

maximum market value of a pig is fixed at £15. To make the requisite alteration of the law it is necessary to amend several sections of the Swine Compensation Act. This is done by the clauses of the Bill and the only amendments made by the Bill are for this purpose. I move the second reading.

The Hon. J. M. BEERWORTH secured the adjournment of the debate.

DAIRY PRODUCE ACT AMENDMENT BILL.

Second reading.

The Hon. R. J. RUDALL (Midland—Attorney-General)—This Bill alters the constitution of the Dairy Produce Board and extends the operation of the principal Act. As members know, the Dairy Produce Act provides the legal basis of the arrangements for securing an equalized price for butter and cheese. It establishes a Dairy Produce Board, and this board determines how much of the butter and cheese produced in the State can be sold locally. The actual arrangements for equalizing the returns received by those in the industry from local and overseas sales are managed by a company known as the Commonwealth Dairy Produce Equalization Committee Limited. This company represents the Dairy Produce Boards of the Australian States. Shareholders of the company must be members of State Dairy Produce Boards and the directors of the company have to be nominated by the shareholders. These directors constitute the Equalization Committee. South Australia is entitled to have four shareholders in the company and these shareholders have the right to nominate two directors. The cheese manufacturers of this State have been in the Commonwealth Equalization Scheme since its inception, and although they have not been actually represented by a director of the Equalization Committee they have had a representative who attended meetings of the board without having the power to vote. The butter manufacturers until April 1 of this year were not members of the Commonwealth Equalization Scheme but had a separate local scheme. On April 1, they joined the Commonwealth scheme. It will be seen, therefore, that since April 1 both the butter and cheese manufacturers of South Australia have had the right through the medium of the Dairy Produce Board to participate in electing the directors and controlling the policy of the Commonwealth Equalization Committee. The board has, however, urged upon the Government that its present constitution under which it consists of

a chairman, one consumers' representative and one producers' representative, does not permit adequate representation to be given to all sides of the dairy produce industry. The Government has carefully investigated this matter and has come to the conclusion that the claims of those in the industry for a more widely representative board are justified, mainly on the ground that in the future the board will be the principal medium through which those engaged in the dairy produce industry in this State will be able to influence the policy of the Equalization Committee.

It is proposed, therefore, in the Bill to substitute for the present board a board of seven members. There will be a consumers' representative, two representatives of dairymen, two representatives of butter manufacturers and two representatives of cheese manufacturers. By way of recognizing the importance of the cheese industry in the South-East it is provided that one of the cheese representatives will represent the factories in the South-East, and the other will represent the cheese factories in other parts of the State. The consumers' representative will be appointed chairman of the board. The present arrangements under which the Minister chooses the persons to act on the committee as representatives of the various branches of the dairy industry will be retained. This arrangement has worked satisfactorily, and there is no demand for a change in it. These alterations which I have explained are made by clause 3 of the Bill.

Clause 4 increases the quorum of the board from two to four. This is purely consequential. Clause 5 provides that the board may become a member of, or nominate or appoint members to, or otherwise co-operate with, any organization formed inside or outside the State for protecting the interests of persons in the dairy produce industry. This clause is necessary because as a matter of strict law the board would have no power to take up shares in the Commonwealth Dairy Produce Equalization Committee Limited or otherwise work with the committee unless so authorized by Statute.

Clause 6 repeals section 26 of the principal Act. This is the section which imposes a time limit on the duration of the Act. It has been the policy of Parliament for some years to extend the Dairy Produce Act from time to time for periods of two years. This practice was justifiable while the equalization scheme was in its early and experimental stages. It may now be said that the equalization scheme has

become a settled part of the Australian economic system; and the Government accordingly considers it reasonable to ask Parliament to abolish the time limit and thus obviate the necessity for frequently bringing down small Bills to extend the principal Act. I move the second reading.

The Hon. E. A. OATES secured the adjournment of the debate.

BUILDING MATERIALS ACT AMENDMENT BILL

The House of Assembly agreed to the amendment Legislative Council.

ADJOURNMENT

At 2.56 p.m. the Court adjourned Tuesday, November 5, at 10.15 a.m.

2. For obvious reasons it is not the practice to publish the successful tenderer's price in such cases, but it can be stated that the lowest tender received was accepted.

REGISTRATION OF BUSINESS NAMES ACT AMENDMENT BILL.

Read a third time and passed.

DAIRY PRODUCE ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 24. Page 779.)

The Hon. E. A. OATES (Central No. 1)—As we have heard practically no criticism against the Commonwealth equalization scheme it is evident that most members are satisfied with it. It appears that it has done a really good job for Australia and the States generally and I am at a loss to understand why this measure is being introduced, as I am sure it will not operate to the benefit of producers, manufacturers, and last but not least, consumers. I realize that the producers did not become part and parcel of the scheme, but that was not the fault of this Parliament. Cheese manufacturers did, to a degree. As a matter of fact, one person acquainted with the industry was elected as a representative of the cheese manufacturers of South Australia and apparently he, with the assistance of the equalization committee, did a remarkably good job. I feel that this Bill will upset the equilibrium of the scheme. The 1934 Act provided for a board of three, one member being nominated by the Government and acting as chairman, one representing the consumers, and one the producers. This Bill will increase the board to seven. Although consumers had equal representation under the 1934 Act, under this Bill they will be outnumbered, as there will be two representatives each of dairymen, butter manufacturers, and cheese manufacturers. Such a board will increase expenditure and provide plums for someone. The proposed chairman who will be known as the consumers' representative, will not represent the Housewives' Association, the Trades Hall or the Trades and Labor Council. He may know the taste of butter or cheese, but he will not know how to manage a home in which butter is one of the main commodities. Sooner or later we must prevent the creation of such large boards. I have been reliably informed that four members of the board will be members of the equalization committee.

What is to prevent us from reducing the number of members from seven to four and having one representative each of butter manufacturers, dairymen, and cheese manufacturers? The industry has been functioning quite satisfactorily under the equalization scheme. We have heard no complaints about it from members of this place who represent dairying districts. It is not reasonable to suggest additional representatives of the various sections of the industry. One representative of each section is sufficient.

The Hon. N. Brookman—How do you think the board should be constituted?

The Hon. E. A. OATES—The dairymen, butter manufacturers and cheese manufacturers should each have one representative, and there should be one representative of the consumers. This would provide a board of four instead of seven.

The Hon. N. L. Jude—Do you think it would be well balanced to have two middle men, one producer and one consumer?

The Hon. E. A. OATES—Yes. The last two could work together. If the Bill is passed without alteration there will be four middle men opposed to two representatives of producers and one of consumers. Such a board will not be so well balanced. I favour four members, unless the Minister can satisfy us seven are necessary.

The Hon. R. J. Rudall—The boards in Tasmania, Western Australia and New South Wales have seven members. I think Queensland has nine.

The Hon. E. A. OATES—It is not necessary to follow the other States. Until April this year each of the interests on the board had one representative. I support the second reading, but hope the Minister will be able to supply me with the information I desire.

The Hon. N. BROOKMAN secured the adjournment of the debate.

SWINE COMPENSATION ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 24. Page 778.)

The Hon. J. M. BEERWORTH (Northern)—I am sorry that the Minister did not give the amount now available in the Swine Compensation Fund. I fully support the Bill so far as the more favoured areas of the State are concerned, but I am doubtful about its practical application in outback areas. Under the Bill it will be necessary, in order

to qualify for compensation, to obtain a certificate from a qualified inspector that the animal died from one of the specified diseases. In Quorn and I believe Port Lincoln there is an inspector of stock but I do not know whether there will be machinery to see that those areas obtain the full benefit of this legislation. At Port Augusta there is one of the biggest piggeries in the State outside the metropolitan area, and people there will be under a disadvantage. I should like more information from the Minister as to the amount in the fund.

The Hon. R. J. Rudall—I think it is about £37,000.

The Hon. J. M. BEERWORTH—I thank the Minister. The Bill is a step in the right direction.

The Hon. E. W. CASTINE (Midland)—I support the Bill, which is long overdue. The amount in the fund seems to be a tremendous sum for the purpose. Those who have been selling pigs have been paying into it for years but so far as I am aware the only persons who have obtained compensation are the buyers in pig markets. The pigs of a man in the country may die from one of the diseases mentioned and it may be impossible to get a stock inspector on the spot in time to examine them. There are other people than stock inspectors capable of saying what ailment a pig dies from, and if they were entitled under the Bill to do so owners of pigs dying from the diseases specified would not miss compensation.

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

FISHERIES ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 24. Page 777.)

The Hon. F. J. CONDON (Central No. 1—Leader of the Opposition)—It was said in another place that as much as £250,000 has been received in South Australia from the sale of whiting sent to Melbourne, which proves how important the fishing industry is to this State. Under existing legislation individual fishermen must take out a licence, but corporate bodies need not. Under the Bill they must, and that strengthens the Act. Section 48 of the Act provides for the registration of fishing boats, which is desirable.

The Hon. E. Anthoney—What is a fishing boat?

The Hon. F. J. CONDON—I presume one used for fishing as a means of livelihood.

The Hon. Sir Wallace Sandford—The point should be made clear.

The Hon. F. J. CONDON—One has only to see how many people fish for pleasure in such places as the Outer Harbour, the Port River, Port Lincoln, Port Pirie and Port Augusta to realize what a large sum of money must be invested in the industry. Section 6 of the Act empowers the Governor to make proclamations for a number of purposes, including the fixing of the minimum weight of fish. Years ago many young fish caught were destroyed, to the detriment of the industry, but some fishermen, if they have any doubts about the weight, throw the fish back into the water and we should encourage that. The Bill also deals with the question of enclosing certain waters. The Fisheries Department must control the grounds where people may fish and the seasons for fishing. That is important for the industry.

The Hon. E. H. Edmonds—It is proving pretty contentious in some places.

The Hon. F. J. CONDON—When Mr. Blesing was administering the department I had occasion to present a number of requests to him, and on every occasion he did what was requested, which proved in the end the right thing to do. We should take every precaution to protect the industry. The Bill goes some way in that direction and I support the second reading.

The Hon. A. J. MELROSE (Midland)—No doubt all members of the Council will favour the general purpose of the Bill, but it gives an opportunity for ventilating a few opinions on the general field touched by the amendments. The Bill, as has already been said, sets out principally to make it necessary for other than individuals to obtain licences. On that matter the Act gives discretion to grant licences to individuals who either are unnaturalized British subjects who through lack of the necessary residential qualifications have not qualified yet for naturalization, or are in the process of applying for certificates of naturalization. I hope that provision will be made so that subjects refused naturalization will be precluded from obtaining a licence. There is nothing in the principal Act or the Bill to provide for that. The Bill sets up machinery for the revocation of orders establishing fish sanctuaries. I have not been

TRUSTEE ACT AMENDMENT BILL.

Having obtained leave, the Hon. R. J. Rudall introduced a Bill for an Act to amend the Trustee Act, 1936-42. Read a first time.

Second reading.

The Hon. R. J. RUDALL (Midland—Attorney-General)—This Bill deals with the power of trustees to invest trust money in debentures of the Electricity Trust of South Australia. Under the Trustee Act, 1936-1942, trustees are empowered to invest trust funds in securities guaranteed by the Government or the Parliament of the State. By section 7 of that Act, however, these securities, if redeemable within 15 years of the date of purchase, cannot be purchased at a premium; and if redeemable at par at any time cannot be purchased at a premium of more than 15 per cent.

The Trust's debentures are securities guaranteed by the Government of the State within the meaning of the Trustee Act, and therefore the above provisions apply to them. They do not, however, apply to Commonwealth Government stocks, nor to stocks guaranteed by the Commonwealth, nor to the Adelaide Electric Supply Company's debentures, nor to the Gas Company's debentures. Thus the Trust's debentures are treated less favourably as a trustee investment than the other securities mentioned. There is no reason for permitting this state of the law to continue. Requests have been received by the Government from stockbrokers and the chairman of the Trust for an amendment of the law so as to provide that the Trust's debentures may be purchased as a trustee investment even if they are at a premium. The Government considers the request reasonable and has brought down this Bill to give effect to it.

The Bill simply states that the restrictions which prohibit trustees from purchasing securities at a premium, as set out in section 7 of the Trustee Act, will not apply to debentures issued by the Trust, or on which the Trust is liable. The Bill will not, of course, affect the general duty of trustees to exercise prudence in investing trust funds and to act justly as between beneficiaries entitled to capital and interest respectively. This is a simple Bill which brings the securities guaranteed by the Government in connection with the Electricity Trust under the same provisions as already apply to the other stocks and debentures I have set out. There appears to be no

reason why this should not be done. I move the second reading.

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

SWINE COMPENSATION ACT
AMENDMENT BILL.

Read a third time and passed.

DAIRY PRODUCE ACT AMENDMENT
BILL.

Adjourned debate on second reading.

(Continued from November 5. Page 794.)

The Hon. N. BROOKMAN (Southern)—In his second reading speech the Minister made it clear why the Act should be amended in order to enlarge the board to seven members, and to provide that legislation shall continue in force over the years. In the past it has been the practice to extend the life of the principal Act for short periods. The board manages the dairy produce industry and dovetails in with the Commonwealth stabilization scheme. Mr. Oates seemed to have some apprehension about increasing the size of the board, and he suggested one of four members because he thought seven were too many, and that the interests of the consumers would not be properly protected. I believe that he is unnecessarily alarmed because a board of seven is more effective than one of three or four. When a board is enlarged new interests are introduced and the views expressed by the additional members are valuable. The main point in increasing the board's size as proposed is that a representative of the South-Eastern cheese industry will be appointed. The dairy industry in that part of the State is growing rapidly and the production will increase greatly when more settlement takes place. Because of its geographical position the South-East is to some extent isolated, and nowadays the tendency is for the products of the dairy industry to go to Victoria, whereas at one time practically all the butter and cheese were sold in South Australia. Sixty-two per cent of the butterfat produced in this State is converted into butter and 38 per cent into cheese. The board fixes the quantities to be sold inside and outside the State as well as overseas. Under the equalization scheme any shortages of butter and cheese in other States can be made up with supplies from South Australia. Such a scheme is essential and I believe it started with the Paterson scheme. It is not generally understood that the £7,500,000

provided by the Commonwealth as a bonus to the industry does not go to the dairymen. It is really wrapped up in the equalization of the butter and cheese prices. The overseas price of butter per hundredweight is 173s. 6d. sterling, which is 216s. 1½d. in Australian money. The price of first grade cheese overseas is 101s. sterling, which is 126s. 3d. in Australian money. The local price of butter is 164s. 6d. per hundredweight in bulk. The cheese price is 112s. There is a discrepancy between the prices obtained overseas and the prices at which the product is sold in Australia. At present if the industry were not stabilized dairymen would be getting more for their product on the present export prices. Under the scheme the Commonwealth Government, with the money available, makes up the difference between the Australian rate for butter and 200s. a hundredweight so as to enable people in Australia to get it at a cheaper rate. They pay the difference to keep the price down, so it does not go directly to the dairyman. Another good reason why there should be a board of seven members is that four members are chosen to represent South Australia and become shareholders in the Dairy Produce Equalization Committee Limited. Two of the four are appointed as directors to represent South Australia. If we do not pass the Bill there will be great difficulty in administration.

The Hon. R. J. Rudall—The Commonwealth Government will appoint representatives of its own.

The Hon. N. BROOKMAN—I think so. The number of members of boards in other States are—Victoria and Tasmania, five; New South Wales and Western Australia, seven; Queensland, 11. In Queensland it is a Butter Board, different from the others. I support the Bill.

The Hon. A. P. BLESING (Northern)—The legislation we are amending was brought into being when I was Minister of Agriculture, after much discussion and many conferences, following a break-down in the Paterson scheme, which served a good purpose until loopholes were discovered in it. No dairyman in South Australia, I think, will ever regret the legislation put through at that time. The equalization system, inaugurated because of the high cost of production in this country, has saved the dairy industry. This Bill increases the number of members of the board and dairymen will now have two representatives on it out of seven. I am confident that the type of men who will be appointed in addition to the dairymen will

in no way impair the efficacy of the legislation. Most members have had experience of the working of the scheme.

The Hon. E. A. Oates—Has it worked successfully?

The Hon. A. P. BLESING—Yes, so far as the industry is concerned. We could not leave such an important industry, producing one of the staple foods of life, at the mercy of low export prices, knowing that costs of production were continually increasing. Before the introduction of the legislation the dairyman's work was drudgery and he depended for labour largely on the work of his wife and children because he could not afford to pay for outside help. It was difficult to get dairymen to agree to be tied up under the legislation. Many farmers had a local market and were able to sell fresh dairy butter at a price much in excess of the export price, but that was not in the interests of the industry as a whole, so they had to be levied under the equalization scheme. I am pleased that one clause of the Bill provides for co-operation with other States. When the first Bill embodying an equalization scheme was being considered there was great difference of opinion as to whether dairymen in this State would be better off working under a State Act and a State board or under a Commonwealth scheme. I believed it was necessary in the interests of the dairymen to co-operate with the other States.

The Hon. E. A. Oates—You didn't view it very favourably.

The Hon. A. P. BLESING—I advocated it. Particularly at certain times of the year when we had to import butter, I could see that South Australian dairymen would reap a benefit from the bigger scheme. A section of the trade and some producers were inclined to confine it to the State, but I had a departmental committee established to investigate the whole question and it reported in favour of the Commonwealth scheme. Though the Bill was so framed that South Australia could come under the Commonwealth scheme I do not know that it went into it entirely, except that the cheese people did, and it placed the South-East on the map of Australia as a cheese manufacturing district. Closely connected with that question was the bringing up to date of South-Eastern factories. The South-East was the home of cheese-making at the time, and it fell to my lot to approve of the enforcement of a drastic regulation as to grade there. The South-East had been exempt from its operations, but it

was discovered that the grade of cheese produced by certain South-Eastern factories was down to 77 points instead of the 91 points required for export cheese. It was desirable, therefore, in their own interests, that they should conform to the regulation, as other parts of the State did. I was attacked for enforcing the regulation in the South-East, but I replied that I would go there and explain why it was done, and offer departmental assistance in putting in the necessary plant to conform to the regulation. The result was that the quality of some factories went up to 100 points. It was a matter of hygiene. But for that those factories would have continued to produce low grade cheese; now they produce the best quality in Australia.

The Hon. E. A. Oates—What assistance did they get from the Commonwealth Government?

The Hon. A. P. BLESING—The Commonwealth Government was just standing by. They got legal assistance, but the State worked out its own destiny in that regard. South-Eastern dairymen would admit now that what was done was necessary and beneficial. We have not yet reached the limit in regard to output, particularly if we can maintain the present high quality. I hope that in land settlement in the South-East that form of closer settlement production will not be lost sight of in conjunction with other forms of production; that is, if we can halt the increasing cost of production. If we cannot the time may come when the outside world will say that the price is too high. We cannot go on indefinitely asking the people of Australia to make up the difference; a breaking point will eventually be reached.

The legislation has been of benefit to the industry. I do not know that we can continue to live on subsidies indefinitely, but we must try to keep the industry on a sound economic basis and in a stable position because the production from it is vital to the life of the people. England will be a customer for good quality products for many years to come, but only at a price which she can pay.

The Hon. J. L. S. BICE secured the adjournment of the debate.

BANKING COMPANIES ACT REPEAL BILL.

Adjourned debate on second reading.

(Continued from November 5. Page 797.)

The Hon. F. J. CONDON (Central No. 1—Leader of the Opposition)—As the Minister

said in his second reading speech, the object of this Bill is to repeal the Banking Companies Act of 1935 because the Commonwealth Parliament passed similar legislation last year. It appears that the Government has no objection to handing over control of this matter to the Commonwealth Parliament, and I am sure that its action will have the benediction of its followers. Perhaps it would be just as well to consider what this amending legislation means to the people concerned.

The Banking Act of 1935 consists of 18 sections and two schedules. Part I. of section IV. deals with the duties of banks as to periodical returns, charters, letters patent, and interpretations, and section 5 with statements of weekly average liabilities and assets. On Monday of every week at the close of business banks have to prepare a full and correct account. Under section 6 banks have to submit a general abstract, in writing, of the average amount of their assets, property, credits, and debts during the quarter, also engagements and liabilities in the form set forth in the second schedule. They also have to prepare a statement showing the amount of capital stock of the bank paid up at the close of the quarter to which the abstract relates, and state the rate and amount of the last dividend declared to shareholders or proprietors and the amount of the reserve profit at the time of declaring such dividend. A further part of the section deals with the persons authorized to make the statements which have to be delivered to the Chief Secretary for laying before Parliament and publishing in the "Government Gazette." Section 7 deals with penalties for failure to keep or make returns; the maximum penalty in this case is £500. Section 8 deals with the duty to deposit charters, letters patent or deeds of settlement. These must be deposited with the Registrar of Companies and failure to do so involves a fine not exceeding £100. Section 9 deals with records of proprietors; section 10 with liability of proprietors and section 11 relates to oaths and perjury. Section 12 provides that any action by the bank must be taken within two years. Section 15 relates to interpretation and section 16 states that banknotes are to be a first charge on assets. Section 17 provides a penalty of two years' imprisonment for fraudulent issue of notes and section 18 for a fine of £500 for issuing misleading advertisements of capital.

It is proposed by a stroke of the pen to repeal this legislation. I take it that the

Government is perfectly satisfied that the Commonwealth legislation will have the same effect as the legislation which has operated here since 1935. I accept the assurance of the Chief Secretary that the Commonwealth legislation is identical with the Act of 1935 and support the Bill.

The Hon. Sir WALLACE SANDFORD secured the adjournment of the debate.

FISHERIES ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from November 5. Page 796.)

The Hon. E. H. EDMONDS (Northern)—Previous speakers have mentioned the importance of the fishing industry to the State and their desire to support the Bill because it will strengthen the position of the people engaged in the industry and contribute to their welfare. The measure is not contentious and embodies provisions which experience has shown to be necessary.

Perhaps the most important amendment is in clause 3, which provides for a variation of proclamations, particularly with regard to closed areas. Many of our harbours and bays have been closed to some classes of fishing—net fishing in particular—the object being to preserve them as breeding grounds. Under proclamations certain areas have been declared open for net fishing, but they are very restricted areas. There is a good deal of controversy amongst those engaged in the industry in regard to this matter. Those engaged in line fishing declare that the opening of even these restricted areas to netting is detrimental to the breeding of fish. Net fishermen say that net fishing does not make any difference to line fishermen, because line fishermen catch a class of fish, such as whiting, which returns the biggest profit. Net fishermen can concentrate on mullet, tommy rough and garfish which are not so much sought after by line fishermen. It was with the object of bringing these other classes of common fish on to the market that the Minister opened many of these areas, because there was a distinct shortage of fish. I believe an appeal came from Army authorities to build up supplies. From time to time members representing districts in which there are branches of the fishing industry receive petitions and counter-petitions for the opening or closing of areas, and perhaps members who are not intimately acquainted with the circumstances are somewhat confused as to the right line to follow. The Fisheries Department in

its recent report dealing with the period 1943-1945 gives some interesting information on this matter. I had the pleasure of seeing a film prepared by the department on an experimental tour made by its officers in an endeavour to see what was the result of opening those areas. It substantiated the claim that netting was not affecting the whiting grounds. As the object of the Bill is to consolidate the position of fishermen and to provide more fish for consumers I support it.

The Hon. J. L. S. BICE (Southern)—The Minister said that the Bill clarified the principal Act so that people associated with the fishing industry would be informed of their responsibilities, and for that reason I support it. People interested in the industry must be impressed by the efforts of small companies to provide more fish for consumers. I have in mind a small South-Eastern company which puts on the market a really good fish. Recently I had the pleasure of inspecting the works. In the past companies have not had the responsibility of licensing their employees who do the fishing, nor of having their boats registered, but under the Bill they will have to accept that responsibility. When the Fisheries Act Amendment Bill of 1922 was discussed, you, Mr. President, took an active part in the debate. My worthy father introduced that measure and much discussion took place about protecting amateur fishermen. Under clause 3 of this Bill proclamations can be varied and that may lead to difficulties. Yesterday Mr. Melrose referred to the possibility of variations reacting unfavourably in regard to line fishing in rivers.

The Hon. R. J. Rudall—It is all a matter of procedure. The clause provides that a proclamation may be varied instead of having to be revoked and another issued.

The Hon. J. L. S. BICE—I sound a note of warning. Netting of fish should not be permitted in our rivers.

The Hon. R. J. Rudall—The clause does not refer to that matter.

The Hon. J. L. S. BICE—I simply desire to connect my remarks on clause 3 of the Bill with the provisions at the end of section 6 of the principal Act. I believe there is a possibility of netting in rivers and amateurs who fish there should be protected. The Fisheries Department also has difficulty in taking action against people who use gelignite to catch fish. In the Onkaparinga River much line fishing takes place and, as you, Sir, pointed out in 1922, often many amateurs sit on the

TRUSTEE ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from November 6. Page 826.)

The Hon. F. J. CONDON (Central No. 1—Leader of the Opposition)—The Bill deals with the power of trustees to invest money in debentures of the Electricity Trust of South Australia and I see no objection to it. Section 7 of the principal Act is amended by adding at the end of subsection (2) thereof "provided that this subsection shall not apply to debentures issued by the Electricity Trust of South Australia or to debentures on which the trust is liable." Section 5 in Part I. of the principal Act deals with authorized investments and paragraph (c) refers to securities guaranteed by the Government or Parliament of the State. Section 7 of the principal Act states that trustees may invest in the securities mentioned in section 5 notwithstanding that they are redeemable—as the debentures of the Electricity Trust will be. Requests have been received from stock brokers and the chairman of the trust for this amendment to the law. The Bill does not affect the general duties of trustees. I support the second reading.

The Hon. C. R. CUDMORE (Central No. 2)—This is a small amendment of the law arising out of the taking over of the Adelaide Electric Supply Company by a Government trust, and permits debentures which will be issued by the trust to existing shareholders to be bought at above par in certain circumstances. I agree with what the Minister said in moving the second reading, but I think Mr. Condon came nearer to the real explanation when he referred to section 5 of the Trustee Act. Though I do not oppose the Bill I suggest that the alteration of the law is not being carried out in the right way. It appears to me that making an exception of one case under section 7 of the Trustee Act is the wrong procedure. I think it would have been better to amend section 5. The Minister may be able to clear that point up.

The Hon. R. J. RUDALL (Midland—Attorney-General)—I am obliged to Mr. Cudmore for his remarks. In paragraph (c) of section 5 of the Trustee Act it is already provided that trustees may invest in any securities of or guaranteed by the Government or the Parliament of the State, so there is no need to amend section 5 for the present purpose because debentures of the trust are guaranteed by the Government and come under section 5 already. The Bill amends section 7 because

the exceptions set out in subsection (2) of that section include paragraph (c) of section 5; so it is section 7 that should be amended, and not section 5.

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

BANKING COMPANIES ACT REPEAL BILL.

Adjourned debate on second reading.

(Continued from November 6. Page 829.)

The Hon. Sir WALLACE SANDFORD (Central No. 2)—This measure is an unusual one, being a repeal Bill. There was a clean-up of Acts when there was a revision and reprint of what legal gentlemen would call the living law in 1936, and apparently Parliament made such a good job of it then that there has been little left to repeal. As that date was before the time when a number of us entered Parliament we have had little experience of repeal legislation. As the Chief Secretary explained, the necessity for this Bill has arisen out of conditions brought about by the Commonwealth Banking Act. He said the reason for it is that the Commonwealth Banking Act passed last year deals with the same matters as the State Act of 1935. Section 109 of the Commonwealth Constitution states that "when a law of a State is inconsistent with the law of the Commonwealth the latter shall prevail and the former shall, to the extent of that inconsistency, be invalid." The State Act is either inconsistent with the Commonwealth Act and therefore invalid, or duplicates its provisions and thereby imposes an unnecessary burden upon banks. This is the second piece of legislation with which we have had to deal because of the Commonwealth Banking Act. Twelve months ago we amended our Savings Bank Act. When the Banking Act was passed the Commonwealth Government thought that our Savings Bank was a Government bank, but when shown that that was not so it refused to alter its legislation. In order to overcome a difficulty, which should not have arisen, South Australia had to make its Savings Bank a Government instrumentality. Previous speakers on this Bill made convincing statements and it is unlikely that there will be any opposition to it. At present, banks are required by law to prepare at set periods statements giving certain particulars. As the Banking Act covers this matter there is no need for State legislation. In these days of scarcity of manpower it is necessary to do away with

effort as much as possible, especially when efficiency is not impaired. Under the Banking Act the information previously required will still be collected, but the returns will go to Commonwealth instead of local authorities. As bank depositors and the public will still be adequately protected, I have pleasure in supporting the second reading.

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

DAIRY PRODUCE ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from November 6. Page 828.)

The Hon. J. L. S. BICE (Southern)—The Bill deals with the dairying industry which has been of tremendous value to the State, and so much capital is invested in it that we cannot afford to do anything to retard its progress in any way. I believe that much of the land in the South-East and in the hills districts now carrying sheep will ultimately become dairying country. I have no objection to increasing the size of the Dairy Produce Board as proposed, nor have I any objection to its proposed constitution. I particularly favour the appointment of a representative of cheese manufacturers in the South-East, which part of the State has great possibilities for cheese-making. The greatest disability associated with the dairying industry in the future will be the marketing of the produce, and because of this only experienced men should administer the legislation. In the past I may have opposed the appointment of too many representatives of the manufacturers to the board, but I now feel that the marketing position has to be closely watched.

The Hon. E. A. Oates—Would you object to a board of eight?

The Hon. J. L. S. BICE—Yes, because seven are sufficient. Last week-end I discussed this Bill with South-Eastern dairymen and I found no real objection to the proposed constitution of the board. I support the second reading.

The Hon. R. J. RUDALL (Midland—Attorney-General)—I thank members for their remarks on the Bill, but I want to reply to some statements by Mr. Oates in an attempt to clear up some of the difficulties he sees in this matter. Before April of this year the butter manufacturers were not part of the Commonwealth equalization scheme. They operated under a

local scheme, in accordance with the provisions of State legislation. In April they came into the Commonwealth scheme. As I pointed out in my second reading speech, a representative of the cheese manufacturers was present at meetings of the board of directors of the Commonwealth Equalization Company, but he was there merely as an observer and had no voting power. He was not a director of the company.

The Hon. E. A. Oates—Don't you think he did an excellent job?

The Hon. R. J. RUDALL—I do not suggest that he did not. I hope I have never suggested that.

The Hon. E. A. Oates—The Bill does.

The Hon. R. J. RUDALL—No. The position was, therefore that up to this year there was no representative from South Australia acting as a Director of the Commonwealth Dairy Produce Equalization Company. Under the articles of association of this company, into which South Australia has only recently really come, South Australia is entitled to four shareholders, all of whom must be members of the State Dairy Produce Board and two of whom may be elected as directors of the company by the four shareholders. It must therefore be obvious that the representation had to be increased and the only question that had to be considered was the number of representatives that should be provided under the new circumstances. Although four would have provided us with the number of shareholders to which we were entitled, the representations from the industries concerned made it quite clear to me that four would not have been a satisfactory representation.

In the first place, with regard to the cheese manufacturers, it must be well-known to all those connected with this particular trade that a considerable quantity is now manufactured in the South-East which is separated by a considerable distance from the Hills districts where the other source of cheese supply is obtained, and it appears only fair and proper that each of these districts should have its own representative on this board. When once the claim of the cheese manufacturers is admitted then it becomes also apparent that the manufacturers of butter are also entitled to two representatives because it must be remembered that butter is manufactured over a considerable portion of the State, and two representatives from this important and widely scattered industry cannot be said to be an over-representation.

With regard to the dairymen, they are of course the producers of the raw product upon which the other industries are based, and under

the equalization scheme are very much concerned with the equalization that is carried out by the committee, and are most certainly entitled to as much representation as the industries previously mentioned. The consumers will be represented by a person to be appointed by the Government who will also be the chairman of the board.

I shall now compare the position of this Board with the various State dairy produce boards. In Queensland there are six persons, each of whom is a member of the Queensland Butter Board as a representative of the growers; three persons each of whom is a member of the Queensland Cheese Board as a representative of the growers, and the Director of Marketing or a deputy appointed by the Minister of Agriculture and Stock. In New South Wales one member is nominated by the Minister of Agriculture; two are nominated by the boards of directors of companies which are manufacturers as the representatives of such companies; two are nominated by the boards of directors of societies registered under the New South Wales Co-operation Act and which are manufacturers as the representatives of such societies, and two are nominated by the Primary Producers Union as the representatives of such unions. In Victoria one is nominated by the Minister of Agriculture; one by the Victorian Proprietary Butter and Cheese Factories Association; one by the Victorian Dairy Farmers Association and one by the Minister of Agriculture as representing consumers of dairy products. In Western Australia one is appointed by the Government; one representing co-operative manufacturers; one proprietary manufacturers; two representing producers; one representing dealers as defined in the Act; and one representing consumers and appointed by the Government. In Tasmania one is appointed by the Government; one representing co-operative factories; one representing dairymen; one representing proprietary factories, and one representing consumers.

I point out to Mr. Oates that in some of the States the numbers are greater than is provided in this particular legislation, that in some of the States there is no direct consumers' representative at all, and that in no State is there more than one member representing consumers. I think this information should be enough to satisfy Mr. Oates and any other member of the Council that the board is a well-balanced one, and that the particular circumstances of South Australia entirely

justify the action taken by the Government as outlined in the provisions of this Bill.

To sum up I might say shortly that this Bill will give what is desired—the right of South Australia to take its full share in the work and management of the equalization company which it has not hitherto been able to do, and the board as suggested in the Bill is well suited to the requirements of this State.

The Hon. L. H. Densley—Consumers will not be as well represented here as they are in the other States.

The Hon. R. J. RUDALL—The board is a well-balanced one suitable for the conditions which prevail in this State, but which certainly are not the conditions which prevail in a compact State such as Victoria. It is obvious that representation must be increased. I think that the facts which I have given will satisfy members.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—"Constitution of board."

The Hon. E. A. OATES—I thank the Minister for the information which he has just given members, but regret that it was not supplied in his second reading speech. However, I still feel that the board is lopsided. When I was speaking on the Bill Mr. Jude reminded me that the middle man was gaining representation at the expense of the two most important bodies—producers and consumers. Although I do not object to the interests of the South-East being looked after I remind the Minister that he may find the northern or other parts of the State asking for direct representation.

The Hon. C. R. Cudmore—You want to bring goats' milk into it.

The Hon. E. A. OATES—No. I was informed this week that a body of men in another part of the State was seriously considering going in for cheese manufacture, although not to the extent operating in the South-East. If members do not object to a board of seven, what objection have they to increasing the number to eight and giving consumers the same representation as the other sections?

Clause passed.

Remaining clauses (4 to 6) and title passed. Bill reported without amendment and Committee's report adopted.

HAIRDRESSERS REGISTRATION ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from November 6. Page 830.)

The Hon. F. J. CONDON (Central No. 1—Leader of the Opposition)—This is a short measure and the two main clauses deal with qualifications for registration of hairdressers and reciprocal arrangements with other States for registration. In the provision dealing with qualifications for registration it refers to those who served in the naval, military, or air forces. For a long period in provisions of this kind it was usual to refer to these three forces, but later an agitation was set up to include members of the mercantile marine and for many years they have been included in this type of legislation. In this Bill, however, "mercantile marine" has been dropped. Why has it been omitted? It is just as important in this matter as in other matters that members of the mercantile marine who served during the war should have the same privileges as members of the fighting services. I hope that in Committee they will be included. That will be in conformity with legislation passed in other sessions.

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

FISHERIES ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from November 6. Page 830.)

The Hon. E. A. OATES (Central No. 1)—I indorse the remarks of Mr. Edmonds. Like him I represent a saltwater constituency and realize how valuable the fishing industry is to the State. I have watched the interests of fishermen for many years and knew their difficulties as long as 35 years ago, when certain waters were closed to them. They did not oppose that because they realized that they would reap the benefit later. Since then waters have been opened which I consider should have been closed at seasons to be breeding grounds. One such place is Venus Bay. I secured the adjournment of the debate on this measure last week to have time to find out the views of an old fisherman whose father before him was a fisherman. He said, "I am one who has been a culprit. Net fishermen will clean out all the fish at Venus Bay and then go to another place and do the same there." He realizes what line fishermen have done. Some went to Venus Bay and lived there in tents, and afterwards built themselves a hut out of kerosene tins, hessian,

and empty wheat bags. Some lived there with their families and have built homes, but he said they would be driven away by net fishing in the bay.

The Hon. E. H. EDMONDS—A very restricted area is open to netting.

The Hon. E. A. OATES—When I was there many years ago only line fishing went on. That is not the only part which must be policed. I do not know how many inspectors there are or the speed of their vessels, but for many years fishermen have broken the regulations not only in Venus Bay but in and around the lower waters of the Port River. This Bill does not tighten up the law in that respect.

The Hon. E. H. EDMONDS—There are provisions in the Act to deal with them.

The Hon. E. A. OATES—Yes, but sometimes it pays to take a chance. Some foreign fishermen have religiously conformed to the regulations as to net fishing. There is a great demand for fish not only in homes but in hospitals and other institutions. I do not blame the Fisheries Department for the present position. Perhaps the Government is not allowing it enough money for the necessary equipment to police the closed waters properly. There are bird sanctuaries and close seasons for opossums and other animals, and we should attach more importance to the need for breeding grounds for fish.

The Hon. A. A. HOARE (Central No. 1)—If Venus Bay is a small area there may be something in the argument of line fishermen, but not if it is of any size. It would take many fishermen with nets to do any harm in large expanses of water. We should not prevent fishermen from using nets where there is plenty of room to operate just for the sake of selfish line fishermen. We need more fish than we are getting. My grandfather came to South Australia in 1839 and there was fishing here in 1840. We can account for the shortage of fish this side of the gulf because wherever fish have showed their heads nets have been shot around them, and old-time fishermen in Port Adelaide cannot get a living on those shores. How much farther have they to go to get a living with nets? Line fishermen alone would never supply the fish market. I admit that we should have fish sanctuaries. Tasmania has had them for at least 40 years, mostly in rivers. We should protect fish at certain times of the year in all waters, but we would need enough men to police the sanctuaries. They would need to be there night and day, which would be almost impossible; they could only do their best. It is said that