section 181, and amends subsection (1) of that section so as to provide that no agreement shall be made under Part X with any person who is already the holder of repurchased land of the unimproved value of or exceeding £7,000, or who would thereby become the holder of repurchased and other land, the total unimproved value of which exceeds that amount. The exception contained in that subsection relating to the conditions under which land of an unimproved value exceeding £7,000 may be allotted is retained.

Section 204 of the principal Act enables the Minister in certain cases (notwithstanding section 181 (2) which is being repealed by clause (3) to consent to the transfer of an agreement under Part X, or the corresponding provisions of the earlier Crown Lands Acts, or to the subletting of lands comprised in such an agreement in favour of any person who would thereby become the holder of any lands whose unimproved value does not exceed £8,000. As I have said before, it is proposed that all transfers under the Act be dealt with in future under section 225, and as the ceiling applicable to holdings is to be raised in section 225 to £12,000 section 204 will no longer apply. Clause 4 accordingly repeals it. Clause 5 makes a consequential amendment to section 204a arising out of the repeal of section 204.

Section 220 of the principal Act deals with the surrender of any lease in exchange for a perpetual lease or for an agreement other than

for repurchased lands. Subsection (1) of that section prescribes the conditions under which such a surrender can be made. Paragraph I of the subsection applies where the lease surrendered is not a miscellaneous lease or a perpetual lease subject to revaluation. Here, the total of the unimproved value of land to be included in the new lease or agreement and the unimproved value of all other lands held by the lessee or purchaser must not altogether exceed £7,000. Paragraph Ia of the subsection applies where the lease surrendered is a miscellaneous lease or a perpetual lease subject to revaluation. Here the total of the unimproved values of the land to be included in the agreement or lease and of all other lands held must not altogether exceed £5,000. As it is proposed to increase the limits of £7,000 and £5,000 in these two paragraphs to £12,000, the paragraphs could well be consolidated into one paragraph and clause 6 provides accordingly. I should point out here that by virtue of section 212 (5) of the principal Act the increased limit of £12,000 would also apply to surrenders of Crown leases in exchange for the purchase of the fee simple of the lands comprised therein.

Section 225 of the principal Act deals with the transfer of leases and agreements and with the subletting of land comprised in any lease or agreement. Subsection (8) of that section provides that the provisions of that section other than subsections (1) and (6) do not apply to transfers of agreements or leases under Part X of the principal Act or under the corresponding provisions of the Crown Lands Acts of 1903 and 1915, nor to the subletting of land comprised in any such agreement or lease, such transfers and sublettings being regulated by subsection (2) of section 181. It is proposed by this Bill that all such transfers and sublettings, however, should in future be regulated by section 225 and for that reason section 181 (2) is to be repealed by clause 3 (*c*) of the Bill. Subsection (8) will therefore no longer apply. This subsection is accordingly struck out by paragraph (*c*) of clause 7 of the Bill. Paragraph (*a*) of that clause makes a consequential amendment to section 225 (1) arising out of the repeal of subsection (8).

It is provided by subsection (1) of section 225 that no transfer or subletting under the Act shall have any effect without the Minister's consent and the Land Board's recommendation. Subsection (2) provides that no such recommendation or consent shall be given if the total unimproved value of the holdings of the proposed transferee or sublessee after the transfer or subletting will exceed £7,000. The subsection goes on to provide, however, that if the proposed transferee or sublessee does not hold any land and is not entitled to any land under a transfer or sublease to which the Minister has given his consent, the board may recommend and the Minister may give his consent to the transfer or subletting although the unimproved value of the land to be transferred or sublet exceeds £7,000. It is proposed to increase the limits of £7,000 prescribed by this subsection to £12,000. This result is achieved by clause 7 (*b*) which substitutes for that subsection two new subsections in simpler form, incorporating the necessary consequential amendments.

The Government has received numerous requests for the review of these limitations imposed by the principal Act. These requests have been carefully considered in the light of present day values and the Government feels that the measure provides a fair and equitable revision of those limitations which should be acceptable to all concerned. I commend the Bill for the favourable consideration of members.

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

SALARIES ADJUSTMENT (PUBLIC SERVICE AND TEACHERS) BILL.

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

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

That this Bill be now read a second time.

The object of this Bill is to authorize the payment to officers of the public service or teachers of increases in salary in such cases where such increases are made retrospective and an officer or teacher who has retired between the date when the increase becomes effective and the date of publication of the classification, return or award. From time to time the Public Service Board or the Teachers Salaries Board awards an increase of salary dating the increase back to an earlier date sometimes covering a period of some weeks or months. Before the award actually comes into operation an officer or teacher may have reached the retiring age and thus is not an officer of the public service or a teacher at the time the award comes into operation. The Government has been advised that in such a case the retired officers or teachers cannot legally be paid the increase in respect of the period which elapsed before their retirement. The Government believes that such officers should receive such increases which they

would have received in any event had they not reached the retiring age. Such officers have in fact been on duty during the period to which the increase was applicable. The Government is therefore introducing this Bill to cover such cases.

Clause 3 of the Bill is the operative clause. It covers, by subclause (*a*), the ordinary case of retirement. Subclauses (*b*) and (*c*) cover the case where an officer or teacher has retired or died between the date when the increase became applicable and the date of publication of the award. In these cases the officer or teacher or his personal representatives are granted a cash payment in lieu of long service leave not taken. The amount payable is calculated at the rate at which the officer was being paid at the time of his retirement or death. A separate subclause (*c*) is required to cover the case of death of an officer because the provisions of the Public Service Act in relation to death occur in a different section, while in the case of the Education Act the same section covers cash payments on retirement and on death. Provisions on similar lines to those in clause 3 were included in an Appropriation Act in 1955 but were of course limited to one particular increase. To avoid the necessity of making special provision in Appropriation Acts from time to time the Government is introducing this Bill so that the provision will apply automatically in all future cases. Clause 4 makes the appropriate provision to cover the case of persons on long service leave of absence who reach the retiring age at or before the expiration of such leave. Clause 5 contains the necessary appropriation and clause 2 of the Bill gives it a retrospective operation to March 6 of this year, the day before the most recent general increase became operative. This will cover any cases arising out of increases which were awarded with effect as from March 7. I submit the Bill for consideration of honourable members.

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

NURSES REGISTRATION ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from November 9. Page 1712.)

The Hon. F. J. CONDON (Leader of the Opposition)—This is a Bill which makes two or three small amendments. It alters the constitution of the board, which at present consists of seven members, by removing the nominee of nurses who are not members of the Royal British Nurses Association or the Royal Australian Nursing Federation and allowing an extra member from the Royal Australian Nursing Federation. The second amendment extends the existing provisions which empower the board to order persons to refrain from acting as midwives for a specified period so as to assist in preventing the spread of disease. The third amendment empowers the board to require a person who has not practised for five years to undergo a refresher course before being registered in any branch of the nursing service. Clause 9 provides for one fee for registration. In 1951 sections 26 and 27 of the principal Act were repealed and a section inserted stating that subject to the regulations only one fee should be payable by a person in any year notwithstanding that she was registered on more than one register. It is now proposed to charge a separate fee for each certificate or registration. Last year the Act was amended to provide that a nurse aide must be 19 years of age before being registered. During the discussion it was suggested that the age should be lowered and now it is proposed to reduce it to 18 years. Why didn't we do it last year?

Fees paid to members of the Nurses' Board amounted to £84; salaries and payroll tax, £2,718; lectures and examiners' fees, £885; badges, office expenses and sundries, £583, making a total of £6,391, which included bursaries. Receipts were as follows:—fees for the registration of nurses, £1,922; lectures and examinations, £2,413; sales of badges, lecture notes and registrations, £220; making a total of £4,565 so that the excess of payments over receipts amounted to £1,836. Where does that amount come from? Does it come from general revenue? The main objectives of this Bill are to reduce the age qualification of nurse aides and to increase the registration fees, which may result in extra revenue. I think the Bill is a good one and support the second reading.

The Hon. L. H. DENSLEY (Southern)—I, too, support the second reading, as we owe a great deal to our nursing sisters and are fully aware of the valuable services they render. It is desirable that we should provide for an additional representative from the Royal Australian Nursing Federation, South Australian Branch, because of the difficulty in obtaining certain representation on the board. The Bill covers administration matters and as we are all fully in favour of the alterations, I see no cause to

argue about them. There has been a great diversification of and improvement in drugs and medical treatment in recent years, which makes it desirable for persons who have been away from the profession for five years to have a refresher course to enable them to understand the requirements of present-day services. Section 17 (1) (*a*) of the principal Act is amended by adding to it the words "registered mental nurse, registered nurse, enrolled mothercraft nurse or enrolled nurse aide". It is reasonable to extend the provisions relating to those branches of the service, particularly when much attention is being given to mental nursing and to the question of nurse aides. A further provision is that the board may cancel a registration for non-payment of fees, but the most important clause affecting the public is the one that reduces the registration age for nurse aides to 18 years. The introduction of nurse aides has provided much extra service and has proved advantageous particularly because many older people have entered the profession. I do not know that as many young people have been enticed into the service as it was first thought would be. Many people have advocated that the South Australian legislation should be brought into line with that operating in Victoria and this Bill, in effect, does that.

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

EARLY CLOSING ACT AMENDMENT BILL.

In Committee.

(Continued from November 9. Page 1715.)

Clause 10—"Amendment of principal Act, s.25a."

The Hon. F. J. CONDON—When we were previously considering this Bill in Committee I asked that progress be reported so that I could further examine it. I now intimate that the only clause I propose to question is clause 32.

Clause passed.

Clauses 11 to 29 passed.

Clause 30—"Trading permitted after closing time for certain purposes."

The Hon. C. D. ROWE (Minister of Labour and Industry)—I move—

After "are" in new section 47 (2) to insert ", with the approval of the Minister,".

That amendment is to clear up what is virtually a drafting error at the present time and the explanation is as follows. The object of this amendment is to render it unnecessary for bodies that arrange special fund-raising sales in aid of benevolent, charitable, religious and public purposes to register as shops the places where the sales are held.

At present a licence issued under section 47 applies to such sales as take place after the closing times, and under subsection (4) of that section each licence as a general rule provides that the provisions as to registration contained in Part IV shall not apply in respect of the place where goods are offered or exposed for sale pursuant to that licence. This means that if a fund-raising sale in aid of a benevolent, charitable, religious or public purpose is held during normal trading hours, the place where the sale is held must be registered as a shop under Part IV whereas if the sale were held after the closing times in pursuance of a licence, such registration would not be necessary.

It is not expedient to exempt from registration all places where sales in aid of those purposes are held as that would mean that all shops established by benevolent, charitable, religious or public bodies would be exempt from registration. The amendment therefore is designed to exempt from registration only places where goods are, with the approval of the Minister, exposed for sale on special occasions (such as fetes), for the purpose of raising funds for any of those purposes.

Amendment carried.

The Hon. C. D. ROWE—I move—

In new section 47 (2) to strike out "by virtue" and to insert "on special occasions for the purpose of raising funds for any purpose specified in paragraph (a)".

This is consequential on the previous amendment.

Amendment carried; clause as amended passed.

Clause 31 passed.

Clause 32—"Amendment of principal Act, s.49."

The Hon. F. J. CONDON—I oppose this clause for the reason I mentioned during my second reading speech on the Bill. I am afraid this is opening the way for all petrol pumps to be opened on Sundays. There is no difficulty in the metropolitan area in securing petrol today. When coming from south of the metropolitan area at weekends petrol may be obtained at Darlington and in the north it may be obtained at Gepps Cross.

The Hon. N. L. Jude—A motorist cannot obtain it at Darlington on Sunday morning.

The Hon. F. J. CONDON—Petrol may be obtained at Gepps Cross and Outer Harbour. I do not think the Minister has fully explained the position. If three or four petrol stations are allowed to operate in the metropolitan area and serve petrol on Sundays, what control will he have over the remainder? I intend to oppose the clause.

The Hon. G. O'H. GILES—I am surprised at the honourable member's attitude. On the one hand the living standard of the ordinary person has been built up to the extent where he is able to utilize his own transport for pleasure, and yet the honourable member wants to curtail the opportunity to take advantage of that leisure. These two views are incompatible. I strongly support the clause.

The Hon. K. E. J. BARDOLPH—I am somewhat surprised to hear the honourable Mr. Giles supporting the living standards of the workers. Since he has become a member of the Council, it is the first time I have heard him support the maintenance of or an increase in the living standards of the workers. It is not the workers who will benefit under this Bill.

The Hon. Sir Frank Perry—Don't they drive motor cars?

The Hon. K. E. J. BARDOLPH—If they are going on a journey over the week-end, they fill their tanks.

The Hon. Sir Frank Perry—They are models!

The Hon. K. E. J. BARDOLPH—Over the week-end I made a survey of certain petrol stations and at establishments near this Parliament and I was told that nine had called at one station for petrol, four at another, and at still another two. That was on the Monday holiday, when these petrol stations were open from 10 a.m. to 11 a.m. There is no need for the provision. Neither the station proprietors nor the workers desire it. It is the thin edge of the wedge to break down the early closing legislation and the standards of living.

The Hon. S. C. BEVAN—I also oppose the clause. I am amazed to hear it said that a motorist cannot get petrol in the metropolitan area at week-ends. Modern motor cars have a range of at least 200 miles and if any metropolitan resident runs out of petrol at the week-end or on a public holiday it is due to his own gross negligence. During the second reading debate one honourable member said he desired an "open go". That may be all right for a man in the country, but we do not want the same to apply in the metropolitan area. There is no need for it. One can get petrol on the outskirts of the city at several places. If a person is not prepared to look at his petrol gauge, he deserves to run out of petrol. I believe that the provision is the result of agitation by the Royal Automobile Association, and no-one else. In a recent test of a modern motor car with a capacity of 10 gallons of petrol it was estimated that a person would have to drive continually around the metropolitan area on a Sunday to run out of petrol.

I doubt whether there would be more than a few service stations in the metropolitan area which desired to open over the week-end. I have spoken to a number of proprietors, who have expressed the opinion that they are entitled to the same time off at week-ends as other people, and do not desire to open. The Automobile Chamber of Commerce, of which service station proprietors are members, has stated that its members do not desire to be forced to open on Sundays. I realize that it is at the discretion of the Minister that licences will be issued. Petrol stations in the metropolitan area more often than not are close together and once the Minister licenses certain of the stations under a roster system, the other service stations will also desire to open. Even though a station may sell only a few gallons of petrol, it will have to remain open in order to retain its regular customers. This proposal is introducing a seven-day week into the industry and means that the next move will be an approach to the Industrial Court on the plea that it is a public service, and therefore, they should be entitled to employ people during the normal hours of their trade, even though it is for 24 hours a day. This is already being done in some instances. We have some employees outside the metropolitan area working all day on Saturdays, Sundays and public holidays. This comes under what is known as the motels' award. These employees have lost the advantages of a five-day-40-hour week. I consider that the provision cannot work as we have been led to believe it will. I hope that the Minister will have more to say on the clause.

The Hon. G. O'H. Giles—Does not the R.A.A. represent the average motorist?

The Hon. S. C. BEVAN—I do not think it does. I have been a member for the last 16 or 18 years and it does not represent me in any form. I have never called on the R.A.A. for a supply of petrol, and only once have I called on it for a road service, so I do not

know whether I am an average motorist represented by the R.A.A. There is no need for a motorist in the metropolitan area to run out of petrol over the weekend.

The CHAIRMAN—The honourable member is getting away from the clause.

The Hon. S. C. BEVAN—It deals with the selling of petrol and oil on Sundays, which I oppose, because there is no need for it. Surely by closing time on the Saturday the motorist can get all the petrol he needs for the weekend, and travellers coming in to and out of the city surely can get all the petrol they require from open garages outside the city. I oppose the clause.

The Hon. L. H. DENSLEY—I remember that a few years ago a strenuous effort was made in this place to prevent any country person from selling petrol at certain times, yet today throughout the State country petrol stations are open on Saturdays and Sundays, and the practice has been generally accepted. The roster system that operates in some towns works reasonably well. It has been said in this debate that we must move with the times, and this is one of the times when we must move. There is no compulsion about the matter. No service station is compelled to have a slot machine or an attendant on duty to sell petrol at prescribed times. It has been said that only a handful of customers would require petrol or oil on Saturdays and Sundays, but I have seen some garages where there have been long lines of motor cars waiting on Saturday mornings for petrol. I support the clause.

The Hon. A. C. HOOKINGS—I said earlier that I would like an "open go" in the selling of petrol and oil. Under this provision there is no compulsion. The Minister may issue a permit and a service station may remain open over the weekend. I spoke earlier about a trader who opened his garage just after midnight on Sunday. He said that he had a caretaker there and his opening did not mean the employment of another attendant. Because he was open any person in the district requiring petrol or oil urgently was able to get it. If the clause is passed people in emergencies will be able to get supplies. Not much has been said about the provision of slot machines for the serving of petrol, but they have proved successful in other States and I think they would be an advantage here. Of course, some petrol dealers are not keen to install them because they would have to provide the machines. I think the situation is well covered, but I am not happy about the provision for a roster system.

The Hon. C. D. ROWE—I thank members for their contribution to the debate on this matter. It was said that this had come before Parliament because of a request from the Royal Automobile Association. It is true that because of its representation this matter has been included in the Bill. The association was able to satisfy me with statistics that there have been many calls on it for petrol for motorists who have had to cope with an unforseen emergency, or who arrived from the country late on a Saturday night, booked in at a hotel and needed petrol on the Sunday. Also, it was said that there are careless motorists who do not make sure that their petrol tank is full for the weekend running. I consulted various people on this matter and I had conferences jointly and separately with the Royal Automobile Association, the Automobile Chamber of Commerce, and fuel companies. I made it clear that it was not my intention to have a general opening of service stations in the metropolitan area.

The Hon. A. J. Shard—You will not be the Minister for ever. The next man might allow an "open go".

The Hon. C. D. ROWE—I think it would be undesirable to have a general opening of service stations in the metropolitan area, because it would inevitably lead to a higher price for petrol, which would not be justified. Also, I do not think that people should be required to work on Saturday afternoons and Sundays unless there is a public demand to be met. I do not think the public demand for petrol is sufficient to warrant a large number of service stations opening on Saturday afternoons and Sundays.

The Hon. F. J. Condon—Do you believe in on "open go"?

The Hon. C. D. ROWE—Not in this matter and it is not my intention to have one. I am satisfied from the evidence produced to me that there is a demand to meet emergency cases where petrol and oil are required. I am hopeful that as a result of conferences with the interested parties we shall be able to establish a few points in the metropolitan area where petrol can be obtained to cope with the demand. Whether it will be done by coin-operated machines or a roster system is the subject of discussion between me and the organizations I have mentioned. I am hopeful that a proposition will be made to me satisfactory to all parties concerned. I understand the fuel companies are not prepared at this stage to finance the installation of the coin machines, and that there are

about 1,200 of the machines operating satisfactorily in Victoria. No hazard has been created as a result of their use, and to all intents and purposes they are safe machines. If we do arrange for some of them to be installed at certain points in the metropolitan area it will help to supply petrol needed in emergency cases and overcome the objection that some people have to working on Saturday afternoons and Sundays. If we can arrange for a limited number of outlets in the metropolitan area, which will be my aim, they will not require much additional work to be done at the weekends, and they will enable the emergency supply position to be met.

I assure members that it is not my intention to have a wholesale opening of fuel bowsers on Saturday afternoons and Sundays. The intention is to meet a genuine demand in emergency cases for petrol and oil. If the clause is passed that is the way in which I shall administer the provision.

The Hon. F. J. CONDON—I have nothing against the present Minister, but I point out that Ministers come and go. Can he say how many service stations are likely to be rostered in the metropolitan area? I foresee a difficulty in this matter. The stations would not need to be too far apart; otherwise, how would a motorist get on if he ran out of petrol in Semaphore and the nearest open station was in Adelaide?

The Hon. C. D. ROWE—I have no idea at present how many should be rostered, but the number should be limited to 10 or a dozen. At present the interested parties are considering this matter, and when I consult them I hope to have additional information. A rostering system operates in both Western Australian and Queensland at present, and from the details I have the system appears to be satisfactory. I cannot take the matter further.

The Committee divided on clause 32:—

Ayes (13).—The Hons. Jessie M. Cooper, L. H. Densley, G. O'H. Giles, A. C. Hookings, N. L. Jude, Sir Lyell McEwin, Sir Frank Perry, F. J. Potter, W. W. Robinson, C. D. Rowe (teller), 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 9 for the Ayes.

Clause thus passed.

Clauses 33 to 35 passed.

Clause 36—"Amendment of principal Act second schedule."

The Hon. C. R. STORY—I move—

After "seeds" in paragraph (*b*) to insert "fertilizers and substances for use as garden pesticides in quantities not exceeding 28 lb., or if in liquid form not exceeding 12 ounces".

People who sell seeds, flowers and living plants also sell liquid manures, pesticides and ordinary fertilizer. This amendment would assist householders who at present cannot plant flowers or top-dress a lawn, should the opportunity occur, if they have not purchased their requirements during normal hours. This amendment would enable people to purchase these requisites. I commend the amendment to honourable members and ask for their support.

The Hon. C. D. ROWE—The honourable member was good enough to let me have a copy of the amendment, and it seems to be reasonable. In the circumstances I am prepared to accept it. The second schedule provides at present for the sale of flowers and living plants after the hours at which shops selling non-exempted goods must close, and it seems to me that if they can be sold these other requisites should also be available.

Amendment carried; clause as amended passed.

Clause 37 and title passed.

Bill read a third time and passed.

EDUCATION ACT AMENDMENT BILL.

Second reading debate adjourned on November 9. Page 1717.

Bill read a second time.

In Committee.

Clauses 1 to 6 passed.

Clause 7—"Enactment of principal Act, Part IIB".

The Hon. JESSIE COOPER—Provision should be made to include at least one woman teacher on the proposed Teachers Appeal Board in order to be consistent with the present representation on the Teachers Salaries Board. I realize the difficulties associated with the drafting of this Bill because a distinctive feature of the Bill is to provide that the personnel of the board shall change according to the branch of the teaching service to which the board refers. If the Minister could indicate what branches the regulations will define it would be easier for members to understand the difficulties. I have endeavoured to draw two amendments to give due recognition to women teachers who do magnificent work in the Education Department. The

respective figures relating to men and women teachers in the various branches of the Education Department as set out in the report of the Minister of Education for 1959 are:—

	Men.	Women.
Primary departments—		
Permanent	1,118	838
Temporary	42	1,812
	1,160	2,650
Secondary schools—		
Permanent	654	236
Temporary	28	175
	682	411
Craft schools—		
Permanent	219	94
Temporary	2	93
	221	187
Trade schools—		
Permanent	121	2
Temporary	—	—
	121	2
Miscellaneous	47	45
Grand total—		
Permanent	2,159	1,195
Temporary	72	2,086
	2,231	3,281

The women cannot be overlooked in this matter and I move—

After ''members'' first appearing in new section 28zb to insert ''one of whom shall be a woman''.

The Hon. L. H. DENSLEY—Many women take up this profession and I think it would be an encouragement to them if the amendment proposed by the Hon. Mrs. Cooper were accepted. It is a most desirable provision for women who may only take up the profession for five to 10 years but who perform a valuable function as teachers. The fact that they have had this representation before leads one to suspect that they would again expect a woman to be on this board under the new legislation. I support the amendment.

The Hon. C. D. ROWE (Attorney-General)—I have had only a brief time to look at this matter, but I think the amendment does not take us any further than at present. As the clause stands it would be competent for the two teacher representatives on the board to be women and there is a complete discretion on the part of the people responsible for the appointments to choose the men or women they feel will be most competent to fill the position. It seems to me that we have a complete discretion and are more likely to have a satisfactory board than if we were to say that one must be a man and the other must be a woman. There may be occasions when we shall find there are two men best fitted for the job and there may be occasions when there are two women best fitted for it or there may be an occasion when the situation envisaged by Mrs. Cooper occurs, where one man and one woman would be best. I think the best approach is to leave the Bill as drafted because it gives everybody complete discretion to make appointments they feel are best designed to meet a particular situation. In adopting this attitude I do not wish to imply that I am necessarily opposing the suggestion made by Mrs. Cooper because what she desires may already be achieved under the legislation as drafted. Therefore, I ask the House to accept the Bill as it is before us. It has been introduced with the concurrence and approval of all the interested parties. If they had any real desire to have the clause as drafted by Mrs. Cooper it would probably have been incorporated in the Bill.

The Hon. JESSIE COOPER—I thank the Minister for his explanation but I must disillusion him on this point. The women teachers are not happy about the arrangement provided in the Bill and I have had representations made to me. Therefore, I feel it is my duty to press my amendment. The fact is that the Salaries Board incorporated what I am seeking. It was not left to the discretion of anybody in that case and I am asking for a general system which is consistent. There is no point in having an Appeals Board set up unless it is to work well and result in good feeling in this very important part of our life, the Education Department. If there is going to be dissension it would be far better not to have this board at all, but to allow the Salaries Board to continue with the power of deciding appeals. The figures I have quoted indicate that there is a majority of men in the permanent teaching staff but if temporary teachers are included there is a majority of women. In the case of elections we know that where in general cases a majority and a minority exist and two people are required the majority is most likely to get two representatives and the minority is likely not to be represented. Therefore, I presume that two women could be appointed in the Primary Department, but in all other branches of the teaching service it is far more likely that we would have two men appointed and that is why, in the first amendment, I suggested that a woman should be one of those appointed as against the elected members. That is a very necessary improvement to this Act which will be jeopardized if it is not seriously considered by members. The Education Department must

work smoothly because it is one of the most vital departments in our lives and in the lives of our children.

The Hon. Sir ARTHUR RYMILL—As the Minister has pointed out, the clause as drawn enables two men or two women or one man and one woman to be appointed according to the nomination which is made. I draw the attention of the mover of the amendment to the fact that it is over-balanced in one way. She insists that a woman should be on this board, but offers no assurance that there shall be a man on it. If this amendment is passed it will mean that the Minister is obliged to appoint at least one woman and possibly two, but he is not obliged to appoint a man at all and, in fairness to my own sex, I draw the attention of the honourable member to that feature. If we are to provide that one of these people shall be a woman surely it would be better to provide that the other should be a man. The honourable member fears that a woman may not be appointed and that is the reason for the amendment. I believe it could properly be left to the Minister and the people advising him to see that proper parties are represented as is the case in nearly all committees and boards. As regards the second part, provision is made for election by the people concerned, so I cannot see that that aspect is not already sufficiently covered.

The Hon. JESSIE COOPER—I merely ask for consistency with the present set-up. I quoted from the Education Act Amendment Act regarding the appointment of the Teachers' Salaries Board, which is worded in a somewhat similar way. It was the only way that the Parliamentary Draftsman and I could work out a method of consistency with the present set-up.

The Hon. F. J. POTTER—The object of the amendment is to ensure that the two permanent members on the board shall be appointed by the Governor on the recommendation of the Minister, one of whom shall be a woman. I think the Minister's remarks were directed to the non-permanent members. Although there may be some force in what the Hon. Sir Arthur Rymill said, I do not think the amendment could be considered bad drafting. There is always the possibility that the Government may appoint even two women.

The Hon. Sir Arthur Rymill—Why should it not be equally mandatory that one member shall be a man?

The Hon. F. J. POTTER—I suppose it could be drafted "one of whom shall be a male and another shall be a female". We should have to leave it to the good sense of the Minister not to appoint two women in the circumstances.

The Hon. Sir ARTHUR RYMILL—Will the Minister reply to the Hon. Mrs. Cooper's mention of the system being applicable to another board already in existence?

The Hon. C. D. ROWE—It is with great regret that I inform honourable members that I have not done as much homework on the matter as I should, and in the circumstances I ask the Committee to report progress. In the meantime I shall endeavour to remedy my shortcomings.

Progress reported; Committee to sit again.

GARDEN SUBURB ACT AMENDMENT BILL.

In Committee.

(Continued from November 9. Page 1719.)

Clause 4—"Amendment of principal Act, section 15."

The Hon. Sir ARTHUR RYMILL—I thank the Minister for the plan he has had placed in the Chamber. I understand from his remarks that the parts proposed to be offered to adjoining owners are those marked in red and that the parts marked in green are the major reserves which I believe are used for sporting activities. I believe that the corner parts to which I particularly referred in the second reading debate are marked grey. The clause provides that the Minister shall not sell those portions known as Light Place Reserve and Hill View Reserve. If it is necessary to reserve the two areas referred to, why is it not also necessary to reserve other portions? It may be said that the major reserves marked in green will never be sold. If it is necessary to retain the two particular reserves, why is it not necessary to retain the other two major and the three minor reserves marked green? Why have those pieces it is not intended to sell been omitted from the clause?

I believe the Minister said it was not intended to sell any of the other reserves. The answer may be that the whole matter is under the control of the Minister. Ministers have always told us that we can rely on their common sense. It would be my intention to whittle this legislation away so that it gives power to sell only in respect of those portions which the Garden Suburb Commissioner and the Government desire to sell. I cannot see why it is necessary to exempt certain parts from sale and not others when it is not intended to sell the others. If the corner pieces were sold,

some of which are big enough to permit of buildings being erected under the Building Act, which I believe provides for a minimum of 5,000 square feet, such buildings would certainly damage the amenities of adjoining owners. Will the Minister say why it has been necessary to specifically exclude two reserves, whereas it is not necessary to exclude the others? And why if the powers are such for only seven small pieces, why does the Bill embrace all the other pieces?

The Hon. N. L. JUDE (Minister of Local Government)—Sir Arthur Rymill first asked why the Bill was introduced for the specific purpose of dealing with the reserves marked in red on the map. I have obtained a report, which includes the following:—

The reserve areas shown in red, for which the Commissioner has sought the Minister's approval to sell, are six blocks which have been set apart for public recreation, in exercise of the Commissioner's powers under section 14 of the Garden Suburb Act, and one portion of road which obstructs the frontages and entrances to two properties in Portland Place. Section 14 also empowers the Commissioner to cancel or alter the purpose of the setting apart of a block for a public purpose while it remains unsold. The areas were created, in the case of the six blocks, by severance of the rear portions of the adjacent blocks, with the object of creating community recreation areas for use by their occupiers, and, in the case of the portion of road, by severance of portion of the frontages of two blocks with the object of creating a garden area. Not one of the areas is a corner piece of land. Five of the blocks are surrounded by back yards and have limited access, and the other, with a street frontage on one side, has back yards on the other three sides. All of the blocks have been used by the various public utilities for the provision of sewerage, gas, electricity and/or telephone services to the adjacent properties, which has made them unsuitable for construction of recreational buildings and facilities upon them. Because of the need to provide for the retention of these services none of the areas would comply with the minimum requirements of the Town Planning Act or the Building Act for residential allotments. It is intended to offer them for sale to the present owners of the adjacent blocks from which they were severed in the original subdivision.

In 1946 block No. 251 on the south of Portland Place was subdivided and sold, and the portions annexed to the adjacent properties, in the manner proposed. It is not anticipated that all the areas will be sold immediately. The established older families, in general, do not desire to have to look after any more land than they have now, but younger families coming into the suburb usually are anxious to acquire a portion of the reserve blocks to make their property a normal sized block. If none of the areas are sold they will necessarily have to remain as they are unless an alternative use is found for them. The Commissioner is of the opinion that the Garden Suburb Act gives him sufficient power to dispose of the areas without any additional wording. Following requests from various property owners for permission to acquire portions of the areas, and before seeking Ministerial approval, the Commissioner consulted the Town Planner. In consultation they were of the opinion that section 459a of the Local Government Act, which provides for public notice of any intention to dispose of certain reserves not exceeding in area half an acre, did not restrict the powers of the Commissioner under the Garden Suburb Act, but that it would be advisable to give public notice of the intention to dispose of certain reserve areas so that there could be no criticism of administration, although the areas concerned are not shown as "reserves" on a deposited plan. This action was taken, on the instructions of the Minister, and no specific objection to disposal was received by the Commissioner. Subsequently the Crown Solicitor queried the possibility of the aforesaid section 459a restricting the disposal of blocks Nos. 53, 148 and 147 in their present form, as their areas exceed half an acre, although the possible restriction could be circumvented by opening a lane-way through the blocks in exercise of powers under the Roads (Opening and Closing) Act. The passing of the clause will confirm the Commissioner's power. Failure to pass the clause will not take away any of the powers already vested in the Commissioner, but will be an intimation that disposal of the particular areas is not approved and the Commissioner will act accordingly.

The report also says "The part-time building inspector is not always available and the Commissioner performs his duties as necessary." With regard to the possible sale of the corners mentioned by the honourable member, I point out that the same position occurs in relation to the areas being used as public utilities. The Commissioner has no intention of selling them. The power is vested in the Commissioner to sell lots without reference to the Minister. This matter was the subject of an inquiry by a Select Committee from another place, and paragraph 4 of its report said:—

In this matter your committee considers that adequate safeguards exist in the Bill to ensure that any reserves set aside for recreational purposes will be retained for those purposes.

The honourable member wanted to know why the Bill specifically excluded the two reserves. The Select Committee considered that they had a specific future, one as a recreational reserve and the other as a shopping centre, and consequently it was thought that they should be mentioned in the Bill. The Commissioner agrees that it is unusual to have a specific exclusion in a Bill, but the Select Committee advocated

it in the general interest. I hope the explanation is satisfactory, and that the clause will be accepted as drafted.

The Hon. Sir ARTHUR RYMILL—I thank the Minister for his explanation, which satisfies me more than 90 per cent. I have always been averse to giving greater powers than are necessary at the moment, because once it is done it passes out of the hands of Parliament. The Minister said that the disposal of the reserves will be subject to Ministerial control, and that, together with the statement that the corner pieces are used for amenity purposes, which prevents them from being used for building purposes, satisfies me in connection with actual fact rather than in general principles. I have weighed the remarks by the Minister and I feel reasonably sure that the residents in the neighbourhood are not only being protected at the moment, but will, by the nature of the layout of the land and the reservations in the Bill, be protected in the future.

The Hon. N. L. JUDE—I said earlier that the Select Committee had included in the Bill the words "with the consent of the Minister", but I point out that they were in the Bill as originally introduced.

Clause passed.

Remaining clauses (5 to 11) and title passed.

Bill read a third time and pased.

POLICE OFFENCES ACT AMENDMENT BILL (No. 2.)

Adjourned debate on second reading.

(Continued from November 9. Page 1722.)

The Hon. R. R. WILSON (Northern)—I support the purpose of the Bill, but I think that it will be necessary to amend it in Committee. In its present form it will be difficult to prosecute offenders. Webster's dictionary says that methylated spirits containing 10 per cent of methyl alcohol has a disagreeable flavour, rendering it unfit for drinking, and that it is used in the arts as a solvent for preserving specimens and in the manufacture of varnishes, etc. I thought that the Hon. Mr. Bevan made an excellent speech on this matter, and I support what he said. In its present form the measure would enable a person to be prosecuted and gaoled whilst being innocent of the charge. I cannot understand a person having a liking for methylated spirits. Today the Hon. Mr. Condon asked the Minister of Health a question about the treatment of alcoholics, and I was pleased with the reply. When a person gets a craving for liquor he cannot be held responsible for his actions, and it is at that stage that medical treatment is needed. In my early days at Ardrossan I knew of a man who drank spirits and wines continually for a fortnight. One Sunday he drank a full bottle of methylated spirits and died. In our community we have a few people like that man and the gaoling of them will do no good. I commend the churches, particularly the Salvation Army, for what they are doing in assisting alcoholics.

Storekeepers sell methylated spirits because it is required for household purposes, blow lamps, primuses, coffee percolators, and is used extensively in caravans. I do not know how a chemist will decide whether methylated spirits is required for these purposes or for taking internally. The Bill is designed to prevent the sale or supply of liquor to aborigines, who are, of course, a weak race where liquor is concerned. The penalties provided in this Bill for wilfully supplying methylated spirits to them should be doubled at least. I support the second reading of the Bill hoping that it will be improved in Committee because, under the present provisions, many innocent people may be prosecuted, although they may be merely obliging a neighbour or some other person.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—"Sale and consumption of methylated spirts".

The Hon. S. C. BEVAN—I move—

After "defendant" first occurring in new section 9a (2) to insert "or supplier".

In this section provision is made to recover various expenses. In my second reading speech I said that penalties should be prescribed which would act as a deterrent to anyone contemplating supplying this spirit for drinking purposes. The Bill applies not only to aborigines but to all persons who may drink methylated spirits. Under various Acts there are penalties for the supply to aborigines of intoxicating liquor, though I realize that a supplier must be detected and then apprehended. I would like the court to have a discretion so that if the supplier was apprehended he should be made responsible for all or part of the recoverable expenses mentioned in this clause. I feel that a greater responsibilty should be placed upon the supplier than there is at the moment.

The Hon. Sir LYELL McEWIN (Chief Secretary)—There are clauses later in the Bill which deal with suppliers and as I have not had an opportunity of studying the honourable member's amendment to see if there is any overlapping, I move that progress be reported and that the Committeee have leave to sit again.

Progress reported; Committee to sit again.

SUPREME COURT ACT AMENDMENT BILL (No. 1).

Adjourned debate on second reading.

(Continued from November 9. Page 1722.)

The Hon. F. J. CONDON (Leader of the Opposition)—This legislation is embarrassing to the people concerned. The Bill amends the Supreme Court Act and provides that any judge who is now over 70 years of age and did not elect to contribute to the pension scheme introduced in 1944 can now elect to do so and receive a pension. The two judges concerned did not agree to enter the scheme and retire at 70 years of age. Had they accepted they would have, after paying £480 contributions, received a pension of half their salary at the time of retiring. By declining to contribute they were able to avoid retiring at the age of 70 and can continue in office as long as they are able. When the amending Bill was before the House some years ago I opposed it, and I am opposing the present Bill for the same reason as I did on that occasion. Nobody has a greater admiration for the persons concerned than I have. My association with the Chief Justice of South Australia goes back many years.

In one of the first cases in which I acted in the Industrial Court I was in opposition to the present Chief Justice. He represented the employers and I represented the employees. This case was heard by the late Dr. Jethro Brown, who was then President of the Industrial Court. I have always found the Chief Justice to be a thorough gentleman and, if I had anything to do with it, only one judge would be concerned in this legislation. If ever a man deserves to be the Governor of South Australia, Sir Mellis Napier does. However, it appears that that is not to be. I am opposing this Bill, not on personal grounds but because it gives preferential treatment over other public servants who have been refused similar consideration. I do not object to certain parts of the measure but feel that, in fairness to members of the Public Service, payment of contributions should be made retrospective.

In 1944 I opposed the Supreme Court Act Amendment Bill, the object of which was to prescribe pensions for judges of the Supreme Court. That Bill gave judges the right to elect within three months of the passing of the Bill whether they would come under the pensions scheme, and also provided that judges appointed in future must elect within three months of their appointment whether they would contribute. It also provided that the Treasurer could accept a late election if the judge paid arrears of contributions. If the judge elected to subscribe, he had to contribute £80 a year into revenue. In his second reading speech, the Minister said:—

In return for this contribution he or his personal representatives will be entitled to benefits as follows:—

(*a*) If the judge retires at the age of 70, or at an earlier age after not less than 15 years' service, he will be entitled to a pension at the rate of £800 a year.

(*b*) If the judge retires on the ground of invalidity before the age of 70, and with less than 15 years' service, he will be entitled to a pension if he has at least five years' service. The pension will in this case be at the rate of £400 a year for five years' service, plus an additional £40 a year for each complete year of service in excess of five.

(*c*) If the judge retires before he becomes entitled to a pension, he will be entitled to a refund of his contributions.

(*d*) If the judge dies while still in office, his personal representative will be entitled to a refund of his contributions.

On that occasion I said that, as the measure provided preferential treatment, a principle was involved. I pointed out that the highest pension a public servant could receive after 50 years' service was £400. A keen debate took place on this matter and the Bill was re-committed. Mr. Cudmore, as he then was, moved an amendment and the Council reversed its decision, so the present law is that these two judges are not entitled to superannuation. However, we propose to establish a precedent in that this Bill will permit judges, who previously refused to contribute, to contribute. I do not object to their receiving superannuation but I oppose the provision that payments of contributions will not be retrospective. Members of Parliament would not be given the same opportunities as judges. As they refused to contribute previously, why should they not make retrospective payments?

The Hon. Sir Arthur Rymill—Isn't the answer that they will enjoy it for a lesser period because of their increased age?

The Hon. F. J. CONDON—Other judges have been contributing since 1944, so why place these judges in a different category? If we do that in this case we should do it in every case, not just for people who occupy high positions. Nobody has a greater admiration than I for the judges; this is a matter of principle, not a personal matter. Although I support the Bill, I oppose granting a pension without providing for retrospective payments.

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

LIFTS 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 bring the legislation relating to lifts into line with modern conditions. The existing Lifts Regulation Act was passed in 1908 and the amendments made in 1926 and 1934 were of a minor nature. The Act is thus, in effect, some 50 years old and has not been amended at all for 25 years. Developments in methods of lift construction, increased average speeds of lifts, the introduction of self-levelling automatic lifts and changing standards all make it desirable to bring the law up to date. Apart from these factors, the present Act is deficient in making no provision regarding its application to building construction work and in mines, while on the other hand it appears to be technically applicable to cranes and hoists on farms, a situation probably not contemplated in 1908.

It has therefore been decided to repeal the existing Act, which the Bill does by clause 2, and to make a fresh start, embodying in the new Bill, wherever possible, existing provisions with or without modification. Clause 9 (closing of lifts for repairs) is in practically the same terms as section 8 of the present Act, clauses 16 to 18 inclusive (dealing with evidence and offences) are reproduced verbatim from the present Act (sections 11 to 15 inclusive), and clause 14 (working of lifts by young persons) differs from section 7 only in its extension to cranes and hoists and in the addition of a power to exempt lifts from its provisions.

I deal now with the other clauses of the Bill. Clause 1 provides that it will come into operation on proclamation. This will enable regulations to be prepared. Clause 3 deals with interpretation and is based largely upon the present Act, but introduces definitions of cranes and hoists which differ from lifts in the strict sense. Clause 4 exempts from the Act hoisting appliances used in connection with building construction work, within the Scaffolding Inspection Act, machinery under the Mines and Works Inspection Act and cranes or hoists in factories registered under the Industrial Code or Country Factories Act, all of which are already fully covered by other legislation. Likewise, cranes and hoists used on farms are exempted and cranes and hoists of the Railways Commissioner. Subclause (3) enables hand-worked lifts to be exempted from the Act. Subclause (2) provides that the Act is to bind the Crown. Clause 5 is a machinery provision covering the appointment of inspectors.

Clauses 6, 7 and 8 require notice of any intended construction or alteration of a crane, hoist, or lift, to be given to the chief inspector for the purpose of obtaining approval of what is intended. Work may not be undertaken without a permit and the chief inspector must be informed at about the time when the work commences. All work must be approved and all lifts, cranes and hoists must be registered. Clauses 10, 11, 12, and 13 cover safety. Clause 10 requires proper precautions to be taken by persons erecting, altering or maintaining cranes, lifts and hoists, and clauses 11 and 12 provide for inspections and tests at least once a year and the giving of directions to prevent injuries or ensure compliance with regulations. There is an appeal to the Minister from any direction of an inspector. Clause 15 deals with regulations which may cover a number of matters including safety precautions. The clause is in wider terms than section 10 of the present Act and will enable account to be taken of changes in design and standards from time to time. I believe that this Bill, designed like others which have been introduced in recent years to bring our Statute law into line with modern conditions, will command the approval of all honourable members, and I move the second reading accordingly.

The Hon. F. J. CONDON (Leader of the Opposition)—If anybody wants to know anything about lifts, he should spend some time in

Parliament House where, when anybody gets into a lift, he does not know when he will get out. Honourable members, including myself, have been held up on several occasions. We commonly see a notice hanging on the lift gate "out of commission". I hope that other people are not subject to the inconvenience we suffer in this building from the non-working of the lift in front of the Legislative Council.

It is proposed to repeal the existing Act. This Bill makes a fresh start. Clause 9 deals with the closing of lifts for repairs, and clause 14 with the working of lifts by young persons. This is probably the most debatable clause. Subclause (2) enacts:—

> The Chief Inspector may, on written application, grant an exemption in writing from subsection (1) of this section with respect to any lift which, in his opinion, can be worked safely by any person under the age of 18 years, and such exemption shall remain in force until revoked.

Clause 13 introduces the definitions of cranes and hoists. While the law does not prevent a youth under the age of 18 years repairing a lift, it is a different proposition altogether when it comes to controlling lifts. Any lift, other than those in Parliament House, can be controlled easily; supervision is easy. I cannot see why any objection could or should be taken to a person under the age of 18 years being in charge of a lift.

Clause 4 exempts from the Act hoisting appliances used in connection with building construction work within the Scaffolding Inspection Act and other Acts. The trouble with the Industrial Code, the Factories Act and the Scaffolding Inspection Act is that they apply not to the whole State but only to the larger towns. Provision should be made for these Acts to be amended. In that case, the legislation now under discussion would be considered. The Bill is designed to bring it up to date. No objection can be taken to it. Therefore, I support it.

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

PASTORAL ACT AMENDMENT BILL.

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

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

That this Bill be now read a second time.

The provisions of the Pastoral Act to which the main clauses of this Bill relate were based on the report of a Royal Commission on the Pastoral Industry issued in 1927. Those provisions were originally enacted in 1929 when the pastoral areas were in the throes of a disastrous drought and the price of wool had declined to a little over 10d. per lb. for the 1929-1930 clip. The Acts relating to pastoral lands were subsequently consolidated in the Pastoral Act, 1936, and that Act, as amended, is the principal Act referred to in this Bill.

The 1929 legislation was designed to assist the pastoral industry through difficult times and, except in minor respects, no change has since been made affecting the terms and conditions under which pastoral leases are granted under the principal Act. The liberal provisions of the Act and the broad and sympathetic policy of the Pastoral Board are contributing factors in establishing the industry in the sound position in which we find it today, and vastly improved conditions are now prevailing in the industry. An appreciation of the magnitude of the board's responsibility under the Act could be made from the fact that 75 per cent of the State's occupied areas is held under the Pastoral Act. While the Government has been alive to the necessity for maintaining the progressive development of the arid inland areas of the State, it has been also concerned about the unduly low revenue received from rentals. This is appreciated by many lessees who agree that their holdings could stand a substantial increase in the present rentals charged under the Act.

With these matters in mind, the Pastoral Board has reported to the Government that, most of the 1929 legislation having fulfilled its purpose in establishing the pastoral industry on a particularly sound basis, the stage has now been reached where the legislation affecting pastoral occupation of lands in the State is in urgent need of revision.

The recommendations of the board, which the Government seeks to implement in this Bill, do not affect the rights of lessees under existing legislation. They reflect the board's recognition of the fact that certain areas of the State are subject to extreme conditions of drought and hardship and although the board does not consider it wise to permit some extremely large holdings to be re-granted in their entirety to existing lessees on the expiration of their present lease it is firmly of the opinion that in considering the question of dividing any existing holding the primary consideration should be the maximum production that could safely be achieved from the land and that such production is not necessarily achieved by cutting up existing holdings that

are efficiently managed. It is also of the opinion that the subdivision of an existing holding will not necessarily result in increased revenue for the State by way of rent.

In order to enable members to appreciate fully the implications of the Bill, I shall, as I deal with each clause, briefly outline the effect of the existing provisions of the principal Act which the Government feels are in need of revision, the recommendations of the board in regard thereto and the effect of that clause when the Bill becomes law. Under the principal Act, a pastoral lease is, with a few minor exceptions, granted for a term of 42 years, and the rent payable under the lease is fixed for the first 21 years of the term and revised during the 21st year when the rent for the last 21 years of the term is determined upon a revaluation of the lessee's run. The board recommends that revaluations of leases granted after the Bill becomes law should be made for each seven year period of the term of the lease.

Clause 3 inserts in the principal Act a new section 40a the effect of which is that where the term of a lease granted after the Bill becomes law exceeds seven years, that term shall be divided into periods so that each period will be of the duration of seven years, or if that is not possible, each period other than the last, will be of that duration. Subsection (2) of that section also provides that the rent of such a lease shall be revalued for the second and each succeeding period of the term in accordance with Part V of the Act. Part V deals with rent, valuations and revaluations of all leases

Section 41 (1) of the principal Act provides that every lease granted after December 12, 1929, except a lease of land south or east of the River Murray, shall be for 42 years and subsection (2) of that section provides that the rent of every such lease shall be revalued for the last 21 years of its term in accordance with Part V. As the new section 40a inserted by clause 3 requires a revaluation of the rent of a lease granted after the Bill becomes law for each seven-year period of its term and it is necessary to protect the rights of existing lessees who come under section 41, clause 4 of the Bill amends subsection (2) of that section by qualifying it with the words "subject to section 40a of this Act". This means that revaluations of existing leases will continue to be made under the old provisions while those of future leases will be made subject to the new section 40a. Section 42 (1) of the principal Act deals similarly with leases granted after December 12, 1929, of land south or east of the River Murray and clause 5 of the Bill amends subsection (2) of that section in the same way. The amendments proposed in clauses 4 and 5 are in effect consequential upon the provisions of new clause 40a.

Section 43 (2) of the Act provides that any term or covenant of a lease may bind the lessee to supply water for stock travelling through the leased land, but the lessee has the right to determine from which water supply the stock are to take water. The water supply need not necessarily be that nearest to the most direct route through that land. The board reports that in its present form the section would empower an unreasonable or difficult lessee to determine that stock must take water from a water supply that is practically inaccessible and recommended that the section be clarified. Clause 6 accordingly amends section 43 (2) so as to provide that the water supply need not be that nearest to the most direct route through the leased land if the water supply is reasonably accessible to such stock.

Fifty-four per cent of the current leases are due to expire between the years 1971 and 1975 and while it is intended that existing lessees retain the right to hold their present holdings under the present law until their leases expire, it is felt that advantages could accrue both to the State and to lessees if existing lessees were provided with an opportunity of electing within a specified period to terminate their present leases in consideration of being granted new leases for 42 year terms of the whole or part of their present holdings at revised rentals. In such cases the advantage to the pastoralist would be an assured tenure for another term of 42 years while the State would derive increased revenue from the increased rentals that would in most cases be charged in view of the fact that the existing rentals are purely nominal.

Clause 7 accordingly inserts in the principal Act a new section 46a, subsection (1) of which enables the lessee of one or more leases, within 12 months after the Bill becomes law, to request the Minister to notify him whether, upon surrender of the lease or leases, the Minister is willing to offer him another lease of the whole or any part of his holdings, and if so at what rent and on what terms and conditions. Subsection (2) requires the Minister, on the board's recommendation, to determine the matters mentioned in subsection (1) and to

serve on the lessee a notification of his determination. The subsection also requires the Minister, if he offers the lessee another lease of a part only of the lands comprised in the surrendered lease or leases, to state in the notification the value of the improvements, as assessed by the board, which the lessee is entitled to be paid under subsection (7) of the section. Subsection (3) provides that if the Minister notifies the applicant that he is willing to offer him a new lease, that notification is to be deemed to be an offer of a lease for a 42-year term of the land in question which the applicant may accept within six months after the Minister's notification is served on him.

Subsection (4) requires the applicant on accepting the offer to surrender his existing lease or leases and requires the Governor to accept the surrender and grant the new lease in terms of the offer. Subsection (5) is in effect an exemption in the case of leases granted under this section from the provisions of sections 23 and 29 of the Act which require the publication of a notice declaring lands to be open for leasing and which require all applications for such lands to be considered as simultaneous applications. Subsection (6) requires a new lease granted under subsection (4) to comprise, where practicable, a continuous area of land that could be economically worked and to include the homestead. The subsection also provides that, if the surrendered lease or leases comprised land of an area of 100 square miles or more, the new lease must be a minimum of 100 square miles in area, and if the surrendered lease or leases comprised land of an area less than 100 square miles, the new lease must comprise the whole of that land. Subsection (7) provides for compensation being payable to a lessee for improvements made on any part of the lands comprised in a surrendered lease if that part is not included in a new lease granted in lieu of the surrendered lease under subsection (4). And if any part of the lands comprised in a surrendered lease is not so included and is not to be allotted within six months after the surrender to another lessee, subsection (8) enables the Minister to grant to the person who surrendered the lease a licence to use and occupy that part on such terms and conditions as the Minister thinks proper.

Section 49 of the principal Act deals with the surrender of land held under Crown leases and agreements for sale and purchase made with the Crown in exchange for leases under the Act. Subsection (6) of that section in its present form envisages that the new lease would be granted for a term of 42 years and that the rent payable thereunder would be determined at the commencement of the term for the first 21 years of that term and again on revaluation in the twenty-first year. In view of the new section 40a inserted by clause 3 providing for revaluations every seven years, clause 8 amends subsection (6) of section 49 by qualifying it with the words "subject to section 40a of this Act". The effect of this clause is that the rent payable under existing leases granted under this section would continue to be governed by the present law while the rent payable under any future lease granted under the section will be subject to revaluation for each seven year period of its term.

Section 53 of the principal Act provides for a special revaluation of a run the value of which in the Minister's opinion is enhanced by Government works of a public nature executed on or in the vicinity of that run. Section 54 provides that no such revaluation shall be retrospective or be made within five years after the commencement of the lease nor within 10 years after any previous revaluation. The board is of the opinion that as future leases provide for revaluation every seven years and that under section 57 the lessee has a right of appeal against a revaluation made under section 53 or 56 the words "nor within 10 years after any previous revaluation" confers an undue advantage on a lessee, who, in any event has a right of appeal against a revaluation with which he is dissatisfied. Clause 9 accordingly strikes out those words from the section.

Section 55 of the principal Act provides for the revaluation of existing 42-year leases to be made during the first six months of the twenty-first year of the term. In view of the provisions of new section 40a inserted by clause 3, special provision is needed for the revaluation of future leases and clause 10 amends section 55 by limiting the application of the existing provisions to leases granted prior to the passing of the Bill and by adding a new subsection providing for the revaluation of future leases at the end of every period of seven years for the purpose of determining the rent payable by the lessee for the next succeeding period of the term of the lease.

Section 56 of the principal Act requires the revaluation referred to in section 55 to be completed not less than six months before the expiration of the twenty-first year of the term of the lease and requires the Minister to serve

notice on the lessee advising him of the rent to be paid during the last 21 years of the term. The section goes on to provide that the annual rent to be paid on revaluation shall not be more than 50 per cent above or below the rent payable during the twenty-first year of the term. As the section needs redrafting to cover the seven year revaluations of future leases, clause 11 repeals and re-enacts the section with the amendments necessary to achieve that effect.

As I have said before, section 57 of the Act gives a lessee the right of appeal against a revaluation made under section 53 or 56. If the lessee is dissatisfied with the rent fixed on appeal, subsection (2) of section 57 gives him the right to require the rent to be fixed by arbitrators. Section 59 provides that if the lessee does not appeal against the revaluation the rent fixed on that revaluation shall be payable as from the date such rent is due, but the section is unaccountably silent as to the lessee's liability to pay the rent so fixed in the event of an unsuccessful appeal. Clause 12 repeals and re-enacts that section to take care of this omission, taking into account revaluations of leases granted both before and after the Bill becomes law.

Section 60 of the principal Act confers on the Minister power to reduce the rent payable under a lease where the board is satisfied that the rent is too high having regard to the productive capacity of the land and other relevant matters. Subsection (5) of that section provides that, except as provided therein, the reduction of the rent shall not affect the board's power or duty to revalue any run in accordance with the Act. The subsection adds that, if any reduction is operative during the twenty-first year of the term of any lease, the rent which would have been payable during that year, if no reduction had been granted, shall, for the purpose only of fixing the rent on revaluation, be taken to be the rent payable during that year by the lessee. Subsection (2) of section 56 as re-enacted by clause 11 provides that the annual rent payable upon revaluation shall, in the case of existing leases, be not more than 50 per cent above or below the rent payable during the twenty-first year of the term of the lease and in the case of future leases not more than 50 per cent above or below the rent payable during the last year of the seven-year period in which the revaluation is made. Subsection (5) of section 60 accordingly requires to be brought into line with those new provisions, and clause 13 repeals that subsection and re-enacts its provisions with the necessary amendments in the new subsections (5) and (6).

Subsection (1) of section 61a of the principal Act prescribes the covenants required to be included in existing leases. Pursuant to those covenants a lessee is bound to expend on improvements on the land by the end of the fifth, thirteenth, and twenty-first years respectively of the term of the lease such sums of money as are specified in the *Gazette* notice declaring the land open for leasing, but he is not obliged to maintain those improvements. The board has recommended that in future leases there should be an additional covenant binding the lessee to maintain in good order and condition during the term of the lease all such improvements. Clause 14 accordingly amends subsection (1) of section 61 by limiting the application of that subsection to existing leases and adds a new subsection (1a) which prescribes the covenants to be contained in future leases in accordance with the board's recommendation. As future leases could fall into two classes, namely, those granted pursuant to new section 46a inserted by clause 7 and leases other than those leases, and, as section 46a does not require the publication of a notice declaring lands comprising a lease under that section to be open for leasing, new subsection (1a) inserted by clause 14 would not be applicable to leases under section 46a. The board has accordingly recommended that the covenants provided for in new subsection (1b) inserted by clause 14 should apply to such leases.

Subsection (2) of section 61a deals with the *Gazette* notice by which lands subject to existing leases have been declared open for leasing and sets out the limits of the amounts required to be spent on improvements by the lessees. The board considers that these limits are far too low and recommends that for future leases the amounts to be spent by the end of the fifth year be increased from £10 to £25 a square mile, the amounts to be spent by the end of the thirteenth year be increased from £15 to £40 a square mile and the amounts to be spent by the end of the twenty-first year be increased from £20 to £60 a square mile. As the subsection has served its purpose so far as existing leases are concerned, clause 14 repeals it and enacts a new subsection dealing with notices by which lands are declared open for leasing after the Bill becomes law. The new subsection gives effect to the board's recommendation.

The board has also reported that, while the runs situated within the dog fence are generally well developed and in the hands of capable lessees, those outside the dog fence, with few exceptions, are inadequately developed. It feels that future leases of land outside the dog fence should require lessees to effect specified improvements within specified periods and recommends that legislation be passed to make this possible. Clause 15 accordingly enacts a new section 61b in the principal Act whereby a future lease granted in respect of lands situated outside the dog fence may, if the Minister thinks fit, contain, in addition to the other covenants provided for in the Act, such covenants as would bind the lessee to effect such improvements on the leased lands within such time as may be specified in those covenants. Subsection (2) of the new section, however, has the effect, so far as land outside the dog fence is concerned, of limiting the obligation of a lessee under any covenant to effecting improvements the total value of which at the end of the fifth, thirteenth and twenty-first years of the term of the lease will not exceed the maximum amounts respectively required to be spent by any other lessee on lands leased under the Act after the Bill becomes law. For the purpose of this new section it has been necessary to refer to a plan depicting the part of the State that lies outside the dog fence and this plan is incorporated in the fourth schedule which is inserted by clause 21.

Section 88 provides that the Minister may, by agreement with the lessee of any pastoral lands, acquire the lessee's interest in the whole or any part of the lands comprised in the lease for the purpose of closer settlement or for allotment to lessees of other pastoral lands. The section requires the Minister to pay for the interest and improvements thereon an ascertained amount of money. The board feels that in certain cases it would be an advantage and would assist such negotiations if the Minister had power to acquire for those purposes a lessee's interest in any part of the lands comprised in a lease in consideration for which the Minister grants an extension of the term of the lease for a further period not exceeding seven years with respect to all or any of the remaining land in the lessee's run. Clause 16 accordingly gives effect to this recommendation by enacting a new section 88a conferring the necessary power on the Minister.

Section 92 of the principal Act provides that any lessee may surrender any portion of the land comprised in his lease in accordance with that section. Section 93 provides that when any lease is so surrendered it shall be lawful for the Governor to grant a lease or leases of the land comprised in the surrendered lease to the person or persons nominated by the lessee surrendering the same and that every such new lease shall be granted for the unexpired period of the term of, and for the same purposes, and subject to the same terms, conditions and regulations as, the lease so surrendered. As subsection (4) of new section 46a contemplates a surrender of a lease in exchange for a new lease in favour of the same lessee for a full term of 42 years and on a rental and subject to terms and conditions to be specifically determined, section 93 is not intended to apply to surrenders under section 46a. Clause 17 accordingly makes this clear.

Subsection (1) of section 111 of the principal Act provides that if the Minister is of opinion that the water from any artesian bore constructed after December 12, 1929, on any land included in a pastoral lease is being improperly used or is being wasted he may take certain action to prevent such improper use or waste or to ensure that the water will be used to the best advantage. The board has recommended strongly that it should be possible to apply these provisions to water from any artesian bore whether constructed before or after that date so as to ensure that full use is made of all such bores on the land, and the Government feels that the reference to the date should be struck out from the section. Clause 18 gives effect to this decision.

Section 112 similarly provides that, if any land held under a pastoral lease is insufficiently watered, but can conveniently be supplied from an artesian bore constructed after December 12, 1929, and situated on other land held under a pastoral lease, the Minister may direct the lessee of the land on which the bore is situated to supply the other lessee with water from that bore. The board has recommended that the reference to the date in this section be struck out for the same reason, and clause 19 gives effect to that recommendation.

Clause 20 has been inserted on the board's recommendation that a new section be inserted in the principal Act whereby it will be deemed to be a condition of the lease of every run which does not lie outside the dog fence and any part of which is or becomes bounded by a part of the dog fence, that such part of that fence shall be maintained by the lessee in dog-proof condition throughout the currency of the lease. Effect is given to this

recommendation by the insertion by that clause of a new section 134a. Clause 21 adds a fourth schedule to the principal Act. This schedule is complementary to section 61b inserted by clause 15.

It will be seen that the Bill seeks to make certain radical changes of policy which I submit are justified. There can be no doubt that pastoral lease rentals in this State are inordinately low having regard to the economic changes that have taken place in the industry since 1929. The rentals for the first 21 year periods of most of the current leases were fixed at a time when the industry was struggling through the effects of drought and depression. In fixing those rentals the board had taken into consideration all the hardships that were being borne by pastoralists at the time. Hitherto only one opportunity has been provided during the term of a 42-year lease for an upward revaluation of the rental which could not exceed 50 per cent of the rental payable prior to revaluation. The difficult times through which the industry was passing have now passed and the pastoralists who will be mainly affected by the Bill today are enjoying under greatly improved conditions benefits that were designed to assist the industry through those difficult times. Having regard to those facts and the fact that rent is an allowable taxation deduction the board considers, and the Government agrees, that an increase in rents is justified and would in no way impose hardship on the lessees or materially affect their net income. The proposed amendments also make possible the orderly and progressive development of the pastoral lands of the State. I commend this Bill for favourable consideration by members.

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

MOTOR VEHICLES ACT AMENDMENT BILL (No. 2).

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

The Hon. N. L. JUDE (Minister of Roads) —I move—

That this Bill be now read a second time.

It provides for carrying into effect the decision of the Government to introduce driving tests. In making this decision the Government has been influenced both by the serious road accidents of recent months and by the fact that both the Commissioner of Police and the Registrar of Motor Vehicles are now able to provide the staff and make the administrative arrangements for driving tests without seriously affecting their other functions. The truth about the influence of driving tests on the accident rate is not known, but it is generally believed that they have some beneficial effect, and as part of its campaign for greater road safety the Government has decided to give them a trial.

The introduction of driving tests makes it desirable to alter the classes of licences which can be granted. If tests are to be conducted, they must be in a general way appropriate for the classes of vehicles which motorists are authorized to drive under their licences. The present motor vehicle licence authorizes a person to drive vehicles of any kind from a motor cycle to an omnibus or semi-trailer. But it would be illogical to submit a person who only intends to drive motor cars or utilities to the same test as a person who intends to drive buses or semi-trailers. It seems therefore that there should be more than one kind of test and different classes of licences corresponding to the different tests. On the other hand it is not possible to divide vehicles into numerous different classes and have separate tests and licences for each class. With each additional class of licence the scheme becomes harder to police, and more expensive and difficult to administer. Some balance has to be struck between a theoretically perfect scheme and a scheme which can be administered with a reasonable number of staff and without undue inconvenience to the public. The Government proposes therefore that there will be only two main classes of licences with different tests for applicants for each class. The proposed licences will be called licences of class A and licences of class B. A licence of Class A will be a general licence authorizing the holder to drive motor vehicles of all kinds. A licence of class B will authorize the holder only to drive vehicles having a tare weight not exceeding three tons. It is not proposed to have a separate class of licences for motor cycles. There are less than one thousand of these licences at present, and the number is steadily decreasing each year. If, however, a person desires a licence to drive motor cycles only he will be able, under the proposed scheme, after passing a driving test on motor cycles, to obtain a class B licence endorsed with a restrictive condition that it is limited to motor cycles. If the holder of such a licence wishes to get rid of the restrictive condition he will have to pass the general driving test for a class B licence.

The question arises what will happen to driving licences in force when the new scheme commences. On this topic, it is proposed that every motor vehicle licence in force immediately before the new system commences will be treated as a licence of class A. It will not be practicable to test every person who holds a licence when the new scheme commences in order to decide whether he should be regarded as the holder of a class A or of a class B licence. The appropriate course therefore is to leave licence holders in possession of their existing driving rights, except in special cases where it is considered necessary to subject holders to tests. Motor cycle licences in force when the scheme comences will be treated as licences of class B endorsed with a restrictive condition that the holders can drive motor cycles only. Thus these licensees also will retain their existing rights, but no more.

The persons who will be tested under the new scheme are all persons who apply for licences after the scheme comes into force and have not previously held a licence, or have not held one within the previous three years, and any other classes of persons whom the Registrar deems it desirable to test. The tests will be conducted by members of the Police Force specially appointed by the Commissioner, and testing centres will be established in convenient places throughout the State. In order that persons may drive on roads while undergoing instructions as a preliminary to a test a system of learner's permits will be introduced. These will be issued by the Registrar for a fee of 10s. The standard terms and conditions of the permits will be fixed by regulations but in special cases the Registrar will have power to insert special conditions. It is contemplated that a learner's permit will have a currency of three months and it will be possible for a person to obtain a subsequent permit if he so desires. Before a learner's permit is issued the applicant must pass the written examination which is required for a licence.

These are the main outlines of the scheme in this Bill.

Dealing with the clauses of the Bill, I mention first clause 3, which provides that the new scheme will come into operation on a day to be fixed by proclamation. Before the scheme begins it will be necessary to select and train testing officers and establish the testing centres. There will also be a lot of preparatory work in the Registrar's office. It is expected that it will take until the middle of next year to make all the arrangements and it is likely that the scheme will be brought into operation on the 1st July next. Clause 4 sets out the two new classes of licence which I have explained and clause 5 makes a consequential amendment to the section in the principal Act requiring drivers to hold the proper type of licence. Clause 6 empowers the Registrar to issue learner's permits, and also provides that a learner's permit may be cancelled or suspended and the holder disqualified for offences in the same way as the holder of a licence. Clause 7 sets out the new licence fee, which is £1 for a licence of either class A or class B, and also prescribes the fee of 10s. for a learner's permit. Clause 8 provides for the issue of a duplicate learner's permit in the event of loss or destruction of the original. Clause 9 provides that learner's permits will not be issued to persons under 16 years of age. Clause 10 provides that applicants for learner's permits must pass the written examination.

Clause 11 is the provision making the driving test obligatory for those who have not previously held licences, or have been without licences for three years. However, the Registrar may exempt from test people who have been tested by some other public authority, for example, Tramways Trust drivers. Clause 12 empowers the Registrar to require any applicant for, or holder of, a licence to be tested if he considers it desirable. This will mean, in practice, that the Registrar, in addition to testing all new applicants, will be able to require any classes of present holders of licences to undergo tests—for example, all those above a certain age, or all those with certain specified disabilities. Clause 13 provides that restricted driver's licences may be issued without a driving test. At present restricted licences can be issued without a written examination, and it is logical to give the Registrar power to dispense with the driving test also. This power, for example, can be used in relation to persons in outback areas of the State whose driving is limited to a particular area where there are very few vehicles.

Clause 14 provides that there will be a right of appeal against a refusal to issue a learner's permit, in the same way as against a refusal to issue a licence. Clause 15 repeals an existing provision as to the exchange of licences, and substitutes a new provision suitable for the new scheme. Under this it will be possible for the holder of a class B licence to exchange the licence for a class A licence upon passing the appropriate driving test. Clause 16 is a consequential amendment

It will be seen, therefore, Sir, that the general principles of the new scheme are simple, and if adequate time is taken for preparation it should be possible to make the change-over without serious inconvenience to the public. I commend the Bill for honourable members' consideration.

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

DAIRY CATTLE IMPROVEMENT 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 is to remove the obligation under the Dairy Cattle Improvement Act to licence any bull that is not maintained or kept at or for any purpose connected with a dairy farm and, incidentally, to relieve beef cattle breeders of the necessity to maintain herd books for the purpose of seeking exemption from the payment of licence fees in respect of such bulls. Under section 6 (1) of the Dairy Cattle Improvement Act, 1921-1955, every bull over the age of six months is required to be licensed, but under section 7a of that Act a bull may be licensed without payment of the licence fee if it is registered in a herd book for beef cattle approved by the Minister or if it is the direct issue of any bull and cow registered in any such herd book. This means that every breeder of beef cattle is obliged to maintain a herd book (which generally involves considerable time, labour and expense) in order to seek exemption from the payment of licence fees in respect of the bulls so registered.

Representations have been received from beef cattle breeders complaining that this requirement involves them in undue hardship in that considerable time, labour and expense is involved in maintaining herd books and applying for exemption from payment of licence fees, and the Advisory Committee for Improvement of Dairying has recommended that the Act could well be amended to meet these representations by providing that a licence be required only for such bulls as are maintained or kept at or for any purpose connected with a dairy farm licensed or required to be licensed under the Dairy Industry Act, or one specified in a milk producer's licence granted under the Metropolitan Milk Supply Act. The Government agrees with this recommendation and this Bill seeks to give effect to it.

Clause 3 amends section 6 (1) of the principal Act by limiting the requirement for a licence to bulls over the age of six months maintained or kept at or for any purpose connected with such a dairy farm. Clause 4 repeals section 7a of the principal Act under which a herd book had to be maintained for beef cattle in order to seek exemption from payment of licence fees in respect of bulls registered therein or of bulls which are the direct issue of any bull so registered. If this Bill becomes law it will effect a considerable saving of time, labour and expense not only to beef cattle breeders but also in regard to the administration of the Act. I commend this Bill for favourable consideration by members.

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

ADJOURNMENT.

At 6.26 p.m. the Council adjourned until Wednesday, November 16, at 2.15 p.m.