LEGISLATIVE COUNCIL.

Tuesday, September 4, 1962.

The PRESIDENT (Hon. L. H. Densley) took the Chair at 2.15 p.m. and read prayers.

QUESTIONS.

TRAFFIC REGULATIONS.

The Hon. A. J. SHARD: I ask leave to explain my question briefly before asking it.

Leave granted.

The Hon. A. J. SHARD: Regulations under the new consolidated Road Traffic Act were gazetted last Thursday, to operate from last Friday. I was pleased to note from the press that the Chairman of the Road Traffic Board (Mr. J. G. McKinna) said that the board would prepare a booklet explaining the new laws in layman's language. Already two opinions have been given on one new regulation by the two local newspapers and this will cause much confusion in the public mind. Will the Minister of Roads ascertain from the Chairman of the Road Traffic Board when the proposed booklet will be available, and will he inform the Chairman of the board of the importance of this booklet so that it may be made available to the public at the earliest possible moment?

The Hon. N. L. JUDE: Yes, I entirely agree with the Leader regarding this booklet. It is very important and I think the Chairman of the Road Traffic Board regards it as such. I am sure that any delay in the preparation of the booklet will be no longer than absolutely necessary.

ADELAIDE OVAL LEASE.

The Hon. K. E. J. BARDOLPH: Recently I asked the Minister of Local Government whether he would make inquiries in other States as to the personnel governing the respective cricket grounds. The Minister indicated that he was making inquiries and would report later. As press reports indicate that agreement has been reached between the Adelaide City Council and the South Australian Cricket Association and that the agreement is ready for presentation to the Minister, will the Minister, on receipt of the agreement and before presenting it to Parliament, review the whole circumstances (in view of the information he may obtain from other States) regarding the future control of the Adelaide Oval?

The Hon. N. L. JUDE: When I obtain the report from the Adelaide City Council, which has not yet come to hand, I will naturally submit it to Cabinet for consideration.

BUTTER.

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

Leave granted.

The Hon. G. O'H. GILES: I wish to ask the Minister of Health a question relating to an article in the *News* of August 20 last about a report of the Public Health Department. One part said that four samples of butter tested were deficient in milk fat. My understanding is that butter is composed of cream, and I presume the department meant that cream is milk fat. I fail to see how a sample of butter can be deficient in butter fat, according to legal standards. Can the Minister explain this to me in terms of legal standards, and, if my insinuations prove to be correct, on what basis was this report produced for publication?

The Hon. Sir LYELL McEWIN: I was unable to follow the whole of the honourable member's question, but he referred to the legal interpretation of something in the report. If it is a legal interpretation I suggest that the Attorney-General might be able to understand it, but my knowledge is as limited as that of the honourable member, except that he produces butter fat, something that I handed over some years ago. He wants an explanation as to whether cream is fat or fat is cream. If he will give to me in writing what he wishes to know I shall hand it to the Director in the hope that I can enlighten him whether fat is fat or cream is cream.

MILK.

The Hon. C. R. STORY: Has the Chief Secretary obtained from the Minister of Agriculture a reply to my recent question about a report on the high incidence of penicillin in milk?

The Hon. Sir LYELL McEWIN: The honourable member asked a question last week regarding penicillin in milk. I think mention was made of interstate action on the matter. The Minister of Agriculture has referred two reports to me dealing with this matter. One from the Chief Inspector of Stock says:

> Reports from Victoria indicated that up to 91 per cent of bulk milk samples showed the presence of penicillin. In July, 1958, action was taken by the Stock Medicines Board of this State to restrict the dosage of penicillin in preparations prepared for intra-mammary use to a maximum of 100,000 units per tube. All other antibiotic preparations for treatment of mastitis were restricted to sale on prescription only. Prior to 1958, considerable trouble with cheese manufacture, due to antibiotics had

been experienced. This ceased after the restrictions referred to above were imposed. Testing of milk by the Metropolitan Milk Board has shown that even very low levels of penicillin were rarely found. In an effort to improve the position still further, the Metropolitan Milk Board is now testing supplies from individual dairy farmers and suspending licences in those cases where penicillin above a certain level is found. The value of tracer dyes is still under review. Their use has not been approved by the Food Additives Committee of the National Health and Medical Research Council. Reports indicate that their use could lead to discolouration of cheese, even when present in milk below detectable levels.

The other report, which accompanied the report from the Chief Inspector, says:

The above report by the Chief Inspector of Stock refers to a question in the Legislative Council concerning penicillin contamination of milk. The position in this State is very satisfactory following action in 1958 to limit the dose rate. The information available to the Milk Board and this department suggests that the addition of dye at this stage is not justifiable or necessary.

I think these replies should be reassuring to people in this State because they indicate that the administration ensures that there is no danger in this matter.

FOOD PROSECUTIONS.

The Hon. K. E. J. BARDOLPH: Has the Minister of Health a reply to the question I asked on August 21 regarding a report by the Central Board of Health dealing with certain beverages and a deficiency of edible fats and sugar in the samples?

The Hon. Sir LYELL McEWIN: Yes. On that occasion I gave a general reply to the honourable member and said what action was taken in regard to samples that did not comply with the Food and Drugs Act. I undertook to get further information for the honourable member. I have a report from the Director-General of Public Health, giving the following additional information:

Many articles of food and drugs are examined each year by inspectors under the Food and Drugs Act. Simple tests for purity and soundness are frequently applied by the inspector at the time of inspection. Most samples can be accepted as satisfactory. When an inspector has reason to suspect that a sample may be defective he arranges for it to be submitted to the Government Analyst. The results quoted in the question are those of actual analyses. They contain in some cases a high proportion of failed samples, because the inspectors had already passed a very much larger number of samples without the need for analysis, and the figures represent only samples which were suspected in the first place. In some cases quoted there was clearly no call for prosecution. For example, the 13 samples of soft drink, of which eight contained a prohibited substance, were examined at the request of the manufacturer. He became aware that a fault had occurred in his equipment and immediately sought the help of the department to determine whether the product had become contaminated by material leaking from a refrigerator coil. The batch was discarded, the plant repaired, and the public were in no way affected. When a defective commodity is found, and it appears to the Central Board of Health that prosecution would be in the public interest, then the board usually recommends that the local authority take action or sometimes takes action itself. The Metropolitan County Board and many local authorities also take samples of food and drugs for analysis. In all, in 1961, 47 prosecutions were launched for alleged breaches of the Food and Drugs Act, 46 of these were successful.

I think the report shows that where necessary legal action is taken, and the figure of 46 out of 47 cases indicates that the action is taken only where there is a definite case for a prosecution.

STATE BANK REPORT.

The PRESIDENT laid on the table the annual report of the State Bank for the year ended June 30, 1962, together with balance sheets.

EYRE PENINSULA WATER SUPPLY (AUGMENTATION FROM POLDA BASIN).

The PRESIDENT laid on the table the report by the Parliamentary Standing Committee on Public Works, together with minutes of evidence, on Eyre Peninsula Water Supply (Augmentation from Polda Basin).

ELECTRICITY (COUNTRY AREAS) SUBSIDY 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.

I thank honourable members for allowing me to proceed with this measure. I have arranged for copies of the Bill to be distributed. The reason for giving the second reading explanation today is that with the pending Royal Show adjournment, if this Bill was not dealt with, the benefits of it would be delayed for one quarter. If the Bill is disposed of it will enable the necessary papers to be printed and effect given to it for the final quarter of this year.

The Bill provides for the payment of subsidies to undertakings generating and/or distributing public supplies of electricity in

country districts. The Electricity Trust has been reducing country tariffs over the last few years and had anticipated a policy of tariff reduction in country areas which would, over the next five years, reduce charges for electricity used in country areas to a level much closer to zone I tariffs than now applies.

The Government has examined the trust's proposal and decided that it is desirable to give the country consumers immediate relief by a reduction of charges, so that the tariffs operating for areas outside the trust's zone I area will be no higher than about 10 per cent above the metropolitan rates. The Government is satisfied that the trust should not be required to do this immediately from its own resources. In fact, the trust has fairly heavy commitments, principally in the salary increases it has to meet this year. The trust's policy for financing country extensions has been successful and of great benefit to country people. The Government supports this policy and, to enable reduced charges to apply in country districts forthwith, the Government proposes that Parliament should authorize a scheme by which consumers of electricity in country districts will be subsidized from the general revenue of the State.

This subsidy scheme will result in 15,000 consumers in country areas receiving immediate financial benefit from lower charges for electricity supplied by the trust, including bulk supplies. In addition to those people who use electricity supplied by the trust, about 3,600 consumers in country districts rely upon local authorities and private persons or corporate bodies for their supplies of electricity. The trust's scheme for gradual tariff adjustments would not have benefited these people but, under the Government's proposals, they will receive subsidies also in respect of the electricity used by them. Accordingly, under the Government's proposals as outlined in this Bill, a total of almost 50,000 country consumers will benefit directly from a reduction in power rates.

Clause 2 (1) provides that £500,000 from the State's revenue surplus for 1961-62 shall be paid to the Electricity Trust to provide the trust with the portion of the funds required to carry out the purposes of the Bill. Present estimates indicate that £500,000 will be insufficient for all the purposes of the Bill. An additional £100,000 is, therefore, appropriated by subclause (2) of clause 2 for payment to the trust if it is required.

Clause 3 provides that the trust shall, during each of the five years commencing with the present financial year, credit to its own revenue and pay to other country electricity suppliers such amounts as are approved by the Treasurer. The total to be paid to the trust's revenue over the five-year period will be £300,000. The cost in the first year for reducing the trust's country tariffs as proposed is estimated at £160,000, of which the trust will meet £60,000, and the Government subsidy will be £100,000. In the remaining four years it is proposed that payments by the Government will be reduced each year and the cost to the trust will increase until in the sixth year the full cost will be met by the trust. The proposed subsidy payments each year to trust revenue, and the annual cost to the trust, will be:

	£	Cost to Trust. £
First year	100,000	60,000
Second year	80,000	80,000
Third year	60,000	100,000
Fourth year	40,000	120,000
Fifth year	20,000	140,000
Sixth year and thereafter	Nil	160,000
	300,000	

Other country electricity suppliers referred to in clause 3 include undertakings operated by private enterprise and by local authorities. The subsidy payments to these suppliers will be the total amount of reduction allowed in consumers' accounts pursuant to arrangements between the Government and each of the 25 eligible undertakings providing country supplies. The arrangements with country suppliers other than the Electricity Trust will, of course, be restricted to those suppliers whose charges are more than 10 per cent above the level of the trust's zone I tariffs. I have a schedule of these undertakings and I ask permission to have it incorporated in *Hansard* without my reading it.

Leave granted.

SCHEDULE OF UNDERTAKINGS PROVIDING ELECTRICITY SUPPLIES IN COUNTRY DISTRICTS WHERE CHARGES ARE MORE THAN 10 PER CENT ABOVE THE TRUST'S ZONE I TARIFFS.

Locality.	Supplier.
Beachport	L. F. Smith
Bordertown	D.C. Tatiara
Ceduna	D.C. Murat Bay
Cleve	Louis Stubing Ltd.
Cockburn	S.A. Railways
Cowell	Cowell Electric Supply Co.
Elliston	D.C. Elliston
Hawker	D.C. Hawker
Kimba	Ellis & Co.
Kingston	Lacepede Electric Supply Co.
Kingscote	Kingscote Electric Supply Co.
Lucindale	D.C. Lucindale
Mannahill	S.A. Railways
Marree	Commonwealth Railways

Locality.	Supplier.
Mingarie	S.A. Railways
Oodnadatta ..	Department Civil Aviation
Penola	Penola Electric Supply Co.
Peterborough .	Corporation of Peterborough
Naracoorte . ..	Corporation of Naracoorte.
Robe	P. A. Sheridan
Streaky Bay ..	D.C. Streaky Bay
Tintinara	Tintinara Electric Supply
Wudinna	D.C. LeHunte
Yongala	Yongala Power and Service Station
Yunta	G. F. Ding

The Hon. Sir LYELL McEWIN: Reductions in the trust's country tariffs will be effective for electricity used in rural areas from July 1, 1962, but it will be impossible to subsidize all of the consumers in the local government and private undertakings immediately as the charges and financial results of each must be examined before subsidy arrangements can be agreed with them. I can, however, assure honourable members that the Electricity Trust will expedite its investigations and recommendations so that the consumers in these areas will receive the subsidy benefits as early as possible.

Clause 3 also provides that the trust may be paid subsidies in respect of any of these 25 undertakings which it may take over during the five-year period. Clause 4 defines a "country electricity supplier" as the Electricity Trust of South Australia and any person or corporation approved by the Treasurer which provides public supplies of electricity in country areas outside the areas in which the trust's zone I tariff applies. So that Parliament will be properly informed as to the operations of this Act, clause 5 provides that the Auditor-General shall within three months after the close of each financial year furnish the Treasurer with a report upon the operation of the Bill, every such report to be laid before both Houses of Parliament as soon as possible. I submit the Bill for the consideration of honourable members and would like it considered tomorrow if honourable members are prepared to deal with it, so that its benefits will be available as soon as possible.

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

SUPPLY BILL (No. 3).

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.

Again I wish to acknowledge the consideration of members, which will enable this Bill to pass through all stages immediately. The Bill is based on last year's expenditure and is largely a formality to authorize the expenditure of moneys until the Budget, which is being presented in another place this afternoon, has been dealt with.

This Bill follows the usual form of Supply Bills and provides for the issue of a further £8,000,000 to enable the Public Service to function through September and into October. It is anticipated that no further Supply Bill will be required this session provided that the Appropriation Bill receives assent at much the same time as last year. That is the only qualification that I make. Clause 2 provides for the issue and application of the £8,000,000, and clause 3 provides for the payment of any increases in salaries or wages that may be authorized by any court or other body empowered to fix or prescribe salaries or wages.

These are the usual clauses contained in the Bill and I have been advised by the Under-Treasurer that it is necessary to have this provision for the Government to carry on. That is why I sought the indulgence of the Council for the suspension of Standing Orders. I commend the Bill to honourable members for their consideration.

The Hon. A. J. SHARD (Leader of the Opposition): I support the Bill and am happy, as usual, to fit in with the workings of the Council to assist the Government in its desire to meet its liabilities promptly, particularly as regards wages and salaries. This practice of passing Supply becomes necessary each year, and this is the third Supply Bill we have dealt with in the current session, and the Chief Secretary might agree with me that if sufficient Supply could be contained in one Bill prior to the passing of the Budget, that would be in the best interests of all concerned. I have no desire to delay the passing of the Bill.

The Hon. C. R. STORY (Midland): I, too, support the Bill and do not wish to delay its passage any more than is necessary. The Government has a responsibility in these matters and this practice also assists honourable members in that these matters are not rushed through Parliament. If we give the Government the right to continue Supply that means that honourable members have an opportunity to peruse and discuss the Budget fully later.

The Hon. K. E. J. Bardolph: With a change of Government those problems would not be so difficult.

The Hon. C. R. STORY: I am pleased to support the Bill. As there is no possibility

of a change of Government, I think the honourable member's interjection is quite irrelevant.

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

MOTOR VEHICLES ACT AMENDMENT BILL.

Read a third time and passed.

UNCLAIMED MONEYS ACT AMENDMENT BILL.

Read a third time and passed.

MENTAL HEALTH ACT AMENDMENT BILL (No. 2).

Adjourned debate on second reading.

(Continued from August 29. Page 751.)

The Hon. A. F. KNEEBONE (Central No. 1): I support the Bill, which is designed to improve the Mental Health Act. It is a small measure, but it effectively deals with the matters for which it was designed. Although Dr. Cramond was appointed Director of Mental Health and Superintendent of Mental Institutions under the Public Service Act when Dr. Birch retired, there was no reference to a Director of Mental Health in the Mental Health Act. I understand that during the last year or two of his term Dr. Birch was Director of Mental Health and Superintendent of Mental Institutions. When Dr. Cramond was appointed the officer in charge of each mental institution was appointed as Deputy Superintendent. The Bill provides for the appointment of a Director of Mental Health, and the Director-General of Medical Services, with the approval of the Minister of Health, may authorize the Director of Mental Health to exercise such of the powers of the Director-General under the Act as are specified in the notice. When considered in conjunction with section 11a of the principal Act, which will become section 11b under the Bill, the proposed amendment will give greater efficiency to the Hospitals Department. It will be done by the provision of simpler and more effective means of delegating certain specified powers of the Director-General of Medical Services to the Director of Mental Health, and to the officers in charge of the various institutions. Although each of these latter officers is now a Deputy Superintendent his status will be raised to that of Superintendent. This will bring the officers within the ambit of present section 11a of the Act, which was included in 1939, and reads:

The Director-General, with the approval of the Minister, may by notice in writing authorize any person, being the Superintendent of an institution, to exercise such of the powers of the Director-General under this Act as are specified in the notice, and may, with the approval of the Minister, by notice in writing revoke any such authority. During the time any such authority is in force with respect to any person that person may exercise the powers of the Director-General specified in the authority.

Clause 3 is the main clause of the Bill; the others are merely machinery clauses. When clause 3 is considered in conjunction with present section 11a its purpose is clear and its effectiveness for making greater efficiency in the department is apparent.

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

MINES AND WORKS INSPECTION ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from August 29. Page 747.)

The Hon. K. E. J. BARDOLPH (Central No. 1): I support the second reading, and hope that the few observations I make will perhaps clear up any doubts some members may have regarding the purport and far-reaching effects of the measure. Opposition members wholeheartedly agree with any legislation that provides better conditions for workers in industry. In explaining the measure the Minister of Mines said that it was introduced at the request of the Broken Hill Associated Smelters. When he replies at the end of this debate will he indicate whether or not the regulations under the Act will short-circuit the arrangements and award conditions operating on the wharves at Port Pirie as they apply to members of the Waterside Workers' Federation? I understand that no consultation has been held with this federation or any of the unions at Port Pirie. All the work done on the wharves or near the wharves is done by members of the federation. The shipping companies pay to the stevedoring industry authority 2s. 6d. a man hour in order to keep it going and to create a fund to provide certain amenities for members of the federation.

The Hon. Sir Lyell McEwin: This Bill is designed to fill a gap in the law. It deals with a hiatus.

The Hon. K. E. J. BARDOLPH: But it can be extended. Although I do not say there is any sinister intention on the part of the Minister of Mines, a proper survey could be made to see whether what I am saying could be brought into the regulation quite unconsciously by the Minister or the Government.

In his second reading explanation, the Minister said:

> The object of this short Bill is to make provision to enable the oversight and control of machinery on, and reporting of accidents occurring at, the wharves at Port Pirie adjoining Broken Hill Associated Smelters Proprietary Limited . . .

As he has said, this will bring under the heading of "works associated with mines" the Broken Hill Associated Smelters, the wharves and part of the railway. This will mean that employees of the B.H.A.S. can be told to work on the wharves but the amenities provision in the award for waterside workers will not apply. Now, 250 waterside workers are employed at Port Pirie, and I have been informed by the union that if the events I have indicated take place there will be a lessening of the work force to the extent of 150 employees. The Minister should advise the Council on these matters and assure members that the promulgation of the regulations will not interfere with the conditions now obtaining on the wharves at Port Pirie. I would appreciate it if the Minister would adjourn the debate for the time being and if the Mines Department would confer with or seek information from the Trades and Labor Council at Port Pirie and the Waterside Workers' Federation at Port Adelaide so as to get their views on the amendments contained in this Bill.

The Hon. G. J. GILFILLAN secured the adjournment of the debate.

MINING ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from August 29. Page 753.)

The Hon. K. E. J. BARDOLPH (Central No. 1): In supporting the second reading, I indicate that any criticism I may make is not against the Minister of Mines or the officers of the Mines Department. I, like other members, have the highest regard for their efficiency, for the knowledge they display in their work for the development of mineral resources of this State, and for the courteous manner in which they treat the public generally. Any criticism I may make should not be construed as an attack on departmental officers.

Clause 4, which amends section 23d, empowers the Minister on the recommendation of the Auditor-General to agree with a lessee on a royalty based on the weight or volume of the substance mined instead of that fixed under a lease. This provision covers the case where the lessee uses the substance himself; in this case the Minister may agree on a flat rate of royalty. I have a vivid recollection of the exploitation of the pyrites deposits at Nairne. Every member knows that we passed legislation to develop our phosphates when we were unable to secure the necessary raw materials from Madagascar and some other overseas mines. On that occasion the owners of the pyrites mines at Brukunga (the Broken Hill Proprietary Company Limited, which I compliment for developing the site) were held up for some months before it was determined what amount of royalty should be paid for pyrites being used for the purpose I have mentioned. This clause will provide for this matter, as it will give power to the Minister to vary a payment on any lease. The Minister at present enjoys these powers in relation to the mining of gypsum and salt; this clause will give him similar powers regarding other mineral resources.

Clause 5 is a most important provision as far as Labor is concerned. Under the present Act a person can take out a miner's right for 2s. 6d. and renew it every year for 2s. 6d. Under this clause he will have to pay £5 after the claim has been staked and £10 for every subsequent year. I say, on behalf of the Labor Party, that the great part played in the development of Australia's mineral resources has been by people who have gone into various areas, have lived the lives of hermits and have discovered various precious metals. These have been the backbone and the very basis upon which our economy has been built.

The Hon. C. R. Story: But most of this has been done by private enterprise.

The Hon. K. E. J. BARDOLPH: I am not dealing with private enterprise now. Afterwards, I shall let my friend know what I think about his views on private enterprise. This clause will be a barrier against these people's going out and doing the necessary prospecting. As members know, many people who are out of work are prepared to go out prospecting for minerals and precious stones or to engage in some form of mining. Although they are prepared to go out without getting any pay, we are imposing a fee of £5 for the first year and £10 for each subsequent year.

The Hon. Sir Lyell McEwin: They are to get extensive benefits.

The Hon. K. E. J. BARDOLPH: I am coming to that. The Western Australian gold deposits were found by men who were prepared to go out and do the prospecting, and the mining companies garnered millions of pounds

from them. The State authorities did not make any imposition against them whatever. They were paying taxation, but that would apply equally to people at Coober Pedy and other places, whom this Bill is directed against.

The Hon. Sir Lyell McEwin: I wish it did!

The Hon. K. E. J. BARDOLPH: We are not the Government, but the Minister made a lame excuse in his second reading speech that two officers had been appointed for Andamooka and Coober Pedy and that the increase in fees was, in effect, to pay their salaries. On the economic and vested interest side of the picture, for the Minister's information, it is quite true that some of these people might make thousands of pounds out of one mine. The fact is that their operations are bringing dollars into Australia because a product is being exported which is readily saleable, and which does not need to be manufactured in Australia, and is assisting in building up our overseas credits.

The Minister said that clause 8 was the most important. It gives authority for the warden to fix rentals to owners of land and to pay compensation for damage, and also gives the Minister the right to delegate his authority to other persons. At present, the Government carries out much exploration work, but the Minister has no right to be an authority to carry out the mining. One of the primary reasons for the introduction of this legislation is to give him the right to become an authority and to be able to transfer that authority, on terms satisfactory to the Minister, for the purpose of doing exploration work or exploiting any mineral deposits the Mines Department may find. My colleagues have no objection to the amendment because a large amount of money has been spent by the Government, and the officers of the Mines Department are a most efficient band of public servants.

Clause 9 needs some explanation by the Minister. It increases the penalty from £1 a day for unauthorized mining to a maximum of two years plus a fine of £300 or both. At £1 a day the sum would be £730 for two years plus £300, a total fine of £1,030. We believe that this provision is too severe, and that the warden or an arbitrator should determine what damage has been done, whether it has been done capriciously, or whether it has been done by a person not knowing that there was an authority fixed by the Mining Act. I hope that the Minister will take into consideration the points I have made and I support the second reading.

The Hon. C. R. STORY (Midland): I support the second reading. This Bill is quite revolutionary in some respects and it took me some time to find out what the draftsman was aiming at when he set out to amend this legislation. However, the explanation given by the Minister showed the necessity for these amendments.

Clause 3 amends section 23b of the principal Act which deals with the question of royalty. Subsection (1) (*a*) deals with permits and allows lessees to deduct expenditure incurred in the treatment of material before delivery to a buyer. As I understand it, the position under the present Act works against the lessee in the case where he has to get his ore or the mineral to a stage where it can be smelted. At present he is only allowed to deduct the expense of the actual mining and getting the material into a rough state. This provision allows him to get it to a marketable state. No honourable member could object to that as people who do the mining have certain hazards to face and those who are prepared to do this should be given the opportunity of recouping themselves in the manner suggested by the amendment.

Clause 4 deals with royalties specifically on weight or volume. Under the present Act provision is made for this particular method to be employed for salt and gypsum and minerals of that nature, and the Minister may enter into an agreement with the lessee, on the recommendation of the Auditor-General, to adopt this method of royalty with regard to the minerals I have mentioned. The amendment will enable the Minister to enter into similar agreements for other minerals if that recommendation is forthcoming. The advantage of this is that the department or the Treasury and the lessee will know exactly what is to happen before they start the operation and that is a good thing. Clause 5 inserts a completely new section dealing with the mining of precious stones and provides for a payment upon registration of a precious stones claim of £5 for the first year and £10 for each subsequent year. It seems that from reports of gougers and statements in the press, something had to be done regarding the opal fields at Andamooka and Coober Pedy. Many people engaged in the operations today are there purely on a get-rich-quick mission, and some of them are not naturalized Australians.

The people who have been in the fields for many years as genuine opal gougers have been placed at a disadvantage by the methods

adopted by some of the newcomers. These newcomers seem to have little respect for the laws of this country and they may have done irreparable damage to the fields by the use of machinery and by picking the best out of them, leaving the residue from which other people try to make a genuine living. I believe the Government has been asked to supply water and other amenities for the fields, and I am pleased to see that the department is providing two officers, one for each field, for the purposes of receiving fees and of supervising the operation of the work. I believe that these rare minerals should be carefully conserved, and I am pleased with this provision because it is overdue. Fantastic profits are made by many miners and I am a little sceptical whether much of the money received for minerals finds its way through official channels to the tax gatherer. When one hears, from time to time, of suit cases of notes flowing about the country it is time we had some control over this type of mining. I do not object to the first charge of £5 plus the miner's right fee or to the £10 charge in respect of each subsequent year that the lease is held. I do not believe the charge is excessive and I am glad that the Minister and the department have taken the matter up.

The next provision worthy of mention is clause 9, which increases the penalty for unauthorized mining. I deal with this clause now because it fits in with the previous clauses. Clause 9 steeply increases the penalties and that is not a bad provision because, if a person has every opportunity to observe the law and does not do so, he should pay for that infringement. I believe that should apply to most provisions fixing penalties. Although at first sight the penalties appear to be high, I do not believe that anyone can complain because the offences involved are not committed on impulse. These laws are enacted, and a miner may be on the fields breaking the law for two years before he is apprehended.

Clauses 6 and 7 deal with covenants in mineral or coal leases and provide for the lessees to make good any damage to any leased land arising from mining operations. I refer to shellgrit and the operations of shellgrit miners in the Port Gawler area. I believe it is most necessary that the Minister have powers to deal with this matter. Together with local council representatives I recently inspected an area worked by private operators where the shellgrit had been removed and the over-burden pushed back allowing the sea to encroach on good agricultural land between Port Wakefield Road and the sea. It is most necessary that the Minister have the power to compel these people to construct levees or some form of bastion against high tides, otherwise severe trouble could be experienced in that area. I know the Mines Department has discussed this matter and I presume it has been activated in bringing forward this amendment by the actions of people operating in that area and in other areas.

Clause 8 amends section 69 of the Act and deals with mining on private land. This is one of the most important clauses of the Bill because, when dealing with Crown land and lessees, it is also important that we discuss owners of land held in fee simple, and that is always a much more difficult subject to approach. From my reading of the amendment these people will be infinitely better off than now. Under the existing provision any person may obtain authority to enter private land. He can either enter private land by agreement with the owner or occupier, or he can enter by obtaining permission from the warden. The warden has certain duties to observe, but the owner has certain rights. Firstly, the owner can, within 14 days, lodge an objection to the warden, and the warden must examine the question to see whether the person is of good character. He must also be able to establish that there is some quantity of mineral and that it can be mined. The amendment aims to achieve two or three results. It will provide for compensation or a rental to the owner. At present compensation is paid for damage done, but the amendment will ensure that the person whose land is taken up by a prospector receives a fair rental for the time the miner is in occupation of his land, and that is a fair provision. The clause also stipulates a time limit for the mining operations.

Probably the most important aspect of the clause is that it clears up the question of whether the Minister of Mines and his officers have any right to enter upon land and carry out surveys or engage in mining. According to the Parliamentary Draftsman much doubt exists whether the Minister has the right to enter upon private property. However, under this amendment the Minister, or officers authorized by him, will be able to enter upon land and carry out important surveys. If the surveys reveal any large bodies of ore or oil the Minister will be able to obtain some recompense for the efforts made by the State in this direction. From time to time we should

examine the large amounts provided by Parliament for the Mines Department to carry out this function, and I believe all members will agree that this is an appropriate amendment because it will enable the Minister to recoup certain moneys from the activities of his department. Most landholders are pleased to have Mines Department representatives come to their properties seeking water supplies. About 99 per cent of them have been pleased to have these men bore for water, but not always keen to have that water tapped for the benefit of other people, and that can be said about oil searches. This is a wise provision to enact, and as the custodian of the public purse Parliament should agree to it. The other amendments can be better dealt with in Committee, where I shall ask the Minister for information regarding several of them. I hope members will support the Bill because it will improve the Act. Owners of private property will be infinitely better off than they are now.

The Hon. M. B. DAWKINS secured the adjournment of the debate.

MENTAL HEALTH ACT AMENDMENT BILL (No. 1).

(Second reading debate adjourned on August 22. Page 627.)

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

METROPOLITAN DRAINAGE WORKS (INVESTIGATION) BILL.

Adjourned debate on second reading.

(Continued from August 29. Page 753.)

The Hon. A. J. SHARD (Leader of the Opposition): I support this machinery measure, which refers to the Public Works Committee a drainage scheme affecting the Government and the councils of the City of Woodville and the Town of Henley and Grange. It was introduced because the Government must incur some expenditure on the scheme, and as it is not a "public work" in accordance with the Act it can be referred to the committee only by legislation. The original estimated cost of the work was about £207,000. Now it is estimated to cost about £375,000, so in the matter of cost alone the sooner the scheme is investigated by the committee the better it will be. The Bill is similar to the measure referring to the committee a scheme for the drainage of the south-western suburbs. I hope it will have a speedier and perhaps happier passage than the other Bill had, and this scheme will be completed more quickly. Any criticism that a member might have regarding it can be left until the matter again comes before Parliament in a different form.

The Hon. Sir ARTHUR RYMILL (Central No. 2): I support the second reading. Normally matters can be referred to the committee by an ordinary motion passed in Parliament or by the Governor, and the latter is the procedure usually adopted. In his second reading explanation the Minister said:

> The Crown Solicitor has advised that, in view of the definition of "public work" in the committee's Act as any work to be constructed by the Government out of moneys to be provided by Parliament, the present proposal is not a "public work" since it is envisaged that half the capital costs of the work shall be paid by the councils.

If that is the sole purpose of the Bill I think the matter could have been dealt with under section 26 of the Public Works Standing Committee Act, which says:

> Any question relating to any project, whether a public work within the meaning of this Act or not, and irrespective of the estimated cost thereof, which, if carried out, will require the expenditure of moneys voted, or to be voted, by Parliament, may be referred to the committee by the Governor . . .

Under clause 3 the committee has to assume that half the capital costs of the work shall be paid by the councils. Under clause 3 (*e*) it shall assume that the whole of the annual cost of maintenance is to be paid by the councils. But the whole of the cost relates only to maintenance, and it would seem that the Government is proposing to pay half of the capital expenditure. I would have thought it would come within section 26 of the Public Works Standing Committee Act, but I do not regard it as my province to go into that matter fully or to challenge the opinion of the Crown Solicitor because it is obvious that, whatever the legal construction may be, this Bill can do no harm and, if there is any doubt about it, it is proper that it should be resolved in this manner.

The details submitted to the Public Works Standing Committee by clause 3 are set out in five paragraphs, but I draw attention to the fact that under section 24 of the principal Act the committee must have regard to the necessity or advisability of constructing a work at all and to the present and prospective public value of a work, and it must consider and

report on the proposed work having regard to these additional matters brought under consideration by clause 4 of this Bill, which provides:

> The Committee shall inquire into and report upon the questions referred to it by this Act in the same manner as the Committee inquires into public works referred to it by the Governor; and the provisions of the Public Works Standing Committee Act, 1927-1955, shall apply in relation to the inquiry conducted pursuant to this Act . . .

It therefore seems that everything is covered by this Bill, and in due course it will be interesting to hear the report of the Public Works Committee and see precisely what it recommends in this matter, which is of great importance to the districts and councils concerned. As I indicated at the outset, I support the second reading.

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

PUBLIC PURPOSES LOAN BILL.

Adjourned debate on second reading.

(Continued from August 29. Page 747.)

The Hon. A. J. SHARD (Leader of the Opposition): In supporting the second reading of this Bill, I shall comment on the Minister's explanation and make some other comments. I listened intently to the Minister's explanation and I have since examined the Bill, which I found to be typical of similar measures introduced into this Parliament in the last few years. I searched to find whether some money had been allocated or was to be borrowed to provide work for people on the lower rungs of the ladder who are registered as unemployed, but, unless it was hidden somewhere, I could not see any provision for any work of this nature. This Bill closely followed the Commonwealth Budget, which also did nothing to provide added work and so reduce the pool of jobless in Australia or South Australia. I think the Commonwealth Government may be aided and abetted by this Government in thinking that there should be a pool of unemployed people for all time. I was surprised to read in last Thursday's *Advertiser* a statement that had been made by the Commonwealth Treasurer (Mr. Holt). We have been saying for many years that the Commonwealth Government, which is of the same political colour as the South Australian Government, has a policy of having a pool of unemployed people, but that has been denied on many occasions. However, last week the truth came out when the *Advertiser* reported:

> The Australian economy could not function without some availability of labour, the Treasurer (Mr. Holt) told the House of Representatives tonight. Its wide range of seasonal and constructional work made this necessary. This fact was acknowledged by Mr. Monk, of the A.C.T.U., said Mr. Holt, who was closing the month-long Budget debate.

Later the report states:

> Mr. Holt said the Budget was designed to preserve employment and prosperity by sustaining those industries on which that prosperity and employment must rest.

If Mr. Holt and Mr. Monk agree on that—I do not think they do—and if they think it is necessary to have an army of about 90,000 unemployed to cover seasonal work, they are wide of the mark. We agree that with the seasonal fluctuation of work there must be some loss of time. However, there are few, if any, people who follow seasonal work who are registered for employment. The conclusion must be that the Commonwealth Government desires to maintain a pool of unemployed people in Australia. When one studies this Bill one cannot see any proposed allocation of money which will reduce the number of unemployed in this State. Correct me if I am wrong, but the last figure was about 7,000.

The Hon. C. D. Rowe: About 7,000, which is the lowest percentage in the Commonwealth and it has always been so.

The Hon. A. J. SHARD: I am not denying that, but there are still about 7,000 unemployed plus those who have not registered. I perused the Loan Estimates to try to find an allocation which would reduce the unemployment figure. I find that the Railway Accommodation in the Estimates is £2,330,000. Including £50,000 for material to be supplied from stock on hand, a total of £720,000 is provided this year for Way and Works Branch items including £573,000 for track relaying, signalling and safety devices, minor buildings and improvements to yards, etc. An amount of £60,000 is required to complete the new railway from Hallett Cove to the oil refinery at Port Stanvac, £32,000 is provided for houses for employees, and £55,000 for plant and sundries. The only item that I could see which could create new work was the amount of £60,000 required to complete the railway from Hallett Cove to the oil refinery at Port Stanvac. However, that will not create a great amount of employment. I take it that the £573,000 for track relaying, signalling and safety devices, minor buildings and improvements to yards, etc., is a line which is provided

each year to keep the tracks and yards up to a reasonable condition and it will obviously create no further employment.

Last year when speaking on this Bill I mentioned that the South Australian Government had been let down by the Commonwealth Government because there was no provision made for the standardization of rail gauges, particularly from Port Pirie to Broken Hill. The position is the same this year, but I am afraid we are worse off than we were last year. An examination of the position makes one wonder where the truth lies in this matter. I have always held the view that prior to 1958 the South Australian Government showed no real desire to have the gauge adjusted. To prove that point I quote from an article in the *Sunday Mail* of April 12, 1958:

"South Australia in danger of being cut off." Warning on Rail Gauges.

Victor Harbour, Saturday: South Australia could be left out on a limb over standard rail gauges, Mr. S. Barton Pope said today. He was addressing the Junior Chamber of Commerce State conference here. Mr. Pope, Chairman and Managing Director of Pope Products Ltd., said South Australia was in danger of being cut off economically from its major markets. Mr. Pope said: "In the past few weeks we have heard with delight of big new industrial expansion for this State —the Whyalla steel mill, the oil refinery for Hallett Cove, construction of super tankers, and the General Motors-Holdens plant for Elizabeth. These will be hollow gains indeed if we fail to standardize the rail gauge from Melbourne through Adelaide to Port Pirie".

Mr. Pope said that last July the Premier, Sir Thomas Playford, had recommended that the Victorian Government should consider constructing, with Commonwealth Government financial assistance, standard gauge railways from Melbourne to Albury and Serviceton, to provide standard gauge links with New South Wales and South Australia. The £10,000,000 Albury-Melbourne plan, which will save £800,000 a year in the handling of goods at Albury alone, is now under way. However, there seems to be no immediate plan to include South Australia in the standardization scheme. Unless we can join in South Australia will be the only major industrial State without economic access to its major markets. South Australian industry must not be left out on a limb for the benefit of Victorian manufacturers. This could very well happen unless we act quickly. South Australian members of the Federal Parliament will fail in their duty if they do not insist on the South Australian section of the standard gauge being carried out concurrently with the Melbourne-Albury section.

That was over four years ago and we are still in the same position, in fact, we are in a worse position.

The Hon. C. D. Rowe: What more do you think the State Government could have done than it has done?

The Hon. A. J. SHARD: I think it could have done much more many years ago.

The Hon. Sir Arthur Rymill: How many years ago?

The Hon. A. J. SHARD: About 10.

The Hon. N. L. Jude: The Government was having the gauge broadened in the South-East then.

The Hon. A. J. SHARD: I am talking about the standardization of the line from Port Pirie to Broken Hill. The Premier was quite happy to see the Albury-Melbourne division done first, according to that press report.

The Hon. C. D. Rowe: That is not a correct interpretation at all.

The Hon. A. J. SHARD: I will read some more if the honourable member wants me to.

The Hon. G. O'H. Giles: You can't believe everything you read in the press.

The Hon. A. J. SHARD: These points do come home, and within the last week or so in our State Parliament a resolution was carried unanimously which caused a lot of comment. I think it could be fairly said that an unbiased person at the moment does not know where the truth lies. I would like to know. Briefly, this was the resolution carried last week in the State Parliament—

The Hon. C. D. Rowe: Is the honourable member reading from *Hansard* of another place?

The PRESIDENT: The honourable member cannot read a report of a debate of the House of Assembly.

The Hon. A. J. SHARD: I did not want to quote something incorrectly. The South Australian Parliament unanimously carried a resolution requesting that the South Australian Senators further amend the Budget.

The PRESIDENT: I do not think the State Parliament did that. The honourable member is out of order in that regard.

The Hon. A. J. SHARD: The House of Assembly did that.

The Hon Sir Arthur Rymill: Was it a stunt by the Labor Party?

The Hon. A. J. SHARD: It was not a political stunt. When a person starts on this argument he knows he is on delicate ground: he is dealing with the truth and the truth hits harder than anything else. I have not tried to defend a course of conduct acknowledged by all to be wrong. All I wish to obtain from these arguments is the truth.

The Hon. G. O'H. Giles: Who is arguing?

The Hon. A. J. SHARD: I believe that the Commonwealth and State Liberal Parties are having a box-on.

The Hon. G. O'H. Giles: Which one is the willing horse?

The Hon. A. J. SHARD: I do not mind if we remain here until 5 o'clock. I have decided on what I will say and I am going to say it. The House of Assembly did that last week.

The PRESIDENT: The honourable member must not refer to what the House of Assembly did or said.

The Hon. A. J. SHARD: I shall refer to another place. In that place a motion was carried unanimously, requesting the South Australian Senators to move an amendment which, in effect, asked the Commonwealth Government to reconsider its refusal to finance the standardization of the rail gauge from Port Pirie to Broken Hill. Following on that, we had a challenge (reported in last Thursday's *Advertiser*) as follows:

> Last night the Minister for National Development, Senator Spooner, claimed the Premier had made it plain to the Commonwealth Government that he placed a higher priority on the Chowilla dam project than the rail standardization.

Then questions were asked in another place and the Premier said Senator Spooner's statement was not true. I give the Premier credit for refusing to reply, from the privileged shelter of another place, to criticism, when he said he would make a statement in his weekly television appearance and radio broadcast. I believe the phrase used was "to hit back in TV talk tonight". I went to some inconvenience to listen to "the hit back" and was astounded to notice that the Premier did not at any stage openly deny Senator Spooner's accusations. He spoke at length and I listened, but he did not even say what he had said in another place. There he said "no" when he was asked the question. The Premier criticized Senator Spooner, but when the Premier is accused of placing a higher priority on the Chowilla dam than on gauge standardization and we read that he is going to hit back, surely we can expect a complete denial of that statement. Yet I heard no word of denial, although I listened to the broadcast intently and read the report in the newspaper thoroughly.

The Hon. C. D. Rowe: Which do you give the highest priority?

The Hon. A. J. SHARD: I have not considered the matter. Both are very important.

The Hon. S. C. Bevan: Seeing that the agreement to standardize the gauge was entered into in 1948, I should say standardization.

The Hon. A. J. SHARD: I have not considered the question asked by the Minister, but I believe that rail standardization is more in the interests of the people of South Australia than is the Chowilla dam at present.

The Hon. C. R. Story: Which would give the most employment?

The Hon. A. J. SHARD: I believe the rail standardization project would maintain in employment the people at present employed. If we could carry out both projects together, the Chowilla dam project might create more new employment, whereas I am afraid that, if the gauge is not standardized soon, we will have further grave unemployment problems involving people now employed. That is sound and logical.

The Hon. C. D. Rowe: I think it is true that, as a Government, we have done everything possible, even to the extent of litigation.

The Hon. A. J. SHARD: Be that as it may, what has happened in the last week raises doubts.

The Hon. S. C. Bevan: We may have done everything possible here but the Senators have not.

The Hon. A. J. SHARD: After the Premier's reply on Thursday night, the Minister for Civil Aviation (Senator Paltridge) made an even more damning statement than the one made by Senator Spooner. I have not heard from the Premier or the Government any comment on or denial of that statement. Although one of them was elected to the Senate by this Parliament, the four South Australian Liberal Senators completely disregarded the request forwarded to them embodying a unanimous resolution passed in another place. For some years I have been under the impression that a Senator's first duty is to his State on State questions. At one time I considered that the Senate was a Party House and I took an active part in trying to get a Commonwealth Labor Government to abolish it.

The Hon. C. R. Story: Have you the same views about this Council?

The Hon. A. J. SHARD: The Council could be abolished tomorrow and the State would be no worse off, with great respect to members. However, I have a slightly different view on the Senate. Although it is part of the Labor Party's policy to abolish the Senate, one of Labor's most able leaders once urged me to put the brakes on the cry for the abolition of the Senate, because he told me—and this

came home forcibly in the last few years—that without the Senate to protect the interests of the smaller States the smaller States would not be in the race. I understand the motion passed in another place simply suggested an amendment to the motion in the Senate for the printing of the Budget Papers so that, if carried, the Commonwealth Government might reconsider its decision about providing money for gauge standardization to go ahead in South Australia. The four South Australian Liberal Senators did not appear to worry much about the request. They were concerned only about voting for the Commonwealth Government to keep it in office.

The Hon. S. C. Bevan: They do not represent South Australia, only Bob Menzies.

The Hon. A. J. SHARD: It would appear from their action that they were more interested in keeping the Commonwealth Government in office, but I do not believe that if they had voted for the amendment mentioned it would have defeated that Government. They prefer to keep the Menzies Government in office to the benefit of the larger States than act in accordance with the motion passed in another place in the interests of South Australia. I do not know how they will face up to the matter when the Party meets again.

The Hon. S. C. Bevan: If the amendment had been carried it would not have defeated the Commonwealth Government.

The Hon. A. J. SHARD: No. They could have voted as requested and not in any way endangered the life of the Menzies Government. Undoubtedly they were prepared to keep the Commonwealth Government in office rather than do something in the interests of their State, as requested. I want now to deal with a matter that affects mainly people on the lower rungs of the income ladder in South Australia. The Hon. Mr. Bardolph has asked the Minister of Labour and Industry several questions about minimum wage payments to all workers in industry. On August 22 he asked the Minister the following question:

Has the Minister of Labour and Industry a reply to my recent question whether the Government has considered making the basic wage applicable to both male and female workers in industry where not classified by awards?

He received the following reply:

I have had a look at the matter, obtained reports on it, and have to inform the honourable member as follows:

The whole system of industrial arbitration in Australia is based on the prescription of not only rates of pay, but also hours of work and other conditions of employment in industrial awards, determinations or agreements. These are made by industrial tribunals or by agreement between parties. A provision of the nature suggested by Mr. Bardolph does not exist in any of the Australian States. Careful consideration has been given to the request. However, nowhere in Australia does legislation of this nature apply, and it would appear that there are many matters that would have to be considered before the advisability of such a step could be established.

I have heard many replies given to questions in this place, and I thought that such a simple question could have been given a simple answer. No difficulties exist in the matter. The granting of the request would not add anything to the cost structure. Under our Industrial Code unless there are 20 employees in a given industry the employees in it cannot get an award or a determination. The request meant that the wage per hour, day or week, should be the equivalent of the basic wage over not more than 40 hours a week.

The Hon. C. D. Rowe: It is true that such a provision does not exist in other States.

The Hon. A. J. SHARD: Yes, but there are more restrictions in our Industrial Code preventing workers from coming under awards and determinations than under industrial legislation in other States. I could name some States where I am certain of that. I had the pleasure once of touring New Zealand, where the thought first came to me. According to the New Zealand *Hansard* of December 6, 1945, a Minimum Wage Bill was introduced, providing a minimum wage for all employees. I have read all the speeches given in the second reading debate, and they cover nine pages of *Hansard*. Although the Bill was passed in December 1945 it was not to take effect until April 1946, but something went wrong and I do not think it came into operation until January, 1947.

The Hon. C. R. Story: Was a Liberal Government in office?

The Hon. A. J. SHARD: Actually a Labor Government was in power. The Bill was passed rather quickly, and there is now a provision in New Zealand that anyone employing a person must pay a minimum rate. For the benefit of the Minister, the New Zealand Statutes Reprint, 1908-1957, on page 861 of book No. 9 sets out the full Act, which is called the Minimum Wage Act, 1945. This Act consists of six sections, the main section being section 2, which has seven subsections defining who shall come under the Act. The main subclause is (1), which provides:

Notwithstanding anything to the contrary in any enactment, award, industrial

agreement, or contract of service, every worker of the age of 21 years and upwards to whom this Act applies shall be entitled to receive from his employer payment for his work at not less than the appropriate minimum rate prescribed under this section.

Subsection (2) is interesting; it is similar to our basic wage provision. It provides:

For the purposes of this section the minimum rates of wages shall be such rates as may from time to time be prescribed by the Governor-General by Order in Council.

I do not want to take this any further, except to point out that a tabulation that appears on page 993 of the 1961 *New Zealand Official Year Book* showing the rates that have applied from December 1, 1947, to October 21, 1959, ties up the New Zealand scheme with our basic wage. I ask permission to have this incorporated in *Hansard* without my reading it.

Leave granted.

Category.	1st Dec., 1947, to 31st Aug., 1949.	1st Sept., 1949, to 31st Aug., 1950.	1st Sept., 1950, to 31st July, 1951.	1st Aug., 1951, to 30th Sept., 1952.	1st Oct., 1952, to 14th Dec., 1953.	15th Dec., 1953, to 14th Dec., 1954.	15th Dec., 1954, to 4th Dec., 1956.	5th Dec., 1956, to 20th Oct., 1959.	21st Oct., 1959, onwards.
Males—	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Paid by hour or by piecework	0 3 0	0 3 3	0 3 5	0 3 9	0 4 1	0 4 6	0 4 7½	0 4 10	0 5 1
Paid by day	1 4 0	1 6 0	1 7 4	1 10 0	1 12 8	1 16 0	1 17 0	1 18 6	2 0 6
Other (per week) ..	5 15 0	6 5 0	6 11 8	7 5 0	7 18 4	8 15 0	9 0 0	9 7 6	9 17 6
Females—									
Paid by hour or piecework	0 1 11	0 2 2	0 2 3½	0 2 6	0 2 9	0 3 0	0 3 1	0 3 3	0 3 5
Paid by day	0 15 4	0 17 4	0 18 4	1 0 0	1 2 0	1 4 0	1 4 8	1 6 0	1 7 4
Other (per week) ..	3 13 0	4 3 0	4 8 0	4 16 4	5 6 4	5 16 4	6 0 0	6 6 0	6 13 0

The Hon. A. J. SHARD: I have taken out the minimum wage fixed under the New Zealand Act on three occasions and have compared it with our basic wage so as to give an idea of the close proximity of the wages in both places until recently. I have dealt only with the minimum rate payable to males. From December 1, 1947, to August 31, 1949, the minimum rates in New Zealand were 3s. an hour, £1 4s. a day and £5 15s. a week. From November 1, 1947, to August 1, 1949, the basic wage in South Australia fluctuated from £5 8s. to £6 4s., so there was not a great deal of difference.

The Hon. C. R. Story: Did you convert to Sterling?

The Hon. A. J. SHARD: No; their wage would be high if I did. Apparently some attempt has been made to give a higher percentage for casual employees, as the daily rate is higher than the equivalent of the weekly rate. From September 1, 1949, to August 31, 1950, the rates were 3s. 3d. an hour, £1 6s. a day and £6 5s. a week. The basic wage in South Australia from November 1, 1949, to August 1, 1950, fluctuated between £6 6s. and £6 14s., which was close to the New Zealand wage. The last date given in the New Zealand *Year Book* was October 21, 1959, when wages were 5s. 1d. an hour, £2 0s. 6d. a day, and £9 17s. 6d. a week. The basic wage in South Australia was then £13 1s. Now ask that question!

The Hon. C. R. Story: You cannot buy a motor car in New Zealand when you want to, though, can you?

The Hon. A. J. SHARD: I do not know, but nobody on these wages in New Zealand or Australia would buy a motor car. It appears to me that, except for the last date that I have mentioned, the minimum wage fixed in New Zealand was comparable with our basic wage. Ever since I have been a member of this Council I have been interested in this matter, and I have spoken privately to the Minister about it. I have had an average of at least three complaints a month on this matter. A minimum wage would cost the Government nothing, and it would not cost people in exporting industries anything because their employees are all covered by awards. However, it would protect people who are prohibited from getting awards, and it would protect them when they have disagreements with their employers.

The Hon. C. R. Story: Why can't they have an award?

The Hon. A. J. SHARD: Because the Industrial Code provides that before an award or determination can be obtained there must be 20 employees working in the industry, and numerous industries of various types have fewer than 20 employees.

The Hon. G. O'H. Giles: Don't they fit into a broad category?

The Hon. A. J. SHARD: No, that is why we are asking for this protection for them.

The Hon. Sir Arthur Rymill: I thought the Hon. Mr. Bevan was the authority on this.

The Hon. S. C. Bevan: The Code goes further; it debars many employees from getting an award.

The Hon. A. J. SHARD: That is so. Agricultural workers cannot get an award or determination.

The Hon. C. D. Rowe: You said it would not affect exporting industries. I should think the agricultural industry would be an exporting industry.

The Hon. A. J. SHARD: Fruitgrowers are covered by an award, but the agricultural industry is not.

The Hon. F. J. Potter: One of the big things would be to cover domestic employees, wouldn't it?

The Hon. A. J. SHARD: Perhaps, but surely they are entitled to the female base rate. This is an important matter that affects many people. Mechanics employed on repairing adding machines and typewriters have not, to the best of my knowledge, obtained a determination or award. They have no written agreement and when they have an employment problem they find they are not entitled to paid sick leave, annual leave or long service leave. If they are told, "There is the door; get out", they have no protection. All we are asking is that a minimum wage be prescribed for everyone; surely that is not too much to ask. Recently a typical case from the country came to my notice. I do not wish to name the firm, the employee or the industry, because certain things have been done. An adult male employed in the country received £22 10s. a week for a certain number of hours worked, but this was not equal to even the basic wage hourly rate because, if he had been paid at that rate, he would have received £22 16s. 4d. If he had been paid the basic wage weekly rate of £14 3s. plus overtime at the usual rate of time and a half, he would have received £27 15s. 5d. for the number of hours worked. If he had been paid at the metropolitan area award rate he would have received £30 1s. 3d. for the number of hours worked. However, if that employee wanted to claim his rights he had no protection whatever under the provisions of the Industrial Code.

We have reached a stage where at least every person who works should be entitled to receive legally at least a minimum rate of pay for services rendered. The Government, to its credit, has recognized this principle in another Act. Labor members did not accept the legislation when it was introduced, and still do not, but the Long Service Leave Act provides that every employee whether covered or not covered by an award or determination shall receive a week's additional annual leave after seven years' service. The Government accepts the principle with regard to that Act, but is not consistent on the question of minimum pay.

I suggest to the Minister sincerely that we should act as statesmen and not be willing to wait for a lead from another State. This is a just request. It should be done, and we as statesmen should legislate to provide for minimum hourly, daily, and weekly wages to be paid to every employee. I should be loud in my praise of the Government if it would recognize that principle. If this principle were embodied in legislation it would not cost any industry or individual a large sum. In my opinion, if a person wants to employ someone he should pay at least the base rate and if he cannot do that he should not employ anyone.

The Hon. C. R. Story: Do people employ others and pay them a wage below the base rate?

The Hon. A. J. SHARD: When I was at the Trades Hall as an executive officer of the Trades and Labor Council, at least one case a week or three cases a month would be brought to our notice. I understand that that is still the position but the Hon. Mr. Kneebone could confirm that. I give credit to the people who pay above the base rate, for they create and keep a happy relationship.

The Hon. Sir Arthur Rymill: That may be all right in times of prosperity, but what if things get hard?

The Hon. A. J. SHARD: It comes back to the same thing. Speaking from memory, my union first applied for a country breadcarters' award in 1937, and I toured the country to enrol the necessary 20 members. The basic wage was, I think, £3 14s. a week. I found adult breadcarters working for a wage of less than 30s. a week, and only a few received as much as the base rate. When the application for the award was made the then President of the Industrial Court, the late Sir Raymond Kelly, called the parties into Chambers and told the employers that he was going to make an award in which the working week would not be longer than the recognized 48 hours. He told union representatives that the rates of pay would be little more than the basic wage. He informed employers that if the price of bread was not sufficient to enable them to pay at least the basic wage then the price would have to be increased. The award was

settled, and I think we received one shilling or two shillings a week above the base rate.

If an industry or a person cannot afford to pay the base rate then people should not be employed in it. In my experience, that was the principle adopted by the various Presidents of the Industrial Court.

The Hon. Sir Arthur Rymill: I was referring to domestic employment.

The Hon. A. J. SHARD: If somebody wants domestic servants but cannot pay them the basic wage he should not employ them. We are well out of the dark ages when servants received a pittance.

The sum of £800,000 is allocated for police and courthouse buildings. The programme of construction of police stations and courthouses to serve the country areas is to be continued in 1962-63 and provision is made to complete a number of works which were under construction at June 30, 1962, and to commence work on various new projects. It is proposed to commence work on the new police headquarters building in Adelaide and £201,000 is provided for this purpose. The new multi-storey building to be erected in Angas Street is estimated to cost £1,562,000, and will provide for the needs of the Police Department for some years ahead. Upon completion two of the upper floors will be available for a number of years for the use of other departments. The sum of £1,000 is provided for initial work on a new cell block at police headquarters, the total estimated cost of which is £99,000.

My purpose in referring to that is to pay a tribute to the Police Force. The Government is on the right track in building new centralized accommodation for the Police Force rather than spreading the force over the metropolitan area. The Police Force has a right to good working conditions. It is a credit to the State and I offer the highest praise for our police officers. After the recent Festival of Arts I expected that their work might have earned some recognition. Much work is involved in controlling traffic when crowds are at their greatest and one cannot but stand by and admire the work of the officers.

The Hon. C. R. Story: Too many stand by and admire.

The Hon. A. J. SHARD: Citizens cannot interfere with them in their work, but many people just take for granted the work of police officers. The Police Force does a remarkable job and none of us would wish to live in this city without police protection. The visit of Their Majesties the King and Queen of Thailand next week will increase the work of these officers, and the forthcoming visit of Her Majesty Queen Elizabeth and His Royal Highness the Duke of Edinburgh will throw a tremendous amount of work on their shoulders. At the conclusion of the visit I, for one, will give the officers credit for their good work and hope they are granted some adequate reward. That has been done before and I waited for something similar to be done after the Festival of Arts, but nothing eventuated. During that fortnight or three weeks the Police Force did a magnificent job. I have pleasure in supporting the second reading of this Bill.

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

LOCAL COURTS ACT AMENDMENT BILL.

In Committee.

(Continued from August 28. Page 697.)

New clause 3a moved by the Hon. F. J. Potter:

> Subsection (3) of section 21 of the principal Act is amended by inserting after the word ''jurisdiction'' second occurring therein, the words ''constituted of two justices''.

The Hon. C. D. ROWE (Attorney-General): When we last considered this matter I asked that progress be reported to enable me to confer with the head of the Country and Suburban Courts Department (Mr. Johnston, S.M.) to see what the effect of the amendment moved by the Hon. Mr. Potter would be as far as administration in his department was concerned. I have had an opportunity to do that, and I think we can accept the amendment, the effect of which is that every action where the amount involved is above £30 will be heard before a special magistrate instead of before two justices of the peace. One of the points I had in mind was that if we did that it might mean that our magistrates would be called on to go to courts of limited jurisdiction where there were no proper facilities for the holding of a court and, further, that the work imposed on them might unduly interrupt their schedules of going to full jurisdiction courts approximately once each month.

I have since had it brought to my notice that rule 69 (3) of the Local Court Rules provides as follows:

> A special magistrate may upon his own motion, by notice in writing posted to the parties, direct that any action, matter or proceeding shall be heard at such place and time as is stated in the notice.

I think that will get us out of most of our difficulties and, therefore, I am prepared to accept the amendment, but I shall watch how

it works in practice and, if it is necessary at a later date to reconsider the question, I will have to ask the Council to do so. I do not think that set of circumstances will arise. I think this will work satisfactorily, but I issue that one note of warning in connection with the matter—it will be subject to my careful consideration and I will watch the position during the next few months.

New clause inserted.

New clause 3b.

The Hon. F. J. POTTER: I move to insert the following new clause:

3b. Section 32 of the principal Act is amended by inserting at the beginning thereof the words "Subject to the provisions of section 21 of this Act".

This is a consequential amendment which is necessary to follow that which the Committee has already accepted.

New clause inserted.

Clause 4—"Increase in jurisdiction of courts of limited jurisdiction."

The Hon. F. J. POTTER moved:

After "Sections" to strike out "21".

The Hon. A. J. SHARD: I intend to move that "58" be deleted. I do not want the Hon. Mr. Potter's amendment to debar me from moving in that direction.

The Hon. C. D. ROWE: I think that, strictly speaking, Mr. Potter's amendment should come before Mr. Shard's amendment and, therefore, I think we should assure Mr. Shard that he will be able to move an amendment after we have dealt with Mr. Potter's amendment.

The Hon. A. J. SHARD: As long as that is the position.

Amendment carried.

The Hon. A. J. SHARD: I move:

After "32" to strike out "58".

That would mean that appeals would be dealt with as at present. Simply put, it means that there would be no appeals on claims involving amounts up to £30, but appeals would be permitted on amounts over £30. I do not think I need labour the question. Most speakers agree that £100 is still a considerable sum of money. Therefore, I believe the provision should remain as at present. Unfortunately some remarks I made in my second reading speech were misconstrued. Apparently I was not as exact in them as I should have been. Because of the absence of a word or two some people have gained a different impression from the one I intended to convey. At no time did I intend to reflect unduly on anybody. What I actually said was:

It was a remote possibility in some country townships, with justices on the bench and with no solicitors concerned, for a decision to be made that could be slightly prejudicial to a defendant, notwithstanding that the justices dealt with the case quite fairly.

The Hon. C. D. Rowe: I did not understand the member to make any derogatory statements.

The Hon. A. J. SHARD: I am glad to have that interjection. Some justices have not appreciated my remarks as they appeared in *Hansard.* I have great respect for our justices. The use of the word "remote" would indicate that this is not general in its application. I have had letters from one or two justices and I have told them that I would make the position clear. I shall send them a copy of my remarks here today. I do not blame *Hansard* for the report, for it read all right, but when it was pointed out to me by the justices I agreed that it could be taken from the remarks that in all country townships this sort of thing could happen. My point was that there was only a remote possibility of its happening. I want the right of appeal to be available.

The Hon. C. D. ROWE: I have given this matter careful consideration and am prepared to accept the amendment. After we agreed to accept Mr. Potter's amendment providing that in every case where the amount involved was more than £30 the case had to be heard by a special magistrate, I wondered whether it was necessary to have the added protection of a right of appeal. It was brought to my notice by one practitioner that a person could be made bankrupt on a judgment debt of £50 or more. It seemed unfair that that should be so when he had no right of appeal to ascertain whether or not the judgment was correct. In the circumstances, therefore, I think we can accept the amendment.

The Hon. Sir ARTHUR RYMILL: I thank the Minister for his explanation but, when we remember present money values, the old £30 is nearer the current £100. The explanation justifies the amendment. It is novel that there should be a right of appeal in cases of limited jurisdiction, because I think there was no right of appeal previously. I wonder whether consequential amendments should not be considered if the amendment is accepted. I have not studied the legislation in this respect. Mr. Shard has outlined an idea but I do not think he has an amendment on the file. I do not think there is any need to report progress but the authorities might look at the matter.

The Hon. C. D. ROWE: I think that aspect has been covered. I undertake that between now and the time the Bill reaches another place the aspect will be further considered in case an additional amendment is necessary.

Amendment carried; clause as amended passed.

Clause 5 and title passed.

Bill reported with amendments. Committee's report adopted.

BULK HANDLING OF GRAIN ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from August 29. Page 750.)

The Hon. A. J. SHARD (Leader of the Opposition): I support this Bill, which is similar to a Bill passed last year providing for a guarantee of £500,000 by our Government to the Commonwealth Trading Bank. This Bill provides for a guarantee of £200,000. The matter has, in fact, already been dealt with, for in March last the Premier approached the Leader of the Opposition in another place about the matter, and they agreed that the legislation would be passed later in the session. In his second reading explanation, the Chief Secretary said:

I am happy to say that the bank has already acted upon my assurance and the work is proceeding. The present Bill will give the Treasurer the necessary authority to carry out the undertaking given to the bank.

I understand that the South Australian Co-operative Bulk Handling Ltd. is progressing fairly well and that there is no thought of the money being needed. However, the use of silos for the bulk handling of grain has greatly reduced the amount of work available on the wharves. If this form of automation continues in industry where will work be found for displaced employees?

The Hon. W. W. Robinson: In making the equipment.

The Hon. A. J. SHARD: They will not always be making equipment. This is having an effect in other parts of the world. I am afraid that we shall have to recognize this and provide social services for people unable to obtain employment. I am not damning bulk handling, but this trend is developing in this State and in Australia generally, and it makes one fear for the future of the younger generation. We are getting on in life, and it is no use our saying that it is all right. Every time automation (in this case, by means of silos) is introduced, the amount of work in an industry is decreased. As automation develops, the position will become more acute. Although I may be unduly pessimistic, I am afraid that our army of unemployed people will grow. I support the second reading.

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

ADJOURNMENT.

At 5.03 p.m. the Council adjourned until Wednesday, September 5, at 2.15 p.m.