LEGISLATIVE COUNCIL

Thursday, August 8, 1974

The Council met at 2.15 p.m.

APPOINTMENT OF DEPUTY PRESIDENT

The CLERK: I have to inform the Council of the unavoidable absence of the honourable President.

The Hon. T. M. CASEY (Acting Minister of Lands) moved:

That the Hon. Sir Arthur Rymill be appointed Deputy President.

The Hon. R. C. DeGARIS seconded the motion.

Motion carried.

The DEPUTY PRESIDENT took the Chair and read prayers.

QUESTIONS

KONGORONG PETROL SUPPLY

The Hon. R. C. DeGARIS: I seek leave to make a brief statement before directing a question to the Minister of Agriculture, representing the Premier.

Leave granted.

The Hon. R. C. DeGARIS: A letter I have received from Mr. Laurie B. Jackway, of Kongorong, states:

Our local general storekeeper (Mr. G. Coles) has told me that he will not be able to sell any petrol after his present stocks are sold and that the pump will be closed. As this is the only petrol pump in the district I, like many others, think it is quite unfair to close the pump. This pump is in no way connected with an uneconomical service station and the every-day customer at the general store can get petrol if needed. The Government-owned school bus has been getting petrol from the pump for 15 years to my knowledge, and to close the pump will mean that a pump will have to be put in at the school or a bulk tank, and to store petrol that way is not as safe. I myself work at the only local workshop, which is next door to the store but in no way connected with it.

In summertime quite a few tourists pull up for gas after coming along the coast road from Portland, and if the pump is closed the next stop is Mount Gambier or Tantanoola. At times the local residents have to get petrol from the store if their bulk supply runs out. Mr. DeGaris, you have been in this district and must have a fair idea what a petrol pump means here—26 kilometres to Mount Gambier, 29 km to Port MacDonnell, and 37 km to Tantanoola—too far to walk if you are out of gas. Thank you for reading my letter, and if you can help in any way to keep this pump open I, like many more, will be grateful.

As the closure of this pump is obviously an extension of the policy the Government itself has introduced, will the Government examine the matter and, if thought necessary, use its influence to maintain this necessary amenity in the district of Kongorong?

The Hon. T. M. CASEY: I will refer the honourable member's question to my colleague and bring down a reply as soon as possible.

MONARTO

The Hon. C. R. STORY: Has the Minister of Agriculture a reply to the question I asked on August 1 regarding public servants who would be required to go to the new town of Monarto as a result of Government policy?

The Hon. T. M. CASEY: The Government has announced that by 1980 three State departments will be relocated at Monarto. These are the Agriculture, Lands, and Environment and Conservation Departments. It is expected that the relocation process will commence in about four years time. Officers from these three departments will obviously not be the only residents of the new city. Many other people- will reside there, including, for example, those working in services, trades, transport and building industries. The Engineering and Water Supply Department has indicated that it will have a considerable construction work force on the site and eventually. will establish a regional complex to provide a laboratory and maintenance service of up to 50 persons. The proposed Central Government Workshops may also be relocated at Monarto.

The new city will offer the normal services and facilities associated with Australian cities, including education, health, hospital, welfare, highway building, and maintenance, electricity, sewerage, railways, and libraries. These are just some examples. Therefore, officers from such State departments as Education, Further Education, Hospitals, Public Health, Public Buildings, Engineering and Water Supply, Highways, Police, Railways, and State Libraries will also be located in the city and will live there. It is expected that Commonwealth public servants will be located there also, from such departments as, for example, Australian Post Office, Social Security, and the Electoral Office. These will provide essential services in the new city. Discussions have been held by the Monarto Development Commission with all of those State Government departments which operate services in Adelaide and which could be expected to operate services in Monarto, with a view to establishing these services in Monarto by the time the first residents take up residence in about four years time.

The Hon. M. B. DAWKINS: I seek leave to make a brief statement prior to asking a question of the Minister of Agriculture.

Leave granted.

The Hon. M. B. DAWKINS: In view of the projected move of the Agriculture Department to Monarto, will the Minister obtain information about the number of city-based staff employed by the department, showing the proportion of staff based at Gawler Place and the proportion based at Northfield? Will he also ascertain what proportion of the personnel presently based in the city will be required to transfer to Monarto, assuming that some staff members will be required to man a base close to Adelaide? In his reply to the Hon. Mr. Story the Minister stated that departmental employees would be living at Monarto. Will he say whether the employees transferred to Monarto will be required to live there and by what means the Government intends to ensure that they do so, if that is necessary?

The Hon. T. M. CASEY: I will attempt to obtain the information the honourable member requires and bring back a report.

PRIMARY PRODUCTION

The Hon. M. B. CAMERON: I seek leave to make a short statement before directing a question to the Minister of Agriculture, as Acting Leader of the Government in this Council.

Leave granted.

The Hon. M. B. CAMERON: The Victorian Government recently conducted an inquiry into the future of the port of Portland. The report of the inquiry included 25 recommendations, one of which was that local primary producers should be encouraged, by subsidy, to ensure that their produce was channelled through the port. I understand the Victorian Government has indicated that it will pay a $1.50 subsidy on each of the first 150 000 bales of wool going through that port in each season. Clearly, much of the wool going through that port will come from the South-East of this State: the percentage could be between

33⅓ per cent and 50 per cent. The Premier has shown considerable interest in this area, to which he has referred as the green rectangle (a change from the usual triangle), and has indicated that we should forget State borders in this area. Can the Minister say whether the State Government will be reimbursing the Victorian Government in respect of the subsidy paid to South Australian primary producers or whether (and this is of more importance) it will add to the subsidy already offered to local primary producers in respect of produce channelled through this port to ensure its future?

The Hon. T. M. CASEY: No doubt, this is a matter for the Premier of Victoria and the Premier of South Australia. I will take up the matter with our Premier to see exactly what the situation is—whether we have heard from the Victorian Premier so far and what deliberations have taken place along the lines suggested by the honourable member.

OVERSEA TRADE

The Hon. C. M. HILL: I seek leave to make a short explanation prior to directing questions to the Minister of Agriculture.

Leave granted.

The Hon. C. M. HILL: Further to my question to the Minister about his recent oversea tour, I seek his opinion, based both on his experience as Minister of Agriculture and on his observations overseas, whether South Australia is getting value for money in relation to its oversea appointments. Secondly, I ask whether the Minister believes there is too much duplication between the State and the Commonwealth appointees overseas, thus resulting in a wastage of both money and resources. In answer to a question in March, 1971, about appointments overseas by the then South Australian Government, I was told that, amongst other officers, a trade officer had been appointed in the South-East Asia zone and that his annual salary at that time was to be $A12 000. He was also to receive allowances, ultimately, of up to $A3 120 a year, plus travelling expenses, entertainment expenses, hire-car expenses, and allowances for having his family and children living where he was stationed.

I was also told that agencies had been appointed in Tokyo, Hong Kong, and Singapore, the officers there receiving a retainer fee of $A2 500 a year, plus further expenses. I was further told it was expected that an appointment would be made in Djakarta. In recent months, honourable members have been receiving monthly a magazine called *Overseas Trading,* issued by the Commonwealth Department of Overseas Trade. The magazine signifies considerable expansion of this Commonwealth activity since December, 1972. On the information from the magazine dated July of this year, it seems that 44 countries now have Australian trade commissioners, and countries or States served by oversea trade commissioners total about 74.

The Hon. A. J. Shard: That's not a bad second reading speech!

The Hon. C. M. HILL: I will come to the questions now. Based on the Minister's experience, and his observations when he was recently overseas in the South-East Asia and Pacific areas, does he believe that the State expenditure is still justified; and does he believe that the South Australian appointees arrange trade and other business for South Australian interests which otherwise could not or would not be achieved through the Commonwealth trade commissioner?

The Hon. T. M. CASEY: The answer to those questions, asked after much deliberation by the honourable member, is "Yes". I have no hesitation in saying that. My experience overseas recently confirms my view that it is most important, from the South Australian industrial point of view, to have a representative of the South Australian Government in those areas. Victoria has been so alarmed recently by the trade that has been coming to South Australia as a result of our representatives that it is planning to appoint its own trade officers in South-East Asia. I am not sure whether they will be stationed in Hong Kong or Japan, but the appointments will be made this month.

NATURAL GAS

The Hon. R. A. GEDDES: Will the Minister of Agriculture ask the Minister of Development and Mines what are the known reserves of natural gas available for supplying Adelaide and Sydney? Also, will the gas field have to be enlarged to supply sufficient natural gas for the Redcliff petro-chemical complex?

The Hon. T. M. CASEY: I will refer the honourable member's questions to my colleague and bring down a reply.

The Hon. A. M. WHYTE: I ask leave to make a short statement before asking a question of the Minister representing the Minister of Development and Mines.

Leave granted.

The Hon. A. M. WHYTE: In his. Speech at the opening of this session the Governor said:

> A vigorous programme of exploration is in contemplation—

His Excellency was referring to the Moomba and Gidgealpa gas reserves—

> for this area during the next decade, and both private and Government geologists are confident that this exploration will find further significant gas reserves to meet the increasing demand for this valuable fossil fuel.

Are there at present any South Australian Government geologists or drilling rigs operating in the area referred to, and, if there are not, when will they commence a search programme?

The Hon. T. M. CASEY: I will refer the honourable member's questions to my colleague and bring down a reply as soon as possible.

LAND AND BUSINESS AGENTS ACT

The Hon. R. C. DeGARIS: Has the Minister of Agriculture a reply from the Attorney-General to my question of July 23 about the Land and Business Agents Act?

The Hon. T. M. CASEY: My colleague states that discussions are taking place with interested parties as to the operation of the legislation, and suggestions are under consideration. The Government will consider favourably any proposals which will assist in achieving the objects of the legislation with a minimum of inconvenience. There is no doubt that experience will indicate amendments that can be made to improve the Act and regulations, and such amendments will be made as the need arises. Some amendments to the Act and the regulations are under consideration at present.

MEMORIAL HOSPITAL

The Hon. C. M. HILL: Has the Minister of Health any plans whatsoever to acquire Memorial Hospital for the purpose of extending Adelaide Children's Hospital or for any other purpose; if he has not any such plans, has the Minister or his department considered at any stage a

plan to acquire Memorial Hospital for extensions to Adelaide Children's Hospital, such plans incorporating the closure of that part of Kermode Street which divides the freeholds of the two institutions?

The Hon. D. H. L. BANFIELD: The Government has no plans to acquire Memorial Hospital. Adelaide Children's Hospital is not a Government hospital. True, suggestions have been made (I think by Adelaide Children's Hospital to the board of Memorial Hospital) that perhaps Adelaide Children's Hospital could use certain parts of Memorial Hospital if the board saw fit to negotiate. However, I repeat that the Government has no plans to acquire Memorial Hospital.

AGRICULTURAL IMPLEMENTS

The Hon. C. R. STORY: I seek leave to make a statement before asking a question of the Minister of Agriculture.

Leave granted.

The Hon. C. R. STORY: Some little time ago an interesting report appeared in. the daily press concerning orders that Libya had placed for South Australian agricultural implements. I understood these orders were a direct result of the work done in that country by our Agriculture Department officers. Will the Minister say how many such officers are at present in Libya or have recently visited that country, what was the duration of their stay, what were their duties while in that country, and who is paying their expenses?

The Hon. T. M. CASEY: Speaking from memory, I think the officer who went to Libya under the scheme to which- the honourable member has referred was the department's Assistant Director, Mr. Peter Barrow, whose visit was financed by the Libyan Government. Indeed, his air fares were paid and he was provided with accommodation while he was in Libya. During his stay in that country, Mr. Barrow advised the Libyan Government on how South Australian agriculturists could assist in the development of an area that was being developed as part of an overall scheme. That officer has since returned to South Australia, and I assure the honourable member that the report he made to me was a good one. Apparently the Libyan Government thought likewise, because his visit and deliberations and the amount of information that he provided to that Government have, to a great extent, resulted in large orders for farm machinery being placed in South Australia. Prior to Mr. Barrow's visit, South Australian farm machinery manufacturers had received orders from Libya. However, his visit to that country cemented the relationship between the Libyan Government and the South Australian scene.

SALES TAX

The Hon. R. C. DeGARIS: On July 26, I asked the Acting Minister of Lands a question regarding sales tax as applicable to the State Government Insurance Office. Has he a reply?

The Hon. T. M. CASEY: I am informed that the State Government Insurance Commission applied to the Australian Taxation Department in October last for an exemption from sales tax on goods purchased for the commission's use and not for resale, but the application was refused. Subsequently, the Taxation Department advised the commission that it was exempt from sales tax on goods of this nature. In these circumstances, I see no reason why the commission—or any other business organization for that matter—should voluntarily decline to take advantage of a benefit to which it is legally entitled. The same situation applies to the arrangement which the commission has made with the State Savings Bank. The answers to the Leader's questions therefore are "no" in each case.

PORT AUGUSTA BUS SERVICE

The Hon. C. M. HILL: I seek leave to make a short statement before directing a question to the Minister of Health, representing the Minister of Transport.

Leave granted.

The Hon. C. M. HILL: At its last meeting the Port Augusta council agreed, most reluctantly, to a proposal by the local bus operator that the bus service within Port Augusta would be restricted. The bus operator (Mr. Fullerton) explained at the time that he had no alternative but to curtail the service because of difficulties regarding the labour position, fares, and other problems generally. This means that the people of Port Augusta who previously used the bus service, especially the elderly people, will be inconvenienced. If the Minister intends to extend the subsidizing of free bus services, such as the Bee-line bus service, would he consider Port Augusta as an area for such assistance?

The Hon. D. H. L. BANFIELD: I shall be happy to refer the question to my colleague and bring down a reply.

ASSENT TO BILLS

His Excellency the Governor, by message, intimated his assent to the following Bills:

Police Offences Act Amendment,
Road Traffic Act Amendment.

EGG INDUSTRY STABILIZATION ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from August 7. Page 304.)

The Hon. J. C. BURDETT (Southern): It is with pleasure that I support the second reading of this Bill. Honourable members may recall that, when the principal Act was before the Council last year, I said that in some respects it was model legislation. I was referring to the fact that so many Bills come before Parliament without the persons who are going to be affected by the legislation having been consulted. Quite often we find that the people who will be affected do not even know about the proposed legislation until it is half-way through the Parliament. In the case of the principal Act, the people mainly concerned (the. producers) were consulted at all stages and co-operated in the production of the legislation. The principal Act was for the purpose of providing quotas for keeping hens for the production of eggs to obviate, or to have some alleviating effect on, the then current over-production of eggs.

I have said that the original Act was in many respects model legislation, and the same applies to this Bill. In this case also the industry was consulted at all stages, and listened to. It is one thing just to consult people; it is another to listen to and give some effect to what they have to say. The principal Act provided that a specified number of producers could call for a poll and, if they did so, the poll would be held and would decide whether or not the Act was to be put into operation. The prescribed number of producers did call for the poll, and before the poll the Egg Marketing Board called many meetings of producers throughout the State to enable producers to consider the legislation.

At the request of the producer organizations, I attended some of those meetings and made valuable contacts with members of the industry. As a result of those contacts I have been able readily to ascertain the views of producers about the amending Bill. I have found that, as with the original Bill, they had been told what it was about, they had been consulted, and I have not found a producer who does not support the measure. The Bill, in effect, apart from a few drafting amendments, does three things: first, it enables quotas, or just quotas, to be issued to some people who, through the formulae adopted under the principal Act, could not be allocated quotas, or just quotas; secondly, it extends the period during which producers who are entitled to be group I producers can elect whether they want to be group I or group II producers; thirdly, it directs that the number of hens exempted under the Commonwealth legislation, namely, 20, is to be taken into account in determining the quota, whereas under the principal Act this number was not to be taken into account.

Dealing first with the discretion the Bill gives to the licensing committee to grant quotas in appropriate cases even though they would not be able to be granted under the principal Act, I shall read clause 6, which provides for a new section 20a:

6. The following section is enacted and inserted in the principal Act immediately after section 20 thereof:

20a. Notwithstanding any other provision of this Act, where in the opinion of the licensing committee a special case exists in relation to a poultry farmer, the Committee, if it is of the opinion that it is equitable and proper so to do, may—

(*a*) allot to that poultry farmer a base quota greater than the base quota to which apart from this section the poultry farmer would be entitled;

or

(*b*) allot to that poultry farmer a base quota when apart from this section that poultry farmer would not be entitled to a base quota.

In explaining this and subsequent things the Bill does, it is necessary to refer to the principal Act. Section 13 provides:

13. (1) For the purposes of this Act—

(a) a group I poultry farmer is a poultry farmer who, alone or as a partner owns or leases a place and who during the relevant period and during the period of one year ending on the first day of March, 1973, submitted in respect of hens kept by him at that place at least thirteen notices in writing pursuant to regulation 4 of the regulations made under the Commonwealth Levy Collection Act for each such period and was liable to pay an amount of levy imposed by the Commonwealth Levy Act in respect of hens kept at that place and paid all such amounts for which he was liable and who has not, pursuant to subsection (2) of this section, elected to be regarded as a group II poultry farmer;

and

(*b*) a group II poultry farmer is a poultry farmer who is not a group I poultry farmer.

Subsequently, quotas are allocated on a different basis: group I and group II poultry farmers. In most instances a farmer would be better advantaged if he were a group I poultry farmer, although there could be situations where this would not apply. The reason for the provisions of clause 6 is that, as one would expect with a fairly simple formula based just on the number of hens kept, as set out in the principal Act, it could happen that people who, in justice and equity, were entitled to a quota or to a greater quota, did not receive what they were entitled to. I understand the Minister said in the second reading explanation that there were eight or nine such cases, and the licensing committee has had the courtesy to show me the details in this regard. As. I understand it, there are nine cases and I know some of the details of those cases. They principally fall into two areas. One is the case of the producer who has bought a business from the previous owner during the relevant period, or during the subsequent 12 months. When I read section 13 (1) *(a)* and (*b*) of the principal Act it is clear that such a producer cannot be the recipient in terms of the principal Act of a group I quota. He could receive only a group II quota and, in most cases, that would make him worse off.

Obviously, that is not just and equitable, because a producer who has bought the farm of another producer is not contributing to over-production. Such a business should continue and the purchaser should be able to receive the same quota that the seller would have received had he continued his business. The Government is doing the right thing in this case, and I commend it accordingly. The other principal case where injustice can apply is where the original producer has not been operating his poultry farm but has let it to another person, so that the current producer has bought the farm not from the lessee but from the owner, the owner not being in receipt of a quota at all. Under the terms of the principal Act, the new (or current) producer could not receive a quota at all.

I had some reservations when I first examined this legislation, but those reservations have been dispelled. The beauty of the principal Act was that there were no discretionary powers: matters were cut and dried, because the simple formula provided in the Act had to be applied by the committee. That seemed advantageous in comparison with some legislation such as that applying to wheat quotas, where some discretionary powers are involved. Because of the nature of the poultry industry it was possible to devise a simple fixed formula, providing no discretionary powers.

My doubts have been dispelled, because the discretion involved in this legislation applies only in respect of the fixing of the base quota. New section 20a (a) gives the licensing committee discretion to allow a quota to which the applicant is not otherwise entitled, where it is just and equitable to do so, or to grant him a greater quota than that to which he is entitled under the Act. This applies only to the base quota. Once that is fixed that is it. Few calculations are made on the basis of the base quota. The power of the committee to exercise a discretion will apply for only a short period until the base quota is fixed. Once that is done we shall have the position that seemed so good previously: no-one will have an arbitrary discretion to affect a man's livelihood, and fixed rules will apply.

Secondly, the Bill extends the period during which the producer can elect to be in group I or in group II. This would apply only to a person who would be entitled to be a group I producer. In most circumstances a producer who falls into the category of a group I producer will find it to his advantage to remain in that category.

The Hon. C. R. Story: What is the difference between a group I producer and a group II producer?

The Hon. J. C. BURDETT: A group I producer is one who, "during the period of one year ending on the first day of March, 1973, submitted in respect of hens kept by him at that place at least 13 notices in writing pursuant to regulation 4". A group II producer is any other poultry farmer or one who is not a group I poultry farmer. Formulae set out in the principal Act explain how a quota is to be allocated to a group I producer and a group II producer.

Normally, one would believe that a producer entitled to be included in group I would be better off staying there. However, it is possible to work out computations showing that in certain circumstances a producer can be better off by electing to be placed in group II and, accordingly, the principal Act gives him an option. If a producer qualified for inclusion in group I, he could elect whether he desired group I or group II. Under the principal Act the period allowed for that election has expired, but a recent poll of producers was carried overwhelmingly in favour of that provision. As the election period has expired, this Bill provides a further period during which producers can elect whether they want to be in group I or group II.

I refer now to the third major function of the Bill. The principal Act referred simply to the number of birds contained in the return which had to be submitted under the terms of the Commonwealth Act. That Act provided for 20 birds to be exempt, and the number of birds to be included in the return under the Commonwealth Act was the number of birds a producer had, less 20 birds. For large producers it does not make much difference whether during the relevant period they had 3 000 birds or 3 020 birds, but for small producers the difference between 55 birds and 75 birds could make a considerable difference.

I commend the department and the committee, which I understand largely promoted this legislation and was willing to take into account the case of small producers and to promote this amendment. In effect, it means that the total number of birds is taken into account: or, to put it another way, the number of birds in the return is plus the exempt 20. In other words, the exempted birds are taken into account also in fixing the quota; that is, the number of birds (producing eggs) that one is permitted to keep. It is for these reasons that I support the second reading.

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

FIRE BRIGADES ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from August 6. Page 249.)

The Hon. R. A. GEDDES (Northern): I support this Bill. Its numerous amendments result from the work being undertaken by Mr. Edward Ludovici regarding the consolidation and reprinting of the Fire Brigades Act. There are one or two amendments to which I will refer, but the remainder of the Bill deals mainly with decimal currency conversions. The first matter to which I refer concerns the change that has occurred in respect of municipalities and parts of municipalities in which, when the Act was proclaimed in 1936, there was a Fire Brigade service, the various boundaries being listed in the schedule in the Act. But when there was a need for any further Fire Brigade areas to be brought in, although the Act laid down the procedures to be followed, no provision was made for the new areas to be included in the schedule. So, apparently, it became virtually impossible for a layman to find out where the Fire Brigades Board's boundaries were unless he went to the board itself or to the local council or municipality for an interpretation of where the boundaries were. So this Bill proposes that all boundaries shall be drawn by regulation, which will not only clarify the situation but will also enable anyone to ascertain where the Fire Brigade boundaries are within the metropolitan area or in any other area of the State. He will be able to get a copy of the regulations and find out.

The other point is that the fees that the Fire Brigades Board is allowed to charge were laid down in the schedule and could be altered only under the Fees. Regulation Act, 1927. Apparently, this has caused some confusion because some excerpts from the schedule show the difference in charges. For instance, in the fourth schedule of the Fire Brigades Act, 1936, we see:

> Maximum scale of charges for attendance and service at a fire on land: for the use of a steam fire engine, or. motor fire engine—for the first hour, £5; for each succeeding hour, £2. For the use of a floating fire engine—for the first hour, £10; for each succeeding hour, £3. For the chief officer or other officer in charge at the fire—for the first hour, £1; for each succeeding hour, 10s.

Then comes a line full of nostalgia:

> For each horse taking a steam fire engine, reel, hose carriage ... or other vehicle to or from a fire—10s.

That brings back memories to those of us who are still lucky enough to be able to remember those days and the romance of seeing a horse galloping to a fire and pulling a fire engine. Those are the two changes. As I have explained, the use of the fourth schedule will in future be by regulation, so it will become a better and neater piece of legislation when it has been consolidated and reprinted, which is the intention of Mr. Ludovici as soon as this Bill is passed. I have checked with the Fire Brigades Board and ascertained that it is happy with the proposed amendments to the Act; it has no objections to them. I support the second reading.

Bill read a second time.

In Committee.

Clause 1 passed.

Clause 2—"Application of Act."

The Hon. C. M. HILL:. This is the clause that the Hon. Mr. Geddes referred to at some length. It provides that: the fire brigades' services shall be extended into municipalities or district councils by proclamation after the council in question has been given three months notice. Times have changed since 1936, when the legislation was first brought into force. In 1936 it was the same procedure, that the change be introduced by proclamation. I wonder whether or not that system has worked satisfactorily from the point of view of the council that may object to fire brigades' services under the control of the Fire Brigades Act coming into that area.

The alternative method of doing that, which is more acceptable in these times, is by regulation. In such circumstances, these regulations have to be approved by Parliament; Parliament can be contacted by the council concerned and objections can be made known by that means. A check is then imposed on a Government that may be wanting a change not approved by the council in question. In other words, the Government is carrying on the same procedure to extend the areas of control coming under the Fire Brigades Act and is using the same machinery in 1974 as was introduced in 1936. I appreciate the other point concerning the convenience of this method, as the Hon. Mr. Geddes well pointed out, but once the change is introduced people will be able readily to ascertain the situation, whereas at present, because about 90 changes have been made, no-one seems to know which areas come under the Fire Brigades Board and which do not.

I do not question that but I do query the method by which the Government is proceeding at a time when it has an opportunity to review the situation and give councils perhaps a better chance of objecting and of having their objections sustained. Under the old Act and under

the amendment, the provision that states that the proclamation cannot be brought down unless and until three months notice is given to the council concerned does not mean very much, because that three months notice can be given to the council, the council can then either object or approve, the Government can then proceed to make its proclamation, and that is it.

So there is some window-dressing in the machinery by which the change will be effected by proclamation; but, of course, the council concerned will be given three months notice of the intended change. To a degree, it is window-dressing, because the council cannot do anything about it in the circumstances in which a proclamation applies. If the changes came by regulation, the council concerned could do something about it: it could object violently and make its point known to Parliament, and Parliament might then disallow the regulation. The will of the council, reflecting the will of the local people concerned, could be the paramount consideration.

The new Bill, although it follows the precedent of 1936, does not provide that check. So I ask the Minister in charge of the Bill whether he is completely satisfied that following the old procedure is the better of the two courses. Does he know of any instances where councils have objected to the extension and have, of course, been overruled subsequently by proclamation? If this has raised no problems in the past, I am reasonably satisfied with it but I think the Committee should look at the Bill closely now because, once it has been passed, the damage can be done if, in fact, there is any danger of damage. Could the Minister give me some further explanation on this matter?

The Hon. D. H. L. BANFIELD (Minister of Health): I know of no cases where district councils have been concerned about this method, which has been in use for about 39 years. I am given to understand that it has worked most satisfactorily, and there is no reason why it should not continue to do so.

Clause passed.

Remaining clauses (3 to 27) and title passed.

Bill reported without amendment. Committee's report adopted.

MENTAL HEALTH ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from August 6. Page 249.)

The Hon. M. B. DAWKINS (Midland): This Bill has been introduced as a result of the very commendable efforts of Mr. Ludovici, the former Senior Parliamentary Counsel. In his second reading explanation the Minister of Health said:

The Bill, if approved by Parliament, will enable the Mental Health Act to be updated, consolidated and reprinted under the Acts Republication Act, 1967.

I agree with this statement. Mr. Ludovici is doing the most valuable work of preparation for the consolidation and reprinting of the Statutes, which is long overdue. I have examined the Bill in relation to the principal Act and also in relation to the Minister's second reading explanation, and I believe that the explanation gives a true account of what is being attempted in this Bill. In saying that, I do not mean to reflect on other second reading explanations, but we do not always learn from them all that we need to know about legislation. In considering this Bill, I have also had regard to the valuable remarks of the Hon. Mr. Springett. There is no purpose in repeating the comments of the Minister or of the Hon. Mr. Springett. I agree to the purpose of the Bill and I therefore support it.

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

ADJOURNMENT

At 3.17 p.m. the Council adjourned until Tuesday, August 13, at 2.15 p.m.