LEGISLATIVE COUNCIL

Wednesday, August 10, 1966.

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

QUESTIONS

SOFTWOOD PLANTINGS.

The Hon. L. R. HART: I ask leave to make a brief statement prior to asking a question of the Minister of Local Government, representing the Minister of Forests.

Leave granted.

The Hon. L. R. HART: On July 6, I asked a question of the Minister of Local Government, representing the Minister of Forests, relating to softwood plantings in South Australia. My question was asked over a month ago and to date I have not received an answer. Can the Minister ascertain the reason for the delay in providing an answer and can he obtain an answer as soon as possible?

The Hon. S. C. BEVAN: I shall refer the matter to the Minister of Agriculture and ascertain what has caused the delay.

WATERWORKS NOTICE.

The Hon. Sir LYELL McEWIN: I understand the Minister of Labour and Industry has an explanation in reply to the question I asked yesterday with regard to the notice of entry to premises.

The Hon. A. F. KNEEBONE: Yes. The roneoed notice referred to is forward information to the householder of the department's intention to inspect sewer drains and plumbing fittings on premises connected to the sewer system. The notice is placed in the householder's letterbox and, within a few days of this action, a departmental employee, either a plumbing inspector or a member of the smoke testing unit, calls at the house and presents his signed departmental identification card (I have a copy here) and requests permission for the workmen to inspect and test the sewer installation. This practice has been in operation for many years and, in addition to being a check on any irregularity in the sewer drainage and plumbing, is a protection for the householder against the danger of insanitary conditions. Complaints from householders have been few; the procedure is considered satisfactory, both to the department and the householder, and has nothing to do with the Bill before the Council.

YORKE PENINSULA WATER SUPPLY.

The Hon. M. B. DAWKINS: I ask leave to make a short statement prior to asking a question of the Minister representing the Minister of Works.

Leave granted.

The Hon. M. B. DAWKINS: I have on previous occasions asked questions about the supply of water at the bottom end of Yorke Peninsula. Honourable members will know that in much of that area there is no reticulation at present. I know that the Mines Department has been investigating this for some considerable time and I believe that a satisfactory amount of underground water has now been proved in the hundred of Carribie. Will the Minister be good enough to inquire of his colleague whether he can indicate when the Government intends to proceed with the preparation of the scheme for the reticulation of this water, which is badly needed in order to develop that area further?

The Hon. A. F. KNEEBONE: I will convey the honourable member's question to my colleague and bring back a report as soon as possible.

LAW OF PROPERTY ACT AMENDMENT BILL.

The Hon. F. J. POTTER (Central No. 2) obtained leave and introduced a Bill for an Act to amend the Law of Property Act, 1936-1960. Read a first time.

The Hon. F. J. POTTER: I move:

That this Bill be now read a second time.

Its purpose is to allow minors who are over the age of 18 years to enter into valid and enforceable contracts for the purpose of obtaining loan moneys from certain institutions and thus enable them to purchase or erect a dwellinghouse for their own occupation. Although it is not widely known among members of the public, under the existing law it is possible for any minor to become the registered proprietor of real estate. His or her parent or guardian may accept a transfer of land on the minor's behalf, and thereupon a title will issue in the name of the minor but showing his or her date of birth. No attempt is made in this Bill to change this procedure which, I think, is a good one in that before any minor enters into a contract involving the purchase of land the parent or guardian must be consulted and, in fact, acquiesce in the acquisition by signing on behalf of the minor.

However, once a minor has become the registered proprietor of any land, he can do nothing with it until he attains the age of 21 years. He cannot mortgage or encumber it or transfer it without first obtaining leave to do so from the Supreme Court. Such applications to the court have to be made through a next friend (who must be a person of full age) and a trustee must be appointed for the purpose of actually carrying out any specific transaction that may be authorized by the court. The process of obtaining these kinds of orders from the Supreme Court is both time-consuming and costly, and is one reason why some married minors feel very hamstrung in their efforts to obtain a dwellinghouse.

In 1965, according to the official figures, there were 1,260 males and 3,250 females in South Australia who married between the ages of 18 and 21 years. If one compares these numbers with those in the next age group shown in the statistics (the age group from 21 to 24 years) one sees that they are in the case of males one-third of the older age group and in the case of females they actually exceed the older age group by 207. Thus, there are more women marrying under 21 than between 21 and 24 years of age.

I think it will be seen from these statistics that it is now a permanent feature of our social life that marriages are taking place at much earlier ages than was customarily the case. All of these young people are potential house purchasers, as they undoubtedly get married with the idea of setting up a home for themselves at the earliest possible opportunity. Most of them continue to work, and their combined and separate incomes are usually high enough to enable them to meet the customary long-term mortgage payments for an average sized dwellinghouse. However, if both parties to the marriage are minors, they cannot borrow from lending institutions because of the lack of contractual capacity. Even if the husband is over 21 and the wife is still a minor it means (if the husband contracts for a loan) that she cannot become a jointly registered proprietor with him in the dwellinghouse until she attains the age of 21. It is, again, a costly matter for the husband to transfer a half share to his wife after she becomes 21.

I turn now to the subject matter of the Bill, which is drawn on somewhat similar lines to legislation passed by the Victorian Parliament in 1965. It adds a new section 24a to the Law of Property Act and provides that, notwithstanding anything contrary contained in any rule of common law or equity, an infant over the age of 18 years may enter into contracts with certain authorities named in the Bill and such contracts shall be as valid and binding on the infant for all purposes as if the infant were of full age at the time when entered into by him. The authorities mentioned in the Bill can be broadly described as lending institutions that normally advance money on first mortgage at standard rates of interest. They are the State Bank of South Australia, the South Australian Housing Trust, the institutions and societies named in the Homes Act (which include the Savings Bank of South Australia, the Superannuation Fund and friendly societies), and all building societies and associations registered under the Industrial and Provident Societies Act. Banks and assurance companies are also included in the institutions named in the Bill. It does not limit loans to first mortgage advances but, in most instances, the institutions referred to in the Bill (with the exception of the South Australian Housing Trust) do not make advances except on first mortgage. In addition to validating such mortgage loans, the Bill also makes provision for valid and effectual contracts to be entered into by minors over the age of 18 years with a building contractor for the purchase or erection of a home.

In the case of moneys advanced by certain of the institutions named in the Bill (namely, friendly societies, building societies and industrial and provident societies) loans need not be limited to the purchase or erection of a dwellinghouse. Some of these institutions or societies make small personal loans only to their members, and it is considered desirable that if a minor over the age of 18 years is a member of such a society, and thus making contributions thereto, he should be able to contract with the society for a small personal loan for any purpose.

The Bill caters for a real need in the community and contains sufficient safeguards in its provisions so that it can be only of benefit to minors over the age of 18 years and not involve them in any financial transactions that would not be wise or prudent for them to enter into. I therefore commend it to all honourable members.

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

ENFIELD BY-LAW: ZONING.

Order of the Day, Private Business, No. 1: The Hon. F. J. Potter to move:

That By-law No. 20 of the Corporation of the City of Enfield in respect of zoning, made on October 12, 1965, and laid on the table of this Council on June 21, 1966, be disallowed.

The Hon. F. J. POTTER (Central No. 2) moved:

That this Order of the Day be discharged.

Order of the Day discharged.

FOOD AND DRUGS ACT REGULATIONS.

Adjourned debate on the motion of the Hon. F. J. Potter:

That the regulations under the Food and Drugs Act, 1908-1962, in respect of labelling of milk containers with date, made on February 3, 1966, and laid on the table of this Council on February 8, 1966, be disallowed.

(Continued from July 27. Page 682.)

The Hon. F. J. POTTER (Central No. 2) moved:

That this motion be now discharged.

Motion discharged.

ROAD TRAFFIC ACT AMENDMENT BILL.

Second reading.

The Hon. Sir NORMAN JUDE (Southern): I move:

That this Bill be now read a second time.

This brief Bill relates to an amendment of the Road Traffic Act that was passed earlier this year. It is a rather unusual circumstance that we are again amending the Act in the same year. However, I point out to honourable members that clause 13a (1) of the Bill passed in January or February last amended section 63 of the Road Traffic Act. The definition clause of the principal Act contains a specific definition of "intersection" and a further definition of "junction".

However, in an endeavour to get what we might describe as national uniformity, the clause in the Bill passed earlier in the year was based on the verbiage in the National Road Traffic Code, which is known to members and is available here. That code defines only intersections, which include junctions, and hence the technical error in the drafting of the State Bill. I have heard that it has been suggested that the new clause in the 1966 Bill did not clarify the position but only confused it. I remind honourable members that that is incorrect. It did clarify the position and set out clearly that only intersections were covered, not such things as T junctions.

This amendment, which adds the words "or junction", restores the definition of intersections or junctions in our Road Traffic Act, as distinct from the definition in the National Road Traffic Code. The amendment is highly desirable, particularly in view of the legal aspect of collisions at intersections and junctions. I am glad that the Government saw fit to expedite the passage of the measure, as a private Bill, through another place, and I assume I can anticipate the same co-operation in this Council.

The Hon. S. C. BEVAN (Minister of Roads): I think the Hon. Sir Norman has adequately explained the purport of the Bill. As honourable members know, I gave notice in this Council a few weeks ago of my intention to introduce amendments to the Road Traffic Act. Because of circumstances that have arisen, it is not possible at this stage to proceed further with the notification; hence, I sought leave to withdraw it from the Notice Paper. Unfortunately, early this year some words were omitted from the Bill, and this Bill seeks to put them back into the Road Traffic Act. It is the intention in the very near future to introduce legislation for comprehensive amendments to the Road Traffic Act and it is possible that some confusion may have been caused on various occasions because of the omission in the Bill last year. I have no opposition to the amendment now before us.

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

STATUTES AMENDMENT (WATERWORKS AND SEWERAGE) BILL.

Adjourned debate on second reading.

(Continued from August 9. Page 898.)

The Hon. C. M. HILL (Central No. 2): I rise to give qualified support to this Bill. I say "qualified" because any measure that may lead to further departmental expenditure and costs at this time of the State's precarious financial position must be looked upon with extreme care. I use the word "precarious" because of the State's record deficit of approximately $8,000,000 for the year ended June 30, 1966. Only yesterday, I read in the *Advertiser* that a further deficit of $1,196,000 had been recorded for the month of July, 1966—the first month of the new financial year. I also query the need for the principal policy change in the Bill—quarterly payments of rates in lieu of the annual charge. I query this when, possibly, a simple extended time-payment arrangement for those who seek relief in this manner might suffice.

The Bill, apart from its purpose of including the Coonalpyn Downs water district, which

inclusion seems to be quite proper, introduces the change to which I have referred. The Minister, in his second reading explanation, stated that he understood that South Australia would be the first State in the Commonwealth to introduce a change of this kind. Whilst the financial aspect is by far the most important issue in this debate, there are some other features on which I shall comment as well.

I have very few forebodings concerning the need to inspect the inside of houses or premises before a correct valuation or assessment can be made. It is ridiculous to attempt to value a property without a thorough inspection. I know the high professional qualifications held by valuers in the Property Branch of the Engineering and Water Supply Department and their high standard of ethics in approaching owners and their conduct while inspecting houses. Some inconvenience of a minor nature may be forced upon some owners, but this is unavoidable if fair and true assessments are to be made.

The co-operation that has existed between the Adelaide City Council and the Engineering and Water Supply Department over a great number of years is to continue, with the department using the council's assessment for the city of Adelaide area. The specialized knowledge of the city (especially its commercial heart) acquired by the officers of the City Valuer's Department gives rise to accurate valuations that are seldom queried by final appeal, and these assessments will continue to be used for rating purposes in the city by the department.

In the final adjustments that are made at the settlement dates for property transactions, the rates are settled for the then current period and, in the past, it has usually happened that, after settlement and the lodging of documents, the change of ownership is recorded in the department's records, and the rates notices for the following year are sent out to the new owner at the usual time in the following year.

If, through any error, the subsequent rate notice is sent to the former owner, delays and inconvenience to the public and the department occur. If quartely rates are introduced, there will be many instances where there is very little time between settlements and the end of the then current quarterly period. It is in the department's interest, as well as the public interest, to have the new notice for the subsequent quarterly period sent direct to the purchaser. Therefore, there will be a need for officers to ensure that very little time expires between the dates when transfers become registered at the Lands Titles Office and the dates when the alterations are recorded in the Engineering and Water Supply Department's assessment books. I bring this point to the notice of the Minister, not because I do not think this quick process cannot be achieved, but because it will be to everyone's advantage if it is carried out.

I suggest that some consideration be given to allowing a small rebate or discount to ratepayers if they settle the whole year's rates on receiving the first quarter's account. It would be in the Government's best interest to get in as much money as possible early in the financial year and, unless some incentive is provided, I cannot see very many people paying the whole year's rates when they are only being charged one-quarter of that amount. Their money left in a savings bank would earn interest and, therefore, if it is desired to encourage people to pay the full year's rates in the first quarter, some attraction to offset a feature, such as interest earned if the money is held back, might be worth while. I believe that rebates for prompt payment are given by the Brisbane City Council, which controls water and sewerage services in that metropolitan area. Somewhat similar incentives could be looked into by our Engineering and Water Supply Department, not for prompt payments but to encourage people to pay the whole year's amounts initially.

I refer to a point made yesterday in this debate by the Hon. Mr. DeGaris and so ably expressed by him. I repeat it because I believe it should be stressed. The quarterly method of collection is a means by which the ever-increasing burden of rates and taxes will appear to be less severe and a little lighter to carry by the ratepayer; but rates still must be paid. The Government knows that these rates will be increased. I cannot escape this conclusion. In his second reading explanation the Minister said, referring to the change to quarterly payments:

> The legislative proposal is designed primarily for the convenience of ratepayers.

I emphasize the word "primarily". Its inclusion admits that there is a secondary reason, or other reasons of lesser importance, in the opinion of the Minister, and this secondary reason, or one of the reasons of lesser importance, is, I suggest, that water and sewerage rates will increase, and this increase will not be felt so much by the new proposal

of sending out accounts for a quarter of the year's rates, at each quarter date.

This leads to my most vital concern—the financial issues that stem from this whole matter. First, there is the position of the little man (and by "little man" I mean the person of very limited means or even the small business firm). The whole year's rates need not be found. The person who can afford to pay the whole amount is given this opportunity, so this aspect does not concern or worry him. But is there a real need to introduce this big change to help the small man? Surely he could be assisted by a much simpler means? He is being helped now. The Minister speaks of the ratepayers in this category in his second reading explanation, when he says:

A number of ratepayers elect to pay by instalments or take advantage of a two-month deferment of rates granted by the Engineering and Water Supply Department.

This is a simple arrangement. I suggest it gives rise to very little bother. I have had some experience with people who are in arrears and who ask the department for time in which to pay. They receive a very sympathetic hearing and are treated fairly by the officers of the department. The practice of giving time in which to pay is a simple, practical, established and, I believe, proven way of dealing with people who are unable to pay the whole amount of money due. It would seem to me to be possible to extend the period that the Minister mentions from two months to a longer period, and the small firms or the small people could be assisted further than they are being assisted at the present time.

By this method help is given and, I think, at very little, if any, extra cost within the department. Under the proposed change, costs will surely rise, so I cannot escape asking the question, "Is the small man really going to be assisted by this measure?" This leads to the aggregation of costs against each ratepayer and we arrive at the overall costs within the department or the costs to the State. Under this heading I refer to the present oversea tour of officers of this department. On July 12 in this Chamber I asked the following question, preceded by a statement. I again quote from *Hansard*:

In the Adelaide *News* of Saturday, July 9, there was an item under the heading "Engineering and Water Supply Rate Study Overseas". The article stated:

Two Engineering and Water Supply officers left Adelaide yesterday for a five-week oversea tour studying water rate charging methods.

It went on to state that the gentlemen will visit the United States to investigate aspects of rating and water supply administration. Their studies will be the first move in planning for the introduction of quarterly rating for water in Adelaide. First, will the Minister reveal the estimated expenditure on this oversea tour and, secondly, does he consider such expenditure worthwhile and prudent in view of the present financial position of the State?

The Hon. A. F. KNEEBONE: I will pass on the honourable member's question to my colleague and bring back a reply as soon as possible.

The reply given on July 19 was that the amount of money estimated for this tour was $6,950, and that the Government did consider that the expenditure was worthwhile. The question arises whether the Government has brought this matter forward too quickly, before its experts have reported. But what if these reports indicate that the implementation of the scheme will be expensive and costly? The officers are away at the moment and, when ultimately they report and the department decides upon its procedure and its machinery to implement the change, it may be a very costly business.

Also, it seems to be an amazing situation in which officers are at the moment overseas inquiring into this matter and here at this moment we are in fact passing legislation to bring about the change. There is no doubt about the time needed to implement the scheme. I quote the Minister's own words in *Hansard*:

Investigations by departmental officers have shown, however, that, by reason of the considerable amount of preparatory work that has to be done before the new system of rendering accounts and collecting payments on a quarterly basis can operate, it will not be possible to introduce such a system in this State until July 1, 1967.

I think the time that is needed is evidence that considerable cost will be entailed in introducing this plan. The department and the State simply cannot afford extra costs of this kind at the present time. And, despite the reference to the Automatic Data Processing Centre, what will be the extra cost thereafter, after July 1, 1967? The extra notices (four times for stationery and envelopes, four times for postage), the receipting, the general collection procedure, and the overall departmental time will all take their toll.

I feel that some information should be given about the department's estimates of its increased costs in this matter—not only the increased costs of planning the proposal or the costs up to July 1, 1967, but the usual regular extra costs thereafter. These estimates will

surely be known to the department and must be weighed against the advantages, whatever they may be, of introducing the change. Accordingly, I have mentioned points of special interest to me in this Bill.

I query the need for this change. I appreciate that the Government needs more revenue, and needs it quickly, but it should not be obtaining it by a form of subterfuge of believing it must increase rates and introduce a scheme that appears to soften the extra burden by splitting the total annual account into four equal amounts.

It is a great pity that the Government is spending $6,950 on an oversea tour for its departmental officers but does not wait until their return and their subsequent reports and recommendations. I think we should hear of the economics of the proposal and its implementation and the added estimated costs to the department thereafter.

If these estimates are not to be disclosed, we have no alternative but to watch the future Auditor-General's reports about the accounts of this department. In any case, an assurance should be given that this financial aspect has been thoroughly investigated and that the already worrying financial position of this State will not be worsened by this measure. Subject to the Minister's reply, I propose at this stage to support the Bill.

The Hon. L. R. HART (Midland): Any Bill that increases the amount payable by the ratepayers of this State cannot be supported with any great enthusiasm. However, I appreciate that the Government is desperately short of revenue and must therefore investigate all the sources from which taxation is levied. The Engineering and Water Supply Department is obviously a department where an increase in taxation can be made. Perhaps this is justified to some extent because the department normally loses money in each financial year and becomes a drain on the Consolidated Revenue of the State. However, with the increased revenue that will be obtained through this Bill, some endeavours should be made to provide a better service to the consumer. We all realize that many consumers get a better water service than others do, that in many areas there is a poor pressure of water, and that in others the quality is not as good as it is elsewhere. I hope that in making its assessment the department will give sympathetic consideration to some consumers because of low pressure and poor quality of water. Also, the access of some people to a supply is hindered to some extent by a railway line that may run between their property and the main. However, as this has been referred to by other honourable members, I do not wish to mention it further. There are other properties where the main touches only one extreme portion and the owner is required to supply his own service pipes. I believe these people should also receive some consideration in relation to assessments.

The previous Liberal and Country League Government must be given credit for carrying out considerable developmental work in supplying reticulated water in South Australia. Only 4 per cent of this State receives an annual rainfall of over 15in., yet over 95 per cent of the people have reticulated water. I believe this has been due largely to the foresight of the previous Government.

Considerable mention has been made of the clauses that give effect to quarterly payments of water rates. I do not oppose quarterly payments provided that, if a person wishes to do so, he may elect to pay annually, as has been done previously. We know that all water rates fall due on July 1 of each year, but the department for its own convenience staggers payments. Many primary producers—and these are the people whose interests I am concerned with—although they may receive their accounts for water rates reasonably early in the financial year are not required to pay them until October, November or even later. If, because of this Bill, this position still obtains, I shall have no objection to it, because I realize that water rates are paid in advance and that if a person does not pay until the end of November he has in effect been given five months' grace, but in relation to the other seven months he will have paid in advance. I assume that the person who pays quarterly will be given a period of grace in which to pay—perhaps 28 days from the time he receives the account. I see no provision in the Bill or the principal Act for any penalty for not paying within a prescribed time. As rates are paid in advance, I presume that a period of grace will be allowed.

A person who pays his rates quarterly will make four payments and, if given 28 days' grace, he will in effect be given four months' grace in all. A person who makes an annual payment should receive similar consideration. I should like the Minister to say how much grace will be allowed a person who pays his full year's rates in one payment. I think it must be appreciated that rural people did not ask for this change. They have been satisfied with

the previous system, and I hope they will be given consideration under the measure.

The quarterly payment of water rates has probably been made possible because a computer will be used. This computer will reduce costs, and the main outlook of everyone engaged in business is to reduce costs. However, as has been pointed out by other honourable members, costs will undoubtedly be increased by quarterly payments compared with annual payments, so I suggest that the advantages gained by the use of the computer will be lost unless some people are permitted to pay their rates annually.

It has been said that electricity charges are paid quarterly, gas charges are paid monthly, and industrial consumers of water pay monthly. In this case, however, they will be paying only for excess water. Consumers of gas and electricity are paying for a service that has already been rendered, whereas with water rates people are paying for a service that has not yet been rendered, so I see no parallel between the payment of electricity and gas charges and the payment of water rates.

Another matter mentioned was the right of entry. I appreciate that possibly it is necessary to enter premises to make a proper assessment. Some red herrings have been dragged across the trail, however, as it has been suggested that the right of entry is to assess such things as built-in furniture. I hope this will not be the case, as it would be physically impossible for assessors to assess each property individually. So, the right of entry should not be used for the purpose of assessing such things as built-in furniture and other refinements inside houses. At present, there is no right of entry into premises and, if there is an appeal against an assessment, the assessor is not permitted to reassess the property until a court order is obtained to give him the right of entry.

As much as we do not like this clause relating to right of entry, it is included in other legislation and we must accept it. However, I think there should be adequate protection for the property owner in that the assessor seeking right of entry should have a proper authority. Today there are many specious types of people around who use many pretences to gain entry to property. They may want to look at the property in order to ascertain whether there is a possible means of breaking in. Therefore, I hope that the department will ensure that people who are given the right of entry have the proper authority.

The previous Government has been criticized for commencing certain Loan works of a major nature and for having committed the present Government to expenditure that could not be met. This is quite right. Obviously the previous Government committed the State to Loan projects, such as the Morgan-Whyalla main duplication, which involved an expenditure of more than $32,000,000. However, this expenditure does not have to be met in one year, but is extended over several years. The Government merely enters into the expenditure of a certain amount for a particular project. There are other projects similar to the one I have mentioned. The criticism that the previous Government has committed the present Government to expenditure that cannot be met will not stand investigation and is merely a subterfuge to protect the Government for mismanagement of the finances of the State. It is interesting to investigate the expenditure of the Engineering and Water Supply Department on waterworks in South Australia. The country waterworks lose varying amounts each year. In the main, the city waterworks show a profit. We must appreciate that country lands are assessed on an unimproved value basis and that the water districts other than country lands are assessed on an annual value basis.

More areas are being assessed on an annual basis each year. Areas that are probably profitable are being transferred from the unimproved value system to the annual system, which is necessary in some respects, because these areas are being subdivided and, under the unimproved value system, they would attract only the minimum rate. It becomes necessary to transfer them to the annual value rating.

However, this can mean that the deficit in the country area may be greater than it appears to be. The working deficit in the country area of South Australia last year was $716,000. In that period there was an increase in the earnings of the country areas of $220,000. Against that, there was an increase in working expenses of $300,000, mainly because of managerial expenses of $110,000 and pumping expenses of $158,000. The country waterworks show a loss each year, for obvious reasons: long lines of mains are required and the cost of maintenance and inspection is obviously greater than it is in the city.

In the five-year period to June 30, 1965 (the latest period for which figures are available) the total loss by the metropolitan waterworks was $1,205,218. Because of the seasonal conditions, one can hardly expect any improvement on those figures to have taken place in

the last 12 months. There is not much difference between profit and loss in the working expenses of waterworks, but the great burden in this department, as in the Railways Department, is the colossal interest charge. In the metropolitan area last year it was $3,906,676 and in the country areas it was $3,786,892. I have not been able to ascertain the reason for this position, because less funds are employed in the metropolitan area than in the country area, although against that the lesser amount of funds employed in the metropolitan area carries a higher interest charge. Doubtless, the Auditor-General could explain this.

I do not know how we are going to amortize the cost of the waterworks section of the department, because this interest burden is increasing each year to an insuperable amount. Perhaps the Government will be prepared to write off an amount of interest charge, because the benefit of waterworks goes to the whole State, not only to the people using the water. It would be impossible for the users of water to amortize the waterworks debt. I am not an accountant but I wonder whether these interest charges ought to be looked at with a view to some write-off being made. I appreciate that this is a revenue Bill and that it is necessary for the Government to have the increased revenue. For those reasons, if I can get from the Minister the explanations that I have asked for, I shall be prepared to support the Bill.

The Hon. A. F. KNEEBONE (Minister of Labour and Industry): I do not intend to delay the Council by making a long speech. I thank honourable members who have spoken in the debate. Each has said that he supports the Bill, although some have had slight reservations on some matters and explanations have been sought on other aspects. The Hon. Mr. DeGaris referred to the amendment to section 73 of the Waterworks Act, which authorizes the Minister to alter, not only an assessment in force, but also an assessment to come into force and pursuant to amendments proposed to section 66 of the Act. He said that he was not clear about what this meant, and asked for clarification. This means that, in the period between January 2 and June 30, this would happen: there would be in operation for the period from the previous July 1 to June 30 an assessment that was made on January 1 to cover the period from the following July 1 to June 30. This was the reason why it could affect the two assessments. The honourable member went on to ask what effect the alteration to the assessments could have on the assessment in force at that time, and an assurance was given in another place that this would apply to the period when improvements were made to the property. The increase in the assessment would be for the proportion of that period only, and not for the period of 12 months.

The Hon. R. C. DeGaris: What part of the Bill covers that?

The Hon. A. F. KNEEBONE: I understand that it was amended in another place, and the Opposition member who raised the point said that he was quite satisfied with the amendment that was included.

The Hon. R. C. DeGaris: But I want to be satisfied; that is the difficulty.

The PRESIDENT: I must ask the Minister not to discuss what members in the other House have said.

The Hon. A. F. KNEEBONE: I submit to the honourable member that we could discuss that matter when we come to the clauses in the Committee stage. He went on to say that the Minister of Transport was concerned about connections from a main to a property across a railway line. The Minister of Transport would be concerned, but his concern would only be that the connection was made in a satisfactory way so that it would not subsequently affect the railway line itself. This is done by means of the railways being represented when such a connection is being made, and certain arrangements are made so that if anything did happen, such as a breakage in a water main under a railway line, the effect would be minimized or completely eliminated. This work is carried out repeatedly in various places.

The Hon. R. C. DeGaris: Would you limit the number of connections?

The Hon. A. F. KNEEBONE: There is no restriction on that. I assure the honourable member that the services are granted just the same as if the railway did not exist, except that there are precautions taken. This also answers the point that the Hon. Mr. Hart has raised. In reply to Mr. Hart's other point about right of entry, I think the Hon. Mr. Hill completely answered this for me. Mr. Hill has had much experience in valuations. He said that it is completely ridiculous to assess a property from the outside of it; I agree with his opinion, and I think it is a very good point.

The Hon. Mr. Dawkins referred to the payment of rates by primary producers after harvest time. "After harvest time" depends

on what type of primary industry the person is engaged in and in what part of the State his property is situated. This problem can be easily overcome. A person could pay one-quarter, and then, on receiving the next quarterly notice, he could pay the balance. Nobody would be in such a position that he could not pay at least one-quarter and then subsequently pay three-quarters. This would get him away from the period of the worst part of the year. I think this answers most of the matters that were raised. Some honourable member brought up the cost of collection resulting from the changeover to quarterly billing. It is estimated that this would amount to about 1 per cent of the revenue received, which is not a very great cost.

The Hon. F. J. Potter: What is the present cost?

The Hon. A. F. KNEEBONE: I do not know. Regarding the matter of people travelling overseas, I have answered that before. If, as a result of sending people overseas, any job can be carried out more efficiently and at less cost, the money spent on sending people overseas is well spent, and the fact chat people have gone overseas could bring about a reduction in the cost of the collection of rates.

Bill read a second time.

In Committee.

Clause 1—"Short title and arrangement."

The Hon. A. F. KNEEBONE (Minister of Labour and Industry): I wish to draw the attention of the Committee to a clerical error made in the reprinting of the Bill in another place. Part II in clause 1 refers to sections 2-10; this should be 2-11. Part III refers to sections 11-17; this should be sections 12-18. I move that these corrections be made.

The CHAIRMAN: If honourable members are agreeable I shall make the necessary corrections.

Clause passed.

Clause 2 passed.

Clause 3—"Annual assessments."

The Hon. R. C. DeGARIS: I thank the Minister for his explanation of the matters I raised. However, I am not yet clear about this clause, which amends section 66 of the principal Act. Paragraph (*a*) alters the time; the assessment will be as early as the Minister can conveniently make it in every year. It will be made on January 1 of next year and January 1 of each subsequent year. This is because it is necessary to have the assessments ready by July 1 so that accounts for the first quarter can be got out as quickly as possible. However, the second half of new subsection (3) reads:

but if the assessment is lawfully altered then the assessment as so altered shall be deemed to come into force from the commencement of that financial year and shall continue and remain in force until the end thereof.

I still have some doubts on this matter. Could we possibly report progress at this stage to enable us to look further at this provision?

The Hon. A. F. KNEEBONE: I have been asked to report progress on the next clause, too, because some honourable members are suggesting that amendments will be moved to it. In view of that, I agree to the request of the honourable member and at this point I ask leave to report progress.

Progress reported; Committee to sit again.

UNDERGROUND WATERS PRESERVATION ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from August 3. Page 823.)

The Hon. S. C. BEVAN (Minister of Mines): Honourable members who have spoken on the Bill have made various comments about its provisions. They have asked for clarification on certain points. For instance, it has been suggested by most honourable members that we should retain in this legislation the services of the Advisory Committee on Underground Water Contamination. This Bill provides for the abolition of that committee and the strengthening of the appeal board. The Hon. Sir Lyell McEwin raised various points, which I should like to answer now—I hope to his satisfaction. He expressed the hope that the Minister would give further information on certain points, indicating that there was not sufficient information before the Chamber for him to comment further on these matters. For example, Sir Lyell raised the question of tests being made. If tests had been made, what did they show? In order to bring the position more forcibly before honourable members, reports and graphs have been made available for them to study.

Sir Lyell said that the principal Act was enacted in 1959. It provides that the Minister may prescribe an area for the purposes of the Act, but may take action to control only the underground water usage or wastage if he is satisfied that the situation has caused, or is likely to cause, deterioration in the quality of the water. The 1959 Act did not go further than that. It is most difficult for anybody to

prove deterioration in the quality of water by, for instance, contamination. It would be hard to prove that water was excessively contaminated unless it reached the stage where it became so saline as to be practically useless. That is rather like closing the stable door after the horse has bolted. That is one reason why the 1959 Act was never proclaimed.

The Hon. Sir Lyell McEwin: I think it was rather awaiting the evidence that I sought.

The Hon. S. C. BEVAN: At that time?

The Hon. Sir Lyell McEwin: Yes; that we should get some further information on the subject.

The Hon. S. C. BEVAN: I have further information on this matter that may answer Sir Lyell's point. Inquiries have taken place over the years since 1959. The 1959 Act has never been proclaimed or invoked, because, in spite of the alarming depletion of underground water supplies in some areas, there is so far no positive evidence of deterioration in quality. It is this very limiting aspect of the principal Act that has prevented an effective trial of it. Under the 1959 Act it is hard to provide evidence of these things, except when the deterioration is such that it affects everybody, in which case some action could be taken because of contamination of the water.

For some 10 years the Mines Department has been closely watching the relatively close development of the underground water supplies of the northern Adelaide Plains. In this area the zones of good water are surrounded by zones of saline water. The excessive depletion of the good water carries with it the serious risk not only of exhausting the actual supply but also of allowing the incursion of salt water, causing permanent damage to the basin. Observations have shown that the levels of very many bores fall below sea level during the pumping season and, although there is a partial recovery during the winter months, there is nevertheless a steady and alarming fall in the general water level. The Mines Department has established a network of observation bores and has carried out pump tests, but the data show that the water-bearing strata in this area are not particularly porous, that excessive pumping very rapidly decreases a local zone near the bore, and that in an area where numerous bores are operating this depletion is a serious matter. The department, I and everyone associated with the Gawler Basin are very much concerned about the position. This is one of the basins below sea level, and we are afraid that sea water will enter it. If it does, that will be the finish of the basin, as I think all members appreciate, and, if it is the end of the basin, there will be a considerable loss to this State and to the persons now drawing water from it. This is a matter of grave concern to me.

In an area extending from the north of Virginia to south of Waterloo Corner, the level of water in bores is below sea level during the irrigation season. In 1962, this zone of sub-sea level draw-down covered 35 square miles. In 1966, the area is 76 square miles, and it is still expanding. Once it reaches saline water zones that surround it, some water incursion can be expected. Figures 6 and 7 on the diagram displayed on the notice board adequately illustrate the position in this basin. I have received numerous representations from growers in this area requesting that something be done to preserve water in the basin. They are afraid that, if the position continues much longer, they will be without usable water for their market gardens and glasshouses, which are established right through the area. They say that the basin will be finished. I have received deputations not only from these people but also from the Stockowners Association requesting that control be placed on artesian bores to conserve the water, because they are considerably concerned about the depletion of these bores. These people, who are the landowners who rely on this water, have requested this control. As a matter of fact, their suggestions went much further than the Bill goes, as they wanted to be assured of adequate supplies of water to keep them going. Examples of particular bores may assist to indicate the magnitude of this problem in the northern Adelaide Plains. In the bore on section 123, hundred of Port Adelaide, the drop in the level since it was first measured was 76ft. In another bore in section 176, hundred of Port Adelaide, the drop since it was first measured was 100ft. On another bore, in section 2271A in the hundred of Munno Para, the drop in level since it was first measured was 67 ft. In the adjacent section 3036, hundred of Munno Para, the drop in the level since first measured was 111ft. In the adjacent section 3889, hundred of Munno Para, the drop in the level was 65ft.

The Hon. R. A. Geddes: When were they first measured?

The Hon. S. C. BEVAN: I think in 1962. The market gardeners in this area are faced with a continually increasing depth of water and correspondingly higher pumping costs. Each time a bore is deepened, it is getting closer to the danger zone. Under the provisions of this Bill it will be possible to ensure that the

rate of pumping from this area will not exceed the capacity of the basin to recover during the winter season, so preserving a proper balance between usage and recovery. The control of artesian bores in pastoral leases is vested by the Pastoral Act in the Pastoral Board. It was said that the Pastoral Board could control artesian bores if it desired, but the Mines Department acts in an advisory capacity to the board on all aspects of control, and actually carries out repairs and maintenance work on pastoral leases with its own funds.

The situation in respect of artesian bores in pastoral leases is not affected by the principal Act or the amending Bill; it is possible only where the control is under the Pastoral Board. A considerable number of bores are not covered by the Pastoral Act, and there is no jurisdiction over them. However, there are many artesian bores which are not on pastoral leases and which at present are not subject to any form of conservation. These are the bores that the Bill seeks to bring under restraint in the interests of conservation.

Examples of artesian bores flowing to waste are not hard to find. In fact, there are some in the western suburbs of Adelaide, and a great many in the South-East. In dealing with artesian bores, the Bill requires that existing bores be brought under control and new bores be properly constructed. The advisory committee was provided under the principal Act to ensure that in the declaration of an area the parties directly concerned were consulted and protected. It is thought that this committee presents many practical difficulties in its establishment and effective functioning and that the existence of a representative appeal board fully protects the interests of all parties. These were matters raised by the Hon. Sir Lyell McEwin, and by interjection I said that usually all information is not given during a second reading explanation but that it is usual for it to be given later in the debate. That procedure was adopted here, and that is why I am attempting to answer the queries he raised. It may be said that there is no need for artesian bores in the metropolitan area, but that is not so.

About two or three weeks ago representations were made to me for something to be done about an artesian bore that was flowing at Richmond. A battery manufacturing factory next door was being damaged because of the continual flow of water. Representations were made to the council, which cut a drain to take the water away from the factory, but the ground was rather porous. The bore was on the boundary and the owners of the property were asked to seal it off. Apparently they were prepared to do something and admitted that the bore was not being used. However, their inquiries revealed that it would cost $1,000 to have the bore sealed off by a contractor and, naturally, they would not spend that amount of money. At present there is no power whereby they can be directed to take action. I suppose that people who have not $1,000 readily available are reluctant to take any action.

The owners of the factory are concerned about possible subsidence of the soil and consequent damage to the factory. One may argue that there are grounds for a civil action, but what is the good of taking action against people who have not the capital with which to do anything about the matter? If the department is given some power of control, the bore can be sealed or capped so that damage will not continue.

In reply to queries raised by the Hon. Mr. Hart in the debate, it must be emphasized that the provisions of this legislation in respect of permits to drill apply only to proclaimed areas and that there is no substance in any fears that the Act will apply throughout the whole State from the time it comes into operation and that the provisions will be applicable to all. An area will not be proclaimed under the Act unless a dangerous situation is developing and the Minister, in reaching a decision to proclaim an area and set its limits, will be guided by recommendations from the Mines Department. It is not proposed that the Minister will be empowered to prevent bore operations or to otherwise impose restrictions unless he is satisfied that depletion of supply or contamination of the area is imminent.

The Hon. R. C. DeGaris: Is this to be by proclamation or by regulation?

The Hon. S. C. BEVAN: The areas will be proclaimed by regulation. Details of approved drilling procedures, casing practices, etc., will be provided in regulations and, in the establishment of such codes, the industry will be consulted. The Minister may give directions under section 18 regarding the quantity of water that may be taken from a well in a proclaimed area and it is under this new section that such restraints as may be justified can be imposed. The lowering of a pump to a deeper level in a bore to obtain a greater supply can, accordingly, be controlled if required and no licence is thought necessary for this operation. I think the Hon. Mr. Hart mentioned the matter of deepening, because

much deepening of wells takes place in his district.

The distinction between an A and a B class licence for a driller follows the practice adopted in some other States. An A class licence is required by a person drilling where artesian waters can be anticipated. If a B class driller operating in an area where artesian water is not anticipated intersects an artesian flow, he would be required to complete and equip the bore properly. The Act places on the person with the permit rather than on the driller the obligation of forwarding technical data and samples to the Minister. This is essential for practical reasons, as the driller is not always readily available for consultation. The Act provides for a qualified engineer to be a member of the appeals board. It would be normal when considering nominations for such appointment to take into account qualifications and experience in well-drilling and associated works. It is not thought necessary to specify this more precisely in the legislation.

I hope that that clears up some of the matters that the Hon. Sir Lyell and the Hon. Mr. Hart raised in the debate. Regarding the advisory committee, it is not a matter of an objection but one of a request that the committee be discontinued by the Bill before us. I know that honourable members consider that an advisory committee does a good job in advising the Minister, and I think the Hon. Mr. DeGaris raised this matter during the debate. However, this committee will deal with highly technical matters and I suggest, with respect, that the members of that committee who are outside the technical staff are not conversant with those matters.

In practice, the advisory committee is the technical staff of the Mines Department and, in the circumstances and in view of the enlargement of the constitution of the appeals board, there is no further necessity for the advisory committee. It may be considered that that is wrong and that an advisory committee must serve some purpose. It does that, but technical matters can be dealt with only by those with technical knowledge, and the technicians of the Mines Department are at present advising the committee. The department considers that the committee can be dispensed with, and that is why provision has been made for that in this legislation.

The Hon. Mr. DeGaris raised another question relating to artesian bores and their interpretation under the Act. I think he stated that if a bore flowed to the surface for a short period it would come under the category of an artesian bore and therefore be subject to the provisions of the Bill. That is not so. It is true that a bore may flow in that manner during wet seasons and not during others, and any bore flowing in such a way as to constitute waste, or which contravenes the intention of this Act, should be brought under its provisions. I gave an illustration this afternoon of a bore flowing at Richmond and that is definitely an artesian bore. That bore could cease to flow for two months or so during a hot summer and then begin flowing again.

However, the honourable member gave an illustration of a bore that did not normally flow, but which would begin flowing in a wet season when the water table was raised. He said that may be for a short period only, and as the water table lowered the bore would cease flowing. There is no intention that such a bore should be defined as an artesian bore and be subject to the provisions of the Bill.

The Hon. R. C. DeGaris: Why not? The definition covers such a bore.

The Hon. S. C. BEVAN: If the honourable member considers that in such circumstances it should be classed as an artesian bore, then I am content. I understood that he was objecting. As I have said, there is no intention of classifying such a bore as an artesian bore under this amending legislation.

The Hon. R. C. DeGaris: I am asking why these wells are not subject to the Act if they flow for six weeks; in my opinion they are contained in the definition.

The Hon. S. C. BEVAN: I am trying to explain to the honourable member that the intention of this Act is not to have them covered.

The Hon. R. C. DeGaris: I think they are covered.

The Hon. S. C. BEVAN: The interpretation of the honourable member is that they do come under the definition of the Act and, therefore, irrespective of the period they flow, even if only for a day, they must be artesian bores. That is not the intention of the Act.

The Hon. Sir Lyell McEwin: Is it that the Minister is claiming that there must be a permanent flow of water for it to be an artesian bore?

The Hon. S. C. BEVAN: Sometimes an artesian bore ceases to be one over a short period. The term "continuously flowing" is used. A bore could flow for eight or nine months and then stop for the remainder of the year, but immediately a change in weather conditions takes place this bore could flow again. In those circumstances there should be

some control but at present there is no such control. I have already given an illustration of what can happen, and the purpose of the Bill is to control bores of that type, especially the one I referred to, because of the damage it can do to other property. If the honourable member considers the interpretation should go further and include a bore flowing for only a limited period, whatever the circumstances, as an artesian bore, then to clarify the position for him and the people who own a bore of this description I suggest that the Bill could be further examined.

The Hon. R. C. DeGaris: It would be almost a job for an advisory committee.

The Hon. C. R. Story: That sounds logical.

The Hon. S. C. BEVAN: I take it further and say why not make it a job for the Mines Department?

The Hon. R. C. DeGaris: It is a discretionary power then, isn't it?

The Hon. S. C. BEVAN: I would prefer to call it a discretionary power.

The Hon. F. J. Potter: Surely it could be covered by definition?

The Hon. S. C. BEVAN: I am attempting to deal with circumstances mentioned by the Hon. Mr. DeGaris. I repeat: there is no intention in this legislation to control a bore as mentioned by the honourable member. However, the intention is to control bores of the type that is operating at present at Richmond. In using the term "continuously" the reference is to a bore that flows 365 days a year. Clause 11 of the Bill provides:

Every artesian well shall be capped or equipped with valves so that the flow of water can be regulated or stopped.

That, perhaps, is too categorical because an amendment which gives the Minister discretionary authority would be satisfactory. Section 5 (*d*) enables the Government, by regulation, to exempt from the provisions of the Act any well shallower than the prescribed depth for a particular area. This provision is necessary to enable the exclusion of shallow wells or drainage bores which have no significance in relation to contamination as referred to in the Act. I am not sure who raised the question; either the Hon. Mr. DeGaris or the Hon. Mr. Hart, but that would be covered in the prescribed area with relation to the supply of water there. I believe it was the Hon. Mr. Hart who raised the question, because shallow bores exist in his district and naturally he would be interested in such matters. I assure the honourable member that shallow bores—that is those shallower than the prescribed depth—would not come under this legislation at all.

The Hon. R. C. DeGaris: Surely that would concern the well-driller and not the owner of the land. It would be necessary for an owner to obtain a permit for a shallow well.

The Hon. S. C. BEVAN: An application would be made, the depth of the well would be stated in the application and, if it were shallower than the prescribed depth in that area, it would not be necessary for anybody to take further action; the person concerned could go ahead and put the well down to that depth.

The Hon. R. A. Geddes: Take the case of a person sinking a well to a certain depth, finding no water there and wanting to go further. Would such a person have to obtain a permit?

The Hon. S. C. BEVAN: Yes, if such a well is to go beyond the prescribed depth, but if it did not reach the prescribed depth a permit would not have to be obtained.

The Hon. L. R. Hart: Is the prescribed depth a maximum or a minimum?

The Hon. S. C. BEVAN: I would say it would be a minimum, otherwise it would not be possible to grant an exemption in the event of a person sinking a well and not going down to the prescribed depth.

The Hon. L. R. Hart: Will the minimum and the maximum depths be prescribed?

The Hon. Sir Lyell McEwin: It would be a maximum depth, wouldn't it?

The Hon. S. C. BEVAN: I am sorry—a maximum depth, not a minimum depth; it would have to be. I have attempted to answer the points raised by honourable members.

The Hon. R. C. DeGaris: You have answered them well.

The Hon. S. C. BEVAN: Various amendments are foreshadowed. However, I hope I have clarified the position somewhat.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—"Commencement."

The Hon. L. R. HART: This clause, in effect, amends section 2 of the original Act by adding the words "by the Governor". I assume that this is only a question of verbiage and in no way affects the proclamation of this Act by Executive Council.

Clause passed.

Clause 4—"Amendment of Long Title of principal Act."

The Hon. Sir LYELL McEWIN: This clause extends the scope of the Act. It was

the reason for my seeking certain information from the Minister in explanation of the Bill. I take this opportunity of thanking him for giving us his second reading explanation now! Had we had that information in the first place, it would have greatly simplified the ensuing debate. After hearing the Minister's further explanation, I am convinced that I was 100 per cent right nine years ago, but Parliament did not think so. Now, we have gone back to the original Bill of 1957. If there is any idea in the mind of the Minister or any of his officers that I was criticizing the department, I assure him that that is not so. I wanted that information; I knew it had been collected. The Committee is indebted to the Minister for clarifying the position.

Clause passed.

Clause 5—"Parts."

The Hon. C. R. STORY: I have amendments to later clauses dealing with the Advisory Committee on Underground Water Contamination. Contingent upon my amendments being carried by this Committee, it will be necessary for me to move for the reconsideration of this clause, to ensure that the wording of this measure is correct.

Clause passed.

Clause 6—"Interpretation."

The Hon. C. R. STORY: I am in the same predicament in respect of paragraph (*a*) of this clause, which deals with the advisory committee. Again, I may have to ask for this clause to be reconsidered.

The ACTING CHAIRMAN (Hon. Sir Arthur Rymill): I think the honourable member is so entitled under the Standing Orders.

The Hon. L. R. HART: Can the Minister say what is meant in paragraph (*b*) by the words "together with all works constructed or erected in connection therewith"? Would a spray line connected to an artesian well come within this definition? What is the need for these words here?

The Hon. S. C. BEVAN (Minister of Mines): As I understand the phraseology, it embraces not merely the flow of water but the casings used in an artesian well, which deteriorate very much. Much expense has been incurred by the Mines Department in having to re-case artesian wells where the original casing has corroded or rotted away, so that water not only flows within the casing but also comes in from outside, a situation that often causes soil erosion. For instance, there could be a continuous flow to the surface of an artesian bore. The construction of the necessary work there would be within the interpretation of this provision. It would be a work "constructed or erected in connection" with the artesian bore. However, water troughs do not come within this interpretation. The works must be directly connected with an artesian bore.

The Hon. C. R. STORY: I, too, am interested in the definition of "artesian well". I have listened with great interest to the Minister and have no doubt that what he says is his full intention and the intention of the officers of his department in regard to dealing with certain types of well that overflow for only short periods of the year. However, in the eyes of the law and with all the goodwill in the world, it will not save some people who may be brought into the net because the water overflows for just a week, in which time it can do much damage, as the Minister points out. We need a much more definite definition. This definition does not say how often water must flow on to the land for it to be classed as an artesian well. If damage were caused by a bore to a neighbour's property and the neighbour took action for damages, I have no doubt that any responsible judge would say that any well that flowed for even one day a year would be an artesian well under this definition.

The Hon. H. K. KEMP: If this definition is not tidied up the Mines Department will have much unnecessary work to do. On my property are two wells that would come under this definition. One of these wells, when pumped, delivers no more than normally flows from it, which is 60 gallons an hour throughout the year. This well is about 200ft. deep. The other has a flow of about 500 gallons an hour, but during the summer it must be pumped from 120ft. to get any reasonable flow.

This is the position with most wells in the Adelaide Hills, where hydrostatic pressure from the surrounding higher land causes the pressure. Some bores in the Adelaide Hills are connected to extensive pipelines: one I have in mind has a pipeline and sprinkler system about two miles long. I think the words "together with its casing and such other equipment as is required to control the flow of water" would be more satisfactory.

The Hon. Sir LYELL McEWIN: The Minister's reply was accurate regarding the bores in the great artesian basin in the northern areas, where in some cases the casings have deteriorated and big cavities have resulted. However, that is different from the bores in the Adelaide Hills and on the Adelaide Plains. If a better description could be given, there would be no doubt about what this clause referred to. To a layman, any bore from which

water flowed would, under this definition, be an artesian bore. Apart from sealing the bore, there are problems about the quantity of water that must be pumped, and obviously differences regarding riparian rights occur between neighbours. Perhaps the Minister will proceed with the Bill and have it recommitted later when he has obtained further information.

The Hon. R. C. DeGARIS: I agree with the opinions expressed by other members about this definition. I assume that an artesian well is any well from which at any time of the year water flows naturally to the surface, and that the definition includes everything constructed or erected in connection therewith. This is a very wide definition and, as the Hon. Mr. Hart has said, it includes spray lines attached to an irrigation system. I suggest to the Minister that he confer with his experts and provide a definition that "'artesian well' means a well from which water flows naturally for a period of not less than six months of the year, together with all works constructed or erected in connection therewith and forming part of such well".

The Hon. S. C. BEVAN: I think most of the objections to this clause can be met. I appreciate most of the difficulties, but there was no intention of having a definition providing that any bore from which water flowed to the surface at any time of the year would be classed as an artesian bore. It is possible to have a short pipeline connected to a bore for no other purpose than to take the water away from it. If the water was allowed to go to waste, the purport of the Bill would be altered. As a matter of law is involved about whether any bore that flows to the surface can be regarded as an artesian bore, I ask leave to report progress.

Progress reported; Committee to sit again.

SUPERANNUATION ACT AMENDMENT BILL.

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

The Hon. A. J. SHARD (Chief Secretary): I move:

That this Bill be now read a second time.

Its principal object is to make provision for the payment of superannuation benefits to persons in the Public Service upon retirement at 60 years in the case of males and 55 years in the case of females. Such a provision has existed for a number of years in the Commonwealth Public Service and applies in most of the other State services. It is the Government's policy to bring conditions in the South Australian State service into line in this respect with those obtaining in the Commonwealth and the majority of the States, a policy which, I believe, is shared by honourable members of the Opposition.

The new provision is made by clause 6 of the present Bill which inserts a new section 75d into the principal Act. Subsection (1) of that section makes provision for new contributors to elect to contribute for a pension upon retirement at 60 or in the case of females 55. New subsection (2) makes the necessary provision for those persons who are contributing at rates based on 65 or 60. In such a case, if the contributor elects for earlier retirement, the board makes actuarial adjustment in the rates payable in respect of units being currently contributed for, while additional units are based upon the new scales set out in new Schedules XIII and XIV inserted into the principal Act by clause 7 of the present Bill.

Subsections (3) and (4) of the new section make the necessary consequential provisions. New subsection (5) provides for contributors who have been contributing at the old rates and who elect on or after reaching the age of 60 or in the case of females 55 to contribute by way of a lump sum for a full pension upon retirement before 65 or 60 as the case may be. This provision is necessary as in the case of older persons it would be practically impossible for them to make the necessary fortnightly contributions during the last few years of their service out of their current salaries. New subscetion (6) makes necessary consequential provisions relating to reserve units.

To summarize, the Bill will enable persons on joining the service to elect for earlier retirement, will enable existing members to elect for earlier retirement by an adjustment of their contributions and will also enable older persons to elect, on or after attaining the age of 60 or in the case of females 55, upon payment of a lump sum to be actuarially calculated. In connection with the optional earlier retirement provisions, I draw attention to the amendment made by paragraph (*c*) of clause 5 of the Bill. The Act and the new section inserted by the present Bill both require at least 10 years in the service before a contributor becomes entitled to any pension at all. It does not make any provision in respect of persons who have transferred from the Commonwealth or another State service to count their years in that service towards the 10 years' qualification.

Hitherto this position may not have been of tremendous importance since it is not usual for persons to transfer after the age of 55 years and in any event some provision was

made by section 34 of the principal Act for the Public Service Commissioner to certify that an employee be exempted from the 10 years' service requirement, but such a certificate would be given at the commencement of the State service. Now that provision is being made for retirement at the age of 60 or in the case of females 55 on pension it will be seen that the requirement of 10 years' service becomes more relevant and the amendment is accordingly introduced in the present Bill.

The other amendment made by the Bill is made by clause 5 (*b*). For some years the Government has followed the practice of not allowing a contributor to take up additional units in respect of additional salary or wages through temporary appointment to an acting position. The opinion has, however, been expressed that such exclusion, which was earlier believed to be in accordance with the Act, may not be so. The words proposed to be included in the definition of "salary", which have been taken from the Victorian Act, will exclude cases of temporarily acting in a higher capacity but will permit an officer to contribute for increased superannuation if the officer can satisfy the Board that his increased salary is likely to be other than temporary.

The amendments providing for earlier optional retirement will come into force on a day to be proclaimed; this will enable the necessary administrative provisions to be prepared. The amendment made by clause 5 (*b*) will come into force on the day of assent. These matters are provided for by clause 3 of the Bill.

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

ABORIGINAL LANDS TRUST BILL.

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

NURSES REGISTRATION ACT AMENDMENT BILL.

Returned from the House of Assembly without amendment.

PRICES ACT AMENDMENT BILL.

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

The Hon. A. J. SHARD (Chief Secretary): I move:

That this Bill be now read a second time.

Its object is to amend the Prices Act, 1948-1966, to provide for the continuation of price control until December 31, 1967. The Government's reasons for proposing the amendment are much the same as they were last year. It is considered to be in the best interests of the community as a whole to retain this legislation. The $2 increase in the basic wage will add considerably to the costs of manufacturers and traders. As a result, many industries will be seeking to recover these increased costs by way of increased prices. This State is particularly vulnerable to cost increases for two main reasons: first, because of the limited local market, a large proportion of our factory output has to be sold in other States in competition with goods made in those States and, secondly, in the case of primary producers, nearly two-thirds of the State's primary production amounting to approximatley $280,000,000 is exported and is, in the main, subject to world prices. It is therefore important to ensure that any price increases which follow the wage increase are not excessive and are fully justified.

Prices and charges for a wide range of goods and services in this State are below those in other States, and there is continual pressure to bring many of these prices and charges up to the levels prevailing elsewhere. Without control, the prices of the items concerned would rapidly rise to achieve this uniformity and, in some cases, would probably go higher on account of the incidence of freight costs where goods are manufactured outside of South Australia. Furthermore, unrestricted price increases would rapidly whittle away the benefit that will be obtained by wage-earners from the wage increase. As honourable members know, under the Prices Act a service is provided to the community by way of investigation into complaints of over-charges on both controlled and uncontrolled goods and services. Many of the complaints received by the Prices Department relate to disputes concerning charges for services rendered, in particular, on home-building work and repairs. In the 12 months to June 30 last over 400 complaints of over-charges on goods and services were investigated, and in 172 cases refunds or reductions in the amount of accounts were obtained. An important aspect of this service is its deterrent effect; without it, it is likely that excessive charging would be more widespread. This applies particularly to services supplied to elderly people and migrants who are more likely to be unfamiliar with what would constitute a reasonable charge. A number of cases have been investigated where these people have been over-charged by unscrupulous operators. There is ample evidence to show that this service is widely appreciated.

This State also enjoys the advantage of low building costs, which means that more houses can be built with the finance available. Whilst this is not all due to price control, the fact that prices of many building materials and rates for building services have been under control for 25 years and are in a number of cases lower than those in other States where they are not controlled, must assist in keeping building costs down. Apart from its price-fixing function, the department continues to cover a number of other activities including, for example, special investigations for the Government (which this year included the fixing of minimum prices for wine grapes) and inquiries into complaints relating to hire-purchase agreements, used car transactions, etc. As a result of active supervision by the department, the unfair trading provisions in the Prices Act have proved of benefit to the community in several ways. In particular, small traders are being afforded some protection through the provision which prohibits any limit being placed on the sale of cut-priced articles. Consequently, the practice of "loss leadering" by large chain stores to attract customers away from small shops has been substantially reduced. Also, the provision regarding misleading advertising has resulted in the elimination of a number of undesirable and misleading advertisements.

In addition to the practices specifically covered by legislation, investigations involving a variety of complaints have been made on behalf of members of the public where unfair treatment is claimed. It is proposed in due course to introduce a separate Bill to incorporate the unfair trading provisions, together with additional matters. Until such a Bill is introduced and passed, it is necessary that the existing provisions be retained in the Prices Act. I ask the Council to vote for an extension of the Act until the end of December, 1967.

The Hon. Sir LYELL McEWIN secured the adjournment of the debate.

ADJOURNMENT.

At 4.41 p.m. the Council adjourned until Thursday, August 11, at 2.15 p.m.