LEGISLATIVE COUNCIL.

Tuesday, August 18, 1964.

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

QUESTIONS.

ELECTRICITY POLES.

The Hon. A. J. SHARD: I ask leave to make a statement prior to asking a question.

Leave granted.

The Hon. A. J. SHARD: In the last two or three months I have had occasion to travel over the Grand Junction Road, and a little north of the intersection of Hampstead Road and Briens Road have noticed some electric light posts about three or four feet inside the roadway. Will the Minister of Roads say whether the Highways Department intends to have them put back on the footpath and, if it does, when this is likely to be done?

The Hon. N. L. JUDE: I will take up the matter with the department and inform the honourable member as soon as possible.

RAILWAY CROSSINGS.

The Hon. L. R. HART: Has the Minister of Railways a reply to a question I asked on August 11 about safety fences at railway crossings?

The Hon. N. L. JUDE: I obtained the following report from the Railways Commissioner:

It cannot reasonably be contended that there is any practical form of fence which will remain unscathed when struck by a moving road vehicle, nor is there any vehicle which will not sustain some damage in such event. The relative damage tends to be judged by the effects of spectacular accidents. In actual fact there are many more accidents involving road vehicles and wing fences than are reported publicly. In most cases departmental officers have no knowledge of the circumstances and are unable to trace the vehicles concerned. The necessary repairs to fences are carried out by the Commissioner's forces. There is a clear implication, in such instances, of carelessness or neglect on the part of the driver of the road vehicle.

In regard to accidents at level crossings involving collisions between road vehicles and trains, wing fences are not invariably involved. However, collision between the road vehicle and the fence, in any case, is secondary to the main impact with the train. If there were no fence it is tolerably certain that secondary collision would take place with some other obstacle adjacent to the crossing. In the circumstances, it cannot be agreed that the proposal to replace crossing guard rails with lighter structures would give any assurance against injury and damage caused in accidents.

PORT WAKEFIELD ROAD.

The Hon. M. B. DAWKINS: Has the Minister of Roads a reply to my question of August 4 about the Cavan railway crossing and the duplication of the Port Wakefield Road from Gepps Cross to Cavan?

The Hon. N. L. JUDE: As I said when the honourable member asked his previous question, the department has given considerable thought to the problem at this crossing. The latest report is that plans were prepared for each of the twin pavements to cross the railway line at Cavan at grade, with automatic protection by boom gates and warning lights. These plans were submitted to the Railways Commissioner, and he indicated to the Commissioner of Highways that technical difficulties would occur due to frequent shunting operations across the twin road pavements, and that the cost of satisfactory protective equipment would be extremely high. It, therefore, became necessary to investigate the economics of a road overpass in lieu of the level crossing. Complex movements at this crossing, including movements of stock on the hoof, will involve lengthy investigation, and it is not possible at this stage to say when they will be completed.

NOISE IN INDUSTRY.

The Hon. A. F. KNEEBONE: Has the Attorney-General a reply to a question I asked on August 12 regarding a survey of the effects of noise in industry?

The Hon. C. D. ROWE: I referred this matter to the Secretary, Department of Labour and Industry, and his reply was as follows:

The problem associated with excessive noise problems is not confined to industry; further, it is a medical as well as an industrial problem. Although no survey of the effects of industrial noise has been made by officers of this department, when my officers have, in the course of their duties, reported on instances where there has been a very high noise level, these cases have been referred to the Director-General of Public Health.

The Director-General of Public Health and myself have been co-operating in considering problems of industrial noise and officers of our departments recently conferred to consider and recommend the methods to be adopted to determine when a hazard exists and the means to reduce such hazard.

CONSOLIDATION OF STATUTES.

The Hon. F. J. POTTER: I ask leave to make a statement prior to asking a question.

Leave granted.

The Hon. F. J. POTTER: Last week the Hon. Sir Arthur Rymill raised for the second time the question of the early consolidation of

our State Statutes, and I think that all honourable members would agree that this is something which is urgently needed, it being 28 years since it was last done. I think it is important that when this job is done it should be done as a whole and not piecemeal. The most difficult thing, of course, is to get somebody to do the work. I noticed in the Public Service List recently placed on honourable member's files that Mr. J. P. Cartledge is shown as the Draftsman in Charge of Consolidations, Reprints and Regulations, and it appears also from the list that Mr. Cartledge is due to retire next July. We all know that Mr. Cartledge has been virtually seconded almost full time to the Housing Trust as its Chairman. Will the Attorney-General take steps to see that the office referred to will not be allowed to lapse as an office in the Public Service and that when Mr. Cartledge does retire steps are taken to retain the position and to fill it?

The Hon. C. D. ROWE: I shall be pleased to keep in mind the matter raised by the honourable member. However, I point out that Mr. Cartledge is one member of the Parliamentary Draftsman's Department and in considering the future arrangement of that department and the future staff required it will be necessary to look at the overall situation.

MYPOLONGA ROADS.

The Hon. H. K. KEMP: Has the Minister of Roads any information to give me regarding the Mypolonga Road position following my question of August 12?

The Hon. N. L. JUDE: In answer to the question raised by the honourable member last week, I have received the following further report from the Commissioner of Highways:

Following inquiry by the Minister, this matter was reported on April 20 last and the same remarks apply now. The District Council of Mobilong is fully committed with higher priority work. The department has advised the District Council of Mobilong that it is in agreement with the sealing of certain district roads in the Mypolonga area, including the road to the packing shed, but that construction will have to wait until funds are available and the higher priority roads are completed. These higher priority roads include the following, in order of priority:

(1) Murray Bridge-Wellington—complete 1964-65.
(2) Wellington-Mount Barker—commence 1964-65, complete 1965-66.
(3) Murray Bridge - Bowhill—commence 1966-67.
(4) Mypolonga irrigation area.

When the Mypolonga irrigation area is commenced, all the roads agreed to in the scheme will be constructed. No preference has been made with respect to main roads. It is considered that the priorities cannot be altered without reference to the District Council of Mobilong.

SALINE EFFLUENTS.

The Hon. C. R. STORY: I ask leave to make a statement prior to asking a question.

Leave granted.

The Hon. C. R. STORY: I had a reply recently from the Minister of Lands regarding the disposal of saline effluents in the Murray Valley area. Its substance was that the Mines Department had done certain works, and I was referred to a Mines Department report. Can the Minister representing the Minister of Lands say whether the Government has considered setting up a Parliamentary committee to inquire into all the problems associated with the disposal of saline and other effluents in the Murray Valley area? If the answer is in the negative, will the Minister consider proposing a survey along the lines suggested?

The Hon. C. D. ROWE: I shall refer the matter to my colleague and obtain a detailed reply from him.

ROAD TRANSPORT.

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

Leave granted.

The Hon. W. W. ROBINSON: One fact that emerged from the recent Address in Reply debate, both here and in another place, was that our road transport and road traffic had deteriorated from being one of the best in the Commonwealth to one of the worst. Two things that might be contributing in some measure to that are the lack of control over interstate transport drivers and the minimum age at which a person in South Australia can get a driving licence. With regard to road transport, there is some control in the Eastern States, but when it reaches our border it gets a new lease of life, and after entering South Australia it has to travel over the 10 miles from Mount Lofty to Adelaide, a most difficult and dangerous terrain. The trouble is caused in a measure by unrestricted travel. Mr. E. J. Harris, who is Vice-President of the Federated Transport Workers Union, and who at one time was a driver but is now Secretary of the Transport Workers Union of South Australia, said in the *Sunday Mail* of August 2 that many drivers do a trip from Brisbane to Adelaide, a distance of 1,350 miles, in 48

hours. Many do three two-way trips between Melbourne and Adelaide, including loading time. This imposes a great strain on the drivers and recently we have seen many serious semi-trailer accidents in our hills. Is the Minister considering either a regulation or, with other States, legislation to bring about uniformity, and control this driving to within reasonable limits? Regarding the age at which a licence can be obtained, the age group from 17 to 21 years is the worst for accidents. South Australia's age for the granting of a licence is 16 years, but in other States it is 17, and in Victoria 18. Will the Minister consider raising the South Australian age to conform to the age in other States?

The Hon. N. L. JUDE: Regarding the first point raised by the honourable member, since the Government has become interested in the need for the payment of road maintenance charges and is therefore coming rapidly into line with the other States, it has become obvious that we should pay more attention to the hours of driving. When this matter was discussed in considerable detail at a recent meeting of the Australian Transport Advisory Council the Victorian Government handed around copies of a Bill it proposed to introduce in the next session dealing with hours of driving. Associated with driving hours is the need for drivers to carry log books showing the hours they have been driving. In some States they carried log books in the past but the practice was abused considerably, and it has now been decided by the States that it is desirable to have a standard numbered log book for which drivers must sign, with a penalty imposed on any driver found to be carrying more than one log book. By those methods we hope to standardize the hours of driving in all States, with the exception of the Far North and other places where special conditions apply. In brief, the Government has the matter in hand and under immediate consideration, but is awaiting the result of the introduction of the Victorian Bill.

With regard to the second point, the Government has considered it from time to time, and it is correct to say that statistically the difficult age as far as accidents are concerned is between 17 and 21 years. However, the Government has no statistical research that tends to prove or disprove that the 16 years age limit in South Australia contributes any more than the older age limit. In those circumstances the Government is taking no steps, and is not considering taking steps, at the moment, to increase the age at which a licence may be issued, but the Government has the matter continually under review, subject to the research available.

PUBLIC SERVANTS.

The Hon. A. J. SHARD (on notice):

1. Do Government departments have police inquiries made in respect of the records of applicants for employment in Government departments?

2. Are applicants for employment in the South Australian Public Service asked to state their religion?

3. If so, why?

The Hon. Sir LYELL McEWIN: The replies are:

1. The Public Service Commissioner reports:

It has been the practice in the Public Service Commissioner's Department ever since 1917 to obtain information from the Police Department as to any police convictions of applicants for employment in the Public Service of South Australia. In my opinion the Government as an employer is entitled to use any information in its possession to assist it in determining the suitability of applicants for employment by it. It does not, of course, follow that persons having convictions are automatically excluded from employment; each case is considered on its merits. The information is naturally treated in strictest confidence. It is significant that although the application form now used in many cases requires the applicant to state whether he has had police convictions, from time to time cases occur where the applicant has stated "No"—but a check has disclosed convictions.

2 and 3. No—except in a few positions in the Children's Welfare and Public Relief Department, and previously in the Sheriff and Gaols and Prisons Department, but discontinued recently.

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.

SOUTH AUSTRALIAN GAS COMPANY'S ACT AMENDMENT BILL.

The Hon. Sir LYELL McEWIN (Chief Secretary) obtained leave and introduced a Bill for an Act to amend the South Australian Gas Company's Act, 1861-1952. Read a first time.

The Hon. Sir LYELL McEWIN: I move:

That this Bill be now read a second time.

The purpose of this short Bill is to enable transfers of bonds and stock of the South Australian Gas Company to be made in the manner ordinarily applicable to share transfers instead of by deed as is at present required by the principal Act. This Bill is introduced at the request of the company and gives effect to a recommendation of the Advisory Committee of the Australian Associated Stock Exchanges that the signature of the transferor, without any seal, shall be sufficient for such transfers, as in the case of the Adelaide electricity authority.

Clauses 1 and 2 of the Bill are formal provisions. Clause 3 inserts two provisos in section 11 of the principal Act, which incorporates certain provisions of the Companies' Clauses Consolidation Act. The first proviso excludes the application of those provisions which require transfers of stock to be made by deed. The effect of this is that such transfers may be made by signature only. The second amendment relates to transfers of mortgages or bonds and likewise permits such transfers to be made by signature only. As the Bill is of a hybrid nature, although its provisions are of a formal character, it will require reference to a Select Committee.

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

NURSES REGISTRATION ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from August 12. Page 370.)

The Hon. A. J. SHARD (Leader of the Opposition): I support this amending Bill, in principle, but there are some points about it that I do not like. I reserve the right perhaps to do something about them in Committee. I agree with what the Minister of Health said in his explanation of the Bill:

Its object is to give legal status to dental nurses by providing for their enrolment by the Nurses Board following a formal course of training. The Bill confers on enrolled dental nurses two privileges, namely, exclusive rights to hold themselves out as enrolled dental nurses, and to wear a distinctive uniform and badge. For simplicity of administration the Bill provides for enrolment in terms closely resembling those in the principal Act relating to registration. The Bill is drafted along the same lines as the 1954 Act relating to mothercraft nurses, and the 1959 Act relating to nurse aides.

Clauses 6 and 7 correct drafting errors made in the 1960 amending Act. Clause 15 makes a correction of a drafting nature to the amending Act of last year. This appears to happen too regularly for the good of Parliament and of government. It may be, particularly towards the end of the session, that provisions of Bills are not looked at closely enough. It is not a good thing that we should have to come back and amend a Bill passed in the previous year when what is involved is merely a correction to drafting that should have been done in the first instance. I shall leave it at that for the moment but we may hear something further about drafting later this afternoon from another quarter. It is something that the Government should look at closely, to ensure as far as possible that, when a Bill is brought down and we finally approve of it, there should be no further worry about its drafting. Its provisions should be arranged clearly so that they can readily be found.

I have no objection to the objects outlined in the Minister's explanation, but I am perturbed about certain things that the Chief Secretary did not tell us about, as they concern the interests of the dental assistants themselves. There is a story about these people, about their past and about what will happen to them in the future. It has been part of my life's work to protect the interests of employees. One point that has not so far emerged is: did the dentists themselves ask for this Bill or was it asked for by the Royal Australian Nursing Federation (South Australian Branch) or the dental assistants themselves? I am concerned that, if this Bill is passed, immediately upon their being registered as dental nurses these people will not have any award covering wages and conditions, and I do not think that is a good thing.

I have found out all I could about this matter. For 20 years these girls have been covered by an award of the Federated Miscellaneous Workers Union, and, although perhaps that is not as good an award as one would like to see, it is a fairly good one. Females employed as dental attendants receive a margin of £1 18s. 6d. a week above the female basic wage of £11 7s., which gives a total wage of £13 5s. 6d. The juvenile rates are £7 14s. 3d. for those under 18 years of age; £8 17s. 9d. for 18 years and under 19;

£10 2s. 3d. for 19 years and under 20; and £11 11s. 0d. for 20 years and under 21. Nobody can object to these girls having the status of nurses so that they can wear the nurses' uniform and badge provided that they do not lose the protection of the award, which I think will be the position.

The Hon. S. C. Bevan: And their conditions, too.

The Hon. A. J. SHARD: Yes. I should be glad if the Minister would say at whose request the Bill was introduced.

The Hon. Sir Lyell McEwin: Nothing in the Bill takes away that privilege.

The Hon. A. J. SHARD: Except that the girls will become dental nurses, and they are described under the award as female dentists' assistants. Our legal friends will have a beanfeast on this matter. Is a dental nurse a dental attendant?

The Hon. Sir Frank Perry: Aren't they covered by the award?

The Hon. A. J. SHARD: Not as dental nurses.

The Hon. S. C. Bevan: There was an Industrial Court decision against that.

The Hon. A. J. SHARD: That is right. It is not as easy as the Hon. Sir Frank Perry would have us believe. I know all about the body snatching that goes on in trade unions, as I have had some experience on the Board of Industry that deals with this matter.

The Hon. N. L. Jude: Why dig it up?

The Hon. A. J. SHARD: When I vote for a measure I like to know what it will mean. I got in touch with the Royal Australian Nursing Federation (South Australian Branch) and asked whether, if these dental attendants became known as nurses, the organization would be able to look after them, and I was told that it could not at the moment. I then asked whether there would be any award for wages and conditions to cover them, and I was told that there would not but that the organization was applying to the State Board of Industry to expand its constitution to permit it to take in nursing aides and dental nurses. I then asked what was the problem, and was told that the association expected opposition from the Australian Government Workers' Association. I rang Mr. Jacobi, the Secretary of that association, who said he was most interested in the matter because it meant an inroad into the coverage of his members. I asked him whether his organization had a coverage for dental attendants at the Royal Adelaide Hospital, and he said it did not, although he believed there was an agreement between the Public Service Commissioner and the Royal Australian Nursing Federation. He said that every time he tried to do something for nurse aides the matter was pushed overboard by the Public Service Commissioner, but that when this matter came before the court he would look after the interests of his members.

When this Bill is passed, the people now known as dental attendants will become dental nurses, and it is doubtful whether they will have any union coverage. Perhaps the award can be altered, but the union may not wish that to happen, because it does not look after people who are not prepared to become members. Nobody came blame the union for that. I understand that some girls who enter this profession prefer not to have anything to do with the union, and that is their right. That is all right for those who come from families that have such a way of life that they do not need to have protection, but it is different for working class people; they need union protection. I have been told that in another State, after completing a 12-months' course and obtaining a certificate to that effect, these people are paid an extra 15s. a week. I have also been told that the employees have been agitating to have the margin increased by at least 10s. a week. If this Bill is passed and dental attendants here have a proper organization, they may be able to secure an extra 15s. a week.

These girls should realize that if they become members of the Royal Australian Nursing Federation they will be a small section of a large industry. I do not know whether that will be good or bad for them, but I have had experience of what sometimes happens to small sections: they are forgotten. This morning I spoke to a lady about the position here and I was told that there were over 6,000 trained nurses in this State. I estimated that there would be between 500 and 600 dental attendants in and around the metropolitan area. From these figures it can be seen that dental attendants, if they become members of this association, will be a small section of a large organization and they may not get proper industrial protection.

Although I raise no objection to this Bill, I think it is my duty to warn these people that even though this measure will bring about a higher status and they will be able to wear the uniform and badge of the nursing profession that we all admire, it may cause the problems I have mentioned. However, if these people are prepared to face the possibilities I have mentioned, I have pleasure in supporting the Bill at this stage.

The Hon. JESSIE COOPER (Central No. 2): This Bill is designed to give recognition to those who are making dental nursing their profession and also to give recognition to the fact that they have received some specific standards of training. The requirements of the measure are that in order to become enrolled they shall have satisfied the provisions of sections 33nb, 33nc and 33nd. The present position in South Australia is that there are two different kinds of dental nurses. Most of them do part-time training. They work with private dentists during the day and attend a part-time course, which gives them a basic understanding of the science of dentistry and of applied dental work. This course is of a year's duration and consists of weekly lectures in various aspects of dentistry, elementary bacteriology, dental anatomy, prosthetics, pharmacology and radiography. There are five examinations altogether—four terminal and one final. This year 60 students are doing this part-time course. The numbers of students doing this course in previous years have varied from 35 to 50 a year. There is therefore a large number of girls involved in this type of training compared with the 10 or 12 doing a full course at the Dental Hospital.

It is not clear to me whether both types of training will be acceptable to the board as qualification for enrolment and I should like clarification on that point. It is most important that those who do the part-time course in conjunction with their work and who pass the set examinations should have the right to enrol and so receive official recognition of their qualifications. The remaining clauses in the Bill are quite acceptable to me and I therefore support the measure.

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

LOCAL COURTS ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from August 12. Page 371.)

The Hon. A. F. KNEEBONE (Central No. 1): Honourable members who are or have been members of the legal profession will probably have more to say on this Bill than I. However, despite my lack of legal training, I consider that I must have something to say. After all, the Hon. Mr. Potter verbally entered the industrial field last week.

The Hon. F. J. Potter: Very successfully, I thought!

The Hon. A. J. Shard: You were the only one who did. We did not think that you were very successful.

The Hon. A. F. KNEEBONE: Unlike the honourable member's attitude on that occasion in regard to industrial matters, I am humble enough to admit that I am only a layman on legal matters. I do not hold myself out as an authority in this field, but even a layman, upon reading through the Workmen's Liens Act, can see that there is a need for more than the small amendment made in clause 8 of this Bill. Before dealing with the Workmen's Liens Act, I propose to comment only briefly on the clauses relating to the Local Courts Act. First, I draw members' attention to clause 1 which states that the Act resulting from this Bill may be cited as the "Local Courts Act Amendment Act, 1964". Does not the Bill deal with two principal Acts? It may be only a minor matter but it establishes a principle that could cause inconvenience in the future when reference is being made to the amendments proposed by this Bill, possibly having the effect of the amendment to the Workmen's Liens Act being lost sight of.

Clause 4 amends the principal Act to give the Attorney-General power to appoint or remove all bailiffs with the exception of the Bailiff of the Local Court of Adelaide. Although it has been the practice over the past 20 years for police officers to do the bailiff work of local courts, other than at Adelaide, this work is not restricted to police officers. If the Attorney-General deems it more appropriate to appoint some other person, he has the liberty to do so and for that reason I see no objection to the amendment.

Clauses 5, 6 and 7 raise the limit of the amounts that may come within the jurisdiction of the local courts. These amounts seem to be more or less in keeping with the decrease in the value of money and therefore seem to be reasonable.

I now come to that part of the Bill dealing with the Workmen's Liens Act. I was astonished to find when I did my homework on the legislation that it had not been amended in any significant way since it was introduced in 1893, when section 46 of the principal Act was repealed by the Statute Law Revision Act. Clause 8 of the Bill seeks to raise the limit of £490 for consolidation actions to £1,250. At first glance, an increase of 255 per cent seems an enormous increase, but when it is realized that the £490 was the amount in the original Act of 1893, the increase appears to be reasonable, having in mind the great

increase in wages. Comparing present-day wages with those in 1893, we find that the increase amounts to about 680 per cent. A study of the records will show that tradesmen such as hand compositors on jobbing work, coppersmiths, blacksmiths, and certain others were on weekly wages that varied between £3 a week and 12s. a day for a six-day week. The basic wage at present is £15 3s., and the margin for a skilled tradesman is £5 6s., making a total wage of £20 9s. for a five-day week. Those rates relate to the hand compositor, the fitter and turner and so on. By comparing those rates with the rate of £3 a week, we find an increase of 680 per cent.

Among other things, the Workmen's Liens Act provides for contractors or subcontractors under certain circumstances to have a lien over the wages of a workman and on goods and the estate of an owner or occupier. This is a reasonable right, and in line with the right of people in various occupations and professions. In 1893, when introducing the legislation dealing with liens, the then Attorney-General was reported as follows:

> The profession to which he had the honour to belong, and which, so far as they might gather from the teachings of history, had been sufficiently careful to guard its own interests, had for a long series of years enjoyed the right of lien. If a client's deeds came into their possession and that client had had the good fortune to employ their services and to run up anything in the shape of a legal account—a luxury only to be appreciated by those who had enjoyed it—they had the right of retainer regarding those title deeds as security for the account. Some honourable members might not have indulged in the luxury of the experience to which he referred, so he would like to assure them on the subject so as to prevent the possibility of misunderstanding in the future. As was the case with lawyers so it was with bankers . . . Auctioneers also had a lien, and carriers also. But it was the strangest thing of all that there were a variety of circumstances under which workmen, who could least afford to lose their earnings, were denied the right of retainer—the right of lien—and there were circumstances under which it seemed to him only right and proper that they should enjoy this right.

The Workmen's Liens Act limits the amounts of such liens; they have not been increased since 1893. They refer to a lien limited to four weeks' wages, or wages for work not occupying more than four weeks, and not exceeding £12. A tradesman at that time received about £3 a week, which accounts for the £12 limit. The amounts should be brought up to date. I suggest that, to rectify this matter and other like matters in the Act, the Bill should be withdrawn and two new Bills brought down, one amending the Local Courts Act and the other the Workmen's Liens Act. I have been informed that Standing Order 271 prevents my moving an amendment to the Bill, for it deals only with the jurisdiction of the local courts, whereas the matters I suggest should be amended refer to the raising of the amount a wage-earner can obtain in a lien for wages. I have no alternative but to ask the Attorney-General to withdraw this Bill and introduce two other Bills as I have suggested.

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

SECOND-HAND DEALERS ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from August 12. Page 372.)

The Hon. S. C. BEVAN (Central No. 1): This Bill appears to be a simple measure, with not much debate required, but more than one measure is affected by it. Three Acts can be affected by it; consequently I oppose it at this stage for reasons I shall give. The Holidays Act has operated in this State for many years, and under it public holidays are each Sunday, Christmas Day, Good Friday, the day after Good Friday, Easter Monday and New Year's Day. Section 4 of the Early Closing Act gives the following interpretation:

> "Public holiday" means any day, other than the day after Good Friday, which is by or under the Holidays Act, 1910, declared to be a public holiday.

The Early Closing Act follows the Holidays Act, with the exception of Easter Saturday, in the matter of proclaimed public holidays. It must have been considered necessary, because of the circumstances existing in 1910, to make the alteration in the Early Closing Act. It could have been due to the long weekend break and the closing of all retail stores from Thursday night to the following Tuesday morning. Apparently it was thought in those days that Easter Saturday should not be a public holiday so as to enable trading to proceed in the middle of the long break, but that sort of thing went out with button-up boots. It is not the position today and there is no need for the exclusion of Easter Saturday under the Early Closing Act. Other anomalies are created. Under the Holidays Act Easter Saturday is a holiday, but under the Early Closing Act it is not a holiday. Under the Holidays Act, if a man works on Easter Saturday he gets a compensatory rate, usually double time, but under the Early Closing Act it is not a public holiday and a

man working that day gets no advantage from the long break and no compensation. All he gets is the ordinary rate, because it is not a public holiday within the meaning of the Early Closing Act. Section 17 (1) of the Second-hand Dealers Act states:

A licensee shall not buy or sell second-hand goods—(a) on any Sunday or public holiday.

At present Easter Saturday is a public holiday in this State and, therefore, a second-hand dealer cannot sell goods on that day. In introducing the Bill the Chief Secretary referred to several of the anomalies I have mentioned, and said that new goods could be sold on Easter Saturday, but not second-hand goods. That means a dealer could sell a new motor car, for instance, on Easter Saturday, but would be debarred from selling a used car. That applies to other items, too: the new item could be sold on Easter Saturday but not the second-hand one. Therefore, an anomaly exists. The Minister further explained:

The matter was brought to the Government's notice by the motor car industry, which has pointed out that it is anomalous that a motor car dealer can lawfully sell a new vehicle on Easter Saturday but is prohibited from selling a second-hand car.

Apparently, one small section of the community has made representations to the Government to amend the Second-hand Dealers Act and allow dealers to sell second-hand cars on Easter Saturday. Obviously, overtures have been made in that direction from those people directly concerned but I should think that not many used cars are sold on Easter Saturday anyhow, so I do not think this legislation would have much impact whichever way it went.

Instead of removing an anomaly we are creating a further anomaly by inserting in this Act a provision similar to that in the Early Closing Act, where the anomaly exists of excluding Easter Saturday from the list of public holidays. We have today a long list of exempted goods in respect of public holidays. Many goods are available today that can be stored by the housewife without any inconvenience. This position is rapidly becoming a farce. It is not this Act but the Early Closing Act that should be under review now; the exclusion of Easter Saturday as a public holiday in that Act should be removed, and the Holidays Act should be adhered to in that respect. For these reasons I oppose this Bill.

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

LEGAL PRACTITIONERS ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from August 12. Page 372.)

The Hon. A. J. SHARD (Leader of the Opposition): I support this simple Bill, the purpose of which is to increase the number of members of the Statutory Committee of the Law Society from seven to nine. I readily accept the statement of the Attorney-General that the society often finds it difficult to obtain the necessary quorum of three members of the committee to hear charges of misconduct. Looking back, I think we must be living in a more difficult age and in a busier period now than we were years ago. This legislation was first introduced in 1915, when the number of the committee was five. In 1921 the number was increased to seven. Now, in 1964, we are raising it to nine. With the growth in population and the increase in this committee's work of investigating certain solicitors' activities, I suppose it is more probable now than formerly that some of the committee members will be indirectly concerned in the matter being dealt with, and it may be difficult to find the necessary quorum. I raise no objection to this Bill and support the second reading.

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

CREMATION ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from August 12. Page 372.)

The Hon. A. F. KNEEBONE (Central No. 1): I support the second reading of this short Bill amending the principal Act. The amendment relates to the situation arising when a South Australian person dies in some part of Australia other than South Australia and it is desired to cremate the body. The Bill seems to be straightforward and its clauses appear to do what we have been told by the Chief Secretary they are intended to do. Clause 3 amends section 5 of the principal Act so that the Registrar may issue a cremation permit before death has been duly registered, provided that the law in force in the place where the death occurs enables a body to be cremated before the death is duly registered. Provided also that there is no serious reason why cremation should not take place—such as doubt about the cause of death or other circumstances—any delay or inconvenience in the arrangements for cremation is unnecessary

as it may cause further heartache to the deceased's relatives.

Other sections of the principal Act give adequate protection in the case of any suspicious or doubtful circumstances about the cause of death. For this reason, I think the provisions of the Bill are praiseworthy. As a matter of interest, let me say that, when the principal Act was before the Council for amendment in 1918, the Hon. J. Lewis sought a further amendment during the Committee stages of the Bill for cremation to be a compulsory form of disposal of a body. He received some support from honourable members within this Chamber then, and it was stated during the debate that in the case of 3 per cent of all deaths the disposal of the body was by cremation, but somebody else said the figure was .03. Anyway, being interested in the matter, I looked at the present-day figures and found that there had been a considerable increase in the number of bodies cremated compared with bodies interred.

As I said, the honourable member received considerable support from some members, but eventually the further amendment was withdrawn without its going to a vote. At that time it was said that in the future it might be necessary to introduce a form of compulsory cremation; that cremation would become possibly the normal form of disposal of a body rather than the unusual form of disposal. Because of this, I thought I would examine the recent figures. From inquiries I found that during June and July of this year 300 permits for cremation were issued in this State. Usually between 8,000 and 9,000 deaths occur in this State each year, so the percentage of cremations has jumped from the low figure in 1918 to about 20 per cent. It seems that we are getting towards the position that was forecast in 1918, and that in the future cremation may become the normal means of disposal. I have pleasure in supporting the second reading.

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

ADJOURNMENT.

At 3.26 p.m. the Council adjourned until Wednesday, August 19, at 2.15 p.m.