

LEGISLATIVE COUNCIL.

Tuesday, August 22, 1961.

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

PERSONAL EXPLANATION: BREAD PRICE.

The Hon. A. J. SHARD: I ask leave to make a personal explanation.

Leave granted.

The Hon. A. J. SHARD: It appears that an impression has been gained publicly that in a recent speech in this House I went beyond a mere discussion of costs in the bread industry and was advocating an increase of threepence in the bread price. I certainly had no intention to do more than point out the extent to which the industry had absorbed costs, and I wish to make it quite clear that I do not advocate a bread price increase, that I believe it proper that increased costs should be absorbed as far as possible, and that I believe that bread prices should be maintained at the lowest reasonable price to protect the workers' living standard.

QUESTIONS.**ANTI-SPLASH MUDGUARDS.**

The Hon. G. O'H. GILES: Has the Chief Secretary obtained a reply to the question I asked on July 27 regarding anti-splash mudguards on heavy vehicles?

The Hon. Sir LYELL McEWIN: The question was referred to the appropriate Minister, from whom I have received the following reply:

A provision enabling the question of mudguards and other like devices to be dealt with by regulations is included in the Road Traffic Bill. It is not practicable to include all the details in the Bill itself.

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

Leave granted.

The Hon. G. O'H. GILES: Following on the answer of the Chief Secretary will the Minister of Roads say whether the Government intends to act by regulation in this matter because such action would cut down the accident rate during wet weather and would prevent the smashing of windscreens in country areas?

The Hon. N. L. JUDE: There are three facets to this question; firstly the breaking of windscreens by stones not thrown up by rear wheels of cars but thrown sideways by vehicles travelling in the opposite direction. The

second point is the mud problem, and practical observations are now being made and have been previously undertaken. It has been found that mud may be thrown up from the wheels of the most expensive private cars with low mudguards. If one is going to legislate for mud flaps on all private vehicles which already have fairly adequate mudguards one would still fail to stop the obliteration caused by dirt on windscreens when one got off the sealed highways, because of mud thrown up from in front of and from the side of wheels. No flaps would stop that. The Government is considering the question of mud flaps on large vehicles and reasonable mudguards on commercial vehicles. However, if we are to compel the owners of some 300,000 motor vehicles to place mud flaps on those vehicles when such can be shown not to be entirely necessary, particularly if windscreen washers are fitted, one has to consider carefully the charge to the general public before providing for a regulation of that type.

ADELAIDE UNIVERSITY.

The Hon. K. E. J. BARDOLPH: Has the Chief Secretary obtained a reply to my question of August 2 regarding under-staffing at the University?

The Hon. Sir LYELL McEWIN: I have received the following reply:

The Government has already taken all action within its power to assist financially in resolving the staffing problem. The recommendation by the University Commission for this year for maximum grants to which the Commonwealth would be prepared to contribute on a basis a little better than half as much as secured from State grants and fees, included a provision for increased staffing clearly beyond the capacity of the University to recruit good staff immediately. The State may well have concluded that as the full staff would not be secured, then the full grant would not be warranted. The Government has, however, agreed to provide a grant to the maximum level in the hope the University could use a considerable part of the additional funds to improving facilities and opportunities for post-graduate training of our very best students. This would have the effect of increasing the pool for ultimate recruitment of first-class University staff as well as of those specialists required elsewhere in the scientific, industrial, and educational fields.

SPEED LIMIT THROUGH ELIZABETH.

The Hon. C. R. STORY: Recently I raised the matter of a speed limit through the town of Elizabeth. Has the Minister of Roads any additional information on that subject?

The Hon. N. L. JUDE: I suggest that the honourable member allow questions on this

point to lapse for the moment because the matter is fully covered in the Road Traffic Bill introduced last week in another place by the Premier.

DRIVERS' LICENCES.

The Hon. A. C. HOOKINGS: Can the Minister of Roads inform me whether the Government intends to follow up the suggestion I made last year concerning the form of motor drivers' licences?

The Hon. N. L. JUDE: I was impressed with the honourable member's suggestion because I have seen such licence forms relating to drivers and insurance used in many other parts of the world. They are made of strong, linen covered material and can be carried without deterioration throughout the year in a person's pocket. I took the matter up with the Registrar of Motor Vehicles and he stated that much expense would be involved because the department recently installed a Powers Machine, which is a punch-hole type of machine, to increase the efficiency of the Motor Vehicles Department. No member would doubt that the efficiency of the department has been greatly improved. However, the Registrar said that he was impressed with the form suggested and would examine the possibility of introducing a stronger licence form in place of the piece of paper at present issued.

MARGARINE QUOTA.

The Hon. K. E. J. BARDOLPH (on notice): In view of the existing shortage of locally manufactured table margarine and the influx into this State of interstate table margarine, is it the intention of the Government to amend the Margarine Act so as to provide for an increase in the quota of local manufacturers?

The Hon. Sir LYELL McEWIN: Quotas for the manufacture of table margarine are set by the Agricultural Council. The Government does not propose to depart from the agreement made at this council.

HOSPITALS ACT AMENDMENT BILL.

The Hon. Sir LYELL McEWIN (Minister of Health) obtained leave and introduced a Bill for an Act to amend the Hospitals Act, 1934-1959. Read a first time.

The Hon. Sir LYELL McEWIN: I move:

That this Bill be now read a second time.

The object of this Bill is to remove an unintended consequential effect of an amendment to the Hospitals Act Amendment Bill,

1959. The object of that Bill in its original form was to empower the Director-General of Medical Services to prescribe differential rates for different types of accommodation provided in public hospitals and to make it clear that the Director-General had power to remit fees owing by patients. During the course of the debate an amendment was moved by the Leader of the Opposition to provide that rates for public hospitals should be prescribed, not by the Director-General but by regulation, so that fees to be imposed on patients should be subject to review by Parliament and this amendment was accepted by the Government. The Bill was considered at a late stage during the session and as there was no opposition to its basic provisions the amendment was accepted without perhaps that full consideration which it might have received under different circumstances.

It was not appreciated that the amendment to the Bill would have an unintended effect upon subsidized hospitals. But section 48 of the principal Act provides that the provisions of section 47 covering fees may be applied to subsidized hospitals upon proclamation. When such a proclamation is made, all of the provisions of section 47 are applied to such subsidized hospitals substituting the words "the board or the committee of management of the hospital" for "the Director-General" and the "Crown" wherever these latter expressions appear in section 47. This provision worked satisfactorily as long as the Director-General of Medical Services fixed fees for public hospitals, but section 47 in its amended form now provides that all fees shall be prescribed by regulation and thus the unintended result has been brought about that not only must fees for public hospitals be fixed by the Governor, but also fees in respect of subsidized hospitals. These fees have always been fixed by their respective boards of management. The object of this Bill is to add to section 48 appropriate provisions which will ensure that that position is maintained and clause 3 accordingly provides that section 47 in its application to subsidized hospitals shall be read in a manner which would give effect to the intention.

Clause 4 provides that the amendment made by clause 3 shall operate retrospectively to the passing of the 1959 amendment so that full effect can be given to what was then the real intention of Parliament.

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

CHILDREN'S PROTECTION ACT AMENDMENT BILL.

The Hon. C. D. ROWE (Attorney-General) obtained leave and introduced a Bill for an Act to amend the Children's Protection Act, 1936. Read a first time.

The Hon. C. D. ROWE: I move:

That this Bill be now read a second time.

The object of this Bill is to enable a court or jury, when the age of a child is in question, to determine, on its own view and judgment, that the child is of or over a certain age.

Section 19 of the principal Act provides that if in any proceedings under that Act or whenever the age of any child is in question the court or jury, on its own view and judgment, is satisfied that the child is under a certain age, the child shall be deemed to be under that age, unless the contrary be proved. This provision enables a court or jury to assess the age of a child as under a certain age, but it does not assist in a case where a court or jury has to be satisfied that a child is of or over a certain age. For instance, in proceedings under section 52 of the Criminal Law Consolidation Act, which deals with carnal knowledge of a female of or above the age of 12 years and under the age of 13 years, difficulty has been experienced in establishing the age of a child born in a country outside Australia whose mother was not available to prove the child's age.

Clause 3 is designed to meet that difficulty by extending the provisions of section 19 of the principal Act to enable a court or jury in such cases to determine, on its own view and judgment, that a child is of or over a certain age.

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

FRIENDLY SOCIETIES ACT AMEND- MENT BILL.

The Hon. Sir LYELL McEWIN (Chief Secretary) obtained leave and introduced a Bill for an Act to amend the Friendly Societies Act, 1919-1956. Read a first time.

The Hon. Sir LYELL McEWIN: I move:

That this Bill be now read a second time.

The chief object of this Bill is to extend the range of permissible investments of friendly societies and branches so as to include any securities whatever, subject to the consent of the Public Actuary and to such conditions as he may impose. Section 12 of the principal Act at present restricts the investments which

may be made by trustees of societies and branches to government securities, fixed deposits, City of Adelaide loans or municipal corporation debentures, mortgages of freehold property and the purchase of freehold property. There are thus excluded such investments as loans to the Electricity Trust, Gas Company or the Housing Trust.

But the amendment needs some further explanation. As honourable members are no doubt aware, the Friendly Societies Medical Association has operated for many years for supplying its members with medicines at low cost. It appears that the only way in which the benefit of manufacturers' prices can be obtained is through a wholesale organization. But the Association is prevented from investing moneys in a wholesale organization of its own because of the limitations upon investment prescribed by the Act. Because it cannot so invest its moneys, it is unable to obtain and pass on the benefit of manufacturers' prices to its members. The amendment would enable the Association, or for that matter, any friendly society, being unrestricted as to the nature of the securities in which its funds may be invested, to form a wholesale organization itself. The Public Actuary recommends the amendment with the proviso that his consent be obtained in every case and that he be in a position to impose conditions. It appears that a similar provision is contained in the Queensland legislation. Another possible benefit from this amendment is that it would enable societies to operate organizations to provide dental and physiotherapeutic benefits. I believe that the object of the amendment will commend itself to all members and that the safeguards suggested will prevent any possible abuse of the proposed extension. Clause 6 accordingly adds a new paragraph to section 12 of the principal Act.

The Bill makes some other amendments which will raise the maximum limit of benefits available to members, in general terms, to double the amounts of benefits. Clause 3 will amend section 7 of the Act which limits assurances to £1,000 and annuities to £5 5s. per week. It is proposed that these amounts be doubled, bringing the Act into line with the corresponding provisions in Victoria. The same section limits weekly sick benefits to £7 7s., which it is proposed to increase to £10 10s. It will be noticed that subclause (1) of clause 3 strikes out the proviso to sub-section (2) of section 7 of the principal Act which limits the aggregate of assurances by an individual to £1,000. The proviso is

almost impossible to police in practice and the Public Actuary has agreed that it should be deleted. Subclause (2) of clause 3 makes a consequential amendment. Clause 4 raises the limit of superannuation benefits from £5 5s. to £10 10s., and clause 5 increases the limit of £100 which a member may obtain from a small loans fund to £200. Clause 7 will raise the amount which may be paid out by way of death benefits from £200 to £500. This amount has not been altered for some years and the suggested amount will take account of variations in the value of money.

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

JOINT COMMITTEE ON CONSOLIDATION BILLS.

A message was received from the House of Assembly requesting the concurrence of the Legislative Council in the appointment of a Joint Committee on Consolidation Bills.

The Hon. Sir LYELL McEWIN (Chief Secretary) moved:

That the Assembly's request be agreed to and that the members of the Legislative Council to be members of the Joint Committee be the Chief Secretary, the Hon. Sir Frank Perry, and the Hon. K. E. J. Bardolph, of whom two shall form the quorum of Council members necessary to be present at all sittings of the committee.

Motion carried.

HEALTH ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from August 15. Page 400.)

The Hon. K. E. J. BARDOLPH (Central No. 1): I support the second reading, although the Minister's explanation of the Bill was somewhat ambiguous. Insufficient information was given to members. The Minister said that both the Central Board of Health and the Municipal Association had drawn the Government's attention to the difficulty of definitely establishing that oversight, care or control was undertaken or exercised for fee or reward in certain cases. The amendment throws a responsibility on to people running semi-rest homes not to infringe the Act. I hold no brief for any institution that is run in accordance with the law, but there are places, not registered as rest homes, that take people not ill enough to remain at the Parkside or Enfield institutions. They care for them and provide an atmosphere different from the atmosphere at Parkside or Enfield. I agree with the inspection and registration of rest homes. This

practice was brought about because of unfortunate circumstances associated with one home, in existence before registration became necessary, where one or two deaths occurred because patients were not cared for in a humane manner. Because of this Parliament decided to have an overall control, and inspections of private rest homes as well as laudable institutions have resulted, which has proved efficacious.

I do not say that the amendment is ill-drawn, but I do think insufficient evidence has been given by the Minister in support of it. It seems to me that there will be a dragnet provision following on certain events in a rest home. Members should be told the circumstances and the details of the request by the Central Board of Health and the Municipal Association. The Minister's second reading explanation contained repetitions and verbiage not easily understood. The Government should plainly say why it has been asked to amend the Act. The debate on the Bill should be adjourned so that members can peruse the docket and make themselves conversant with the circumstances associated with the introduction of the Bill.

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

SALE OF FURNITURE ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from August 15. Page 401.)

The Hon. A. J. SHARD (Leader of the Opposition): I support the Bill. I understand from inquiries from employers and employees in the trade that this amendment has been sought for some time. Clause 3 adds the word "label" after the word "brand", thus making section 3 read as follows:

No person shall remove, erase from, alter or add to, or attempt to remove, erase from, alter, or add to any stamp, stain, brand, label, or impression being in or upon any furniture made in or imported into South Australia.

This will permit a label to be placed on furniture, whereas previously only a brand was necessary. I agree with this amendment. Clause 4 amends section 5 of the principal Act which deals with furniture manufactured in South Australia. Apparently there is a loophole in that furniture can be imported from another State, irrespective of standard, to be sold alongside South Australian furniture, and the imported furniture need not be branded or stamped. This gives outside manufacturers an advantage over South Australian manufacturers, and I therefore support

the amendment. Section 5 is further amended by the insertion of the following:

A person shall not sell any furniture which is either not stamped in an indelible permanent ink or stain or impression with, or does not bear a label securely affixed thereto bearing in an indelible permanent ink or stain, the name of the manufacturer and the name of the State of the Commonwealth of Australia or of the country of origin thereof (as the case may be): Provided that this subsection shall not apply in respect of any furniture sold otherwise than in the course of trade or in respect of any secondhand furniture.

In this subsection the verb "sell" includes sell, barter, exchange, agree to sell, barter or exchange, offer, expose, send, consign or deliver for or on sale, and cause or suffer or attempt to do any of such acts or things.

That provision does not merely mean that the South Australian manufacturer must comply with the laws of the State, but that manufacturers in other States must also comply. This legislation is essential because recently furniture inspections were made and I have a statement from a responsible person that can be substantiated. It reads:

Extracts from a record of inspections of furniture on display in stores in Adelaide during February, March, April and May this year show the following:

Stores visited (10).

A considerable amount of furniture in eight of the stores did not have manufacturers' brands.

The construction of most of this furniture was also poor and much lower than standard S1 household furniture as laid down by the Standards Association.

Details of defects and premises could be supplied.

Following on that a well-known Adelaide emporium advertised as a special, "Contemporary TV Tables—so handy for snacks!"

The Hon. C. R. Story: Wouldn't it be hard for snacks?

The Hon. A. J. SHARD: I think it is what you are expected to put snacks on. The advertisement continued:

Latest styling in colours of cottage weave, primrose, wine, grey. Easy clean tops!

The tables were advertised as a special at 39s. 11d. My friend thought the advertisement was too good to be true and he went to see what it was all about. He purchased a table and I have it in the vicinity of the Council if members wish to see it. It was not branded by any manufacturer and bore only the name of the firm selling it. When the parcel was undone the table could not be set up but had to be laid on the floor. However, it was sold for 39s. 11d.

The Hon. Sir Frank Perry: Did he take it back?

The Hon. A. J. SHARD: No. I have it in this building and members may see it. Many unsuspecting people fall for those advertisements and if ever legislation of this type were needed it is needed now.

The Hon. G. O'H. Giles: It was the fault of the manufacturer?

The Hon. A. J. SHARD: There is no doubt about that, but it does not add to the prestige of the emporium selling the product.

The Hon. G. O'H. Giles: I thought the onus was on the re-seller. Is it on the re-seller or on the manufacturer?

The Hon. A. J. SHARD: If I buy an article from a retailer and it is not up to standard I blame the retailer.

The Hon. G. O'H. Giles: Under the terms of this Bill?

The Hon. A. J. SHARD: The purchaser could sue the retailer for damages if he received an unsatisfactory article. Clause 6 extends the time in which inspectors may commandeer articles from three days to seven days but if seven days is to be sufficient the department will have to be smarter than it usually is. I ask the Attorney-General to examine that point. The whole of this Bill is bound up with section 4 of the principal Act, which states:

The Minister of Industry may appoint inspectors, who shall have authority to enter at all reasonable times any warehouse or other place in which any furniture is stored or kept for the purpose of trade, and to inspect and examine all such furniture, and to question the owner or importer with respect to matters under this Act.

It is all very well to introduce amending legislation and say that the Minister may appoint inspectors. It does not say he shall appoint them. The Department of Labor and Industry has been overworked for many years and has not enough inspectors to do the work required of them. In the breadmaking industry there has been a considerable improvement in the last 12 months and we have no complaint since the change has been effected, but it is useless for Parliament to legislate for the protection of the public if the legislator is not properly policed. Last year the Hire-Purchase Agreements Act was amended, but the trading public is laughing at it and taking no notice at all of the provisions relating to deposits. Parliament may have saved itself all the time and trouble of debating that Bill last year and unless the Ministers responsible for the control

of the legislation are prepared to enforce its provisions there is no point in passing it. I support the second reading.

The Hon. C. R. STORY (Midland): I do not wish to say much about this Bill, but there are one or two things I wish to discuss, particularly clause 5 or those parts referring to labelling. I think it would be a much better idea if the Bill stuck to stamping or permanent methods of identification. A label could be hung on furniture by a cord and thus could be readily changed. For that reason, the Bill does not appear to provide a sufficient safeguard. If the maker's stamp or hallmark were placed on the furniture it would give the public the impression that it was a genuine article and beyond suspicion. The whole of our social system is built up on the basis of a series of standards, and if we do anything to break them down we are only defrauding ourselves. I commend the Government for going as far as it has on this matter.

I have known of cases where quality furniture has been displayed in a window and alongside was furniture of a cheaper type, and because of the notice displayed the public have been led to believe that they were getting a bargain. We should have a close look at this provision for labelling. I was in a business for a number of years in which labels were used extensively and I know from bitter experience that one can be gulled by a quick switch of a label. I should like to see the Bill provide for an indelible stamp or hallmark or something of that nature. The provision in the Bill is an innovation that is to apply to both locally manufactured and imported furniture. I am pleased to see that the Government has provided for inspectors, but I do not think that my honourable friend's fears are real.

The Hon. A. J. Shard: I can give you proof if you want it.

The Hon. C. R. STORY: I think the Minister will take the necessary action to see that this matter is policed. As to the unfortunate person who bought a table, as mentioned by the honourable member, I think there may be unfair advertising, but I do not think that the Bill would cover such cases.

The Hon. A. J. Shard: One would know who made the furniture.

The Hon. C. R. STORY: I have seen flowers put in all kinds of strange containers which were not made for that purpose. Someone could advertise that, and that would be all right. In principle, I think the Bill is very good.

The Hon. A. J. Shard: You are missing the point. I was referring to the standard of the table.

The Hon. C. R. STORY: I did not think the honourable member was so worried about the table, but that it would not do something the advertisement said it would. As I understand the position, the advertisement said that it would do certain things, but the manufacturer did not say that. The merchant said that it would do certain wonderful things, but surely the manufacturer did not insert an advertisement to that effect.

The Hon. A. J. Shard: When it left the manufacturer's place, it was meant to do all the things that the advertisement said it would.

The Hon. C. R. STORY: I cannot read the gentleman's mind. I think the Bill in principle is very good, but I have reservations in regard to labelling. I believe that a permanent mark on the furniture would be satisfactory. I support the Bill with those reservations.

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

THE PARKIN TRUST INCORPORATED ACT AMENDMENT BILL (PRIVATE).

The PRESIDENT: I lay on the table the report of the Examiner of Private Bills which reads as follows:

I have to report that the Standing Orders so far as they are applicable to the Parkin Trust Incorporated Act Amendment Bill have been complied with.

The Hon. Sir FRANK PERRY (Central No. 2): I move:

That this Bill be now read a second time.

This Bill deals with a trust established in 1887 by the late William Parkin, a former member of this Chamber. Changing conditions have affected the functioning of the trust itself and economic changes in this State make it both advisable and necessary for certain amendments to the original trust and supplementary deeds. The Bill, should it pass the second reading, will be subject to detailed examination by a Committee of this Chamber at which the interested parties could explain the reasons for the amendments desired. I therefore propose to give to the Council a short explanation of the Bill, leaving the detailed examination to the Committee to be appointed.

This is a private Bill of the first class referred to in Standing Order No. 9 of the Joint Standing Orders relating to private Bills. The Bill is introduced on the petition of the Parkin Trust Incorporated, a body corporate,

incorporated under the Associations Incorporations Act, 1858: that body is known as the Parkin Trust, and its sole business is the trust fund in question. The main object of the Parkin Trust is to maintain the Congregational ministry in an adequate degree of learning. This object is carried out by the establishment and maintenance of the Parkin College at Kent Town, a college where candidates are trained for the Congregational ministry.

The property of the Parkin Trust comprises in the main three groups of assets:—First, the land, buildings, furniture and library of the Parkin College at Kent Town; secondly, a row of shops and other buildings at Jetty Road, Glenelg; and thirdly, mortgages and other interest bearing investments. The total fund is of the order of £125,000. The terms of the trust have already been altered by a private Act, namely, The Parkin Trust Incorporated Act, 1926. The present Bill seeks further statutory amendments found to be needed after the passage of the 35 years since the 1926 Act. These statutory amendments are found to be needed to keep the machinery of the Parkin Trust up to date, and to fit into modern requirements certain of the trust provisions.

Clause 4 clarifies the handling of the income of the trust. Originally the Governors had one set of duties until the net income reached £1,000 per annum, and a different set of duties thereafter. The income is now of the order of £6,000 per annum, so that only the second provisions now apply. The original requirement as to setting aside reserves did not provide how reserves can be used in later years. In fact, nearly £6,000 has been accumulated to date, and the Bill provides a limit on the rate at which these reserves can be used. Clause 5 eases a restriction on part-time teaching staff at the college. The present provision limits them to other educational employment. There now seems no need for this restriction, provided the persons concerned are themselves suitable as lecturers or tutors. Clause 6 alters the date for retirement and re-election of governors to fit in with the altered date of the Annual Assembly of the Congregational Churches. Clause 7 introduces postal voting in the election of governors.

Of the other provisions the most important is clause 12, which clarifies doubts as to the powers of sale and investment. Clause 2 of the original trust deed not merely authorized but directed the investment of trust funds in the purchase of real estate, until the trust income should reach £1,000 per annum. It

is now felt to be desirable that the power to invest in real estate should be extended. Other powers of investment are also sought. Clause 22 seeks to extend the ambit of the trust to include female students and staff—the original trust of 1876 (naturally enough for those days) restricted both to males.

Bill read a second time and referred to a Select Committee consisting of the Hons. C. D. Rowe, S. C. Bevan, C. R. Story, Sir Arthur Rymill and Sir Frank Perry; the Committee to have power to send for persons, papers and records; to adjourn from place to place; and to report on September 20.

THE PARKIN CONGREGATIONAL MISSION OF SOUTH AUSTRALIA BILL (PRIVATE).

The PRESIDENT: I lay on the table the report of the Examiner of Private Bills, which reads as follows:

I have to report that the Standing Orders so far as they are applicable to the Parkin Congregational Mission of South Australia Bill have been complied with.

The Hon. Sir FRANK PERRY: I move:

That this Bill be now read a second time.

The introductory remarks I made regarding the last Bill apply to this one and I do not propose to go over that ground again. This is a private Bill of the first class referred to in Standing Order 9 of the Joint Standing Orders relating to Private Bills.

The Bill is introduced on the petition of the Parkin Congregational Mission of South Australia Incorporated, a body corporate, incorporated on January 13, 1888, under the Associations Incorporation Act, 1858. That body is known as the "Parkin Mission", and its sole business is the trusteeship of the trust fund in question. The trust property comprises in the main a piece of land on the northern side of Rundle Street, Adelaide. The whole of this land is leased to The Myer Emporium (S.A.) Limited and forms part of the retail store of that company. The main object of the Parkin Mission is to maintain travelling Congregational missionaries, or their present day equivalent, and to minister to the needs of the less settled areas of the State until those areas can support their own Church of that denomination.

This Bill therefore comes in with two main provisions—

- (a) to obtain from Parliament power in the Parkin Mission to sell the land which it holds on the trusts mentioned, and

(b) to obtain from Parliament powers of investment beyond those provided by the Trustee Act,

and whilst these matters are before Parliament other less important amendments to the provisions of the trust deed are sought. There is some machinery set up by the trust deed itself—clause 18—for amending the terms of the trust. The solicitors to the Parkin Mission took the opinion of the late Mr. F. E. Piper, Q.C. (as he then was) to the effect that an amendment to permit the sale of the Rundle Street land could not safely be made under clause 18, and that if a sale were to be made with the approval of the Supreme Court, the proceeds must be invested in trustee securities.

The amendments sought by clauses 3, 4 and 5 are of minor importance, and not vital to the Bill. The purpose of those provisions may be briefly described as: clause 3—to bring up to the present equivalent in money the provisions for financial assistance for widows set out in clause 3 of the Deed of Settlement; clause 4—to introduce postal voting in the election of Governors; clause 5—to provide a fee for the attendance by Governors at meetings—a fee in fact more by way of covering expenses of getting there than a remuneration for services.

Clause 6 contains the crux of the matter—the proposed new clause 20 which would enable the Parkin Mission to sell any of its property. In fact its only present property for which such a power would be necessary is its Rundle

Street property already referred to. The existing buildings on the land are old, and there has been talk of the Myer Emporium proposing to rebuild its Rundle Street store at some time in the future. In other words the Parkin Mission land has reached, or will soon reach, the stage when the improvements are not worthy of the site, and when the owners must either lay out money in rebuilding (which the Parkin Mission has not the funds to do), or else obtain an inadequate rent in relation to the capital value of the land. It is obviously of benefit to the Parkin Mission to be able to negotiate with the Myer Emporium before that company embarks on any major rebuilding programme. Clause 6 also contains the proposed new clause 21, giving wider powers of investment of the trust funds. These powers would be needed mainly for investment of the proceeds of sale of the Rundle Street land. Indeed, some form of investment in the purchasing company might well be offered as part of the purchase price, and wider powers of investment thus be of use in the actual process of sale.

Bill read a second time and referred to a Select Committee consisting of the Hons. C. D. Rowe, S. C. Bevan, Sir Arthur Rymill, C. R. Story and Sir Frank Perry; the Committee to have power to send for persons, papers and records; to adjourn from place to place; and to report on September 20.

ADJOURNMENT.

At 3.30 p.m. the Council adjourned until Wednesday, August 23, at 2.15 p.m.