Clause passed.
Remaining clauses (4 to 9) and title passed.
Bill reported with the amendments of the Select Committee. Committee's report adopted.

PRISONS ACT AMENDMENT BILL
Second reading.
The Hon. C. M. HILL (Minister of Local Government): I move:
That this Bill be now read a second time.

Its purpose is to remove a difficulty that has arisen in the interpretation of a provision of the Prisons Act. Section 42 (1) of that Act provides that a prisoner may, "after he has completed not less than one-half of his sentence, including any remission of his sentence granted pursuant to this Act or any regulation made thereunder", apply to the Comptroller of Prisons for a recommendation that he be released on probation. The regulations provide that a prisoner shall be discharged when he has served two-thirds of his sentence, and the prison authorities have always treated this provision as a remission of one-third of his sentence granted pursuant to a regulation made under the Act. Accordingly, when prisoners have served one-third of their sentences (that is to say, half of two-thirds of their sentences after having deducted the one-third to be deducted pursuant to the regulations) the prison authorities have entertained applications from them for release on probation.

The Crown Solicitor has expressed the view, however, that the remission of one-third of the sentence pursuant to the regulations cannot be earned or granted until a prisoner has served two-thirds of his actual sentence and therefore cannot be taken into account in calculating the time when the prisoner has completed "not less than one-half of his sentence, including any remission of his sentence granted pursuant to this Act or any regulation made thereunder". This means that applications by prisoners for release on probation cannot be entertained until they have served at least half of their actual sentences.

This Bill amends section 42 of the Prisons Act so that the provision will have the same effect as that erroneously attributed to it by the prison authorities. Their practice of entertaining applications from prisoners for release on probation after they have served one-third of their sentences will thus be able to continue.

The provisions of the Bill are as follows:
Clause 1 is formal. Clause 2 amends section 42 of the principal Act to provide that a prisoner may, after he has completed not less than one-third of his sentence, apply to the Comptroller for a recommendation to be released pursuant to the provisions of that section.

The Hon. A. J. SHARD (Leader of the Opposition): I support the Bill. A problem arose when the opinion was given that a prisoner had to serve half of his actual sentence before he could apply for release on probation. I understand that, when judges have sentenced prisoners to gaol terms, they have done so in accordance with the previous interpretation. So, the judges gave the prisoners a certain sentence but, had they known that the prisoners would have to serve half of their actual sentences before they could apply for release on probation, the sentences might not have been so long. This Bill will make the provision straightforward for judges, the Crown Law Office and the prisoners themselves. Consequently, I support it.

The Hon. V. G. SPRINGETT (Southern): I support the Bill. It is traditional practice in the United Kingdom that prisoners must serve at least half of their sentences before they can apply for parole. Modern thought is along the lines that prisoners should be encouraged to get out and be helped back into society. It is no good, however, making the sentences so short that the prisoners do not benefit from them. This Bill brings South Australian practice into line with the practice elsewhere and I support it.

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

BUSH FIRES ACT AMENDMENT BILL
The Hon. C. R. STORY (Minister of Agriculture) obtained leave and introduced a Bill for an Act to amend the Bush Fires Act, 1960. Read a first time.

The Hon. C. R. STORY: I move:
That this Bill be now read a second time.

Its purpose is to amend the Bush Fires Act in order to render its operation more effective in the prevention and control of bush fires. The amendments are made on the recommendation of the Bush Fires Advisory Council. A major alteration made by the Bill is the increase in the number of fire control officers who may be appointed by district councils to carry out the obligations of the Act. This number is increased from 15 to 30. In addition, the limitation upon the powers of the Minister to authorize the appointment of additional fire control officers is removed. Further provisions
Clause 14 makes a corresponding amendment to section 50 of the principal Act, which deals with the burning of stubble in township amenities during the prohibited or conditional burning period. Clause 15 makes a decimal currency amendment. Clause 16 makes an amendment to section 54 of the principal Act. This section sets out the rules for the burning of firewood in connection with the amendments made to section 49. Clause 17 makes a drafting amendment to section 55 of the principal Act to bring the wording of subsection (2) into conformity with the wording of subsection (3). Clause 18 expands the powers of a council to delegate its powers by providing that a council may delegate to a committee its powers to grant permits under section 50, as well as its power to grant an extension under section 56, which it may delegate as the Act stands at present. Clauses 19 and 20 make decimal currency amendments.

Clause 21 amends section 61 of the principal Act. This section at present empowers a council to prohibit the lighting of fires in the open air in the area of the council during the prohibited or conditional burning period. The amendment gives the Minister a corresponding power in relation to any portion of the State outside the area of a council. Clauses 22 to 26 make decimal currency amendments. Clause 27 amends section 68 of the principal Act. This section at present provides that a person shall not, during the prohibited or conditional burning period, use an internal combustion engine for the purpose of harvesting an inflammable crop unless the engine is fitted with a spark arrester. The provision is extended to engines used for transplanting an inflammable crop or clearing vegetation. Clauses 28 and 29 make decimal currency amendments.

Clause 30 makes a drafting amendment to section 71 of the principal Act by inserting a penalty for infringement of its provisions. Clauses 31 and 32 make decimal currency amendments. Clause 33 makes drafting amendments to section 77 of the principal Act by inserting a penalty for failure to comply with a notice under the section or infringement of its provisions. Clauses 34 and 35 make decimal currency amendments. Clause 36 amends section 86, which sets out the powers of a fire control officer in fighting a fire. The amendment confers these powers upon a fire party leader, with the exception of the power to light fires. Clause 37 makes a decimal currency amendment.

Clause 38 amends section 99 of the principal Act. This section at present empowers a fire control officer to prohibit the lighting of fires during the prohibited and conditional burning period, if the weather conditions in the area are such as to become out of control. This provision is amended to enable the fire control officer or a party leader, to exercise this power at any time during the year. The section is also amended to enable a prohibition extending over a period of not more than one week to be imposed. At present the prohibition is valid only for the day specified in the notice. Clause 39 extends the provisions creating an offence for hindering a fire control officer to a fire party leader. Clause 40 makes a decimal currency amendment.

Clause 41 empowers a fire party leader to require a person whom he believes has committed an offence under this Act to disclose his name and address. Clauses 42 to 43 make decimal currency amendments. Clause 44 amends section 97 of the principal Act by making it a criminal offence to use a flammable liquid for the purpose of spreading fire.

I commend the Bill to honourable members. It is my desire that it have a speedy passage through this Council so that it can then go to another place and so that I can have this power under the Act before the hot, dry summer that might be around the corner. With the permission of the House, I would like to adjourn the debate. The Hon. Sir NORMAN JUDE secured the adjournment of the debate.

TATIARA DRAINAGE TRUST ACT AMENDMENT BILL

Second reading.

The Hon. C. R. STORY (Minister of Agriculture): I move: That this Bill be now read a second time.