

places a penalty of £10 on any hawker or employee who uses insulting or offensive language whilst in pursuit of his occupation or who is guilty of rude, offensive, or insulting behavior. Clause 14 prohibits persons from falsely using the term "licensed hawker" when not entitled to do so. Clause 15 penalises forgery of a licensed hawker's licence. Clause 16 punishes the hiring or letting of a licence. Clause 17 enables the Commissioner of Police to apply to the police court for an order revoking or suspending a licence if the hawker to whom the licence has been granted has committed a felony, misdemeanor, or offence, and thereby shown himself to be unfit to hold a licence. Clauses 18 and 19 are the usual machinery provisions relating to proceedings for offences against the Bill and regulations. Clause 20 provides that all fees received under the Bill in excess of the cost of administration are to be paid into the main roads fund under the Highways Act, 1926. This provision will override the power of the Governor to divert this money into general revenue and ensures that all hawkers' licence fees will be expended on the care of roads. I move the second reading.

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

#### BUSH FIRES BILL.

Second reading.

The Hon. A. P. BLESING (Northern—Minister of Agriculture)—This Bill is introduced to incorporate in the law dealing with bush fires certain amendments suggested by representatives of the conference of fire fighting associations. This law is contained in four Acts, and as the amendments would require a fairly lengthy Bill the opportunity was taken to incorporate all the law in one Act. Consequently, the Bill both consolidates and amends. In large measure no alteration of the law is made, but where the provisions of the Bill depart from the existing law reference will be made to it. Clause 2 contains definitions of "scrub" and "stubble." These definitions have not been altered by the Bill. Clause 3 provides a general prohibition against burning stubble during the period between October 15 and February 1 following. Under the existing Act certain exemptions are provided for, as in a case where stubble is burned for the purpose of clearing strips of land to act as firebreaks or preventing the spread of fire. These provisions are contained in subclause (2) of clause

4, with some alterations. Under the existing law not less than 12 hours before a fire is lighted notice must be given to adjoining landholders. The Bill provides that this notice be given not less than six hours before the fire is lighted, and that notice must be given to the clerk of the council or the fire control officer. Under the present law fires must not be lighted before 9 o'clock in the morning. The Bill proposes that fires shall not be lighted before 2 o'clock in the afternoon. Frequently changes in the wind occur before or about midday and if a fire is lighted it may get out of control. Subclause (3) deals with the powers of councils to burn stubble in any street or reserve. This provision was inserted by the amendment of 1931. A similar alteration is proposed by the Bill. Under the 1931 Act the council had to give notice to adjoining owners. This is considered unnecessary and the Bill therefore provides that councils may burn stubble on streets and reserves without giving notice or creating fire breaks, but must have two fire control officers and four other men present, and provide adequate fire fighting appliances and an adequate supply of water in order to prevent any spread of fire. Subclause (4) deals with the powers of persons to burn stubble in an irrigation channel or lucerne field. This provision also was inserted by the amendment of 1931. The only alterations proposed by the Bill are similar alterations to those inserted in clause (2). Clause 5 deals with the burning of stubble between January 31 and October 15, when it is made an offence to burn stubble except subject to certain conditions. Clause 6 does not alter the present law, but that, as under clause 4, six hours' notice instead of 12 is to be given to the adjoining landholders. Notice is to be given to the fire control officer and, as in the former case, fires must not be lighted before 2 p.m. instead of 9 a.m. Clause 7 provides for the burning of scrub between October 15 and February 1. It makes no alteration in the existing law. Clause 8 deals with the burning of scrub between January 31 and May 1. It makes it an offence to burn scrub except subject to the conditions outlined. It largely re-enacts the existing law, but the notice required to be given to adjoining landholders is six hours instead of 12. Notice must be given to local governing authorities and fire

not to be lighted before 2 p.m. instead of 9 a.m. as is now the law. Clause 8, which requires notice to be given to Crown lands rangers and police constables in the case of land under the Crown; clause 9, which makes it an offence to burn charcoal between October 31 and May 1 except subject to the precautions laid down in the clause; and clause 10, making an occupier of land liable for offences committed on his land under clauses 4, 5, 6, 7, and 8, as well as the actual perpetrator, are re-enacted without alteration. Clause 11 gives power to the Minister to approve of a council altering the periods during which burning may or may not take place in its area. Notice of these alterations must be published in the "Gazette" and twice in a newspaper, and when made by the council affixed for 30 days on the front door or notice board of the council. This is the existing law, but an alteration is proposed by subclause (4) which provides that the Minister may authorise the alteration of any such period in special circumstances, in which case the notice required by subclause (2) is reduced from 30 to seven days, but in any such event the change proposed by the notice will have force only for a period approved by the Minister and stated in the notice. Clause 12 prohibits the lighting of fires on Sunday for any purpose mentioned in the preceding part of the Bill and re-enacts the existing law without alteration. Clause 13 provides penalties for any person who during the period between October 31 and May 1 lights a fire in the open air unless he clears a space around it of a width of 15 ft. or neglects to completely extinguish it. Clause 14 prohibits the use of any wadding for any gun, rifle, pistol, &c., of any paper, cotton, linen or other similar substance during the period between September 30 and May 1, and give powers of search and inquiry to owners of land and members of the police force. Clause 13 and 14 make no alteration of the law. Clause 15 is new. It requires every stationary steam engine—other than a steam engine enclosed on four sides with non-inflammable material—to be placed so that there is a cleared space of ground immediately around it of up to 15 ft. Clause 16 provides that around every beehive and honey house a space of at least 15 ft. shall be cleared. The purpose of these two clauses is clear, and it is expected that they will minimise the risk of fire from the use of steam engines in the one case and from the necessary operations in

taking honey in the other. Many fires are said to be started by honey keepers through neglect to clear spaces around hives. Clause 17 is also new and provides that if any internal combustion engine is used for the purpose of harvesting any crop, a strip of land not less than 24 ft. wide around the whole of the crop shall be cleared of all stubble, scrub, and other inflammable material, so that in the event of a fire being caused by the use of the engine it may be confined to the crop being harvested. Clause 18 makes it an offence to smoke in the open air during the period between October 31 and May 1, within 20 yds. of any stable or of any rick, stack, field of hay, corn, &c., unless within a town or with a properly covered pipe. This clause re-enacts the existing law. Clause 19 deals with the use of rabbit fumigators. In the 1931 Act it was made an offence to light any fire for the purpose of a rabbit fumigator during the period between November 30 and April 1. Clause 19 re-enacts this section, but alters the period to that between November 30 and February 14. Clauses 20 to 24 re-enact the existing law without alteration. Clause 20 makes it an offence to use gun powder or any other explosive substance for the blasting of any tree, wood, &c., during the period between October 31 and May 1 unless four persons are present to prevent fire. Clause 21 gives the Governor power to prohibit the placing on the ground of any substance specified in the proclamation, and clause 22 gives him a similar power to prohibit the sale of matches of any specified description. Clause 23 makes it an offence to place any match or other inflammable substance in such a position that it may be ignited by the sun's rays being focussed thereon through glass or any other substance. Clause 24 provides that if the owner or occupier of land clears it of all inflammable material for a space of 20 ft. from any private fence and the other owner or occupier does not similarly clear his land, any damage to the fence occurring through the failure to so clear must be met by the defaulting owner. Clause 25 is new and provides that in the event of any fire—other than a fire confined to any building or other premises—an inquest shall be held if a request is made within three days of the outbreak by the council for the area in which it occurred, or by any owner or occupier who suffered loss by reason of it. Clause 26 re-enacts the existing law and gives a council a general power to

expend its rates for the purpose of fire prevention. Clause 27 re-enacts with certain amendments the law relating to fire control officers. A council may appoint any number of persons up to 15 as fire control officers, and may appoint as additional officers not more than 15 persons who are officers in respect of any adjoining area. Subclause (2) provides that if a council neglects to appoint the proper number of officers the Minister may make the necessary appointments. In general, these officers have the power to take charge of and direct operations on the outbreak of any fire, and are given the powers and duties of chief officers of fire brigades under the Fire Brigades Act, 1913. Subclause (7) is new, and provides that where there is an outbreak of fire and no fire control officer for that area is present any fire control officer from any adjoining area may take charge of operations. That amendment is most necessary. Subclause (9) provides that every forester and assistant forester of the Woods and Forests Department is ex officio an officer, and makes the amendment that foremen in charge of Government forests shall also be fire control officers. Subclause (10) re-enacts the existing law and gives the Minister power to appoint fire control officers for any part of the State not within a local government area. The remaining clauses deal with matters of procedure and similar points which do not require special comment. They make no alteration of the law. I move the second reading.

The Hon. W. G. DUNCAN (Midland)—This measure lends itself more to consideration in Committee than to a second reading speech. One of the greatest enemies landowners have is fires and anything we can do to minimise the danger and expense associated with them should be done. Fire-fighting committees have considered this problem for some time and I understand that the Bill is largely based upon their recommendations. As often occurs when a body of enthusiasts get together, they let their enthusiasm run away with their judgment. They have suggested clauses which are annoying rather than useful. One is clause 5, which provides that stubble shall not be burnt between January 31 and October 16 except under certain conditions. That means that no one can light a fire in mid-winter unless he complies with all the conditions set out. I am agreeable to making the final date April or thereabouts. It should not be necessary for

a man who wants to burn some rubbish in the corner of his paddock in mid-winter to have to give notice of his intention, burn firebreaks, have four other persons present, and notify the district clerk. Clause 12 is another to which objection can be taken. A new principle introduced in clause 17, which provides that a farmer may not use a tractor at harvest time except under difficult conditions.

The Hon. R. C. Mowbray—He will have to clear 3½ acres in every 50-acre paddock.

The Hon. W. G. DUNCAN—I have worked it out. There has been much discussion whether an internal combustion engine will ignite a crop. If we ask farmers to clear a 24ft. strip around their paddocks we might just as well enact that no one may use a tractor in harvesting his crop.

The Hon. F. J. Condon—It is better if the farmers should use horses. Then they would not send money out of the country.

The Hon. W. G. DUNCAN—I agree. Most farmers, too, are coming to that conclusion. Other points in the Bill can be discussed in Committee. Members should do everything possible to prevent a recurrence of the fires of the last year or two. I agree with the provision that fires should not be lit before 2 p.m. Every stubble fire that has got away in the north, in my experience, was lit in the morning. Generally the wind swings around at midday and then the trouble begins. No stubble paddock is so big that it cannot be burnt within three or four hours in the afternoon. Two or three fires last year broke out on very hot days. That was the time when outbreaks occurred at Spalding, Hilltown, and Riverton.

The Hon. E. W. Castine—The railways are the biggest offenders.

The Hon. H. G. Hawkins—Would the railways be able to light fires in the mornings?

The Hon. W. G. DUNCAN—They and the district councils can do so at any time if they make provision for the required number of men. The provision to stop the lighting of fires until 2 o'clock will prevent many of them from getting away. I support the second reading.

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

#### ADJOURNMENT.

At 3.29 p.m. the Council adjourned until Wednesday, October 4, at 2 p.m.

## HOUSE OF ASSEMBLY

Tuesday, October 3, 1934.

The SPEAKER (Hon. J. H. H. H. H.) took the Chair at 2 p.m., and

ASSENT TO THE LAND AGENTS ACT.  
His Excellency the Governor gave assent to the Land Agents Act.

FEDERAL REPRESENTATION.  
MR. LACEY—I have been reported in the Melbourne of Saturday morning last census South Australia is the House of Representatives ascertain the authenticity whether the numbers are 75 to 74, whether that is the case of another State, show whether South Australia is being preserved, so that a protest may be made?

The Hon. R. L. BULLOCK—Written to the Prime Minister and will let the House know as I receive it.

ELECTORAL SYSTEM.  
MR. CROSBY—Has any steps to institute a new electoral system?

The Hon. R. L. BULLOCK—The House rises this morning into the alleged electoral system. After receiving information will then consider a proposition to consider a new alteration of boundaries.

PENSION PAYMENT.  
MR. BARDOLPH—I received any information from the Department in regard to pension for old age and have to wait long periods at the Adelaide

The Hon. R. L. BULLOCK—Received the information in the first instance the facts stated by the member are correct.