LEGISLATIVE COUNCIL.

Wednesday, September 2, 1964.

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

QUESTIONS.

SHOW RAILWAY SERVICE.

The Hon. W. W. ROBINSON: Recently my attention has been called by some country people to the fact that the railway service to the Royal Agricultural Show is this year to be discontinued. In the past this train has served many people from Salisbury and Gawler and places beyond. I understand that there are some special reasons why this particular service is to be eliminated. Will the Minister of Railways say why it is not to continue?

The Hon. N. L. JUDE: The honourable member was good enough to inform me that he would like this matter elucidated in the Council and I have obtained the following report from the Secretary to the Railways Commissioner:

The reason for the removal of the siding to the showgrounds at Keswick is that its continuance would have had a detrimental effect on the lay-out of the new bridge to be constructed by the Highways Department at Keswick. However, it will still be possible to issue showgrounds tickets at Adelaide and other stations during show week, also a railway ticket from Adelaide.

The railway ticket would be for travel to either Keswick or Goodwood, at the special "showgrounds" fare. If patronage warranted it, we could run some additional trains to supplement our normal service. However, as we could not reverse these additional trains at Keswick or Goodwood it would be necessary to run them as far as Mitcham or Edwardstown.

Arrangements have been made for the running of some additional trains to supplement the normal rail service and for other trains to stop at Goodwood for the convenience of show patrons.

SPEED LIMIT ZONES.

The Hon. L. R. HART: I ask leave to make a statement prior to asking a question.

Leave granted.

The Hon. L. R. HART: In this morning's *Advertiser* it is reported that further speed limit zones have been created on the Main North Road. It is presumed that this is done in the interests of safety. Can the Minister of Roads say whether it has been considered that it would be in the interests of safety also to create speed limit zones on the Gawler by-pass road, where several serious accidents have occurred?

The Hon. N. L. JUDE: The matter has been considered and is again being considered in view of the additional accidents that have occurred there. Apart from that, alterations and re-designing of the road are under consideration.

SOUTH ROAD.

The Hon. Sir ARTHUR RYMILL: I ask leave to make a statement prior to asking a question.

Leave granted.

The Hon. Sir ARTHUR RYMILL: Some time ago I asked the Minister of Roads a question about speed zoning of the South Road. He replied that the Road Traffic Board was very busy then with other matters that have just been mentioned. In view of the fact that those other matters appear to have been disposed of, will speed zoning of the South Road now be dealt with?

The Hon. N. L. JUDE: I expected that question would be asked when I read the press statement this morning, which I do not think was reported quite correctly. The matter raised by the honourable member will be considered immediately.

COMPANIES ACT AMENDMENT BILL.

The Hon. C. D. ROWE (Attorney-General) obtained leave and introduced a Bill for an Act to amend the Companies Act, 1962. Read a first time.

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

That this Bill be now read a second time.

It has been prepared under the direction of the standing committee of Attorneys-General and it is intended that all its provisions will ultimately be enacted in all the States and Territories of the Commonwealth. Most of its provisions have already been enacted in Victoria, New South Wales and Queensland. The Bill is extremely important and complex and is designed primarily to afford increased protection to members of the public who lend money to, or deposit money with, companies in response to invitations issued by those companies to the public. The Bill can be said to be the direct result of the recent disastrous failures of certain corporations which had borrowed from the public large sums of money running into many millions of pounds. In considering and preparing this Bill the standing committee has had the assistance of the Australian Associated Stock Exchanges, the legal, accountancy and secretarial professions and representatives of various finance, insurance and trustee corporations and other organizations.

Clause 3 defines a "borrowing corporation" and a "guarantor corporation" and widens the meaning of a debenture so as to include any document acknowledging or evidencing the indebtedness of a corporation in respect of money deposited with or lent to the corporation in response to an invitation to the public. Section 38 of the principal Act provides, *inter alia,* that where an invitation is made to the public to lend money to, or deposit money with, a corporation and the loan or deposit is not to be secured by a charge over all or any of the corporation's assets, the invitation must state that any document issued by the corporation acknowledging the loan or deposit will be an "unsecured note" or an "unsecured deposit note". This, however, still leaves it open to a corporation to use such terms as "mortgage debentures" and "mortgage debenture stock" where a loan or deposit is secured by a charge over insufficient assets to provide the necessary security for such a loan or deposit, thus misleading the public into believing that the investment is adequately secured.

Clause 4 accordingly repeals and re-enacts section 38 so as to ensure that the terms "mortgage debenture" and "certificate of mortgage debenture stock" are not used unless the repayment of all moneys lent to or deposited with the corporation concerned is secured by a first mortgage over land vested in the corporation or in any of its guarantor corporations and the moneys secured by the mortgage do not exceed 60 per cent of the value of the corporation's interest in the land as shown in a recent valuation made by a qualified valuer and included in the prospectus. Under the same provisions, the terms "debenture" and "certificate of debenture stock" are not to be used unless the repayment of the borrowed moneys is secured by a charge over all or any of the tangible assets of the corporation and those assets are sufficient, and reasonably likely to be sufficient, to meet the liability for the repayment of all such moneys. The sufficiency of the tangible assets will be supported by a summary of the assets and liabilities of the corporation made by a registered company auditor for inclusion in the prospectus. In all other circumstances any document acknowledging a deposit or loan must be described as an "unsecured note" or an "unsecured deposit note". As in the case of the existing section 38, the provisions of the new section will have no application to certain prescribed corporations such as banks, authorized dealers in the short-term money market, and certain pastoral companies and life insurance companies.

Clause 5 makes a consequential amendment to section 41(2) of the principal Act. Clause 6 repeals section 74 of the principal Act, which deals with the appointment, qualifications and duties of trustees for debenture holders and incidental matters and inserts in its stead a number of new sections numbered 74 to 74i.

New section 74 prescribes the classes of persons that may be appointed trustees for debenture holders. These classes are limited to registered liquidators, statutory trustee corporations, certain life insurance companies, banking corporations and any subsidiary of such a corporation (where the holding company is liable for all liabilities incurred by the subsidiary as trustee or where the holding company holds shares in the subsidiary in respect of which £250,000 is uncalled and incapable of being called up except only in the event and for the purposes of the subsidiary being wound up); and any corporation approved by the Minister for the purpose. New section 74a prohibits a trustee from ceasing to be the trustee until a qualified trustee has been appointed and taken office. This provision is designed to ensure that the interests of debenture holders are continuously protected.

New section 74b substantially re-enacts provisions found in the principal Act regarding the covenants to be included in trust deeds or debentures. In addition to the covenants at present required to be so included in those documents, they must in future contain the limitation on the amount that the borrowing corporation may borrow. New section 74c re-enacts without amendment the present provisions authorizing the court to enforce the redemption of debentures that are irredeemable, or redeemable only on the happening of a contingency.

New section 74d imposes additional duties on trustees for debenture holders and requires them to take a more active role in the protection of the interests of debenture holders. Subsection (2) of that section also empowers a trustee to apply to the Minister for an order imposing certain restrictions on the borrowing corporation if the trustee is of the opinion that the assets of the corporation are insufficient, or likely to become insufficient, to discharge the principal debt when it becomes due. This approach to the Minister is offered to the trustee in case the trustee feels that the publicity associated with an application to the court may be detrimental to the interests of

the debenture holders. The Minister may, however, direct the trustee to make an application to the court, and the court is given very wide powers to protect the interests of the debenture holders. Under new section 74e the trustee is given power to apply to the court for directions in relation to any matter arising in connection with the performance of his functions and to determine any question in relation to the interests of the debenture holders.

New section 74f is designed to bring to light at the earliest possible time any decline in the affairs of a borrowing corporation, thus enabling the trustee to take remedial action in the interests of debenture holders. It provides, in effect, that, where debentures have been issued to the public necessitating the appointment of a trustee for the debenture holders, the directors of the borrowing corporation are required to prepare and lodge with the Registrar and the trustee quarterly reports which must set out in detail any matters adversely affecting the security or interests of the debenture holders, whether any circumstances affecting the borrowing corporation, its subsidiaries or guarantor corporations have occurred which materially affect any security or charge created by the debentures or trust deed, and particulars of "on-lending" by the borrowing corporation to any corporation that is a member of the same group. Subsection (4) of the section imposes on a borrowing corporation the obligation to prepare and lodge with the Registrar and the trustee half-yearly accounts which must be in the same form as the annual accounts of the company. The subsection applies only to borrowing corporations that have issued debentures other than mortgage debentures or certificates of mortgage debenture stock and will, therefore, not apply if the repayment of the moneys is secured by a first mortgage over land and the moneys secured by the mortgage do not exceed 60 per cent of the value of the land. Certain pastoral companies may be exempted from the requirements of this section.

New section 74g obliges the directors of a guarantor corporation to furnish the borrowing corporation with such information as the borrowing corporation may require for the purpose of any report required to be given by the borrowing corporation. New section 74h provides that, where any prospectus contains a statement as to any particular purpose for which moneys sought by a corporation are to be applied, the corporation shall from time to time make reports to the trustee for the debenture holders as to the progress made towards achieving such purpose and in certain circumstances, where the purpose has not been achieved within the time specified in the prospectus or, where no time is specified, within a reasonable time, the moneys received from the public are to become repayable. The effect of new section 74i is to render it unnecessary for certain prescribed corporations, such as banks, authorized dealers in the short-term money market and certain pastoral companies that enjoy an exemption under the Banking Act, to have a trustee for debenture holders in respect of deposits of money with them.

Clause 7 is a consequential amendment of section 99 (1) of the principal Act rendering it necessary, in the case where a company issues debentures, for the appropriate certificates and debentures to be issued within two months of allotment. This is consistent with subsection (2) of the new section 38 enacted by clause 4. Clause 8 corrects a drafting error that appears in section 129 (5) (*a*) of the principal Act. Clause 9 inserts in the principal Act a new section 161a which provides that within 12 months after the Bill becomes law all companies in a group shall have the same balancing date. This is generally regarded as a desirable provision but the existing income tax practice has hitherto deterred some companies from adopting the same balancing date throughout the group. However, the Commonwealth Treasurer has indicated that the Income Tax Commissioner will have regard to this provision with a view to facilitating its operation, and the section itself recognizes the existence of circumstances in which it may be difficult or impracticable for the financial year of a particular subsidiary to coincide with that of its holding company, and enables an application to be made to the Registrar for relief. The Registrar may make an order granting or refusing the application, and any applicant aggrieved by the Registrar's order has a right of appeal to the Companies Auditors Board.

Clause 10 amends section 162 of the principal Act so as to extend the range of matters that must be dealt with in directors' reports by requiring the directors in certain circumstances to report on the methods of valuing the company's assets and contingent liabilities. Clause 11 inserts in the principal Act a new section 167a, which requires an auditor of a borrowing corporation to give to the trustee for debenture holders copies of all reports that he gives to the corporation and to bring to the trustee's attention any matters relevant to the exercise of the

trustee's duties and powers that come to his notice.

Clause 12 amends section 170 of the principal Act so as to ensure that an investigation of the affairs of a company by an inspector appointed by the Governor is not frustrated by an appointment of an inspector by the company itself. Clause 13 inserts in section 171 of the principal Act a new subsection (3a), which gives an inspector, who requires the production of books and documents of a corporation whose affairs are being investigated, the power to hold such books and documents for such time as he considers necessary for the purposes of the investigation, but the corporation will have access to the books and documents at all reasonable times. This provision has been found necessary in connection with certain investigations that have been carried out in other States.

Clause 14 amends section 172 of the principal Act so as to widen the Governor's powers of causing an investigation to be made into the affairs of a company. Under the new provisions the Governor can have regard to the public interest in causing the affairs of a company to be investigated. Clause 15 is printed in erased type as a suggested money clause that amends section 173 of the principal Act. That section as it now stands provides that the expenses of and incidental to an investigation shall be defrayed out of moneys provided by Parliament, but the new provisions provide that such expenses shall be paid in the first instance out of moneys provided by Parliament and, where the Governor is of the opinion that the whole or any part of such expenses should be paid by the company whose affairs were investigated or by any person who requested the investigation, the Governor may direct that the expenses be so paid.

Clause 16 clarifies the provisions of section 174 of the principal Act. Under section 174, when an inspector has been appointed to investigate the affairs of a company, no action or proceeding by or against the company can be commenced or proceeded with without the Minister's consent. The amendment provides that the consent may be given generally or in a particular case. Clause 17 clarifies the provisions of section 177 of the principal Act by extending its application to foreign companies.

Clause 18 repeals and re-enacts section 178 of the principal Act. Under that Act as now in force, the Minister is given power to require information as to the ownership of shares in or debentures of a company, whereas under the new provision the Minister is empowered to appoint an inspector to investigate and report on the ownership of shares in and debentures of a corporation. Clause 19 clarifies the provisions of section 179 of the principal Act. Clause 20 corrects a grammatical error in section 209 of the principal Act. Clause 21 makes a consequential amendment to section 222 of the principal Act that had previously been omitted.

Regarding clause 22, section 303 (3) of the principal Act makes it an offence for an officer of a company to be knowingly a party to the contracting of a debt provable in the winding up of the company if, at the time the debt was contracted, he had no reasonable or probable ground of expectation of the company being able to pay the debt. This was directed at persons who formed small companies which failed owing large sums of money to creditors. Clause 22 provides that, where an officer has been convicted of this offence, the court may declare him to be personally responsible, without limitation of liability, for the payment of the whole or any part of the debt.

Clause 23 is a consequential amendment of section 374 of the principal Act. Clause 24 is printed in erased type as a suggested money clause that amends the second schedule of the principal Act so as to amend the fees payable under the Act in accordance with the recommendation of the Registrars. It will be noted that some of the fees, especially in relation to photographic copies and searches, have been reduced in effect. Clause 25 amends the fifth schedule of the principal Act partly by way of clarification and partly by way of provisions complementary to the new section 38, enacted by clause 4. Clause 26 amends the ninth schedule of the principal Act so as to require the balance sheet of every borrowing corporation or guarantor corporation to show its short-term, medium-term, and long-term liabilities.

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

ROAD TRAFFIC ACT AMENDMENT BILL.

The Hon. N. L. JUDE (Minister of Roads) obtained leave and introduced a Bill for an Act to amend the Road Traffic Act, 1961-1963. Read a first time.

The Hon. N. L. JUDE: I move:

That this Bill be now read a second time.

It is designed to make a number of improvements to the principal Act; in particular, by clarifying and strengthening some of its provisions and by making certain amendments of an administrative nature.

Clause 3 revises the definition of "owner" so as to extend its meaning to include the "lessee" of a motor vehicle. At present the definition extends only to the hirer under a hire-purchase agreement. The amendment is designed to cover the growing practice of "leasing" motor vehicles from finance companies. Clause 4 deletes the reference to councils in section 17 of the principal Act, which deals with the erection of "stop" signs. The Commissioner of Highways has undertaken the erection and maintenance of all "stop" signs, and the reference to councils in the section is therefore no longer of any importance.

Clause 5 amends section 38 of the principal Act so as to enable the police to put questions for the purpose of determining not only the driver but also the owner of a vehicle on a particular occasion. This amendment is sought in view of the many requirements imposed on an owner of a vehicle. Clause 6 amends section 39(3) of the principal Act so as to ensure that a tram driver will be required to obey traffic lights. Clause 7 amends section 43(3)(*b*) of the principal Act to oblige a driver of a vehicle involved in an accident, when requested by any person having reasonable grounds to do so, to give such information as is necessary to identify the vehicle. This amendment is in line with a similar provision in Victorian legislation.

Clause 8 makes a formal amendment to one of the subheadings in the principal Act. Clause 9 inserts in the principal Act a new section 44a making it an offence to procure the use of a motor vehicle by fraud or misrepresentation for which a penalty of £50 or six months' imprisonment is provided.

Clause 10 amends section 49 (1) (*d*) of the principal Act which prescribes a speed limit of 15 miles an hour on a road within 75ft. of a "school crossing" marked by flashing lights in the vicinity of a school. The amendment provides that the speed limit will apply within 100ft. of such a crossing at the approach to which a sign is erected and removes the requirement that the crossing must be in the vicinity of a school because many such crossings are not in the vicinity of a school.

Clause 11 amends section 50 (1) of the principal Act which prohibits the driving of a vehicle within a speed zone at a speed in excess of the speed fixed for that zone. The amendment provides that the speed must be indicated by signs erected under this Act. Clause 12 amends section 64 of the principal Act which requires a driver approaching a "give way" sign at or in an intersection or junction to give way to any vehicle approaching that intersection or junction from the right or left. The amendment extends this rule to "give way" signs at crossovers as well. A crossover is defined in section 5 of the principal Act.

Clause 13 inserts in the principal Act a new section 71a which prohibits the making of U turns at intersections and junctions at which traffic lights are operating. The practice of some drivers making U turns at intersections and junctions at which traffic lights are operating has created many dangerous situations. Clause 14 amends section 74 which provides for the appropriate signal to be given when a driver turns to the right or stops or slows down. The amendment extends this provision also to diverging to the right. The clause also amends section 74 to permit a driver to give a stop or slow down signal by means of the brake light applied while stopping or slowing down.

Clause 15 amends section 78 of the principal Act by clarifying a driver's duty when approaching a "stop" sign. The clause provides that, if there is a stop line, the driver must stop his vehicle immediately before it reaches the stop line or if there is no stop line he must stop his vehicle immediately before it reaches the nearer boundary of the carriageway which he is about to enter. Provision is also made enabling a left turn to be made into a lane specially provided for that purpose in the vicinity of a "stop" sign. Clause 16 inserts in the principal Act a new section 78a which requires a driver to obey traffic signs lawfully placed on a road for regulating the movement of traffic or indicating a route to be followed by traffic.

Clause 17 inserts in the principal Act a new section 94a which makes it an offence for a person to protrude any portion of his body out of a moving vehicle. This is the effect of a provision of the National Road Traffic Code. The prohibition does not apply to a driver when giving a signal prescribed by the Act or when protruding portion of his body from his vehicle for the purpose of obtaining a clear view to the rear when reversing the vehicle. Clauses 18 to 22 inclusive make drafting improvements to the principal Act.

Clause 23 makes a minor amendment to section 159 of the principal Act which requires safety certificates for passenger vehicles but exempts vehicles "driven pursuant to a licence" under the Road and Railway Transport Act. These vehicles are often driven on routes other than their licensed routes and the amendment is designed to

cover such vehicles if licensed under that Act whether or not they are driven on their licensed routes. Clause 24 amends section 163 of the principal Act which deals with particulars to be painted on commercial vehicles. The amendment will enable the board to exempt certain vehicles from the requirements of this section. The amendment is intended to be applied to certain hire cars, wedding cars and funeral cars. Clause 27 (*b*) contains a consequential evidentiary provision.

Clause 25 amends section 168 of the principal Act which provides that, where a person is disqualified from holding a driver's licence and the court has ordered that he must pass a test before again being given a licence, he will remain disqualified until after the test. During the period of disqualification the person cannot obtain a learner's permit or a licence and therefore, while undergoing a test in pursuance of the court order, he is technically breaking the law. The section is therefore amended so that at the expiration of the period of disqualification the person disqualified will be able to obtain a learner's permit for the purpose of undergoing the test. Clause 26 makes two drafting corrections to section 169 of the principal Act.

Clause 27 (*a*) amends section 175 (3) of the principal Act which contains certain evidentiary provisions necessary for proceedings for an offence against this Act. The amendment provides that a certificate from the Commissioner of Police, a Superintendent or an Inspector of Police that a specified electronic traffic speed analyser (or radar equipment) had been tested on a specified date and shown to be accurate shall be *prima facie* evidence of the accuracy of the instrument for a period of 14 days following the test. Clause 27 (*b*), as I mentioned earlier, contains a consequential evidentiary provision in relation to the amendment contained in clause 24. Clause 28 enables regulations to be made regulating and controlling the installation and use of television sets in motor vehicles.

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

SWINE COMPENSATION ACT AMENDMENT BILL.

Read a third time and passed.

CATTLE COMPENSATION ACT AMENDMENT BILL.

Read a third time and passed.

FRUIT FLY (COMPENSATION) BILL.

Read a third time and passed.

APIARIES ACT AMENDMENT BILL.

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

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

That this Bill be now read a second time.

This Bill is designed to amend the administrative machinery contained in the Apiaries Act and to strengthen the provisions relating to the control of diseases. Clause 3 amends section 3 of the principal Act by extending the definition of "apiary" so as to include bees, hives, honey, beeswax and appliances used in the apiary. The existing definition refers only to places where bees are kept, but often it happens that the bees have died and the remaining combs and hives are diseased. In order to clarify the provisions of the principal Act clause 3 also inserts a definition of appliances used in apiaries.

Clause 4 amends section 5 of the principal Act so that the registration fees for hives may be prescribed by regulation. It is intended to replace the present rate of 2d. a hive (specified in section 5(4) of the principal Act) with a scale of rates applicable to the total number of hives that a beekeeper owns. The regulations may also provide penalty rates for late registration (clause 9). Clause 4 also changes the date before which registration must be made from January 15 to June 30. This will be more convenient for the beekeepers and for the department. The clause also inserts new subsection (2a) as a transitional provision to allow current registrations to continue in force until January 30, 1965.

Sections 7 and 8 of the principal Act provide for regulations prescribing the manner of treating or destroying apiaries found to be infected with disease. As different diseases require different treatment and it would not be practicable to make adequate provision for this by regulation, it is considered that any such work should be carried out under the direction of an inspector. Clause 5(b) and clause 6(a) provide accordingly. Clause 5 also includes a requirement that a beekeeper shall not move an apiary infected with disease except with the permission of an inspector, so as to prevent infection of clean apiaries. Similarly, paragraph (*f*) of section 8 (inserted by clause 6 (*c*)) will give an inspector power to require that an apiary be removed in any such case. The clause also empowers an inspector to destroy apiaries that are abandoned or neglected and likely to spread disease.

Clause 7 enlarges the scope of section 9 so that the section will make it an offence to

remove, dispose of or expose honey, beeswax and appliances infected with disease, as well as bees and the other articles specified in the section.

Clause 8 repeals and re-enacts section 13a of the principal Act so that a beekeeper will be required to brand at least one hive in every 10 (in lieu of one in each apiary as required under the present section) with a brand allotted by the Chief Inspector of Apiaries. The clause also inserts new section 13b in the principal Act requiring a beekeeper to provide his bees with water in order to prevent pollution of his neighbour's water by the bees.

Clause 9 provides for regulations prescribing registration fees, the size of brands and the manner of branding hives. Clause 10 repeals and replaces the schedule of diseases to which the principal Act applies and includes several new diseases therein.

The Hon. A. F. KNEEBONE secured the adjournment of the debate.

CREMATION ACT AMENDMENT BILL.

Returned from the House of Assembly without amendment.

PUBLIC PURPOSES LOAN BILL.

Adjourned debate on second reading.

(Continued from September 1. Page 669.)

The Hon. M. B. DAWKINS (Midland): In speaking to this Bill I congratulate the Government on what I believe is a wise distribution of Loan moneys. My colleague, the Hon. Mr. Hart, yesterday said that we do not have much say in the amount of money provided, as that is decided in Canberra, but we do have some say in the distribution of the money, and this has been done very well. There are some items to which I wish to refer. In the first instance I mention the proposals for harbours accommodation and the new harbour facilities that are proposed. I was pleased to note that the Port River is to be widened and deepened and that £330,000 has been allocated this year towards that project.

I am convinced that this is necessary because we are today in a position where we have bigger and bigger ships traversing the sea lanes of the world, and there is a tendency—all too prevalent I believe in recent years—to by-pass South Australia, and it is vital that something be done to improve our ports. Last year in the Address in Reply debate I stated that I hoped that plans would be developed for the improvement of the Outer Harbour. It has been my privilege to visit Western Australia on a number of occasions, and two years ago I had the opportunity to look at the relatively new passenger terminal at Fremantle and I was impressed with the facilities there. I was seized with the necessity for South Australia to do something comparable at our main port, and what I have just said about the river and the bigger ships, in particular the cargo ships, applies also to big ocean-going liners with passenger accommodation. I am pleased to see that the Government has decided to proceed with this and that £70,000 will be provided this year to commence the work. The facilities I have been speaking of, the improvements to the Port River and the Outer Harbour, are for the main port and the capital city of South Australia. We must not lose sight of the fact—as I hope to show in due course with regard to certain other projects which are for the benefit of the State as a whole—that it is necessary to maintain the best facilities that can be provided for ocean-going liners.

I was also pleased to see that the Government is going to improve the facilities in country areas, in Wallaroo, Ardrossan, Port Pirie and Thevenard, but these ports were dealt with by my friend, the Hon. Mr. Gilfillan, in some detail and I do not intend to traverse the matter but merely support his remarks. I note that the Government has provided a sum of £13,250,000 for waterworks and sewers and I was pleased to see that many extensions are to be made, and also some much needed renewals. We are all seized with the necessity of providing water for this dry State, and the construction work at Kangaroo Creek is another step in the right direction. I am pleased to note that £171,000 is to be allocated to this project.

My honourable friend Mr. Hart said that the Barossa water service was an old service that had been in operation for many years, so that a number of the mains were overdue for renewal. Like my honourable colleague, I have some local knowledge of that service and its inefficiencies. I appreciate the work to be done in the Barossa water district but we must be patient because we should look at the Government's record as a whole in water conservation and reticulation. If we get a little dirty water from the tap in the Barossa or Warren water areas, surely we can put up with it because of existing circumstances in South Australia. I am pleased that some steps are being taken to renew some old services.

In the Warren water district, there are improvements in reticulation in the districts

of Angaston, Manoora, Waterloo, Marrabel and Watervale. These works are in hand and the Government is proceeding to improve the facilities there. I also note with pleasure the amount of £24,000 to be spent on the Pata scheme. For a long time my colleague Mr. Story and others have sought the establishment of that scheme. I am sure my friends will be gratified to see this work being implemented.

I come now to sewerage. I note with great interest that nearly £2,250,000 is provided for the new Bolivar sewage treatment works. This splendid scheme is the result of much foresight and wise planning. I understand it will handle comfortably now and for some time to come large areas north of Adelaide, including Salisbury, Elizabeth and Gawler. Due provision is being made in this work for the expansion envisaged in that area. I am glad that the town of Gawler is included in this scheme and that, perhaps sooner than we think, this town will be sewered. Many country towns are in difficulty with sewerage because of poor drainage or unsuitable soils, and Gawler is one of these places. It is to be hoped that the construction of the Bolivar scheme will progress as quickly and as effectively as possible.

I note that nearly £6,000,000 is provided for school buildings and am glad to see that there again much progress is being made. The Government has had to face a tremendous job in providing for the explosion in the number of schoolchildren in this State during recent years. It has coped with the situation remarkably well, but that is not to say that many buildings are not still needed and that some schools do not need to be renewed. Here again, as I said with reference to the Barossa water district, I think we must realize that while some of these places may be overdue for replacement, it is because of the tremendous scheme of expansion that has had to be undertaken that these schools have not been replaced or extended as quickly as we should like. I commend the Government for its provision of new school buildings.

I was pleased to note the completion last year of the new Gawler High School, in the District of Midland—and a splendid school it is. Last year I referred to the high school at Penola and the primary school at Naracoorte, in the District of my honourable friend Mr. DeGaris. They are splendid examples of the Government's work in providing educational facilities. I am also pleased that the new Gawler Adult Education Centre is to be erected at a cost of £200,000 and that the contract has just been let. As I have said previously, I believe that adult education has much to contribute to South Australia and to education, not only from the cultural and academic point of view but also from the point of view of country people who for one reason or another had to leave school too soon. I have mentioned these schools as examples but am glad to see that progress is being made in many other areas on new school buildings and additional buildings and improvements.

In the field of agriculture, I see that £37,000 has been provided this year towards the completion of the new Northfield Research Laboratory; also, that £27,000 is provided for necessary alterations and additions to the Roseworthy Agricultural College which, for many years, has been probably the leading college of its type in Australia. We should aim to keep it that way. I have great confidence in the ability and devotion of the present principal, Mr. Herriot, in his task at Roseworthy. These provisions will aid him in his work there of making this college the fine educational institution we intend it to be.

Before concluding, I support the Hon. Mr. Story in what he said about the amount provided for the Renmark Irrigation Trust with reference to the problem of salinity. The Hons. Mr. Hart and Mr. Kemp have also referred to this matter. Mr. Kemp in his maiden speech spoke about salinity and gave us much food for thought. I support the contentions of my honourable friends on that matter. Mr. Story's remarks yesterday were much to the point. The Government should seriously consider what should be done about saline water. Mr. Story in his speech also referred to clause 11 of the Bill, which refers to Commonwealth aid for roads. Last session, I commented in this Chamber that primary producers generally would appreciate the decision to ease transport restrictions on primary produce and livestock. I am sure I was not the only member who thought that the restrictions of the Transport Control Board would largely be eliminated when the Road Maintenance (Contribution) Act was implemented. Like the Hon. Mr. Story, I have not been happy with the situation that has obtained since then. I believe the board has not been helpful; in fact, I believe it has been most difficult in the matter of road transport. I support my colleague in asking the Government to have another look at this situation.

I was pleased to see that the Torrens Island power station project had been allocated nearly £3,000,000 and that the Government was pressing on with this vital work that will assist the expansion of the whole State. Yesterday

the Hon. Mr. Kneebone said that farming on Yorke Peninsula was a closed shop, but I take issue with him on that statement. Only yesterday I received an invitation from the Warooka Agricultural Bureau to go to that town on October 16 to see a field trial in relation to the opening up of country there. I am sure that the honourable member could be shown 100,000 acres of land down there that is crying out to be opened up and developed. I do not contend that there are large areas of the best land in South Australia still waiting to be developed. However, there are considerable areas that have some promise and, given trace elements and proper treatment, that land can be used.

The Hon. A. F. Kneebone: How much would it cost, though?

The Hon. M. B. DAWKINS: If the honourable member came to Warooka on October 16 he would find that it could be bought at reasonable cost. I point out that there is in existence the Rural Advances Guarantee Act, which was passed last year and which is working very well. I believe there is evidence throughout this Bill that it is the Government's desire to push ahead with the utmost vigour in the essential development of this State. I have much pleasure in supporting the measure.

The Hon. JESSIE COOPER (Central No. 2): I rise to support the Bill. So far as the Loan Estimates can be used as an index of the growth of capital assets of the State, it will be seen that the development of South Australia is proceeding more rapidly than ever before. The money being put into public works and facilities and into the encouragement of housing and industry, even taking into account increases in present-day costs, is now producing more tangible results each year than we have ever previously seen. For all this the Government is to be congratulated.

I agree with the sentiment expressed by the Hon. Mr. Gillfillan yesterday when he said that there was romance to be found in this Bill. He mentioned the reticulation of water in this romantic connotation. I mention the great help being given by the Government to the thriving forestry and timber milling industry of the State, help which promotes not only the industry's development but also the development of associated industries. Honourable members will remember our tour of the South-East some years ago when we were able to see this comparatively new industry at first-hand. Since then it has become firmly established and is bringing prosperity to the whole State.

Again, by its expenditure on the South-East Drainage Scheme, the Government is promoting general prosperity, as more and more rich country is being brought into high production. It is symptomatic of the State's growth that of the loans for public buildings over half is going to school buildings. Of a total of £9,000,000, well over £5,000,000 is to be thus spent. It is therefore obvious that the Government is determined to maintain its high standards of education, and it is equally obvious that criticism, based on alleged statistics from other countries, is both ignorant and false. To me, it always seems a *reductio ad absurdum* to quote educational expenditure in the newly developing countries where universal primary education is still a dream, and then to compare their figures with our own expenditure in Australia, where every child has been given education as its right for many years.

I am continually being impressed by the high standard of intellectural ability and good behaviour and bearing of thousands of students in our State secondary schools. This is no fortuitous circumstance; it is the result of an Education Department which is inspired by its Minister and its Director to aim at very high standards indeed. It was my good fortune to address over 1,000 students at the Adelaide Boys High School recently and to be able to see the work they are doing and the ideal conditions under which they work, the keenness and enthusiasm of the Headmaster being reflected throughout the school. This is only one example that I am sure honourable members can multiply 100 times, but it is typical of what is being done for our children, and the Government deserves our commendation.

The Government's enlightened policy with regard to less happy children is now well under way, as instanced in the section "Children's Welfare and Public Relief". The sum of £162,000 is to be spent on the completion of a junior boys' training school at Lochiel Park, the total cost being estimated at £270,000. This is money well spent, as it will give the younger boys a far greater chance for reform and education than the earlier system whereby young children were too closely associated with older and often hardened cases. It is gratifying for honourable members to know that work is proceeding on a new building at Magill for the older boys, £66,000 having already been spent of the estimated total cost of £638,000. The sum of £204,000 is set aside for this purpose this year.

It is also a matter for commendation that a new remand home is to be built at Glandore, and that £68,000 is to be provided for major additions to Vaughan House. When one adds this total expenditure to the provision for the Sheriff's and Gaols and Prisons Department, and considers the amount of money that is being spent on the reform, rehabilitation, and general treatment of people who offend, one can see that the Government is spending its money wisely. I suppose, however, that in all this expenditure on the safety and rehabilitation of our young a pruning knife had to be used somewhere. It is unfortunate that it seems that the women's prison—so often discussed and so often almost brought to reality—has been dropped somewhere on the way. It is four or five years since I first drew the attention of honourable members to the conditions under which women prisoners are forced to live, thus adding to their sentences by extra punishment. As I suggested then, it seems that women will have to add substantially to their crime figures—make them bigger and better, if honourable members know what I mean—before the Government will take their plight seriously.

It is pleasing to note that the Libraries Department is to get £70,000 to commence work on the erection of a new building. Too much praise cannot be given to the excellent work done year in and year out by the Public Library of South Australia. Always one can be sure of most courteous and helpful attention on any matter, however small, which is worth so much when one realizes the cramped quarters in which the library has been working for so long. It is time, too, that adequate space be given to what is virtually a filing system of our rapidly growing knowledge and that it is available freely to those who wish to use it. Recently I had experience of one avenue of Public Library work—the fortnightly film evenings—having been asked to be the speaker on one such occasion. I was astounded to find an audience of several hundreds and was informed that this was the usual number, showing the desire in the community for knowledge and instruction which the library is eminently suited to impart.

It is most helpful to honourable members when the total estimated cost of any work is given. One section headed "Railway Accommodation, £3,000,000" is vague and its expenditure enormous. An amount of £72,000 is to be provided to commence the construction of a spur line to Tonsley Park from the Marino line at Ascot Park; £790,000 is to be provided for progress payments for 21 diesel-electric locomotives and spares; £100,000 is to commence work on a further 11 steel brake vans; and so on. It is extremely difficult to find how much each individual project is to cost.

The Hon. N. L. Jude: That information will be made available to honourable members.

The Hon. JESSIE COOPER: I cannot see why this information is not included as in other departments. Lastly, I wish to mention the most fascinating of all items to me which occurs under "Harbors Account", where £80,000 is provided to commence work on the strengthening of the dolphins at Ardrossan and £75,000 to strengthen them at Klein Point. This seemed to me a strange effort to strengthen such creatures of the sea and so I was forced to look at my *Oxford Dictionary* and found that these astronomical sums were not to be spent on these beautiful, lithe mammals. The word "dolphin" here refers not to (1) the mammal frequently confounded with the porpoise; (2) the fish which changes its colour when dying; (3) a northern constellation; (4) or a figure of painting or sculpture; but rather to what the dictionary calls "various contrivances fancifully likened to a dolphin" and under this section is the subsection (*b*)—a mooring post or bollard placed along a quay, wharf or beach.

This information gave me a certain relief, but I am still wondering if these mooring posts are to be strengthened with gold, and decorated with lapis lazuli, or perhaps aquamarine would be more suitable. On the whole, however, these Loan Estimates are worthy of our Government's aims and deserve our support and commendation.

The Hon. R. C. DeGARIS (Southern): I support the second reading of the Bill, which authorizes the Government to spend on capital works a sum of £36,540,000. I commend the Government for the spread it has achieved to the various departments of the finance available under the Loan programme. I think all honourable members are aware that the total Loan funds are decided by the Loan Council, and any criticism of them in this debate can be levelled only at the allocation between the different departments. We must all bear in mind that South Australia has a growing population, not only from natural increase but also from immigration, and we must remember that this State is still attracting a larger percentage of migrants per capita than any other State. While this increase in population is taking place there is an increasing demand for community and State services to be supplied.

I think it will be found that the amount of Loan funds made available to South Australia is not the same as if it were related to our population. In other words, if we drew a graph it would be seen that our South Australian population was increasing faster than the percentage of Loan funds available. This of course places some strain upon the Government in spreading its Loan funds throughout the State. Also, South Australia is faced with an increasing problem this financial year with the rise in the basic wage of £1 a week. This must have some effect on the amount of work that can be carried out. It is also worth noting that of the recent basic wage increase of £1 about 18s. was given for rising productivity in Australia and 2s. was to cover rising costs in the last 12 months.

I refer particularly to the item regarding the State Bank, £500,000. Parliamentary Paper No. 11a shows that there have been increasing requirements made on the State Bank for the provision of funds under the Rural Advances Guarantee Act passed last year, which I am pleased to see is operating most satisfactorily. I have been closely associated with two applications for a guarantee by the bank under this legislation and express my pleasure at the manner in which these applications have been handled. I believe that some 35 applications have been dealt with, and only two have failed to make the grade. Further to this provision of £500,000, proposals are now in hand for major developments in processing our softwood reserves in the South-East, and I expect that the State Bank will be responsible for providing part of the finance required for this undertaking. Last year £1,000,000 was provided for the purpose and a further advance of £500,000 is proposed this financial year. On May 6, 1964, the Treasurer made an announcement in regard to expansion of Apcel Ltd. in the South-East, which is the company engaged in the production of tissue paper. The present employment at this mill is approximately 120, and with the proposed expansion in two years it will be employing about 300 and when it is eventually developed I believe it will be employing 550 by 1970.

The immediate programme is for the installation of a second high-speed paper machine, and by 1970 there will be the addition of a further machine, making three high-speed machines. It is possible that in this development one of the most important points is the fact that the actual conversion from the very large rolls that come off the machines to the product used by the consumer will be done in South Australia.

The Hon. C. R. Story: What is that product used for?

The Hon. R. C. DeGARIS: It has several uses, but I will say that this is one of the industries in South Australia which gets to the bottom of the consumers. At present this conversion is being done in Sydney and Melbourne and most of the paper is carted there by road transport and the conversion done there. The conversion of the tissue from the large roll to the roll used by the consumer will be done largely by female labour. This is an extremely important industry for a country area where difficulty is experienced in finding suitable employment for female labour. When I was chairman of the local district council at the time Apcel was established in our district I spoke about the establishment of a conversion industry in the district. This could not be done because of the economics at that time, as it was more economical to cart the large rolls to Melbourne and Sydney and convert them there. I am pleased to note that this conversion will also be done in South Australia.

The Premier at that time announced that further supplies of pulping timber would be made available to the other pulping industry, Cellulose Australia Ltd. Expansion has already taken place in that company and the possibility exists that further expansion will take place. The smaller timbers for the other pulping industry cannot be used at all. There is a vast quantity of thin timber—tree tops—not being used now, and it is important that the pulping industry interests make the best economic use of our forests. It is also important from the point of view of the private forests of South Australia, as they are having difficulty in disposing of small timber.

When I was first elected to this Chamber one of the first Bills dealt with was an Indenture Act to extend the guarantee of pulping timbers to Harmac Ltd. until June 30, 1963. An extension was then granted from that date to December 31, 1963. During the latter part of last year established industries wanted to extend production and required more timber from the Government forests for that purpose. It was obvious that a guarantee of increased supplies of timber could not be given to the established industries until the guarantee given by this Government and passed through both Houses without opposition had expired. In this matter I appreciate

the interest shown by the Minister of Forests and by the Premier, who have at all times actively assisted in the development of the pulping industry in the South-East. While the agreement with Harmac Ltd. was still valid, no finality could be reached with any other firm. Both the Minister and the Premier negotiated with the companies involved, and on May 6, 1964, an announcement was made that expansion would take place in the established industries. As these industries expand and develop, the Housing Trust will have to provide about 400 extra houses to cater for the increased population. I hope that the trust will construct houses of the single-unit type.

I realize the difficulties that the Housing Trust faces in supplying housing for a rapidly developing State, and the difficulty in supplying houses for the rapid expansion taking place in some of our country towns. It is even more difficult where there is almost an instantaneous growth in population, and very often the construction of double-unit and duplex homes can expedite housing. I hope that in the new development taking place the houses will be of single-unit construction. I would refer now to the item under afforestation and timber milling mentioned by the Hon. Mrs. Cooper, particularly the line where £50,000 is provided for the purchase of land suitable for forestry as it becomes available. There is a need in Australia for an expansion of forestry pursuits. In this debate last year I pointed out that Australia is the worst endowed continent in the world in regard to economic forests. Only 1 per cent of the country carries economic forests, and expansion is necessary in forestry pursuits.

In furthering the development of forestry there is always opposition by people engaged in other forms of rural production to the purchase of land by the Forestry Department. They oppose it on many grounds, but mainly because they feel that land devoted to some form of rural production should stay that way, and that forestry is not so important. I cannot agree. I believe that shortly a Bill will be brought down that is designed to encourage tree farming or wood block farming in this State and I look forward to its introduction. It may have a great impact on the economy of this State. I compliment the Government on the presentation of its Loan Estimates and the way in which it has spread the money available throughout the departments of the State.

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

PUBLIC FINANCE ACT AMENDMENT BILL.

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

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

That this Bill be now read a second time.

Its object, shortly, is to increase the extent of the Governor's Appropriation Fund from £400,000 to £600,000 and to increase the amount that may be appropriated for new lines from £100,000 to £200,000. Part VIA of the principal Act, which deals with expenditure under warrants, empowers His Excellency the Governor in any financial year to appropriate by warrant up to £400,000. Of this amount not more than £100,000 can be appropriated for new purposes. The object of this is to enable the public business to be carried on pending supply or appropriation. This provision was inserted in the principal Act in 1949 and the amount has not since been raised although the extent of actual expenditure has almost quadrupled, having been raised from some £29,500,000 to £112,500,000. During the last financial year Supplementary Estimates were required at a relatively early stage in the year and this year it is possible that difficulties may call for even earlier Supplementary Estimates if the figure of £400,000 remains. The attached Bill will raise the figure as I have indicated. The Government does not desire to seek an extension greater than is reasonably necessary and has decided that the new figure should be substituted.

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

WEIGHTS AND MEASURES ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from September 1. Page 671.)

The Hon. S. C. BEVAN (Central No. 1): The object of this Bill is to facilitate the use of the metric system of weights and measures generally. I understand that representations have been made by various bodies to the Government for this system to operate in this State. Conferences have been held between the States and, apparently, it was decided that there should be uniformity in this matter. I am of the opinion that uniformity of legislation between the States just for the sake of uniformity is not always in the best interests of each State, but in this matter of weights and measures I concede that confusion could arise if each State had different legislation on the subject.

Clause 4 of the Bill inserts a new section 18a into the principal Act and provides that, where a package is marked in terms of metric weight or measure, it shall also be marked with the equivalent avoirdupois weight or measure, as the case may be. This clause also provides for exemption by regulation where it is felt necessary. Clause 5 appears to me to contradict clause 4, as it amends section 19 of the principal Act, which will allow either the metric system or the avoirdupois system to be used. The amendment to section 19 allows either system to be in operation, but clause 4 states that, where the metric system is used, the equivalent avoirdupois weight or measure shall be shown on the package. I fully appreciate that one of the objects of this amending legislation concerns the expression of weights and measures by one system or the other in the pharmaceutical business, but there are weights and measures other than those used in pharmaceutical prescriptions to be considered. Of course, an exemption can be given by regulation under clause 4 by expressing the weight or measure on a package by either system. I realize that any exemption would receive the Minister's full consideration before it was granted, so there might be a safeguard there.

The Bill also provides for the inspection and control of all measuring instruments and scales under either system or both systems: that is to say, they would come under the jurisdiction of the Inspector of Weights and Measures. I am sure that he will act in the future as he has done in the past: he will continue to inspect the scales and the various weights and measures used under these systems, thereby safeguarding the general public in that respect. No doubt, the fact that we are shortly to change over to decimal currency has been responsible for the introduction of this measure. The time has arrived when we should consider this problem. All parties interested in the proposed legislation have made representations to the Government and conferences have been held with a view to getting uniformity between the States in this matter. If we do not have uniformity considerable confusion will arise.

The Hon. Sir FRANK PERRY (Central No. 2): I support this Bill, which marks one of the first steps taken to bring weights and measures in this State under the normal decimal system. This system does not apply fully at present, and in the transition stage both weights will have to be marked on packages. I suppose that gradually the metric system will take over and that it will be the only system used in the future. The Bill does not seem to be a Government-inspired Bill; it has been inspired by the users of these weights and measures. Decimal measures have been adopted in the English-speaking world by the authorities that use this type of package.

This Bill legalizes the practice in South Australia, and I see no objection to it; in fact, I think it is an improvement. The Government has not provided for inspection of the type of instruments used, and I am surprised that this provision is not already in the legislation. Generally speaking, I think that honourable members will accept the Bill as an improvement on the present position and that they will agree to it.

The Hon. H. K. KEMP (Southern): I draw attention to the fact that new section 18a can be greatly obstructive if it is passed without amendment. Practically all scientific chemicals are already handled under the metric system, as is practically every pure chemical that is imported. This new section will require the re-labelling of practically every pure chemical. Huge quantities of pharmaceutical supplies coming to this country are already measured under the metric system. I think the object behind this new section is purely and simply to give the retail buyer, who is a layman, a chance to make the switch from avoirdupois to the metric system, and I think double labelling should definitely be a temporary measure. To saddle people with the need for evermore to label goods by using both metric and avoirdupois is unnecessary, and materials already being handled under the metric system should not have to be re-labelled.

The Hon. S. C. Bevan: Could not an exemption be granted under this new section for these articles? This can be done by regulation.

The Hon. H. K. KEMP: A terrific number of things would have to be exempted.

Bill read a second time.

In Committee.

Clauses 1 to 3 passed.

Clause 4—"Packages to be marked in metric and avoirdupois."

The Hon. H. K. KEMP: Will the Attorney-General explain how the objections I raised during the second reading debate can be met?

The Hon. C. D. ROWE (Attorney-General): This clause, which enacts new section 18a, relates to a technical matter on which I do not profess to have first-hand knowledge. In the circumstances, I think it would be wise for me to have the honourable member's remarks referred to the appropriate officer for inquiry.

New section 18a (2) gives power for the Governor by regulation to exempt certain things from the operation of this new section, but whether that goes far enough to meet the honourable member's objection I do not know. So that I can have a look at this matter, I ask that progress be reported.

The Hon. H. K. KEMP: Apart from exemptions on the period in which double labelling will be necessary, I think the whole matter needs looking at closely.

Progress reported; Committee to sit again.

WHEAT INDUSTRY STABILIZATION ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from September 1. Page 670.)

The Hon. G. J. GILFILLAN (Northern): I support this Bill, which, as was explained in detail by the Minister in his second reading speech and by the Hon. Mr. Bevan, is perfectly straightforward. Its purpose is to rectify an omission in both the 1958 and the 1963 Acts. The provision in question was contained in a previous Act, and it merely authorizes the Wheat Board to collect tolls from growers and pay them to South Australian Co-operative Bulk Handling Limited. These tolls are fixed by agreement between the members of the co-operative and the co-operative itself, and any charges for non-members must be approved by the Auditor-General. There is every safeguard in the Bill and in the principal Act to protect users of the bulk handling system, and I believe it can be supported with confidence.

The Hon. Mr. Bevan suggested that the word "grain" could be added so that the wording would be "wheat and grain". Although South Australian Co-operative Bulk Handling Limited is authorized to handle wheat and barley and is now handling oats, the Wheat Board is concerned only with the handling of wheat. Barley and oats are handled by other authorities, so any mention of other grain in this Bill would not be relevant.

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

SECOND-HAND DEALERS ACT AMENDMENT BILL.

(Second reading debate adjourned on August 26. Page 591.)

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—"Amendment of principal Act, section 3."

The Hon. A. J SHARD: In my opinion this clause will create a further anomaly to that already existing under the Holidays Act, the Early Closing Act and the Act under consideration. For people to do business on the day after Good Friday seems to me to be wrong. The Holidays Act provides for Easter Saturday to be a public holiday. The amendment sets out to help only a very small minority. I do not think it is necessary and I trust that the Committee will reject the clause.

The Hon. S. C. BEVAN: I also oppose the clause. For a number of years Easter Saturday has been proclaimed a public holiday. Because of circumstances prevailing in 1932 it was decided to exclude that day under the Early Closing Act. Prior to then representations were made to the Government to exclude Easter Saturday and to allow trading on that day. This move came from the departmental stores. It was generally supported by the public because of circumstances then prevailing, when facilities were totally different from those we have today, because refrigerators were not available for keeping food.

The Hon. H. K. Kemp: You want milk every day, don't you?

The Hon. S. C. BEVAN: This has nothing to do with the vending of milk. Many people would be affected if Easter Saturday were excluded. If it were excluded also under the Holidays Act there would be industrial trouble. Many employees would be affected in those circumstances. The Hon. Mr. Dawkins said that I was trying to confuse the issue but I feel that he is the one who was confused. I did not introduce the other Bills. If he had read the introductory speech he would have seen that reference was made in that to the other Bills. I cited those Bills in my opposition to this one. Reference has been made to the Early Closing Act and to what happens in New South Wales. If that Act was properly policed here we would have greater chaos than they have in New South Wales. Another reason given for supporting the Bill was that it was felt necessary when it was brought down in 1932, but the honourable member is living in the past. If we are to adopt that reasoning, why not go back to conditions applying before 1932?

The Hon. Sir Arthur Rymill: Some people oppose mechanization of industry.

The Hon. S. C. BEVAN: I do not see what that has to do with public holidays.

In this debate Mr. DeGaris said that a motorist might require a part for his car on Easter Saturday and that, if second-hand shops were opened, he could obtain it. Mr. Story said that a man might want a second-hand tyre. I suggest that if a motor car was in that condition it should be taken off the road. I do not consider those to be good reasons for passing this Bill. Why not be reasonable and stop playing politics on this legislation? Not one constructive argument has been advanced in support of this Bill. I consider it is retrograde legislation. It was found necessary to stop second-hand dealers from operating on a public holiday, but this Bill will allow all second-hand dealers to open, not just those in the motor trade. The attitude of members opposite has been that the Government has brought down this legislation and therefore it must be correct. I adopt a totally different attitude and regard this Bill as a retrograde step. I know I am beating the air when I appeal to members to defeat this legislation but I hope that this particular clause will be defeated.

The Hon. Sir LYELL McEWIN (Chief Secretary): The clause seems to be a simple one. The Hon. Mr. Bevan said that those supporting the measure were doing so because the Government introduced it. It would be just as logical for me to say that because the Government introduced it, Mr. Bevan opposed it. There is nothing in his arguments that impresses me, because he is only placing restrictions on people who do not want to buy a new motor car. People can buy a new car on Easter Saturday without interference, but if they want a second-hand car they cannot legally buy one or trade in a used car. That is the position; and I think it is ludicrous to keep referring to other Acts, as they can be dealt with at some other time. The Bill was introduced at the request of the Chamber of Automotive Industries, which waited on me regarding the position. The police were challenging their activities and they could not carry on a legitimate business on Easter Saturday except with new cars. Anybody would consider that a fair request, as it would be ridiculous to close up half your business and leave the other half open.

The Hon. S. C. Bevan: It would be just as logical to let them open on all public holidays.

The Hon. Sir LYELL McEWIN: I regard the Bill as a sensible one in response to a legitimate request, and I hope that it will be passed.

The Committee divided on the clause:

Ayes (15).—The Hons. Jessie Cooper, M. B. Dawkins, R. C. DeGaris, G. J. Gilfillan, L. R. Hart, N. L. Jude, H. K. Kemp, Sir Lyell McEwin (teller), Sir Frank Perry, F. J. Potter, W. W. Robinson, C. D. Rowe, Sir Arthur Rymill, C. R. Story, and R. R. Wilson.

Noes (4).—The Hons. K. E. J. Bardolph, S. C. Bevan (teller), A. F. Kneebone, and A. J. Shard.

Majority of 11 for the Ayes.

Clause thus passed.

Title passed.

Bill reported without amendment. Committee's report adopted.

ABORIGINAL AND HISTORICAL OBJECTS PRESERVATION BILL.

Adjourned debate on second reading.

(Continued from September 1. Page 659.)

The Hon. H. K. KEMP (Southern): In speaking to this Bill, I should like to make it clear from the outset that I do not wish in any way to delay its passage. It is urgently required as these aboriginal relics, which are part of our heritage, are being wantonly destroyed all the time and at present they are completely unprotected. My only criticism of this Bill is that it does not go far enough and that the mode of protection it confers on aboriginal rock drawings and other relics is rather cumbersome in that, as I read the Bill, they must be gazetted or designated by an authorized person. As there are literally thousands of them across the State and more are being discovered every day, the complete protection that should be given to this sort of material will, by this method, require dozens of volumes of the *Government Gazette* just for their listing.

There is the further point that in their gazettal and listing their position must be disclosed. It has been an unfortunate past experience that disclosure of the presence of any of this material leads to its rapid damage and often its destruction. The need for protection is illustrated by an incident told me by the museum authorities when I was inquiring about this matter the day before yesterday. A particularly valuable group of carvings was found not far from Adelaide and, when the museum sought access, the owner of the land on which these carvings were discovered blew them up so that he would not have to bother with trespassers. Another example of the need for protection was the beautiful group of drawings in a cave on the

West Coast that had had two big sections of the best part of them taken out with a pick-axe.

The difficulty of using regulations to designate every individual group of drawings is that it is not possible to confer complete protection on many small discoveries of this type of material, very often in the vicinity of used water holes. It may be two or three square yards of rock carvings—not rock drawings for those are almost invariably found in caves. It appears to me that the only way in which it would be possible to protect these things thoroughly would be for them to become automatically the property of the Crown and for the landholder, lessee or occupier of the land on which they were situated to be appointed their guardian so that he would bear some degree of responsibility for their care. When it is sufficiently important for these drawings or relics to be designated separately, then the mechanism of the Act as it stands should be set in motion. Much sharper teeth are needed in the Act to safeguard this sort of material.

I should like to suggest here that anybody who damages or defaces one of these examples of aboriginal art should be charged immediately with the two-fold duty of restoring it to its original condition and of safeguarding it in the future from similar damage. A vast amount of the damage done is just careless vandalism—the painting or scratching of one's initials on rocks, etc. That is restorable. Much damage, of course, can never be restored but, where permanent damage occurs, I think the relevant provisions in the Act should certainly be used. If anybody who damages or destroys any of these materials knows that automatically he will be faced with the cost of restoring them and with the duty of safeguarding them in the future, that is likely to prove a much more effective method of putting teeth into the Act.

Finally, I should like the Council to consider this suggestion. This Act deals only with materials of aboriginal origin. We have up and down the State many other natural objects of historic interest, like the rock scratchings at the bottom of the Inman River due to glacial action many thousands of years ago. Many items of that nature need preserving and should be safeguarded for our children's sake in the same way that aboriginal objects of historic interest are dealt with by this Bill. I suggest that, instead of our having to introduce further legislation to protect these non-aboriginal objects of historic interest, we should incorporate them in this legislation. It would be desirable to have them incorporated in this Bill provided that this did not delay its passage, as the quick passage of the measure overrides other needs.

The Hon. C. R. Story: Do you think there should be any provision for the protection of the landholder?

The Hon. H. K. KEMP: I am sure there should be. If my suggestion were accepted, landholders in the pastoral lease country would be charged with the need to safeguard such relics without having any power to prevent trespass. There is certainly every need to safeguard the rights of landholders if they are to be charged with the duty of looking after these things. However, I think this should be considered in the Committee stages of the Bill and not during the second reading debate.

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

STATUTES AMENDMENT (DOG FENCE AND VERMIN) BILL.

Adjourned debate on second reading.

(Continued from September 1. Page 658.)

The Hon. S. C. BEVAN (Central No. 1): I support this Bill, which repeals section 21 of the principal Act and inserts new section 21 that provides for arbitration where, on the resiting of a dog-proof fence, a dispute arises between the parties concerned as to the payment for the fence. It is not often that there is any variation in the siting of the dog-proof fence and, when we consider present costs of erecting such a fence, this can be understood.

Where resiting of the dog-proof fence becomes necessary, the board can recommend it only after it is satisfied that proper arrangements have been made between the owner of the fence and the proposed new owner for payment to the owner of a reasonable amount for his expenditure on the fence. This could lead to a dispute between the two parties that could hold up the resiting of the fence for a considerable period; in fact, under these conditions the fence might never be resited.

The Bill provides that in these circumstances, at the request of the owners or of any one of them, the Minister may refer the matter to arbitration. It also provides for the Minister to appoint one or more arbitrators to settle disputes. It provides, too, that where a fence

is erected on a boundary and a dispute arises between the occupiers under section 202 of the Vermin Act as to the payment of half the cost of the fence the dispute can be settled by arbitration. It is not often that a dispute arises about the resiting of a dog fence, but disputes have arisen in the past and perhaps will arise in future between the owners of fences and the proposed new owners, or between occupiers when the fence is established on a boundary. So that no lengthy disputes will occur, this measure provides arbitration machinery. In the circumstances, I have much pleasure in supporting the second reading.

The Hon. R. R. WILSON (Northern): In 1946 the Dog Fence Act was introduced to establish and maintain in good order a fence to prevent the ingress of wild dogs and other vermin to pastoral and agricultural areas of this State. The owners of land in the part of South Australia mentioned in the legislation were to erect a fence and maintain it to the satisfaction of the Dog Fence Board. The total length of the fence in South Australia is about 1,360 miles. The number of times the Act has been amended since 1946 proves its importance and value to the State.

This Bill is introduced to provide a solution when landowners cannot agree to the resiting of the fence. Resiting is brought about mainly because of the effects of the prevailing wind and the low rainfall in the northern part of the State. Often the fence is completely buried and it is no use re-constructing it where it has been; it must be resited. The whole face of the country is often changed because of drifting sand. Where the owners of a fence cannot agree to a resiting, under this measure the Minister will be empowered to appoint an arbitrator. Honourable members can imagine that where no surveys have been made disagreement can occur between part-owners of a fence, so there must be some means of settlement.

Resiting will not be done more than is necessary, because at present a new fence costs about £500 a mile. Most landowners on the southern side of the fence are rated even if their properties do not adjoin it. I know from experience that this has been a contentious matter, but if the fence were not there people to the south of it would soon realize how much damage could be done by wild dogs. I believe the Bill corrects an anomaly, and I have much pleasure in supporting it.

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

MINES AND WORKS INSPECTION ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from September 1. Page 659.)

The Hon. A. J. SHARD (Leader of the Opposition): I support this Bill, which is a straightforward measure for which I commend the Government. The Act was passed in 1920, and section 5 provides:

> This Act shall apply to every mine under whatsoever tenure held and wheresoever situated within the State.

This Bill by clause 3 inserts a new subsection 5 (*a*), which provides among other things that the Governor may by proclamation declare certain works to be a mine. This will take in such things as tunnelling, road-making, works such as are proceeding in the Torrens Gorge, and possibly tunnelling from one reservoir to another. The Bill simply extends the safety provisions, and relates to dangerous practices, ventilation, health, and the appointment by the Government of inspectors to see that these protective measures are given effect to. If I have one complaint regarding the Bill it is in relation to clause 3, which provides:

> Where the Governor is of the opinion that such place, operation, undertaking, machinery, matter, thing, or practice is of a kind substantially similar to a mine or, as the case may be, to any operation or undertaking or to any machinery ordinarily used in a mine or to any matter, thing or practice ordinarily encountered or observed in a mine, the Governor may by proclamation declare that from the date specified in that behalf in such proclamation and for such period not exceeding two years as is so specified the place or any specified part thereof shall be deemed to be a mine and that the operation or undertaking and any machinery used in or about the same and any activity or activities specified in such proclamation shall be deemed to be mining within the meaning and for the purpose of this Act or any specified provisions of this Act.

I am wondering whether the Minister of Mines realizes that a particular job may not be completed within two years. Further, under subsection (3) (*b*) it is provided that the Governor may extend the period of operation of any such proclamation for such further period not exceeding one year as he thinks fit. So, it would appear that the Government or the Minister may think that a job may not be completed within two years and therefore the Governor may extend the proclamation for another year. I would have thought that provision would be made for a job to be covered from its commencement until it was completed. It would not then be necessary to have a

proclamation extending the period. My interpretation of the position is that a proclamation could not be extended beyond three years on any one project. If the work were extended beyond that period and someone were injured, he might not be covered by this legislation. I should like the Minister to clear up that question. I support the second reading.

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

EXCHANGE OF LAND: PARNDANA.

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

That the proposed exchange of allotments 82 and 85, Town of Parndana, as shown on the plan and in the statement laid before Parliament in terms of section 238 of the Crown Lands Act, 1929-1960, on February 18, 1964, be approved.

The Hon. C. D. ROWE (Attorney-General) moved:

That the resolution of the House of Assembly be agreed to.

Resolution agreed to.

ADJOURNMENT.

At 4.55 p.m. the Council adjourned until Tuesday, September 15, at 2.15 p.m.