LEGISLATIVE COUNCIL.

Tuesday, October 13, 1964.

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

STATUTES AMENDMENT (STAMP DUTIES AND MOTOR VEHICLES) BILL.

His Excellency the Governor, by message, intimated his assent to the Bill.

CONDUCT OF COUNCIL.

The PRESIDENT: Before proceeding with the business of the Council I think that I should draw the attention of honourable members to Standing Orders 164 and 181 concerning the conduct of members in this Chamber and point out that, when a member is in possession of the Chair, another member may not pass between him and the Chair, nor may he converse aloud or make any noise or disturbance while the member is orderly debating. I appeal to honourable members to assist me to maintain the high standard of conduct and dignity for which the Council is renowned.

QUESTION.

MURRAY RIVER LEVEL.

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

Leave granted.

The Hon. C. R. STORY: The present river gauging at Albury indicates that the Murray River level at that town is 15ft., and it has always been considered that 15ft. is a flood level in that area. Although the river in South Australia has not quite reached flood proportions, it is very high, and as all the tributaries appear to the layman to be in flood will the Minister representing the Minister of Works say whether it is considered that South Australia may expect a flood this year, and, if it is, can he indicate its expected magnitude in relation to the 1956 flood?

The Hon. N. L. JUDE: I realize the seriousness and the import of the question. I will consult my colleague forthwith and endeavour to obtain a reply for the honourable member.

LICENSING ACT AMENDMENT BILL.

The Hon. C. D. ROWE (Attorney-General) obtained leave and introduced a Bill for an Act to amend the Licensing Act, 1932-1963. Read a first time.

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

That this Bill be now read a second time.

The object of this amendment is to validate certain storekeepers' licences which, for a number of years, have been issued to companies not incorporated under State law, although registered in the State as foreign companies. Section 85 of the principal Act provides among other things that a company incorporated under State law may hold any licence other than a publican's licence. In point of fact three companies, namely, Penfolds Wines Pty. Ltd., Gollin & Co. Ltd., and the Distillers Agency Ltd., have all held and operated under storekeepers' licences for over 30 years. It has been brought to the notice of the Government that, since these companies are not incorporated under laws of the State, the renewal of their existing licences might be open to objection. Penfolds Wines is incorporated under the laws of New South Wales, Gollin & Co. under Victorian law and the Distillers Agency in Great Britain. All three companies are, of course, registered as foreign companies in accordance with the Companies Act of this State.

It is considered necessary and desirable to place the legal position of these companies beyond doubt and accordingly this Bill provides that any licence other than a publican's licence, granted or issued before November, 1932, to a company incorporated in the United Kingdom or Australia, but registered as a foreign company in this State, is to be deemed to be and to have been a valid licence if the only ground of objection to its validity could be that it was issued to a company not incorporated under State law. Clause 3 of the Bill accordingly inserts a new subsection into section 85 of the principal Act so to provide.

I believe that all honourable members will appreciate the reason for the Bill which does no more than validate a past practice and ensure that the three companies to which I have referred may lawfully continue to carry on business which they have been carrying on for a number of years.

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

PRICES ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 8. Page 1332.)

The Hon. F. J. POTTER (Central No. 2): I have always voted against the second reading of similar Bills and I cannot in any way change my position on this occasion. Last year we were presented with a dilemma inasmuch as for the first time additional

matters were introduced into the Bill. They were loosely worded and, in some respects, wrongly called restrictive trade practices legislation. I indicated then that I would support any proper and decent legislation that genuinely aimed at restricting undesirable trade practices. I think all honourable members at that time felt that the matters intended to be covered by the Bill last year were all matters requiring some attention. I expressed the opinion then that an effort was being made to introduce them in the wrong place, namely, in the yearly prices legislation, and that the whole subject was really incapable, in some respects, of being effectively dealt with in legislation of this kind.

In the second reading debate and in the Committee stages of the Bill last year I indicated that the matters introduced for the first time were not properly drafted and were loosely defined. It is apparent that at least some of the things that I and other members said last year have proved to be true, because in the first clause of this Bill there is a complete redrafting of the matters that were presented last year.

I have always opposed price control because I believe that it is wrong in principle and wrong in the way it is operating in this State. It seeks to intrude Government control into industry and commerce in order to produce prices that are not necessarily related to the prices that would be produced if free and open competition took place. We either believe in free competition or we do not. It is no good talking about supporting it and saying that it works to the detriment of the public. When members oppose price control there is always the suggestion that it is in the interests of the people because firms are exploiting them, and that monopolies exist. We all perhaps agree that there is a field in which there is exploitation, or attempted exploitation, of the public. Monopolies exist in this country and the way to deal with such an evil is to have, if necessary, permanently enshrined in our legislation proper restrictive trade practices legislation, and not have this yearly Bill that is, I suggest, no more than a facade. I do not believe that the price control operating in this State is effective to the extent that it protects the public in all respects and in all circumstances. I consider that sometimes, from the expressions in this Chamber, members do not see the wood for the trees; they see a few individual trees but not the vast wood that is growing behind the trees and into which we should not venture. I will not say much about the matter now because on other occasions I have expressed my opposition to measures of this kind.

The sweetener in this Bill, if I may use the term, is not really restrictive trade practices legislation at all. The matters were introduced purely for expediency. The whole set-up, as it now exists, appears to show the public that something is being done, when, in fact, little is being done. Originally we had a Bill requiring retailers to sell their goods for certain maximum prices; that was the sole purpose of the Bill. Last year amendments were introduced that, as I said earlier, were probably desirable in themselves, but we can see the direction those amendments took. The first was that not only must the shopkeeper or retailer sell goods at maximum prices, but the goods must be available in unlimited quantity. However, there are certain safeguards that relieve him of that obligation. They must be—and this is my own paraphrase of what the Act says—strictly according to label. They must not be offered in unfair competitive conditions; discounts must not be given; quantities must not be offered; and there must not be package deals. The amendment in the Bill stipulates that the cash prices of the goods must be clearly marked on the tickets.

This provision attempts to go the last step, and this is a step that I oppose. It states that in law these goods must be sold and delivered for the cash prices marked on the tickets. I do not know whether honourable members know much about the law of contract for the sale of goods. I do not suppose they would have a great deal to do with it, but I refer them to the provisions of the Sale of Goods Act, which sets out in a codified form the principle of contract relating to the sale of goods. They have developed over hundreds of years by common law, but are, incidentally, still subject to interpretation by our courts. Section 1 (i) of the Sale of Goods Act states:

> A contract of sale of goods is a contract whereby the seller transfers or agrees to transfer the property in goods to the buyer for a money consideration, called the price.

That sets out in a simple form something that the common law through the courts over a long period of time has laid down. The words in this section are subject to interpretation by the courts in an individual case. In other words, a contract is a contract as understood by the law, that is, there must be an offer, an acceptance and a delivery of the goods, and it must be for a money consideration. This makes a contract for the sale of goods quite

unique in a way, and the money consideration is known as the price. Section 8 of the Act describes the price as follows:

> The price in a contract of sale may be fixed by the contract, or may be left to be fixed in manner thereby agreed, or may be determined by the course of dealing between the parties.

In other words, a contract for the sale of goods is one that involves all the elements of a contract—the making of an offer, the acceptance of that offer at a price, and the price to be determined by the parties contracting. Because of that definition and the fact that this has been laid down by the courts over, I suppose, centuries now, it has always been true that a contract for a sale of goods in a shop is made in this way: that the person who goes into the shop (the customer or the intending purchaser) is the one who makes the offer; the shopkeeper is the person who accepts the offer and it is not until the shopkeeper accepts the offer and hands over the goods that the contract is legally valid and binding. In other words, the price ticket on goods has never been an indication that that is the price at which they can be bought, in the full sense of that word: it is merely an indication to interested passers-by and potential purchasers that that is the price at which the shopkeeper is prepared to bargain for that article.

If this were not so the extraordinary position would arise that, if a shopkeeper, by a mistake—not necessarily his but one perhaps made by one of his employees—put a wrong ticket on to an article, he would be obliged to sell it at that price. If I remember correctly, thinking back to the days when I studied the law of contract, originally the courts laid down this rule, that the price ticket was not the price of the goods in the sense that they could be legally demanded at that price, because a price ticket could be put on to a valuable article in error. I recollect a case (I am not sure whether my recollections are correct) of a valuable antique clock that had a completely wrong price tag on it. It is ridiculous to expect that, if one inadvertently puts a £50 price ticket on to a clock worth £500, one should give the right to an intending purchaser to purchase it for £50. It is well within the shopkeeper's normal rights for him to say, "I am sorry; my assistant Joe put the wrong price ticket on that clock. He left a nought off", or "That price ticket should have been on another article."

I do not know whether clause 6 intends to reverse the whole process of the common law, to turn back virtually what we have had for centuries and make it obligatory upon a shopkeeper to sell to a person upon demand and tender of the cash price an article so ticketed—because that is what new section 33e states. It states plainly that a ticket exhibited or displayed on any goods at all must contain a reference to the price or conditions of sale (I am just trying to put this into simple language) at which the goods can be bought by any person upon demand and tender of that cash price. If it is not intended, in effect, to reverse the whole concept of the common law, then the whole section is proceeding on a complete misconception of what the law of contract is. To that extent I suggest it is useless. Honourable members will note the different expression used in the preceding clause, the one that was redrafted from last year, dealing with the refusal to supply in unlimited quantity, where it is stated that one must not refuse to deliver a quantity of goods on payment of the price asked for that particular quantity. That is different wording from what we have in new section 33e.

In his second reading explanation the Minister said that the clause was designed to produce more informative ticketing. He said he wanted the full cash price shown. None of us is opposed to that. He wanted the price to be shown in printing of the same size as that of any other condition. He said the clause was designed to enable the potential buyer to compare the cash price with any other information that might be given, such as the weekly payments. Surely there was no hint in what he said that it was designed to make it obligatory upon the shopkeeper to sell at the cash price marked, a matter carrying grave implications. Let me take a simple example of what may happen on a busy sale day in one of our leading department stores. On one counter socks may be displayed for sale at 6s. 11d. a pair, and for 19s. 11d. on the next counter. We know that on these occasions the 19s. 11d. socks can easily get mixed up with the 6s. 11d. ones. Surely this Bill will not make it obligatory upon the storekeeper to sell those 19s. 11d. socks for 6s. 11d. just because they happen to be exposed for sale on the counter having the ticket marked 6s. 11d.—because that is what the section states.

If this section is designed to achieve that, I think we have taken the ultimate step in this legislation that we ought not to take. I shall oppose it and, if the Bill goes to the Committee stage, I intend to move an amendment to this clause to delete the words at the end of it and leave the clause (for what value it is; I think it has some value) so that the particular label

or ticket will set out the price for which the goods can be bought, and leave it to the good sense of the courts following the usual principles of interpretation to decide on this matter, because the law has a clear conception of what is meant by price, and buying and selling. It does not contemplate any demand for delivery of the goods at that particular price. I think the second section of this clause is not properly drafted. It places an unfair burden on the vendor of goods, because, taking the example I gave a moment ago of socks that become mixed up with those on another counter in a leading department store, surely it is not contemplated that the store should be liable for having expensive socks on a table with 6s. 11d. socks, which I think flows from this section. If this is going to be an offence, it should say that the goods are displayed and exhibited knowingly with a particular price tag or label attached.

I do not think I need speak any further on this matter. I have said over the years that I oppose price control legislation in principle because it is not effective and it is not proper restrictive trade practices control. I think the day will come when we can deal with restrictive trade practices in a proper way, in a proper Bill, and with proper machinery that will have to be set up to see that fairness and justice are done not only to the shopkeeper and manufacturer but to the consumer as well. This is not an easy task; let us not run away with the idea that it is. It involves, in my opinion, the setting up of an adequate and proper tribunal; it involves something of the same concept that has long been envisaged in the Commonwealth legislation. Some sort of legislation of that kind designed, as it were, to control and restrict these trade practices that unfairly interfere with the exercise of free competition will have my support, but this particular legislation will not. Accordingly, I intend to vote against the Bill, but, if the second reading is carried, as I suppose, if history repeats itself, it will be, I shall move certain amendments in the Committee stages.

The Hon. Sir ARTHUR RYMILL secured the adjournment of the debate.

BRANDING OF PIGS BILL.

Adjourned debate on second reading.

(Continued from October 8. Page 1350.)

The Hon. A. F. KNEEBONE (Central No. 1): We have been told that the South Australian Branch of the Australian Pig Association has asked for this legislation to be introduced, and I can understand this, as it will help to trace the source from which disease of pig carcasses has come. This will assist in the eradication of disease in the pig industry. Recently we had before us legislation that amended the Swine Compensation Act, which is another piece of legislation the purpose of which is to endeavour to eradicate disease in this industry. That Act provides that the owners and breeders of pigs must pay into a fund from which compensation is paid where pigs are destroyed or carcasses condemned because of disease. That Act received the support of most people in the pig industry, and I am confident that this Bill, which makes the branding of pigs compulsory, will also be supported by them. Without the compulsory branding of pigs within seven days before their disposal, it has been extremely difficult to trace the source of any diseased carcasses. I have been told that pigs are prone to disease and that it is difficult to find disease until pigs are slaughtered and the carcasses hung. The tracing of diseased carcasses back to the producer's property is, I think, essential if we are to do very much to assist in eradicating disease. This measure will therefore raise the standard of the pig industry in this State.

The direct result of the introduction of this legislation may be a saving of part of the compensation fund set up under the Swine Compensation Act, and a large surplus should be released for research into diseases or alternatively there should be a reduction in the levy paid on each carcass when sold. In another place, an amendment moved to the original Bill was accepted by the Minister of Agriculture, who said it was a good amendment. This has been included in the Bill now before us as clause 5 (3). This subclause provides that the Chief Inspector of Stock in South Australia may issue a permit to a person enabling him to sell or offer for sale a pig that is not branded if the Chief Inspector of Stock is satisfied that the applicant for the permit owns not more than three pigs.

The Hon. C. R. Story: Would they be three breeding sows?

The Hon. A. F. KNEEBONE: The Bill does not say so. I believe many people in this State raise a few pigs as a sideline, probably for the production of cured meat for their own purposes, and I think the requirement for the issue of a permit provides a protection in that a carcass can be traced back to its source.

The Hon. L. R. Hart: How much does it cost to tattoo a pig?

The Hon. A. F. KNEEBONE: I do not know, but the honourable member probably does. Whatever the cost may be, however, I think this will be beneficial to the producers. Even if it does cost a fair amount I think the eradication of disease is more important than the cost. Clause 6 provides the manner in which application for brands and their allotment and registration shall be made and the manner in which transfers of brands are to be carried out. The clause also provides that the application for allotment and registration of a brand shall be accompanied by the prescribed fee. Clause 12 lays down the manner in which regulations may be issued. These include prescribing the amount of registration fee, and some people have expressed concern that the fee may be more than just a nominal one. I point out, however, that Parliament will be able to review such a regulation when it is laid on the table of this Chamber or of another place, so there will be a certain amount of protection against such an eventuality. I believe the legislation to be an added protection to the industry, and I therefore support it.

The Hon. M. B. DAWKINS (Midland): It is a pleasure to speak to this Bill because I am aware that it is the desire of the pig industry generally that something of this nature should be introduced. On two occasions I had the pleasure of introducing deputations to the Premier and the Minister of Agriculture on this matter and I know of the desires of the breeders of both stud and commercial pigs. The pig society in South Australia is unique in that it has both a stud section and a commercial section. In the fat lamb industry we have two stud sections (if we include different breeds), but we have no correlated association of fat lamb producers as yet. However, the pig industry has its commercial section which is closely allied to the stud section and, therefore, representations from the pig industry can give a good reflection of the wishes of the people in the industry as a whole.

The Deputy President of the Abattoirs Board, Mr. R. W. Correll, in discussing this matter with me and in giving evidence upon it, said that in his opinion well over 70 per cent of the breeders of stud and commercial pigs in South Australia were wholeheartedly behind this Bill and he also said that some of the remaining people at least would be in the category provided for in, I think, subclause (3) of clause 5, to which the Hon. Mr. Kneebone referred just now. When I was speaking on the Swine Compensation Act two years ago, I referred to body tattooing of pigs and I said that this matter could well have been brought up in the Bill relating to swine compensation. However, I now believe that it is probably wise that it has been brought forward in a separate Bill. As Mr. Kneebone said, the passing of this Bill will reduce pig disease very considerably because the disease will be traced quickly and in such a way that breeders who perhaps do not even know that their pigs are diseased can be speedily made aware of that fact. Also, it will reduce the call upon the Swine Compensation Fund considerably.

I believe that the fund contains an amount of something over £100,000 and by an amendment of the Swine Compensation Act two years ago we provided £2,500 a year for research. Although I believe that the provision for research was a wise one, I did say at the time that we should look very carefully at the position before we increased that amount, because that money has been provided almost solely by the breeders of pigs in this State. Indeed, I believe that the breeders should be consulted before the amount is increased. On the other hand, Mr. Kneebone stated that it might be possible to reduce the amount of the levy contributed to that fund and, if this legislation comes into force with the desired effect, that may well be possible.

I do not wish to deal with the Bill in detail. Most of the machinery clauses in the Bill are quite satisfactory. I am quite happy with clause 5, the main operative clause, subclause (3) of which reads as follows:

Notwithstanding subsection (1) of this section, a person may sell or offer for sale a pig which is not branded in accordance with that subsection if he is the holder of a permit issued in that behalf by the Chief Inspector of Stock appointed under the Stock Diseases Act, 1934-1962. The Chief Inspector may, upon application therefor, issue a permit under this subsection if he is satisfied that the applicant owns not more than three pigs.

The Hon. Mr. Story, by way of interjection when Mr. Kneebone was speaking, brought forward a point that I think should be covered just a little more fully. The people in the industry are in favour of those who have two or three pigs being able to continue as at present, but sows that are of breeding age should be excluded from that exemption. In that connection, I foreshadow that I shall bring down an amendment in Committee to provide for the exclusion of sows of breeding age. We are all aware that if a person has three sows today, he could possibly have 30 pigs tomorrow and it is much better to provide that the exemption granted under this measure should not extend to sows of breeding age.

The Hon. L. R. Hart: What colour ink should black pigs be tattooed with?

The Hon. M. B. DAWKINS: I confess that I am in the same category as my friend Mr. Kneebone, but I am confidently expecting that my friend on my left will speak to this Bill and enlighten us on those points that he has brought forward. In my opinion, they are matters of machinery. I am not a pig breeder at the present time, but I am sure that the breeders have no doubts about the question of tattooing. They may be as successful, in this matter, as breeders of Suffolk sheep. They manage to tattoo their sheep, though sometimes we are able to read it and sometimes we are not. I am looking forward with great pleasure to what the Hon. Mr. Hart may have to say on this Bill. I wholeheartedly support the measure.

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

METROPOLITAN AND EXPORT ABATTOIRS ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 8. Page 1332.)

The Hon. S. C. BEVAN (Central No. 1): I support the second reading of the Bill. I do not consider it necessary to delay the Council in debating it at length. It has for its primary purpose a single inspection of meat for export and meat for public consumption. At present, as has been the case for many years past, a dual inspection is carried out. If the meat is for export, an inspector employed by the Commonwealth carries out the inspection; if it is for public consumption in the metropolitan area, it is inspected by a State inspector. Where a private company is licensed to operate an abattoirs it can kill meat for export. Under the Act it is entitled to market for public consumption in the metropolitan area 10 per cent of its reject export meat. The meat is first inspected by Commonwealth inspectors for export purposes, and then the meat to be marketed in the metropolitan area must be inspected by the State inspectors. It invariably occurs that the company conducting the abattoirs has to take the meat to the metropolitan abattoirs for inspection by State inspectors. Then the meat has to be taken to the company's abattoirs for sale in the metropolitan area.

This method has caused considerable inconvenience with the result that discussions have been held with the Commonwealth Government and apparently satisfactory arrangements have been made for the Commonwealth to employ all the meat inspectors in future. This is subject to the Commonwealth enacting similar legislation to this Bill. To give effect to this, clause 3 amends the interpretation provisions of the principal Act by inserting a new paragraph defining an "inspector", so as to include a person employed by the Commonwealth Public Service. This is being done to allow Commonwealth inspectors to inspect the meat in South Australia. Clauses 4 and 5 of the Bill enable the Abattoirs Board to make satisfactory arrangements for the transfer of meat inspectors employed by it to the Commonwealth Public Service, and for a payment to be made by the Metropolitan Abattoirs Board to the Commonwealth for the time that the meat inspectors may be employed on inspections of meat for public consumption.

Clause 5 deals principally with the inspection of pig meat, because we have country inspectors who handle the position where pig meat is cured and exported without its entering the metropolitan area. This will obviate the need to bring pig meat to the metropolitan area for inspection before being exported or placed on the home consumption market. I would appreciate it if the Chief Secretary would clarify one or two other points. This Bill and the principal Act do not mention the matter of the transfer of the entitlements of the inspectors employed by the board over the years. I understand that there has always been a reciprocal arrangement between State and Commonwealth, so that if a State employee transfers to the Commonwealth Public Service such matters as superannuation and long service leave are transferred with him, and the same applies if a Commonwealth officer transfers to this State.

I would be glad if the Chief Secretary would clarify the position of South Australian meat inspectors who have accumulated sick leave. The agreement between the board and the inspectors has continued for many years, and it provides for unrestricted cumulative sick leave. The sick leave accumulates from year to year if the employee does not avail himself of it. This may go on for a number of years. I am informed that if an inspector leaves the employment of the board, or his services are terminated by it, 50 per cent of the value of that accumulated sick leave is paid to him. It is done regardless of whether he leaves his employment or whether his employment is terminated by the board. I cannot see any mention of an arrangement for the Commonwealth Public Service to accept any liability in this matter.

I appreciate that sick leave will apply when inspectors transfer to the Commonwealth Public Service, but my point is that the inspectors, while State employees, will have accumulated sick leave, and in value it could amount to a considerable sum. I ask the Chief Secretary to enquire into this matter before the Bill is passed here. Will the board, having entered into the arrangement with the inspectors, pay to them 50 per cent of the value of the accumulated sick leave when they transfer to the Commonwealth? It would not be just if the inspectors so transferred were to lose the benefit of the accumulation of sick leave under an agreement that has worked satisfactorily ever since its inception. I would be grateful if the Chief Secretary would clarify the points I have raised. In the meantime I support the second reading.

The Hon. L. R. HART (Midland): I support this Bill. This amendment to the principal Act has been brought about by the stringent hygiene requirements of the Meat Inspection Division of the United States Department of Agriculture, which will not approve the importation of meat from works where the dual system of inspection operates. Therefore, it is necessary by this amending Bill to provide for only one meat inspection to take place.

Under the new system all meat, whether for export or for local consumption, will be inspected under that one system of inspection; there will be one standard of requirements. This does not necessarily mean that meat for local consumption will be inspected more rigorously than previously, because hitherto our own meat inspection requirements have been about equal to export requirements. However, it will mean that the one set of inspectors will be able to do both jobs. Previously, while export meat was being inspected the local inspectors were idle and, when the local inspectors were working, the export inspectors were idle.

It is necessary that we take care of our export market for meat and that we meet the requirements of the United States authorities, because meat exports to the United States over recent years have been steadily expanding. But the American meat producers are sensitive and do not like the importation of foreign meat in any quantity into their country. They seem to be able to exert much pressure on their administration in America in the matter of the importation of foreign products. Pressure was exerted on the United States administration to have the flow of meat into that country restricted and the Australian exporters voluntarily agreed to reduce the volume of meat sent to the American markets by 30,000 tons. However, this was not agreed to by the United States authorities, and they brought down legislation imposing a reduction of 80,000 tons on meat imports into that country in the coming year. This restriction was based on a five-year average of meat exported from Australia into the United States. To overcome some of the hygiene requirements of the meatworks in Australia, a system of exporting live meat from Australia to the United States was adopted. However, this, too, was prevented in due course by certain American quarantine regulations.

The American market is selective in the meat it requires from Australia: it requires meat of a lean type, used for manufacturing purposes. This requirement has been a great boon to the Australian producers, particularly during drought periods when we have had an excess of meat of this type, and it was fortunate for us to have such a market in the United States for this class of meat. However, sometimes America itself suffers drought periods, which produce an excess of lean types of meat for themselves, and it is on those occasions that they try to restrict the amount of meat imported from Australia. These hygiene requirements are also apparent as another form of restriction on meat exports from Australia. I am given to understand that few of the meatworks in Australia at present measure up to the requirements demanded by the American authorities, and that few of the American meatworks measure up to the requirements demanded of the Australian meatworks. The effect of these restrictions has not been serious so far, because we have been able to find alternative markets, particularly in Europe. At present the meat exports from Argentina are considerably restricted, which has given us access to certain markets in Europe that we should not have been able to reach had Argentina been exporting its previous volume to Europe. Argentina is in the fortunate position that it can export meat in a chilled state whereas we have to export our meat in a frozen state. Through the imposition of restrictions on Australian meat, the present American domestic lamb prices are considerably higher than they have been for some time. I understand that to bring our own metropolitan abattoirs up to the standard of American requirements will cost about £100,000. It will not be economic for many meatworks in Australia to spend that amount of money on bringing their works up to these required

standards, and so these works will not be able to gain a licence to export to the United States. However, it is only a matter of time before other countries, too, will demand the hygiene requirements at present demanded by the American authorities, and eventually all meatworks in Australia will have to remodel their works to bring them up to the necessary standards.

It will be necessary for the Commonwealth to pass complementary legislation. I may say for the benefit of the Hon. Mr. Bevan that the question of seniority and privileges will be dealt with in the Commonwealth legislation: the State legislation is merely a means to allow the transfer of our meat inspectors to the Commonwealth. One reason why we have not done away with the dual system of inspection previously is that the Meat Inspectors Association has not been satisfied with the system of seniority that would have been granted under the Commonwealth system, although all bodies associated with the production of meat have been in favour of this for a number of years. Meat will be inspected before and after slaughter, before going to the graders. The grading system in Australia needs improving. One of our disabilities in the export market is lack of uniformity in meat grading. Although this Act has nothing to do with meat grading, I believe that the Commonwealth Department of Primary Industry is adopting a system of senior graders travelling around the different meatworks in Australia trying to bring about a more uniform system of grading. That is desirable. It is pleasing to know that this system is being adopted by the Commonwealth. This Bill has much to commend it and I am pleased to support it.

The Hon. W. W. ROBINSON secured the adjournment of the debate.

BULK HANDLING OF GRAIN ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 8. Page 1351.)

The Hon. S. C. BEVAN (Central No. 1): I support this Bill. I have analysed it and see no need for any opposition to it. The principal object of clause 4 is to enable South Australian Bulk Handling Co-operative Limited, after completing negotiations with the Australian Barley Board, to provide additional silo accommodation for the storage of barley in this State. Already silos have been erected at Port Adelaide, Wallaroo and Port Lincoln for the bulk handling of barley. In the earlier stages of bulk handling of barley, I believe some difficulty was experienced in its storage. Because of its moisture content, the lack of sufficient aeration, and other things, barley had a tendency to moulder, which made it unfit to be regarded as first-grade barley. These difficulties have now been overcome, and there is a great demand by shippers, maltsters, and growers for bulk handling. This necessitates the building of additional silos, and to construct these the company has obtained an advance from the Commonwealth Bank conditionally on the State Government's guaranteeing up to £500,000. This has been a condition of previous advances, and it appears to be merely a formality, as the assets of the company amount to about £6,500,000 and its liabilities to the Commonwealth Bank and other sundry creditors to about £1,600,000. As assets far exceed liabilities, perhaps in future the Commonwealth Bank will not insist on a guarantee from the State Government. Although the advance is a considerable sum, the liability is well covered. According to reports, the company this year has a construction programme for silos with a capacity of 8,170,000 bushels. No doubt it has sought the further advance for this purpose.

Barley production in this State for the 1962-63 season totalled 18,004,881 bushels, and for the 1963-64 season 24,336,555. It appears that, because of the recent rains, which will top up the crops, there will be a bumper harvest, and the necessity for additional silos to cope with it can readily be seen. Many barley growers also grow wheat, so their farms are already equipped with machinery for bulk harvesting. Although all growers are not members of the company, the demand for silo accommodation will necessitate building further silos in the near future. Clause 7 of the Bill gives the company sole right to handle barley in bulk, although the Barley Board will still be the authority to purchase and dispose of the barley for export and home consumption. The company has sole rights in relation to bulk wheat under the principal Act. As this arrangement has been a success, I see no reason why it should not be extended to bulk barley. I think it goes without saying that bulk handling of wheat has been a huge success in this State, and I see no reason why, under the same conditions and in the same circumstances, the bulk handling of barley cannot also be a success.

Clause 14 authorizes the company to handle bagged barley; under the principal Act the right applies only to wheat. Not all barley will be delivered in bulk; a large proportion

will still be bagged, as a few customers will still desire to have it in bags. However, most people will desire delivery in bulk, as this method of handling has become cheaper and less laborious, resulting in a greater return to the grower. As bagged barley is becoming less acceptable to buyers and shippers, this clause will enable the company to handle bagged barley and convert it to bulk. In the past a considerable amount of bagged barley has been stored at railway sidings and taken in bags to ships, where it has been necessary to slit the bags and pour the grain into the hold. Some of this will still be done, as not all barley will be delivered to silos in bulk. This Bill enables maltsters and millers to erect silos for storing barley on their own premises, and perhaps bagged barley will be delivered to them and be converted into bulk. Once bags are used, they can be sold only as secondhand bags. Although they can be used again, a considerable loss is incurred on them. I think this legislation is necessary to deal with this State's grain harvest because of the advancement made in bulk handling and the demand for bulk shipments to other States and overseas. I support the second reading of the Bill, which I think will be supported by every honourable member.

The Hon. R. R. WILSON (Northern): This Bill gives South Australian Co-operative Bulk Handling Limited the sole right to receive barley in South Australia, and provides for a further guarantee by the Government to the Commonwealth Bank to enable the company to build more silos and facilities. I support the measure because it will be more economical for producers of this valuable cereal to handle it in bulk. Bulk handling of wheat has proved a tremendous success and has brought about considerable savings since its introduction eight years ago. Heavy expenditure on machinery was required when bulk handling was introduced, but full advantage could not be taken of that expenditure because machinery still had to be used for bagging barley and oats. Considerably more manpower was required for the handling of bagged grain and this legislation will be of great benefit to those who produce this very important cereal. My experience is that producing barley has always been more profitable than producing wheat because less soil tillage is required, the yield per acre is higher, it provides better stock food from the stubble and it gives an excellent rotation to wheatgrowing. In the early days of barleygrowing in South Australia, it was considered that only in Yorke Peninsula and Eyre Peninsula could quality grain be grown and they were the only parts of the State from which maltsters would buy. With the passage of years, it seems that the quality of the product from all parts of the State is now acceptable. In the bulk handling of barley, the classification of various grades, which is so important, will be more difficult. In the past, after a few rounds of harvesting in each paddock, a sample was submitted to the Classification Committee before delivery was accepted. I understand that, with bulk handling of barley, samples will be taken from the farmers' bulk bins or from their trucks, and this may present problems.

I read an article in the *Mail* of Sunday last, October 11, by Mr. A. Simpson, South Australian Superintendent of the Australian Wheat Board, in which reference is made to weevil in grain. This has been a matter of concern over the years in connection with the bulk handling of grain. Mr. Simpson asks, "Where do weevil come from? Why is it necessary for many thousands of pounds to be spent each year to fumigate and treat infested wheat?" This problem will apply more to barley than to wheat and a lot of expense will be involved in taking preventive measures. Mr. Simpson claims that growers themselves can cause grain in silos to become infested because of uncleanliness on the farm. The weevil could be in cornsacks, barns, sheds, accumulated rubbish, and particularly in machinery. The Hon. Mr. Bevan referred to sacks being used several times and that is where much of the danger lies so far as weevil is concerned. Grain from a previous year is often left in the elevators and as barley is usually the first cereal harvested, weevil can easily be introduced in this way. I realize that the board has means of grain aeration and that it has grain temperature measuring equipment, but this all adds to the cost of handling.

The revolving system of finance of the bulk handling company is an excellent one. Toll contributions now exceed £4,511,000, the amount accumulated over a period of eight years that the scheme has been in operation. The revenue for 1964 was £1,674,451 and the transfer to accumulated funds for 1964-65 was £161, 076. My opinion, after travelling through the barley-growing districts, is that this year could easily set a new record because of the excellent climatic conditions. It is very vital for successful barley growing to have these ideal conditions. The membership of the company at June 30 this year was 22,075. A total of 5,540 growers, producing 15,000,000

bushels of barley, have signed membership forms. That number represents 70 per cent of the State's barleygrowers.

I congratulate the board on its success and I particularly congratulate the General Manager, Mr. P. T. Sanders. The company was wise in appointing him to that position. I have known him all his life. He was associated with the grain agency at Ardrossan. Last year he returned from a trip, undertaken at his own expense, to the United States of America and Canada, where he examined grain handling methods, and he has rendered a most valuable and comprehensive report on the possible moisture content of barley, the emergency storage of grain, wheat separation, grain aeration and equipment, fumigation and handling of cereals in bulk.

Bulk handling of barley has been carried out successfully for several years at Ardrossan, Port Lincoln, Wallaroo, Port Pirie and Port Adelaide. In the 1962-63 season the bulk handling authority received 1,172,000 bushels, which was shipped overseas in excellent condition. This Bill will enable the board to carry out its plan and provide the accommodation necessary by way of silos and other facilities. As the Hon. Mr. Bevan has dealt with several other matters, I shall not deal with them. I have much pleasure in supporting the Bill.

The Hon. L. R. HART (Midland): I rise to support this Bill. Bulk handling of wheat was introduced consequent upon the experience in the wheat industry and to suit the requirements of buyers, particularly overseas buyers. It is only a natural consequence that the bulk handling of barley should follow. The bulk handling of barley does present certain problems, however, one of which is moisture content. Why moisture content in barley is a problem could, perhaps, be summed up in two ways. A great deal of our barley is grown where the moisture content of the atmosphere is very high, and barley is very susceptible to moisture intake. The other aspect is that, in many cases, producers are inclined to harvest their barley when it is only just ripe. This procedure is followed because barley crops are very susceptible to wind damage and there is always a desire on the part of farmers to get their crops harvested before some of it is lost through severe winds. Therefore, the farmer has the responsibility of harvesting his barley in a dry condition if bulk handling is to be a success. Some of the modern methods of handling barley will need to be employed if successful bulk handling is to be carried out.

The Hon. C. R. Story: Do you think all the farmers are satisfied now that that can be accomplished?

The Hon. L. R. HART: Most of the bigger growers are. This is because of the methods of windrowing and rolling of barley crops. Windrowing is very costly and only the man who is operating in a big way could do this. The rolling of barley is less costly and perhaps just as effective. I would estimate that as the years go on, farmers will be able to take advantage of the bulk handling of barley by adopting these practices. The other problem is the grading or classification of barley. At the present time there is a delay from when the farmer's crop is reaped until he receives his grading back from the classification board, but if the successful handling of barley in bulk is to be carried out, there will have to be a system of classification on the site of receival. Perhaps this does not present any insurmountable problem, because in years gone by this was the system that was always in vogue. It would not necessarily be a retrograde step to return to this system, particularly as many advantages are to be gained. The Hon. Mr. Wilson said that the amendments would give Co-operative Bulk Handling Limited the sole rights to receive barley in this State. I do not think that is strictly correct. It will give it sole rights as far as the handling of barley in bulk is concerned, but not necessarily sole rights in the handling of barley in bags.

The Hon. R. R. Wilson: Look at clause 14.

The Hon. L. R. HART: If I understand that correctly, it means that where Co-operative Bulk Handling Limited is receiving grain in bulk it will not be able to receive wheat or barley in bags if a merchant operates at that centre. I consider that this is, perhaps, a concession to the merchants. If the company is operating at a centre it would be economical for it also to receive grain in bags, because on a managerial level it would have the staff available to do the work, and I imagine that it could handle the grain at a lower cost than a merchant. Under this system merchants will operate only at centres where a large quantity of wheat and barley is available in bags. In areas where the grain is being received in bulk, and only a small quantity of grain is in bags, I do not think the merchants will be interested, and it will be left to the company to receive such grain in bags.

Where there is a substantial quantity of grain in bags as well as in bulk the merchants will be interested in that centre, and the company will be denied the rights of receiving

bagged grain there, although it will be registered as a receiver. In this case a member of the company who would like to put his grain through the company by means of the bag system would not be able to do so because it would not be able to receive grain in bags. Although he would still pay a toll to the company, he would have to put his grain through the merchant operating at the centre.

The Hon. C. R. Story: Would that be just?

The Hon. L. R. HART: To me, it would not be just. If a grower is a member of the company and it is receiving grain at his centre in bulk it should be able to receive grain in bags.

The Hon. R. R. Wilson: The non-member pays only 4d. a bushel.

The Hon. L. R. HART: If he delivers his grain in bags the non-member will pay 4d.; but the member who delivers in bags to a merchant will also pay the 2d. a bushel toll to the company.

This Bill allows the company to receive oats in bulk, but it is not given the sole rights to do so. It would be competent for a merchant or any other body to erect a bulk silo at a receival point. The erection of a bulk silo is a costly business, and if the company is expected to erect bulk silos for the receival of oats it should have some protection against competition. The member who delivers his oats to the company will have the 2d. a bushel toll deducted. If a merchant receives oats at the same centre from a non-member of the company, obviously he will be able to pay an extra 2d. a bushel for the oats. In fairness to the company it should have the sole rights of handling oats in bulk at points where it is prepared to erect silos. I hope that the Government will take notice of these matters. I am pleased to support the Bill.

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

POLICE PENSIONS ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 8. Page 1343.)

The Hon. A. J. SHARD (Leader of the Opposition): I support the second reading of this Bill. Its purpose is to increase pensions payable to the members of the Police Force at some time in the future by 17½ per cent overall, as I understand it, and to those people at present receiving pensions by 7½ per cent.

Before making some comments on the Bill, I take the opportunity to refer to the Police Force in general. I know that all honourable members will agree with me when I say that South Australia is fortunate in having such a force, and one with such a good record from the point of view of the community. From the Commissioner down, in the main, the community has great respect for the force, and sympathizes at times with the nature of the work its members have to perform. In the metropolitan area on important occasions when huge crowds gather in the city the police do a magnificent job. While on that aspect of their work, I place on record my appreciation, and that of members of the Labor Day Committee, on which I have served for many years, of the work of the police yesterday during the time our celebrations were in progress.

While the public were watching the procession many policemen were working to ensure that everybody else had an enjoyable time, and in consequence everything proceeded smoothly. The comments I heard about the mounted troopers who led the procession were remarkable. With some pride I say that South Australia has the best mounted police and horses that one could wish to see. I express some regret that the only horses in the procession were those ridden by the mounted troopers. The committee wishes me to say "Thank you" to the Commissioner of Police for his permission each year for the mounted troopers to lead our procession. He makes the decision and we appreciate his allowing this to happen. Not only in our Labor Day processions but also in other processions, however varied the displays may be, the mounted police are always one of the best attractions.

While the average citizen is at home peacefully sleeping, members of the Police Force are on duty looking after the interests of the community at large. There are some aspects of their work that we do not fully appreciate; we do not realize how the very nature of their work affects their home lives. We owe them all a debt of gratitude. The Police Force does a magnificent job in the country districts of South Australia, which benefit from their work just as much as the urban areas do. I have only small objections to the Bill. Those members of the Police Force who retire in the future will have their pensions increased by 17½ per cent. Whether or not that is sufficient I do not know, but it is a step in the right direction. I could never oppose such a provision as that. When they retire at the age of 60 I hope their pension will allow them to live in reasonable comfort instead of their having to look for another job. I can see the time coming when members of the Police

Force, on retirement, will have no secondary jobs available to them by which to supplement their pensions.

I cannot understand the Government's thinking on this. If a policeman retires within, say, a month of the provisions of this Bill becoming law and he needs a 17½ per cent. increase to achieve a fair standard of living, why is the pension being increased by only 7½ per cent on current pensions? I cannot work that out. In the second reading, it was disclosed that, according to the Public Actuary, the cost of living had increased by 4 per cent since the pensions were last adjusted; so it will mean a 3½ per cent increase over the cost of living figures. But those at present on pension will have their pensions increased by 7½ per cent when this Bill is passed. If a policeman retires a few weeks or days after that, he will receive an additional 17½ per cent. I cannot see the justice of that. I do not suggest that I shall move an amendment on it, but this is one feature about pensions and superannuation I do not understand. I hope the Chief Secretary will take note of this and exert his influence on the powers that be so that in the future if he is in a position to increase these pensions he will have greater regard for those people on the current pension rates.

Clause 6 is interesting and worthwhile. It sets out the amounts of money that the various people may pay into this fund for the pension they will receive. It gives members of the force from the rank of sergeant upwards the right to pay in a little more money and receive an increased pension. That is a good step and I compliment the Government on it. As these men reach higher ranks, they naturally attain higher standards of living. To go back on to a uniform pension rate means that they have lost the advantages of their increased payments over the years, no provision being made for them to maintain approximately the standards that they have been used to. Men from the rank of sergeant upwards pay in more money to the fund and take more money out.

Another good provision is clause 8, which gives the members of the Police Force the right to retire at an earlier age than previously. I understand that 60 is the usual retiring age. Clause 8 (2) states:

> Any member who has served in the force for ten years or more and who has attained the age of fifty-five years may, with the consent of the Commissioner, retire from the force before attaining the age of sixty years.

That is a good provision, because sometimes members of the Police Force on reaching retiring age after giving good and faithful service have the chance of taking on a business or something like that where, if they can start at 55 years of age, they may do well, but, if they cannot take it on until they are 60 years of age, the prospects are not so good. The Commissioner of Police is considerate when making decisions. I am sure that, if the force is up to normal strength and a request is made for retirement at 55 years of age, he will sympathetically consider such request.

Clause 13 increases the benefits for widows and children of members and pensioners. That is a good provision. The clause amends the provisions of section 29 of the Act. It enacts the pension and cash sums payable to widows of members who die after the commencement of the operation of the provisions of the Bill and the pension payable to widows of deceased pensioners who die after the commencement. At present, the pension payable is one-half of the pension of £480 payable on retirement at the age of 60. In the South Australian Superanuation Fund, the proportion of widows' pension to members' pension was recently increased from one-half to 60 per cent. Clause 13 makes a similar change in respect of the Police Pensions Fund. The widows' pension now proposed is 60 per cent of the amount of £570 payable in respect of retirement at the age of 65, a pension of £342 per annum compared with the present £240—an increase of 42½ per cent. I think this is a desirable increase, and I compliment the Government on it, but I think widows of policemen need more than a 60 per cent pension.

In the country particularly, the wife of a policeman often does much work for which she does not seek or receive payment. It is good to see that the Government has recognized this and has increased a widow's entitlement. Although it is only a small percentage increase, it will amount to several shillings a week. I do not know that it is enough, but it is a step in the right direction, and, as the move has been made, if the fund has a big surplus—and superannuation funds do tend to grow—perhaps consideration will be given to providing a greater benefit to people who have contributed. This measure shows that the Government recognizes that policemen, who play a very important part in the administration of this State, need higher pensions. Although the increase may be too small, it is a step in the right direction, and it will encourage policemen to continue to give the service they have readily rendered over the years, knowing that Parliament has not lost sight of their pension rights. I support the second reading.

The Hon. C. R. STORY (Midland): I support the second reading. As the Hon. Mr. Shard has pointed out, the Bill brings about an improvement in the conditions of members of the Police Force. I wholeheartedly agree that the force is a most necessary part of the administration of this State, as it is of any State. We are well served by our Police Force, and it often perturbs me to hear people make generalized loose statements about it. These people are usually the first to run to the police when anything goes wrong. Police service is an onerous and responsible type of livelihood, and I am pleased that some recognition is being given to this in the Bill.

I agree with the references made by Mr. Bevan and Mr. Shard to clause 8, which I think is a very good provision. I have known many policemen who for various reasons have wanted to leave the force but have hung on for too long for their future good. I think this is a good provision, as it shows that the Government is mindful of the fact that people who have served for a long time and wish to establish themselves in some other occupation before they reach the retiring age should be able to do so without detriment. In many country stations a policeman calls upon his wife to do many small duties in relation to prisoners, the telephone, and many other things that the wife of a public servant is not usually asked to do. The increased benefits are a recognition of this, as they assist the wife of a policeman who retires or dies. I have great pleasure in supporting the second reading.

The Hon. Sir LYELL McEWIN (Chief Secretary): I thank honourable members for the consideration they have given to this measure. It has received general support from members, but the Hon. Mr. Shard raised a question about the 7½ per cent increase on current pensions. This matter was mentioned in an article in the *Advertiser* that was based on remarks made by the Leader of the Opposition in another place. The heading of this article implied that increased benefits proposed in the Bill had not been approved by the Secretary of the Police Association. I think that is a correct summing up.

The Hon. A. J. Shard: He did not say that.

The Hon. Sir LYELL McEWIN: No, I do not think he did. The Government has always been sympathetic towards the Police Association, as it appreciates the work policemen do, the service they give, and the risks to which they are subjected in the performance of their duty. When this matter was being considered and a final report was received from the Public Actuary, I submitted a draft of the Bill to the Police Association and received a reply from the Secretary. Although the newspaper article indicated that the Secretary did not approve of the provisions of the Bill, after a draft was sent to the association the Secretary wrote as follows:

The subcommittee on pensions of the Police Association and the Police Officers' Association have examined the outline of the proposed amendments to the Police Pensions Act and they approve of all of the matters contained therein with the exception of the increase of 7½ per cent for existing pensioners, which they felt was disappointing. However, while they consider this amount to be inadequate to properly provide for existing pensioners, they realize that this is probably the maximum that the Public Actuary is able to recommend and it is requested that Cabinet's approval of the amendments be sought.

That was probably the message the honourable member got before he raised the question again today, so I think it is necessary for me to inform the Council why the 7½ per cent was decided upon. This, of course, is for current pensions for people who have retired and are already on pensions. As most of us know from subscribing to insurance funds and so on, once the policy is drawn that is the end of it; there is no adjustment. In the past, whenever there has been an alteration in the living wage, we have added something to the current pension, which is based on the cost of living. I think I gave these particulars to honourable members.

The Hon. A. J. Shard: That is in the second reading speech.

The Hon. Sir LYELL McEWIN: The Public Actuary said that an increase in payments of 4½ per cent would cover the increased cost of living, but he explained to me that, because there was some lag (the last adjustment was in 1960) in giving the increase, he had suggested 7½ per cent, which gave an extra 3 per cent to provide some compensation for the past. The matter has been considered on the most generous basis possible on the report of the Public Actuary. The Leader of the Opposition mentioned that the contribution by the Government in South Australia was meagre compared with what was done in other States. It is hard to get a true comparison unless one obtains a report from someone like a Public Actuary, who can go into the figures and examine the position. The first report I received left the matter in the air because it showed a variation in the Victorian contribution between one year and another in relation to the payment of £800,000. When I

took the matter up with the Public Actuary, he said that he was rather puzzled and that that report was misleading. I have not yet had the opportunity of studying his report, but I should like to place the facts before the Council because of any feeling that may be abroad that we are not treating people on as generous a scale as applies in other States. The report says:

The statement showing the amount of Government subsidy towards the cost of police pensions in New South Wales, Victoria and South Australia is misleading as an indication of the proportion of pensions financed by contributions from members of the force and the Government respectively at present because, in this State members' contributions are paid into an accumulated fund to meet the part of the cost of future benefits payable when present members retire. The Government subsidy, however, pays a fixed proportion of current pensions each year.

During the financial year 1963-64 Government revenue paid about 66⅔ per cent of the cost of police pensions and allowances paid during that year in South Australia, the balance of about one-third, being met from the police pensions fund. If the present Bill is passed, that ratio will be increased to 69 per cent for the first full year the provisions are in force. For the year 1963-64 the Government of New South Wales financed 77 per cent of the cost of current pensions and gratuities which is a particularly high proportion. A similar comparison is not available for Victoria, but the statement that the Government of Victoria pays £2 10s. per £1 of members' contributions is certainly incorrect at present. In fact, the actual amounts of Government subsidy paid in Victoria have been very small in two of the past three years because of special circumstances associated with the financing of police pensions in that State. In one year Government subsidy was reduced by over £800,000 by appropriation of actuarial surplus and interest earned on the police pensions fund over 4 per cent. The total Government payments over the three years have been £984,650 while members contributions have been £697,000.

During the financial year 1963-64 the Government in this State contributed 75 per cent of the cost of public service pensions. This is greater than the expected ratio of 69 per cent in the police fund becauses, prior to the year 1959, both the Government and members of the force paid contributions in advance, whereas now the Government pays a proportion of current pensions as they emerge. Surplus Government contributions in past years have, in fact, been used to reduce current Government subsidy. The Police Association has raised no objection to the scale of contributions and the Government believes that the proportion of benefit for which members contribute in this State is fair and reasonable. The increase in benefit now proposed will increase Government subsidy by about 20 per cent, whereas members will pay only 15 per cent more.

A statement has been made purporting to show the capital value (without taking interest into account) of pensions at age 60 payable in the various States, by multiplying the pensions by the expectation of life of a man aged 60 (about 15 years). As an indication of the value of benefits payable in the States this statement again is misleading. Firstly the amount of £9,000 stated for South Australia should be increased by the value of the widow's pension payable when a pensioner dies. The New South Wales fund does not pay widow's pension, either to the widows of deceased members of the fund or deceased pensioners. Moreover, substantial lump sum payments are made to the widow of a deceased member of the force in this State and lump sum allowances are made to members who become incapacitated from performing their duties. The pension payable at age 60 in New South Wales is an extremely high figure for service of more than 30 years, of three-quarters of final salary.

In the States of Victoria and Western Australia members of the police force may contribute to the Public Service fund for retirement at age 60. The statement of capital values apparently assumes that all members of the rank of senior constable in other States would contribute for the maximum possible number of units according to salary. That is certainly not the experience in the Australian Superannuation Funds for the public service, where only a minority contribute for the maximum number of benefits, particularly at the older ages, and it is not correct to assume that members of the force in other States will all contribute in that manner.

Finally I point out that the South Australian fund has always varied current pensions with cost of living increases. This has not been done to the same extent in any of the other States nor has it been done with public service pensions to the same extent. The Police Force in this State has been very favourably treated in this respect.

The members of the Police Association have approved of these increases. They would have liked to see a higher increase in current members' pension than the 7½ per cent proposed, but realize that a higher increase is not justified. Since the last amendment in 1960 the consumer price index for Adelaide has increased by only 4½ per cent, so that present pensioners will receive a greater increase in their pension than is justified by price changes since their pension was last determined. The difference has been provided from actuarial surplus.

That is the report of the Public Actuary which, I think, shows how difficult it is to make a firm comparison without having all the details and it does indicate, I think, that perhaps we have been more generous in many directions than have the other States. Whereas New South Wales would, on the surface, appear to be more generous, there are benefits given here which do not apply in New South Wales. I thank honourable members for

their attention to this important measure dealing with one of the most important public services in the State.

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

CITY OF WHYALLA COMMISSION ACT AMENDMENT BILL.

The Hon. N. L. JUDE (Minister of Local Government) brought up the report of the Select Committee, together with minutes of proceedings and evidence.

Ordered that report be printed.

In Committee.

Clauses 1 to 3 passed.

Clause 4—"Membership of commission."

The Hon. N. L. JUDE (Minister of Local Government): The Select Committee took evidence from the Parliamentary Draftsman (Dr. Wynes), Mr. R. R. Loveday (a member of another place and a member of the City of Whyalla Commission), and Mr. C. Ryan (Chairman of that commission). The Select Committee found, generally speaking, that there is no objection to the Bill. It received a letter from the Broken Hill Proprietary Co. Ltd. saying that it is satisfied with the measure. There were no replies to the advertisements that appeared in the city and Whyalla press regarding this matter. Therefore, the Select Committee is satisfied that this Bill is desirable in the interests of the city of Whyalla.

Clause passed.

Clauses 5 and 6 passed.

Title passed.

Bill read a third time and passed.

LIBRARIES AND INSTITUTES ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 8. Page 1336.)

The Hon. JESSIE COOPER (Central No. 2): I support the Bill and thank the Minister for his clear explanation of its purport. The crux of the Bill lies in clause 3, which provides for any member of the Council of the Institutes Association, or the Secretary or any other authorized officer of the association, to ask an institute to produce its records so that there may be a complete check and examination. This surely is commonsense and very essential, although it has not been the custom previously. As far back as 1937 this was being considered. At that time Dr. (now Sir) A. Grenfell Price submitted a report on South Australian libraries and, under the heading "Help to Institutes", paragraph 63 stated:

The council of the association also asks for increased assistance for the institute libraries, but it asks further that it be given power to withhold assistance to a library which falls below a certain minimum of efficiency, or does not conduct its affairs in a businesslike manner. The condition, efficiency and problems of the individual institutes vary so greatly that one can lay down no general rules that would help them and at the same time safeguard public money.

The report continues:

I do not concur, however, with the view that the inspection should be done by the association. I am inclined to think, after making inquiries, that individual institutes would submit to inspection and put their house in order if, by so doing, they secured more funds.

However, times have changed. I support the Government in its aim to set this matter right.

Clause 7 is also important, because it sets down the procedure to be adopted for the dissolution of an institute and further provides for the control and use of the properties subsequent to that dissolution. This makes a change from the existing method of dissolving an institute and, although the Hon. Mr. DeGaris last week had misgivings about this change, I feel that on the whole it is a safety precaution. All of us are indebted to the honourable member for his knowledgeable and thoughtful speech last week. I wish to support him in his remarks concerning libraries in South Australia.

The Institutes Association has been of great value throughout our State over the years. The history of the institutes has been interesting, as at one time the institute with its hall and library was the cultural centre of every country town that possessed one. Today it is the institute hall that is of paramount importance to the citizen and, although in some cases the library attached to the institute is still doing good work, in the main the growth of the public library system has completely changed the situation. This change has been a gradual process over the last 30 years. The institute library system has had to face difficulty in the shortage of funds. No modern library would find it easy to run profitably on subscriptions only. There has also been difficulty in finding trained personnel to run the libraries. This is particularly so now that library training has become a highly skilled profession. But there have been other reasons for the change, the greatest being, I consider, in the interesting development of people's reading habits.

Education in all its widening spheres—in the arts, sociology, science, technology and

international understanding—has helped Australians to develop a mature reading taste. Although some honourable members when faced with a growing mountain of pamphlets and literature concerning every phase of their life may well wish that William Caxton and Johan Gutenberg had turned their inventive skills in other directions, nevertheless the fact remains that there is a wealth of knowledge to be gained on any subject under the sun from reading. Moreover, the need for escape literature has waned dramatically. Possibly, this is not only because of improved education but also because of the advent of television. Through television one can escape easily and quickly into the realms of fantasy and nightmare, so much so that it is easy to understand the popularity of news sessions or other factual programmes. Whatever the reasons, the people of South Australia (and this is a trend throughout Australia) have changed their reading habits. The Government can be complimented on the way in which so many public libraries have come into being, and flourished under its blessing, to meet the change.

South Australia, according to the Institutes Association report of 1961-62, had in that year 213 institutes with a total membership of about 24,000 people. That means that on an average each institute had about 100 to 150 members. That does not mean that all of those members were members of the library. On the other hand, for the same period, 1961-62, there were only 11 public libraries in South Australia, which catered for nearly 38,000 borrowers—an average of about 3,000 for each library. That is a big difference. This indicates the enormous demands being made on the public library system. Last year that figure for public libraries grew to a total of 70,000 borrowers. In the Salisbury area, there were 18,000 borrowers in the period 1963-64, in Marion 13,000, in the Barossa Valley 2,000, in Port Pirie 5,000, in Burnside 10,000, in Whyalla 6,000, in Barmera 1,600, in Brighton 5,000, in Walkerville 2,000, in West Torrens 4,000, and in Woomera 1,000. It is obvious that the need for more and more public libraries will increase. In fact, with the growth and usage of libraries under councils and through the public library system, with special regard to the growth of our country towns, it is increasingly necessary that provisions for libraries should be aided in every way. Any provision that will facilitate their establishment or their better functioning will receive my support. If this Bill does something to overcome the atrophy and decay of the institute libraries in some areas, it will be doing a good job for the community. Therefore, I support the Bill entirely.

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

FESTIVAL HALL (CITY OF ADELAIDE) BILL.

Adjourned debate on second reading.

(Continued from October 8. Page 1338.)

The Hon. Sir ARTHUR RYMILL (Central No. 2): I rise to support the second reading of this Bill, the advent of which I welcome with some enthusiasm. I have always felt that the City of Adelaide in these modern days has been lacking a concert hall of sufficient dimensions to accommodate the people of the State on important occasions. Our Town Hall is a beautiful hall and is regarded, I think, as being acoustically almost perfect, but unfortunately its seating accommodation is limited. Some functions of an artistic nature have been held in the Centennial Hall at Wayville, which certainly has adequate seating capacity but, of course, it was never designed for the purpose of being a concert hall. Therefore, attention was not paid to the acoustic properties of the hall, which are very unsuitable for this sort of work. That is a pity, really, because it is a beautiful hall and very suitable for the purposes for which it was designed.

The object of the Bill, as is clearly revealed by the report of the Select Committee appointed in another place, is to provide a concert hall rather than a dual-purpose or multi-purpose hall, having in mind that the capital city of South Australia does not at present possess a concert hall of adequate dimensions. Some doubts have been expressed, particularly by country members, as to whether the Government should be paying for this or whether it is not a matter for the City of Adelaide only. For a start, I should like to say that this hall is really a State-wide project inasmuch as it will cater for the needs of the people of the State as a whole. Admittedly, country people do not have the opportunity of hearing events in a hall of this nature as often as the people of the city and suburbs do, but nevertheless, of course, they have the opportunity, if they wish to take it. One might as well say, "Why should the City of Adelaide bear the whole of the cost when infinitely more people will be attending the events in the hall from the suburbs who will be contributing nothing except the Government allocation?" I think the answer to that is that the Adelaide City

Council has responsibilities as the capital city (it freely recognizes that itself) in relation to the requirements of the people of the State as a whole.

I had the task conferred on me when I was one of the governors of the Festival of Arts of preparing the original case to the Government asking the Government to act in this matter, and that case suggested that the Government should bear the whole of the expense of the hall on the ground that it was for the people of the State as a whole, including, as I say, the people of the suburbs, who will be contributing only in the same sort of way as the country people, although they will have close access to the hall at all times. I still feel that the Government should pay the whole of the cost of the hall, but, if this Bill is the best we can get, then, of course, I propose to support it.

The Bill provides, in effect, that two-fifths of the capital cost plus £100,000 for the site will come from the Government. That would be £500,000 in all, and three-fifths of the cost will come from the Adelaide City Council, which would be £600,000 in all. The Government's liability is limited to that amount as a top, because anything spent on the hall in excess of £1,000,000 is expressed not to be the Government's liability. The Bill also provides quite a generous rate of interest on the loan that the Government proposes to make to the City Council for the purpose of the hall, and of course it is that loan factor that will enable the council to be able to encompass the project financially.

Clause 3 of the Bill is the important one. I will not deal with it *seriatim*; I propose to deal with subclause (4) first. This empowers the council to expend its revenue (I emphasize the word "revenue" as opposed to "capital") for the purposes of the provision and maintenance of the hall. This, I think, is a provision that everyone can agree with. It is a proper matter for the expenditure of council revenue, and I do not think there is any objection to that. However, subclause (5) has already quite an interesting history. This subclause originated in another place in a form that is different from what is in the Bill at present. It originated in this form:

> In addition to any other borrowing powers the council may borrow money, in accordance with the provisions of Division II of Part XLV of the Local Government Act, 1934-1963, for the purpose of contributing towards the cost of construction of the provision of the Festival Hall.

That meant that, while authorizing the council to borrow moneys to pay its share of the hall, the council had to go through the normal rigmarole in relation to loans: namely, it had to advertise its intention to borrow and then it was open to the ratepayers to demand a poll. Many honourable members here are experienced in local government, and they know that is the normal course and procedure. However, the report of the Select Committee formed by another place stated that the City Council made representations about this clause and it finally found its way into the Bill as it has come to us through another place in the form recommended by the Select Committee, namely, that notwithstanding any provisions of the Local Government Act to the contrary, the council is authorized to borrow such amounts of money as may be necessary to enable it to contribute towards the cost of the hall in accordance with the provisions of the Bill.

The Bill does not merely say that £1,000,000 is capable of being spent on the hall; it does not fix any sum of money that may be spent on the hall. What it says is that the South Australian Government will contribute a proportion of an amount up to £1,000,000 and the council shall pay the excess, so my interpretation of this borrowing clause as it has come before us now is that it gives the Adelaide City Council unlimited powers of borrowing any amount of money it wants to put up for this hall without the ratepayers having any right to demand a poll. I know that the Adelaide City Council is a very responsible body and I am sure it can handle its affairs very capably; in fact, it does. Nevertheless, this is an enormous blank cheque for any Parliament to give to a council. In the normal course of the Local Government Act there is this power that I have mentioned for the ratepayers to be able to intervene by way of demanding a poll if they think an excessive sum is being spent on any project. It also gives them that power to intervene if they think anything is wrong with the project itself. We have had an instance of that in the eastern suburbs recently over a swimming pool, where the provision of a proposed pool was opposed by many of the ratepayers, as I understand it, on the ground that they did not like the site that was proposed. I know that some opposed it on the ground that they did not think that the money should be spent but I am informed that other people opposed it on the ground that they did not like the site. The Bill as at present drawn, says, in effect, that the ratepayers will have no power to demand a poll, whatever sum is spent on the hall.

I am quite happy to consent to the extent of the £1,000,000 mentioned in the Bill. Where

there is a specified sum like that and where we can exercise some judgment in relation to the matter I think it is fair enough to give the council the authority in this Bill to borrow moneys up to the extent of their proportion of that sum without reference to the ratepayers but, surely, over that sum the ordinary provisions of the Local Government Act ought to apply. That is my proposition, that if the City Council does want to borrow more than £1,000,000, surely it is a fair thing that the ratepayers should have a say as to whether they approve of the money being spent or not, because, after all, they are the people concerned: it is the ratepayers who are going to pay the amount of money borrowed.

I mentioned the swimming pool in the eastern suburbs as being in a similar category. I want to mention this in another relationship, because subclause (2) of clause 3 says that the festival hall shall be deemed to be a permanent work or undertaking for the purposes of the Local Government Act, 1934-1963. That means that the council has the power, if that clause is approved in that form, to acquire compulsorily any site whatsoever in the city that it may wish to acquire, with a few exceptions, I understand, relating to Government land. It may be said that there are fairly extensive powers in the Local Government Act at the moment for councils to acquire properties compulsorily. If honourable members wish to refresh themselves on that matter, I think it is section 383 of the Act which sets forth the various works and undertakings deemed to be permanent works and undertakings. It includes roadways, drains, bridges, jetties, septic tanks and so on, but the Act does provide, in addition, that councils can acquire compulsorily lands for various undertakings, such as gas works, waterworks, electricity supply works, places for the depositing of refuse, and so on and, in particular, to get the closest analogy to this proposal before us, it can compulsorily acquire land for the purpose of constructing town halls, libraries, museums and so on.

It may be said that that is a very wide power already and that, therefore, a festival hall comes into a similar category and a council ought to have complete powers of compulsory acquisition of any land it thinks fit for the purpose of the provision of a festival hall. I again take this question in conjunction with the proposal to cut out the right of the ratepayers to demand polls, because if subclause (5) of clause 3 goes through in anything like its present form, it will mean that the ratepayers will have no power either to say what is the maximum amount that the council may borrow or to express any view on the site which the council proposes to acquire.

I am one of those people who believe that this Council is one of the custodians of the people's property and I am also one of those people who believe that powers of compulsory acquisition should be executed only in cases of real necessity. I invite honourable members to put themselves in the position of having their own properties threatened with compulsory acquisition and see how they feel about it when there are alternative sites available whereby people would not be hurt by the acquisition of their properties. I think we must all be very clear that when we receive compensation for our property it is only the market value of the property which we receive; in other words, if we are "tossed" out of a property which we own, we only receive the same amount for it as would be the case if we sold it voluntarily. Therefore, this is a power that none of us can take lightly.

In an endeavour to protect the situation that I mentioned, while not discouraging too much or interfering too much with the proposition before us, I propose to submit an amendment which the Parliamentary Draftsman is in the course of preparing for me, both as to this compulsory acquisition clause and as to the borrowing clause. I hope that it will be available for honourable members tomorrow. That will need some consideration but I think honourable members will realize from what I have said that these two matters, the compulsory acquisition power and the question of whether a ratepayers' poll should be available, bear a close relationship to each other. In other words, it is a question of whether the ratepayers should not have a say and, indeed, of whether Parliament itself should not have a say, in the fixing of this site. I propose to debate that matter further at the Committee stage. I know that you, Mr. President, will not appreciate my going into any great detail about my amendment during the second reading debate.

The Hon. C. D. Rowe: To help me in considering this matter, does the honourable member feel that two provisions should be inserted, one to the effect that there should be no power of compulsory acquisition, and the second to the effect that in any event, the finance could be subject to a poll of ratepayers?

The Hon. Sir ARTHUR RYMILL: If I could put them around the other way, what I recommend is that the finance mentioned in this Bill should not be subject to a poll of ratepayers but any excess over and above the

amount authorized by the Bill should be subject, not to a compulsory poll of ratepayers, but to the right of ratepayers to ask for a poll if they think a poll ought to be asked for. I am fairly clear in my own mind that this is a fair and reasonable thing and I do not think it will hamper the City Council in its operations, while it will give a measure of protection to the ratepayers, if they disagree with any large expenditure. Our attitude on that question should be based on our attitude on the question of compulsory acquisition. If a poll of ratepayers is not capable of being asked for in connection with the first £600,000 of the council's expenditure—

The Hon. L. R. Hart: How many ratepayers can demand a poll?

The Hon. Sir ARTHUR RYMILL: I think it is 20, but I am not sure. If the ratepayers have no right to ask for a poll on that first £600,000 it means they have no right to express in any way their views on the site, nor has Parliament, which is being asked to supply £500,000. There is no provision in the Bill for any Parliamentary oversight of the site, except that there is power for the Treasurer to approve in some way. Under clause 3 (3) he has a power to approve designs of the hall. Under clause 5 (1) such amounts may be paid so soon as the council has decided upon the site as the Treasurer shall approve. I do not know exactly what that means, but I do not think that it is expressly directed to the Treasurer approving the site.

I have raised these matters in the second reading debate because they are important and should be considered. I hope I have made myself sufficiently clear to the Attorney-General whom I know will consider the matters in due course. Under clause 4 the festival hall is to be vested in the council, which will have control of its care and management. This is a proper clause, because someone must have control of the hall. A substantial sum will be involved, especially in the early days. Therefore, it is desirable that somebody of substance and standing should have the control, and I should imagine that there is no better body for that purpose than the Adelaide City Council.

The Hon. Mr. Dawkins made a valuable suggestion when he said that a good pipe organ would be an asset to a hall of this nature and suggested the possibility of the pipes of the instrument in the Town Hall being included. We know that the Town Hall organ is regarded as an instrument of fine tone and antiquated action, and that if it is to be modernized it will have to be rebuilt and its action must be completely new. If it is to be rebuilt it will have to be completely dismantled, even if it is to be rebuilt in the Town Hall itself. Therefore it would be very little more costly to rebuild it in the festival hall than in the Town Hall itself. I have sat on various committees of the Adelaide City Council that have considered this matter, and one project has been the re-arranging of the pipes of the organ on the northern side instead of on the eastern side as at present. The organ was not originally a fixture in the Town Hall, and if honourable members go to the hall they will see the alcoves in the back wall that were there before the organ was installed. If they care to look at the early pictures of the interior of the Town Hall proper they will see no organ, but will see alcoves of great beauty. The Town Hall seating accommodation is limited and so is the accommodation on the stage for symphony orchestras that perform there. If the organ were removed from the Town Hall it would certainly improve the hall itself in the way of accommodation and, I imagine, in relation to the layout. I think this was a valuable suggestion and I hope that it will be investigated when the time comes.

I have debated this matter at greater length than I intended, but I think the matters I have raised should be considered particularly by this Council. I hope we can find a satisfactory and reasonable solution. I repeat that there is no-one keener than I on seeing the hall established, and I hope my motives will not be misunderstood. I do not want to do anything that will militate against the passage of this Bill or prevent the council from having adequate powers. But I think these things must always be within reason and where principles are involved, as I believe they are here, they must be upheld in the nature of the legislation on which we have to vote. I support the second reading and I hope that by tomorrow we can find a satisfactory and acceptable solution to the problems that I think are inherent in the Bill.

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

STATUTES AMENDMENT (PUBLIC SALARIES) BILL.

Adjourned debate on second reading.

(Continued from October 8. Page 1348.)

The Hon. A. J. SHARD (Leader of the Opposition): I support this short Bill which

has for its purpose the application of the basic wage increase of £1 granted by the Arbitration Court this year to the salaries of the Auditor-General, the Agent-General, the Commissioner of Police, Public Service Commissioner, President and Deputy President of the Industrial Court. There is no need for me to say how important these officers are in dealing with State affairs. It is only fair and just that they should have an adjustment made to their salaries. I am happy that the increases shall be retrospective to June 22, the date on which the basic wage increase became operative. No member will object to this, and I am pleased to support the Bill.

The Hon. C. R. STORY (Midland): I support the second reading. As the Hon. Mr. Shard said, the people concerned are in a specific category and they are to get only what most other people have received. I do not think we should hold up this Bill, so I support it.

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

FAUNA CONSERVATION BILL.

Adjourned debate on second reading.

(Continued from October 8. Page 1340.)

The Hon. R. C. DeGARIS (Southern): This Bill, first, provides for the repeal of the Animals and Birds Protection Act, 1919-1958, and for a new Act to be known as the Fauna Conservation Act. The Hon. Mrs. Cooper last week when speaking on this Bill said that no-one was keener on giving protection to our unique and lovely creatures than she was. I am certain that that phrase could well be used by any honourable member of this Council. Indeed, most people of South Australia would be prepared to say that they, too, were very keen on the preservation of our fauna. Unfortunately, there are varying motives impelling people to become keen on the conservation of our fauna. I congratulate the Government on introducing this Bill, which will give a greater protection to many of our animals and birds, some of which at the moment are becoming depleted in numbers.

In the development of any country, as land is cleared and drained and the natural habitat is removed, there is a need for people to think along the lines of providing adequate coverage for the preservation of the fauna of that country. This has happened in South Australia, but the removal of much of the natural habitat is not the only reason why many of our unique birds and animals are becoming depleted in numbers. This is not a problem restricted to Australia: other countries still have the problem of the loss of much of their native fauna. Around the world many animals and birds have become extinct, for various reasons. There was a reported statement of the Minister of Agriculture in another place that commercial trading in native fauna had been largely unrestricted in South Australia, resulting in inadequate protection for many of our protected species. Commercial trading or collecting is one reason why some species have become extinct and why many are dying out. It must be recognized that, as many of these species decline in numbers, it is difficult to achieve a build-up because, as their numbers decrease, these birds and animals find it difficult to find a mate. This stage is reached when their numbers are reduced to a certain level.

The Hon. S. C. Bevan: They get choosy.

The Hon. R. C. DeGARIS: They don't get choosy: they can't find a mate. Every possible action should be taken to give effective protection to our fauna from the depredations that take place because of commercial trading. Also, there is a need for co-operation between the States of Australia, and indeed between the wild life organizations in the various countries. To illustrate my point, may I quote an advertisement that appeared in the *Advertiser* of October 20, 1962:

> Wanted to buy, pair princess parrots, hoodeds, golden shouldered, blue winged, orange breasted, elegant, rock, swamp; scarlet-chested, naretha, musk lorikeet, little keet, purple-crowned keet, glossy black cockatoo, yellow-tailed black cockatoo, red-tailed black cockatoo.

That advertisement was inserted by a person from Queensland. I have read it to the Council because it illustrates how dealers can operate. In this advertisement birds not recorded in South Australia at all and protected elsewhere in Australia are included. For example, golden shouldered parrots are found only in the north of Queensland, and in a very restricted area. Yet here is a Queensland dealer finding it worth while to advertise in a South Australian paper for these birds. Also, the orange-breasted parrot, the swamp parrot and the glossy black cockatoo could not be legally taken even in South Australia. The glossy black cockatoo is restricted to about 300 specimens left, on Kangaroo Island.

Then, this year I believe in the House of Commons a private member's Bill was introduced, designed to control the importation of rare animals. I think that Bill has since been passed. To illustrate clearly what I am driving at I should like to read part of an article by Mr. C. L. Boyle, Chairman of the International

Union for Conservation of Nature. Honourable members may think I am choosing a peculiar example to bring to their notice, because the article deals with orang-outans, but it illustrates my point:

"The demand for exotic pets grows and grows. One trade paper stated that television, films, articles in the national press and the recent introduction of two new animal magazines contribute to the increased demand. It advises its readers to cash in on this lucrative market by importing birds and animals direct. Among the animals it suggests are orang-outans, for which the price of £350 is mentioned.

A thing that has not been mentioned is that the orang-outan is restricted to Sumatra and Borneo, where they are completely protected. But it is easy for illegal trappers to operate. They get them by shooting the mother and taking the young to Singapore. Once the young orang-outan reaches Singapore, it is not a protected animal and it can go to England, America or wherever there is free entry for those animals. The point I am trying to make is that in our laws we should make sure that we give adequate protection to the protected animals of another State and, indeed, of another country. At London Airport the Royal Society for the Prevention of Cruelty to Animals has a bird and animal terminal through which most birds and animals pass into Great Britain. Last year 160,000 birds were handled through that terminal, and among these were the rare and protected species of other countries. In the United States is a series of Acts known as the Lacey Acts, which are part of the Criminal Code. In 1960 the legislative provisions of the Lacey Acts came into force, with a maximum fine of 500 dollars for the importation of any animal or bird protected in its country of origin. That means that, irrespective of where it comes from, if the animal or bird is protected in its country of origin, it cannot enter the United States of America except under a permit system. One of the difficulties being experienced by the American wild life section (many birds from Australia have been taken into America, even though this provision is there) is that that authority does not know the particular birds and animals that are protected in their country of origin. That organization has asked particularly that other countries of the world keep it informed of the animals and birds they wish to protect so that they cannot enter the U.S.A. except under permit.

Not only the depredations of the commercial trapper make an inroad into our fauna. It is obvious that some very assiduous private collectors invariably reach the stage where they require a particular birdskin or bird's egg to fill gaps in their collections. Often they are prepared to offer large sums of money so that their collections may be completed. It is on record that some species have become extinct for that very reason. For example, I believe the great auk in Iceland owes its extinction to the private collector, and the bustard in England met its doom because of the depredations of these people. I think that in this measure we should make every effort to cut out what I might call this pernicious traffic in our native fauna. Apart from that, we should make every effort to support the laws of other States and countries.

My particular interest in this Bill is to see that this indiscriminate trapping of and trading in our fauna is effectively stopped and that the laws of other States are given some backing by import laws in this State. It is much easier to take action on the import level than to stop illegal trapping. I gave the illustration of the golden shouldered parrot from Cape York. It would be difficult to catch up with illegal trappers on Cape York; it would be easier to control this from the commercial market level. Many conflicting views are expressed by those who are interested in conservation. For example, many keen conservationists are strongly opposed to the idea of game reserves. I heartily endorse the development of game reserves. Anyone who has any appreciation of the work done elsewhere in the world, particularly in America and in Victoria, can be confident that this development can have only beneficial effects in South Australia. On the other hand, I know many keen sportsmen who are keen conservationists and are probably more practical than the others. A friend of mine, a very keen sportsman who is fond of duckshooting, on an area to which I took the Hon. Mr. Story came across a colony of rather rare birds, which he nursed for some time. He then told a very keen ornithologist about this little colony. The ornithologist was pleased with the find, and he took one egg, which probably did not do much harm, but he then found he could swap these eggs for eggs of rare birds around the world. This indicates that people who say they are keen on the conservation of our fauna are sometimes not to be trusted, and very often those who are called field sportsmen have a far keener sense of conservation than do some of the people who call themselves conservationists.

The Hon. A. J. Shard: I believe they have proved this to the satisfaction of everyone in Victoria.

The Hon. R. C. DeGARIS: I think that is so. In South Australia we have had for some time what may be termed private game reserves. I had the opportunity to take Mr. Story through one of these reserves, although there was no water in it at the time. Anyone who knows the conditions of this area knows that it has been very well controlled and that it is a credit to those responsible for its management. Not only is shooting controlled in the area but active measures are taken to assist in the breeding of other birds. One, for example, is the ibis, which, since the drainage of Lake Bonney (a major breeding ground), has moved to this area. Those who have been managing the area under an annual licence from the Government have done a tremendous amount of good work in assisting to provide breeding grounds for ibis, and the controlled shooting in the area has not interfered in any way with the breeding of the birds. I hope that this area will continue to be under the same control as a game reserve, which I believe is possible under clause 25.

I turn now to the various clauses that concern me; first, to clause 5, which defines the various words used in the Bill. I think it is desirable to include a definition of "egg" as also including an eggshell or any part of an eggshell. The Customs Prohibited Export Regulations made under the Customs Act of the Commonwealth provide that the export of animals and birds native to Australia, skins of animals and birds native to Australia, plumage, skins, eggs and eggshells of birds is prohibited. If I can be assured that "egg" legally includes "eggshell or part of an eggshell" I shall be happy, but I think if we added the words "eggshell or part of an eggshell" the Bill would be strengthened considerably.

The Hon. C. R. Story: You mean that if it is blown out an egg is no longer an egg?

The Hon. R. C. DeGaris: Yes. Often the egg is cut, the embryo is removed and only part of the shell is left. I think that the definition of "skin" should also include "feather or plume". As we know from experience, many of our birds have faced extinction due to the trade in bird plumage. I think it was in 1913 that a man named Pearson, of the National Audubon Societies of America, embarked on a survey in London and in one auction room there he found displayed in one lot egret plumes which had cost the lives of 24,000 birds. In Paris, Mr. Pearson found from the customs records that more than 50,000 tons of plumage were imported into France between 1890 and 1929. I know that there may be some objection to including "plumage" or "feathers" in this provision, because someone may pick up a feather or plume of a protected bird.

However, I do not think it should be ruled out on that ground, because another part of the Bill says that a person shall not sell a protected animal or bird or the carcass or skin of a protected animal or bird. The carcass or skin could have been picked up by a person and there is no reason why that person should be penalized. In view of the commercial trade and the trade by collectors, the words that I have mentioned should be included in the definition of a skin.

I turn now to clause 14, which was dealt with by the Hon. Mr. Shard and the Hon. Mrs. Cooper. Paragraph (*d*) of that clause provides that an inspector may for the purpose of the administration and enforcement of the legislation search for, inspect and examine any "such" animal, bird, carcass, skin, device, record or thing. In my opinion, the word "egg" should be included there.

The Hon. A. F. Kneebone: What is a "thing"?

The Hon. R. C. DeGARIS: I do not know whether an egg is a thing. I think that the inclusion of "egg" may strengthen that section. I agree with what Mr. Shard and Mrs. Cooper said about searching without a warrant. However, I shall not add anything on this question now because I am sure that it will come up for debate later.

Another matter that worries me is that there is nothing in this provision to allow an inspector to stop a vehicle. I do not know whether he has the right to stop a vehicle or not and I should like to be reassured on that point. If he has not the right to do this, it should be given to him. Also, there is no power in this Bill for an inspector to remove a person from a prohibited area. He may have that power, but I do not know, and again I should like reassurance. Clause 15 (1) comes back to one of the main points, namely, that the words "or imported" should be included after the word "taken".

I go a shade further on this question and refer to the schedule issued by the Avicultural Society for its show in 1964. Class 67 of that schedule refers to a pitta versicolor. I believe

that this is a rare bird from New South Wales. As far as I know, it is not bred in captivity and one may well ask how that bird appeared in South Australia. It may be said that it was bred in captivity but the Avicultural Society gives a medal when a bird is bred in captivity for the first time and I do not know of any medals having been given to a person for breeding a pitta versicolor.

I wish to comment on clauses 39 and 40. Clause 39 provides that the Minister may grant to any person (including the Director) a permit to take protected animals or birds or eggs of protected animals or birds if he is satisfied that it is desirable to grant the permit. Clause 40 provides that a person to whom a permit to take animals, birds or eggs has been granted shall within 14 days after the expiration, revocation or cancellation of the permit deliver to the Director a report in the prescribed form of all animals birds or eggs taken or destroyed pursuant to the permit. However, honourable members will notice that that does not include paragraph (*d*) of clause 39. In other words, in relation to any permit given "for any other purpose which the Minister considers expedient and not inconsistent with the objects" there is no provision for compliance with that part of clause 40 which calls for the delivery to the Director of the report. There may be very good reasons for this, but I should like to know why the three parts of clause 40 could not be deleted so that it would then read that a person to whom a permit has been granted shall, within 14 days of the expiration, revocation or cancellation of the permit, deliver a report to the Director.

Clause 41 is extremely interesting to me because the capital "A" is used for "Aboriginal". It would be completely wrong for me to let this pass without comment, because I have already raised the matter on another occasion. Perhaps we can have the debate as to whether a capital "A" should be used while we are dealing with this particular Bill. I think that the words "or imported" should be used again in clause 43. Subclause (2) provides that it shall be a defence to a charge for an offence under subclause (1) of clause 43 to show that the defendant did not know and had no reason to suspect that the animal, bird or egg had been unlawfully taken. Let us compare this with subclause (2) of clause 27, which deals with the erection of notices. Even though a notice may not be erected on a fauna sanctuary, game reserve or protected area, the fact that the notice is not erected shall not affect the liability of any person for contravention of any section of the measure. In view of the prevalence of the trapping of birds and animals, I cannot see how the fact that a person did not know that it was a protected bird or animal should be a defence. There is only one point I can see, and that is that if a person buys from a registered dealer a bird that had been taken in contravention of this legislation, he could be prosecuted under this particular clause, but that is the only instance in which I can see that any injustice would be done.

I feel that there should be a specific exclusion in relation to a case where a person bought from a licensed dealer a bird that had been taken in contravention of this measure. Clause 56 deals with licences to keep and sell protected animals, birds, carcasses and eggs. Subclause (2) (*e*) excludes the holder of a licence under the Hide, Skin and Wool Dealers Act, 1915-1959. Subclause (3) excludes the holder of such a licence from the provision in subclause (1) (*b*). I realize that the sale of skins under that Act should be exempted, but I cannot agree to complete freedom being given to a person with a licence under the Act in respect to keeping under his control or selling more than nine protected animals or birds. In this matter I should like an explanation from the Minister. Clause 59 (3) states:

A permit to import or export shall not be granted unless the Minister is satisfied that the proposed import or export of animals, birds, carcasses, skins or eggs is or will be in accordance with the laws of the State or country from which they are imported into South Australia, or to which they are exported from South Australia.

I drew the attention of honourable members to an orang-outan in Borneo and Sumatra being illegally taken to Singapore and then taken freely around the world. I would like the provision altered to read:

A permit to import shall not be granted unless the Minister is satisfied that the proposed import is in or will be in accordance with the laws of the State or country from which they are to be imported and that the proposed import was not taken in contravention of the Acts of any other State or country.

This would be similar to what has been included in Acts of the United States recently, and also adopted in Great Britain, Japan, South Africa and Rhodesia. It would give protection against the movement of protected and rare birds from one State to another. I gave an illustration earlier of a rare bird trapped in Queensland being illegally taken to

Victoria and then being free to move anywhere in Australia or to other countries that did not have this provision.

Finally, I come to the schedules to the Bill. From the Third Schedule two birds have been omitted. One is the Major Mitchell cockatoo and the other is the beautiful Fire Tail Finch. The cockatoo is in high demand as a cage bird and is quickly becoming one of Australia's rarities because of the depredations of trappers. It is now found only in the remote areas of the Murray Mallee and north-west of the Gawler Ranges, whereas originally it was found in most parts of South Australia. It is interesting to note that the ordinary galah has not gone down in large numbers in the country where the Major Mitchell cockatoo was plentiful, but is not found now. On the overseas market the Major Mitchell cockatoo is worth between £150 and £250, which provides a lucrative trade for the illegal trapper. The beautiful Fire Tail Finch is rapidly disappearing, due largely to the depredation of the illegal trappers. Its current value is about £5. It is not an excellent cage bird and in captivity breeds with some difficulty. I would like to see these birds included in the Third Schedule.

My interest in this Bill is to ensure that the unique fauna of South Australia is protected and that we assist in the protection of the fauna of other States by including in our laws some control over the import of protected birds in other States and countries.

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

ROAD TRAFFIC ACT AMENDMENT BILL (TYRES).

The House of Assembly intimated that it had agreed to the Legislative Council's amendments.

SOUTH AUSTRALIAN GAS COMPANY'S ACT AMENDMENT BILL.

Returned from the House of Assembly without amendment.

NURSES REGISTRATION ACT AMENDMENT BILL.

Returned from the House of Assembly without amendment.

WORKMEN'S LIENS ACT AMENDMENT BILL.

Returned from the House of Assembly without amendment.

ADJOURNMENT.

At 5.54 p.m. the Council adjourned until Wednesday, October 14, at 2.15 p.m.