HOUSE OF ASSEMBLY.

Thursday, November 13, 1958.

The SPEAKER (Hon. B. H. Teusner) took the Chair at 2 p.m. and read prayers.

ASSENT TO ACTS.

His Excellency the Governor, by message, intimated his assent to the following Acts:—Broken Hill Proprietary Company's Steelworks Indenture, Holidays Act Amendment, and Prices Act Amendment.

QUESTIONS.

FIREMEN'S LEAVE CONDITIONS.

Mr. O'HALLORAN—A short time ago I introduced a deputation to the Premier from fire officers and firemen asking for certain leave conditions, and the Premier promised to take up the matter with other bodies associated with the Fire Brigades Board. Has anything developed as a result of the deputation?

The Hon. Sir THOMAS PLAYFORD—I had a personal interview with the chairman of the Fire Brigades Board on this matter, but I have not yet received the board's decision. I submitted the views of the Government to him, and said that it would be prepared to meet its share of the cost of the proposal if the board decided to go along with it.

CLARENDON MAIN STREET.

Mr. SHANNON—Has the Minister of Works obtained a report from the Minister of Roads on the matter I raised last week—a survey of the main street through Clarendon?

The Hon. G. G. PEARSON—I have been furnished with a report by the Minister of Roads as follows:—

The Commissioner of Highways has advised that a departmental survey of the streets in Clarendon has not been made, but the District Council of Meadows engaged a consulting engineer who has made a survey and prepared plans for the construction of a widened pavement and kerbs and water tables in Clarendon. This was completed in 1956 and has apparently been filed until construction can be carried out. In its applications for grants for 1958-59 the council applied for a grant of £10,000 for this work, but allotted it a priority of 13. As funds were insufficient to meet all their requests, grants were made only to the requests given a higher priority.

TRAFFIC ISLAND.

Mr. FRANK WALSH—Will the Minister of Works ascertain from the Minister of Roads whether the engineer who recently returned from overseas can recommend a more suitable type of traffic island than that at the junction of South Terrace, West Terrace and Anzac Highway, which is causing hesitation by motorists travelling along Goodwood Road to West Terrace and those proceeding down the Anzac Highways towards Glenelg?

The Hon. G. G. PEARSON—I will refer the question to the Minister of Roads.

WATER SUPPLY FOR PANORAMA.

Mr. MILLHOUSE—I have received from a constituent who owns land at Panorama a letter in which he states:—

Approximately two years ago I bought land at Panorama. I am now anxious to build a home on the land but find upon verbal inquiries that there is little possibility of obtaining a water supply for many years. The water mains have recently been extended to a new subdivision at the western end of Gloucester Avenue, Alta Cresta, about three-quarters of a mile above my land at Panorama, and it would be a simple matter to extend it further down the hill.

I do not know whether that would be a simple matter, but will the Minister of Works investigate the matter and inform me whether it would be possible for water mains to be laid in the Panorama area?

The Hon. G. G. PEARSON—I will get a report on the matter.

RELEASE OF PRISONER SHARPE.

Mr. DUNSTAN—In reply to a recent question relating to the release of a prisoner named Sharpe it was stated that until recently he had been rather bad-tempered. I find this is somewhat difficult to believe. In 1949 there was a press report which stated that Brigadier Somerville of the Salvation Army was preparing a petition for this man's release. He said he had talked regularly with Sharpe for the past three years, that he had been impressed by his desire to rehabilitate himself, that he had been a model prisoner, and that the gaol authorities spoke highly of him. Brigadier Somerville was quite satisfied that the prisoner had every desire to rehabilitate himself and to be co-operative in every way, and this was supported by the secretary of the Prisoners' Aid Society, who said Sharpe was a fine type of young man and he was satisfied that he ought to have been released, but that previous attempts had been unavailing despite the assistance of senior gaol officials to that end. If this was the understanding of people who had taken such a close interest in him, and whose veracity could not be doubted, I cannot understand the report that this man has not previously been co-operative. Will the

Premier state what convictions, if any, were recorded against him during his incarceration? Surely if he has been unco-operative it will show on the records, so I would like more details of his record.

The Hon. Sir THOMAS PLAYFORD—If the report the honourable member obtained from my colleague was that which was submitted to me, and I assume it was, it states that this prisoner is now co-operating very much better with the department. If I remember rightly, the report stated it was hoped that it would be possible to transfer him to the new farm that is being established, and that in due course a report would be made about him. Under those circumstances, I do not know whether there is much point in checking his convictions since he has been in gaol. However, if the honourable member wants them there is no objection to my supplying them. The relevant point, and it is a proper point, is the present attitude of this man to society. If it would enable appropriate action to be taken to release him I can assure the honourable member that upon suitable reports being obtained that will be done. The Act provides that we must receive reports and a recommendation from the sheriff before he can be released on probation.

BULK WHEAT BINS.

Mr. HEASLIP—Yesterday I asked a question concerning the movement of bulk wheat bins from paddock to paddock or from the railway station to a farm, which is necessary in carrying out farming operations. Can the Premier indicate whether farmers are liable under the Act for doing so as this implement is not classified as farm machinery?

The Hon. Sir THOMAS PLAYFORD—I have examined this matter in the short time available, but cannot give a complete answer because there are many different types of bins and they are used for different purposes. I have received the following report from the Registrar of Motor Vehicles:—

It is difficult in the short time at my disposal to give you a satisfactory answer to the question asked by Mr. Heaslip, M.P., because:—(*a*) the question is not entirely clear; (*b*) there is a confusion at present in the terms used to describe the types of bins used by primary producers. I have assumed that what Mr. Heaslip desires to know is:—"Are 'bulk bins' farm implements for the purposes of section 7 (5) of the Road Traffic Act." In this section a farm implement is defined as any implement or machine for ploughing, cultivating, clearing, or rolling land, sowing seeds, spreading fertilizer, harvesting crops, spraying, chaff-cutting or other like operations, but does not include a vehicle wholly or mainly constructed for the carriage of goods.

There appear to be several types of bins used, amongst which are—(*a*) a small bin which is hitched to the header and moves parallel to the header. These have been called "trailer bin, bulk trailer bin, header trailer," etc.; (*b*) a storage bin which can be mounted on skids or wheels and is referred to as a field bin, bulk field bin, truck bin, etc., and is used for temporary storage; (*c*) a storage bin constructed for mounting on a truck.

I enclose an advertisement for bins which shows some of the types used, and in view of the confusion of names and types, and of the use to which they may be put I am reluctant to express a firm opinion. I feel, however, that bins of this type are not constructed wholly or mainly for the carriage of goods, but for use in conjunction with harvesting implements, and if these are the bins referred to by Mr. Heaslip they can be classed as farm implements, but the matter depends to some extent on the use made of the bins. As I am not familiar with the types of bins in use, I would like the opportunity to further examine the position and report further to you.

The Registrar is in some difficulty because Parliament has expressly excluded implements that are wholly or mainly constructed for the carriage of goods and he has therefore to analyse the purposes for which the bins are used before he can express an opinion. I think that examination will show that they can be classed as farm implements under the Act.

IMPRISONMENT ON VAGRANCY CHARGE.

Mr. LOVEDAY—In this week's issue of *Gibber Gabber*, a weekly bulletin of information to Woomera residents, the following article appears under the heading "Hitch-Hiker on Vagrancy Charge":—

A man was recently sentenced in the Woomera court to nine month's imprisonment for having no visible means of support on arrival at Phillip Ponds Gate. This might serve as a warning to others who hitch rides on the Port Augusta Road from cars heading in the direction of Woomera and have no authority to enter the area or job to go to on arrival. Naturally, such persons without money or a pass will constitute a nuisance, as there is nowhere for them to go, other than trying to hitch a ride back to Port Augusta, and this may prove impossible at times.

Residents of Woomera and itinerant visitors are advised that it is unwise to give hitch-hikers a lift to Woomera unless the person can produce an authority to enter the area. Any person thinking that jobs will be made available merely by presenting themselves at the gate are also well advised that this is not the case, as there are proper channels to follow

to obtain all forms of work in Woomera. Under no circumstances will persons of this nature be permitted to enter the area.

I am further informed that many people in Woomera are incensed at the severe sentence imposed on this man. Will the Minister of Education ask the Attorney-General to have the matter investigated to see whether there has been a miscarriage of justice, as would appear from the severity of the sentence, and if so, have the matter rectified?

The Hon. B. PATTINSON—I cannot promise to comply with the last request because I doubt whether it is within the province of the Attorney-General to do so, but I will certainly ask him to have the whole matter investigated.

NARACOORTE SOUTH WATER SUPPLY.

Mr. HARDING—I have on previous occasions referred to the dangerously low water pressure at Naracoorte South. The present 4in. main is inadequate to supply present, let alone future, demands, in the new housing area. I have been informed that 12 more homes will shortly be connected to this main. On hot days residents are afraid to light bath heaters because of the low water pressure. I am grateful to Mr. Harvey of the Waterworks Department for the assistance he has given and has promised to give in the near future. I understand that 8in. mains are on order from Melbourne and will be delivered by road transport within a fortnight and it is anticipated that the work of laying these mains will commence early in December. I understand the equipping of the bore with a suitable motor and pump is in the hands of the design branch of the department, but it appears that the work will not be undertaken before autumn. Will the Minister of Works give this matter his immediate attention and report next week?

The Hon. G. G. PEARSON—I think from memory that the immediate attention the honourable member requests has already been given and that approval has been given for the work of equipping the bore and laying the main, which the honourable member's information supports. Sometimes works take a little longer than expected to carry out, but I will ask the Engineering and Water Supply Department to take all possible steps to carry out this work expeditiously. All the work has been approved.

KINGSTON WATER SUPPLY AND JETTY.

Mr. CORCORAN—Has the water supply scheme for Kingston been commenced and, if so, is it progressing according to plan? Some time ago I said in the House that I hoped the jetty would be repaired and resheeted as far out as the second landing, and I understood the Minister to say that the Government had already decided to carry out that work. Did I understand him correctly and, if so, has the work been commenced or, if not, when is it likely to be commenced?

The Hon. G. G. PEARSON—The estimated cost of the water scheme is £79,500. Towards this, Parliament has provided £20,000 on this year's Loan Estimates and it is accordingly hoped to carry out some work on the actual scheme towards the end of this financial year. In the meantime, arrangements are being made with the Mines Department to sink two additional bores. Plans and specifications for pumping plants and an elevated tank will be commenced shortly. Orders for the supply of the necessary pipes will be placed so that they will arrive from the contractors towards the end of April, 1959.

The Government had already repaired the jetty for a distance of approximately 600ft. out to the first landing. Later, the Fishermen's Co-operative requested that the repairs be extended for a further 300ft. from the first landing to enable shark fishing boats to berth at the jetty and land their catches. This work, including the recovery of loose timbers from the badly damaged remaining portion of the jetty, estimated to cost £4,200, has been approved and will be completed within the next few weeks. An additional 800ft. of repairs would be needed to recondition the jetty as far as the second landing, but this is not considered to be warranted. I do not know whether the honourable member referred today to a further stage, which he calls "to the second landing," but the Harbors Board has reported that an additional 800ft. of repairs would be needed to recondition the jetty as far as the second landing, and this is not considered to be warranted. I do not know whether his question today is an extension of the previous request and one that was submitted to me as Minister of Agriculture when the honourable member and I visited the town some time ago, but I was under the impression that the work which has been approved by the Harbors Board went as far as we were requested to go.

Mr. Corcoran—I wanted the work carried out as far as the second landing, but I thought at that time the Government could not see its way clear to do that.

The Hon. G. G. PEARSON—The work will be taken 300ft. beyond the first landing so that boats can land their catches, and I think that will meet the needs of the fishermen at that port.

KINGSTON FERRY.

Mr. KING—Has the Minister of Works a reply to my recent question about the possibility of the Kingston ferry being out of action owing to the high river?

The Hon. G. G. PEARSON—My colleague, the Minister of Roads, reports:—

The Commissioner of Highways has advised that approximately five miles below Overland Corner the distance between the banks when the river is in flood is about 2,000ft. This length is made up of approximately 700ft. of main river channel, 300ft. of higher river banks and 1,000ft. of deep lagoon. Approach roads to connect the site to the bitumen roads north and south of the river would total about 4½ miles. The Commissioner does not recommend the installation of a ferry at this site, for the following reasons:—

(*a*) It would not be necessary at times of normal river level, as the Waikerie ferry provides a similar connection between north and south of the river;

(*b*) present ferries and ferry drives would not be suitable for a 2,000ft. crossing with the river in flood;

(*c*) it would be necessary to construct heavy duty roads to the crossing, and concrete ferry approaches, and to cut a large channel in the higher bank between the main river channel and the lagoon. The Commissioner estimates that these works would cost £80,000;

(*d*) this expenditure on a work which would only be in use intermittently would further delay the time when funds can be made available to improve the crossing between Kingston and Barmera.

PORT PIRIE SOUTH WATER SUPPLY.

Mr. RICHES—Complaints have been lodged from time to time about the poor water pressure in Port Pirie South, and this matter was raised in the Port Pirie City Council. I think it has been brought under the notice of the Minister of Works' department. Will he obtain a report on it?

The Hon. G. G. PEARSON—It has been brought to the notice of the department. I have seen correspondence on the matter, which is now being investigated, and I will bring down a report for the honourable member.

FEED GROWTH ON HIGHWAYS LAND.

Mr. LAUCKE—Has the Minister of Works a reply to my recent question about the availability of feed growing on the sides of highways to adjoining landholders?

The Hon. G. G. PEARSON—A report from the Minister of Roads states:—

The Commissioner of Highways has advised that there are no objections to the removal of grass or other fodder from the road reserve; in fact it is desirable that this be done in order to obviate fire hazards. Farmers who wish to cut this grass should obtain permission from the district council in whom the road is vested.

SOLDIER SETTLERS' LIVING ALLOWANCE.

Mr. STOTT—Has the Minister of Lands a reply to the queries I raised about the living allowance to Loxton soldier settlers?

The Hon. C. S. HINCKS—I have received the following reply from the Director of Lands:—

The figure of £976 adopted by the Bureau of Agricultural Economics in connection with the proposed dried vine fruits stabilization scheme is a value placed on the owner-operators labour in relation to properties of a specific nature and in full production. The living allowance, as determined from time to time for war service settlers on irrigation holdings is considered satisfactory in conjunction with annual working expenses and other allowances for those on holdings in the initial stages of production.

MARREE STREETS AND FOOTPATHS.

Mr. O'HALLORAN—Has the Minister of Works a reply to a question I asked recently about improvements to the streets and footpaths at Marree?

The Hon. G. G. PEARSON—I have the following report from the Minister of Roads:—

The Commissioner of Highways reports that the Assistant Engineer for Water Supply in the Engineering and Water Supply Department has advised that his department has no plans for the reconstruction or improvement of footpaths, but has planned to reconstruct some of the streets in Marree when the gang returns to that town. The gang is at present engaged on maintenance work between Marree and Farina, following which the gang will be moved to Marree.

PINUS INSIGNIS ROADSIDE MARKERS.

Mr. SHANNON—Has the Minister of Agriculture a reply to the question I asked some weeks ago about *pinus insignis* posts being used as roadside markers, as they are much cheaper than and last just as long as the hardwood posts in common use today?

The Hon. D. N. BROOKMAN—The Minister of Roads has furnished the following reply:—

The Highways Department is at present experimenting with the use of treated *pinus radiata* posts. Numbers have been purchased and are being erected in various localities for observation.

SUPERPHOSPHATE ORDERS.

Mr. HEASLIP—Has the Minister of Agriculture any further information following on my question of October 30 regarding the decrease in superphosphate orders and the effect it may have on wheat production?

The Hon. D. N. BROOKMAN—I have the following report from the Director of Agriculture:—

Inquiries have indicated that superphosphate orders are approximately 25 per cent lower at the present time than they were at the corresponding date in 1957. An examination of figures suggests that although some farmers plan to reduce the rate of superphosphate application the main reason for the 25 per cent lag is late ordering. Delayed ordering concerns the fertilizer distributors because it impedes orderly planning of production and delivery. As to the effect of reduced superphosphate applications on production it is considered that an overall reduction in superphosphate use of 25 per cent would not have a marked short-term effect on wheat production. In nearly all cases the amount of phosphate applied with the crop is more than adequate for the needs of the crop. There would, however, be a reduction in pasture yields in the years between crops if less superphosphate were applied in the cereal belt. Legumes would be particularly affected and as a result the build-up of soil fertility and crop yields over the long term would be adversely affected. There are many farmers in the higher rainfall areas who could reduce their rate of phosphate application with no effect on pasture production. The farmers to which this applies are those on older land which has received a ton or more of phosphate in past years and where the annual dressing applied has been maintained at the same level as that which was given during the early years of pasture development. On a State-wide basis these farmers are greatly in the minority. There is still a large area over which the more liberal use of superphosphate would greatly increase production.

GAS QUALITY.

Mr. LOVEDAY—I understand that during the last war the South Australian Gas Company was authorized to lower the quality of gas. As there is some doubt on the matter, will the Premier say whether the gas was ever restored to its pre-war standard?

The Hon. Sir THOMAS PLAYFORD—The quality of gas is subject to an Act of Parliament. During the war the Gas Act was amended to provide for a lower standard, and an adjustment was made in the price. There has been no adjustment upwards since but I point out that Parliament did not accept the recommendation as a war-time proposal but because it was shown conclusively that the consumer got better value for his money with the slightly lower B.T.U. content in the gas. Utensils not specially designed for the higher B.T.U. content did not give effective service. I believe that the B.T.U. content is now the same in all States and that there has been no recommendation for an alteration. The Gas Act is policed by the Treasury and from time to time inspectors take samples to see that the standard fixed by Parliament is maintained.

GLENCOE-KALANGADOO ROAD.

Mr. HARDING—The following is an extract from a letter addressed to the Premier by the chairman of the District Council of Tantanoola, dated July 16, 1957, and dealing with the closing of the Glencoe-Wandilo railway:—

The Glencoe-Kalangadoo main road is not in the state of repair to carry any heavy traffic. May we anticipate that the Highways Department will put this road in order immediately?

The following is an extract from a letter addressed to the Minister of Roads by the South-Eastern Dairymen's Association (Glencoe Branch):—

At a meeting of the S.E. Dairymen's Association, Glencoe Branch, it was resolved that two important matters be brought to your notice. When the narrow gauge railway line was closed between Wandilo and Glencoe, the dairymen claimed that they were promised a sealed road between Glencoe and the nearest rail loading station, viz., Kalangadoo. This has not materialized, and the condition of the road in question is very bad indeed. This road is used by a large percentage of our members for the carting of milk and general farm produce, quite apart from a great volume of other traffic. Can this association receive any definite assurance that this matter will be attended to in the near future?

Would the Minister of Works take up this matter with the Minister of Roads and Railways and obtain a report?

The Hon. G. G. PEARSON—Yes.

TRUST HOMES AT TANTANOOLA.

Mr. CORCORAN—I understand the Premier has obtained a report from the Housing Trust regarding the number of homes to be built at Tantanoola.

The Hon. Sir THOMAS PLAYFORD—The Housing Trust has decided to build 12 houses at Tantanoola, the number asked for by the Apcel Company. I think the employees concerned will be engaged on the night shift.

COUNTRY WATER SUPPLY.

Mr. LAUCKE—Can the Minister of Works inform me when the proposed water scheme to Chain of Ponds and Kersbrook will be implemented?

The Hon. G. G. PEARSON—I will obtain a report on the matter.

LOXTON SOLDIER SETTLEMENT.

Mr. STOTT—In reply to my recent question relating to valuations of blocks in the Loxton soldier settlement area, I understood the Minister to say he was conferring with one of the Commonwealth officers on this matter. Has he obtained a report?

The Hon. C. S. HINCKS—I have not obtained a report. The Federal Director informed a deputation that he would not get an opportunity to delve into the matter until the end of November, so it may be some time before I have anything definite to convey to the honourable member.

OPERATIONS OF MEDICAL BENEFITS COMPANY.

Mr. STOTT—My question relates to a medical benefit company called The Ajax Benefits Company. The Minister of Education and the Attorney-General will be aware that some claims made against this company have not been met. I have been told that officers of the company were endeavouring to get people to join after it must have been apparent to the directors that the company was on the verge of going into liquidation and after the company had been unable to meet claims. If private persons were to do this, action would be taken for false pretences. Would the action of these people in going out to get new members and taking subscriptions for renewals constitute false pretences? Will the Minister of Education ask the Attorney-General if he is prepared to examine this matter with a view to taking action against the company?

The Hon. B. PATTINSON—The Attorney-General has referred this whole matter to the Crown Solicitor for advice on whether any offence has been committed by the company, its directors or its public officers, and if so, what action, if any, should be taken against it. I will refer the specific matters raised by the honourable member to the Minister.

FIREARMS BILL.

Committee's report adopted.

Bill read a third time and passed.

PAYMENT OF MEMBERS OF PARLIAMENT ACT AMENDMENT BILL.

Second reading.

The Hon. Sir THOMAS PLAYFORD (Premier and Treasurer)—I move—

That this Bill be now read a second time.

It alters the remuneration of members of Parliament. The present rates were fixed in June, 1955, and vary according to the distance of the electorates from Adelaide. Metropolitan members receive £1,900 without any addition; members whose districts comprise territory more than 50 miles from the G.P.O. but no territory more than 200 miles receive an additional £50 a year; and members whose electorates comprise territory more than 200 miles from the G.P.O. receive an additional £75 a year. When these rates were fixed the Margins Case had recently been decided and the increases resulting from the decision of the Commonwealth Arbitration Court in that case were taken into account. However, the basic wage was then £11 11s. It has since increased to £12 16s., and there has been a steady increase in salaries generally. As a result of representations that Parliamentary salaries should again be reviewed in the light of the general changes in rates of pay, the Government asked an experienced industrial officer to investigate the general position in connection with these salaries throughout Australia. After considering all the rates payable to State members of Parliament he came to the conclusion that a remuneration of about £2,200 a year was the appropriate figure for this State. It may be of interest to members to know the basis upon which these computations were made. The officer's report states:—

In making interstate comparisons for reviewing South Australian Parliamentary salaries it would be unreasonable to have regard to the rates in Queensland and Western Australia, which are abnormally high as compared with the other three States. Equally it would be proper to ignore the relatively low rates for Legislative Councils in New South Wales and Tasmania. The rates which may be fairly used for comparison are:—

New South Wales—Assembly:—£537-£837 allowances on a basic salary of £1,975.

Victoria—Both Houses:—£400-£800 allowances on a basic salary of £1,600.

Tasmania—Assembly:—£500-£800 alowances on a basic salary of £1,382.

Average of the foregoing:—£479-£812 allowances on a basic salary of £1,652.

This suggests an aggregate for South Australia of salary plus allowance of about £2,130 to £2,460. However, in view of relative size of States it may not be quite proper to base South Australian rates directly on the average of the two more populous States and one less populous, but to adopt a figure somewhat below that average. In the light of all these considerations an allowance of £300 on a basic salary of £1,900 as at present, making £2,200 in all, would appear reasonable. Whether the present special additions of £50 and £75 should be maintained is a matter of consideration. If they should be maintained, then a new allowance of £250 rather than £300 may be appropriate.

The Government depends on this officer in fixing salaries and other adjustments concerning the Public Service, the Superannuation Fund and many other matters. The Government gave careful consideration to the data submitted in the report, and came to the conclusion that an increase on the lines recommended by the officer was justified. It may be mentioned that in making his recommendation the officer did not pay regard to the abnormally high rates of Queensland and Western Australia but based his recommendation on the standards of the other three States. The proposal in the Bill is to maintain the present basic rate of £1,900 a year, but to give an increase of £250 in the allowance based on electoral districts. Thus a member whose district is wholly within 50 miles from the G.P.O. at Adelaide will receive an electorate allowance of £250.

A member whose electorate comprises land more than 50 miles from the G.P.O. but no land more than 200 miles, will receive £300, and a member whose electorate contains land more than 200 miles from the G.P.O. will receive £325. As a result of these increases the remuneration of private members of Parliament will range from £2,150-£2,225. All Ministers of the Crown will receive the basic electorate allowance of £250 a year, irrespective of the situation of their electorates. The new rates will be payable as soon as the Bill is assented to.

Mr. O'HALLORAN (Leader of the Opposition)—This matter has been discussed by members in the past few weeks, so I do not intend to ask for an adjournment. I do not think the proposals in the Bill are over-generous, particularly in relation to the date of commencement, because we recently approved substantial increases in salaries of other distinguished State servants and made them retrospective to July 1. Our reason for so doing was that those increases had been sought for a considerable time. These increases have also been sought for a considerable time. Members of the general public have some misapprehensions as to the salaries members receive. They believe, for instance, that members representing far-flung electorates will receive increases of £300 and £325 respectively when actually they are already receiving under existing legislation £50 and £75 respectively, which will be part of their salary. The new principle of having a basic salary with an electoral expense allowance is much better. The basic salary will remain constant, but the expenses allowance will be applied on the basis of £250 a year, which all members will receive.

According to press reports some people have the idea that members receive £2,000 a year, whereas they only receive £1,900. Actually they do not receive that amount because about £250 is deducted for Federal income taxation purposes and a further £100 to meet the cost of the Parliamentary Superannuation Fund, so they only receive £1,550. The Bill recognizes the fact that members of Parliament, like other members of the community, have been subjected to additional expenditure in recent years and are therefore entitled to some consideration. I am pleased that the Bill has been introduced prior to the election, because a few weeks ago I said that if anything were to be done it should be done now. I support the second reading.

Mr. MILLHOUSE (Mitcham)—There are one or two perhaps disjointed points I wish to make on what, to me, is rather an embarrassing matter. Frankly, when I first heard of this proposal my inclination was to oppose any increase. It did not occur to me that any increase was needed in members' salaries. However, I have long thought that an increase in Ministers' salaries was abundantly justified because they do not receive nearly enough. Even a further £1,000 a year for each Minister would not be out of the way in view of the services they render. That is the only adjustment that I thought necessary. Only the very lucky people in any community consider they have enough to live on, and only the most saintly do not think they are worth more than they get. If any of us went out in the street and asked people whether they were adequately remunerated in their work, nine out of 10 would say they were not, so it seems that our own feelings on our remuneration as members of Parliament are irrelevant.

I realize I am not in the same position as some other members, who have no occupation outside their duties as a member of Parliament. I am able to work in my profession, though I do not get a large income from it as it is not a very well-paid profession. This raises the whole question of whether or not members' salaries should be fixed upon the assumption that this is their sole source of income. It is only in recent years that that assumption has come more and more to the fore. Previously, the payment of members of Parliament was simply in the nature of an allowance to meet their expenses. I believe the principle of the Labor Party is one man one

job, and although there are exceptions to that rule, I think that principle is fairly widely accepted on the other side of the House, but it is a personal matter on which each of us has to make up his mind.

My feeling is that although time is the great enemy of all members, we are better members if we have some normal occupation in addition to our Parliamentary duties. I believe it is unreal to fix the salary of a member on the assumption that it is his sole source of income, in the case of many members at least. The point which worries me most is that it is invidious that we alone in the community have the power to fix our own salaries. The bulk of wage-earners have their salaries and wages fixed by judicial or quasi-judicial bodies.

Mr. Bywaters—I believe that should be so.

Mr. MILLHOUSE—I do too.

Mr. Bywaters—Unfortunately, it is not the case.

Mr. MILLHOUSE—I cannot follow the honourable member's remarks, but he can explain later. Most of those who do not have their wages fixed by a tribunal receive an income commensurate with their ability and effort.

Mr. Riches—Who determines the fees a lawyer can charge?

Mr. MILLHOUSE—A scale of costs is laid down. Whenever we have a proposal to increase the salaries of members of Parliament there is always a discussion on whether or not it is justified, and many people display a measure of cynicism. It is often difficult to determine whether their remarks are made in jest or not, but we often hear gibes that salary increases are the only things members agree upon. People sometimes say, "This is just another grab." About three weeks ago a friend of mine in the insurance business asked me to take out further insurance, and I was able to put him off by telling him truthfully I had no money to spare for any additional insurance. Today he sent me a brochure through the post with a cutting from the *Advertiser* headed, "£250 Rise for Members of Parliament." He enclosed a note saying, "This is terrific. Now you can do something." That is the reaction of one person to salary increases for members of Parliament.

We all realize it is the duty of members to uphold the institution of Parliament and keep it untarnished in the eyes of the people. Most people agree that the institution of Parliament is not now held in such respect as in the last century, and we should do everything possible to make sure it does not slip any further in the eyes of the people. If we discredit the institution we shall play right into the hands of the enemies of Parliamentary Government. I have been thinking of these things for a long time. We are leaders of the community and the community should be able to look to us both for a personal example and for an example on matters of State importance; therefore, if anything, I believe our salaries should be a little below the general level in the community. Let us not forget that we have many privileges which people outside do not have, and they are none the less valuable because they cannot be valued in terms of money, and it is one reason why members fight hard not to leave this place.

Mr. Loveday—Perhaps we like the job.

Mr. MILLHOUSE—Yes, and that is why we want to stay here. It is because of intangibles that we like to be members of Parliament, and that should not be left out of account. I firmly believe that any proposal to increase Parliamentary salaries should be referred to an outside authority. That was done in 1948 when Mr. President Morgan (the then President of the Industrial Court), His Honor Judge Paine, and Mr. Bishop (the Auditor-General), were appointed to inquire into the matter; and in 1951 Mr. President Morgan again inquired into Parliamentary salaries. I believe the President and Deputy President of the Industrial Court should inquire into any proposal to increase our salaries, for they are judicial officers and their probity is beyond question. Their training and experience fits them to carry out such a task.

There may be some objections to that course being taken. It may be said that they are subordinate officers, but the great bulk of wage-earners have their wages fixed by tribunals, and what is good enough for them should be good enough for us. For all I know, if they had conducted an inquiry they might have recommended greater increases than proposed by the Bill, but that is not the point. The law has a saying, "Not only should justice be done, but justice should appear to be done." Although the Bill may do justice, if we relied on the recommendation of an outside, disinterested body there could be no reproach from any section of the public. In his second reading explanation the Treasurer said that the basic wage had increased considerably since the last increases to members of Parliament, and on that basis the increases proposed are probably justified. He said that in June, 1955, the living wage in South Australia was £11

11s. and that the base rate for members of Parliament was about £36 10s.

Mr. Fred Walsh—The living wage is 8s. below the cost of living figures.

Mr. MILLHOUSE—That is irrelevant. Since 1955 there have been three increases in the living wage—10s., 10s. and 5s.—so the living wage is now £12 16s. With the assistance of the member for Torrens I calculated that on the basis of the increase in the living wage we are entitled to an increase of something over £210 a year.

Mr. Lawn—On that basis the judges of the Supreme Court should have received an increase of £470, but they got £1,000.

Mr. MILLHOUSE—I heard the honourable member speak on the Supreme Court Act Amendment Bill, but I agreed to the salary increases for the judges for the same reason that I put forward for an increase in the salaries of Ministers. The only justification for the Bill seems to be that the living wage in this State has risen, and but for that, irrespective of any interstate comparison, I would not support the second reading. We are not justified in making interstate comparisons because we do not know how salaries in other States are fixed. If we try to keep up with the average of the other States it will become a perpetuating process, because if all States do it the salaries will continue to rise. I support the second reading but hope that in the future the matter will be referred to the President and Deputy President of the Industrial Court.

Mr. QUIRKE (Burra)—I disagree with some of the remarks made by Mr. Millhouse. I do not agree that members of Parliament should not fix their own salaries. I think they should, because Parliament is the supreme body in this State. Members are elected to be responsible for their actions and if they do not do the right thing in the eyes of the electors they can be discarded whenever the electors think it necessary. We should not shirk our responsibilities in any way. To hand over the matter for decision by an outside person only provides us with a miserable excuse, and enables us to say that it was recommended by somebody else and we had to accept it. We fix the salaries of judges and the higher civil servants. We accept the responsibility there. Does Mr. Millhouse suggest that the salaries of judges should be decided by the Industrial Court? I will accept my responsibility in this matter. It was also said that because some members have another income this proposed increase in salary is not necessary, but I do not agree. Any person over 21 years of age has the right to become a member, even if he has only two bob to his name. When he gets here he has to fill the position with dignity, and he should be in a financial position that will enable him to do it. I have another source of income. Without that I could not remain in this House and properly represent my constituents in such a large area. Mr. O'Halloran said that £250 of a member's salary goes in taxation, and I accept that figure. About £100 goes in superannuation. Every country member has to incur additional costs when he stays in the city when the House is sitting. Let us say they amount to about £6 a week. Even when the House is not sitting he has to frequently come to the city. I am here about two weeks in every three, even when the House is not in session. Let us put this cost down at about £300 a year. I run a Zephyr motor car and on my Parliamentary duties travel a minimum of 20,000 miles a year. At 6d. a mile that works out at about £500. After these expenses have been met only about £700 of the Parliamentary salary remains, and then there are all sorts of incidental expenses to be met. How could I remain an active member if I did not have a separate income? I do not know how any country member can manage unless he has other income.

Mr. Riches—What about fighting elections occasionally?

Mr. QUIRKE—The electoral returns will show what that costs me. I make no apology for accepting the proposed increase in our remuneration. We are responsible to our constituents and in about three or four months' time we shall go before them to give an account of our stewardship here. I know that the people are fair minded and will agree to this increase. Why should we adopt a niggardly and cheese-paring attitude, and why should we sit on the fence, wearing out the seat of our pants, and saying, "I really did not want it, but others did, so we must accept it." This sort of thing does not appeal to me and I will not have a bar of it. I would not have spoken in this way but for remarks of some honourable members. I support the Bill.

Mr. HAMBOUR (Light)—Until recently I was opposed to any increase in Parliamentary salaries but I have given the matter much serious consideration and I am now convinced that an increase is not only necessary but

desirable. I doubt whether in some instances the proposed increase will be sufficient. It would be disastrous for a member of Parliament to be short of money. The member who has another income pays back to the Treasury a fair share of his Parliamentary salary. I do not profess to have a lot of money but fortunately I do have other means of income. I would hate to represent my district on what I get as a member. I came here in 1956 and have almost served the term for which I was appointed. The Leader of the Opposition said that if ever the salaries should be increased it should be now, just before an election, and I agree. Mr. Quirke accurately set out the expenses incurred by a country member. A member with no other income barely receives the wage of a tradesman to take home to his wife and family. That should not be the position, for he has to maintain a standard and has to be a leader in the community. He should have no financial worries and Parliament should see that he has none. Although I was opposed to the move previously I have since seen the light and I support the Bill.

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

ANIMALS AND BIRDS PROTECTION ACT AMENDMENT BILL.

The Hon. D. N. BROOKMAN (Minister of Agriculture), having obtained leave, introduced a Bill for an Act to amend the Animals and Birds Protection Act, 1919-1938. Read a first time.

The Hon. D. N. BROOKMAN—I move—

That this Bill be now read a second time.

I regret that I have not been able to provide members with copies of my second reading explanation, but I wanted to get this Bill explained today so that it could be considered next week. I thank members for their courtesy in this matter. Since the opening of a channel between Lake Bonney, in the South-East, and the sea, the level of the lake has dropped by several feet. Some areas of land that were formerly islands are now connected with the mainland. One of these islands is a traditional nesting place for ibis. An inspection was recently made by the Chief Inspector of Fisheries and Game following on inquiries made in this House by the member for Millicent (Mr. Corcoran). The report of the Chief Inspector is as follows:—

Though the three islands at the northern end of the lake have been declared a bird sanctuary, it is only on the outermost island that the ibis nests. Two species are present—the strawnecked and the white. The strawnecked ibis is the more plentiful, outnumbering the white by probably 1,000 to one. Many thousands of ibis were present when we walked across to the island, although there is a constant coming and going of birds. They depart in small numbers of two to five birds all the day, but at intervals 100 or more (which have collected on a sand spit running southwards from the island) will rise and circle up and up above the island, eventually taking off for distant fields. Birds are constantly returning to the island in flocks of up to 100 or more.

The birds are breeding now, so we searched for signs of vandalism, but though the broken eggshells were common, each appeared to have resulted from the hatching of a chick. The nests littered the ground and were built on fallen trees as well as on those standing. In many cases no attempt had been made to build a nest other than to form a depression in the ground. Eggs were plentiful. So, too, were chickens in various stages of development from wet newly borns to fully fledged striplings not yet able to fly. The adults often stood together. Apparently pecking of each other is not adopted by this species.

The waters of the lake have drained away from the island on the northern side except for a shallow wide trickle coming in from a drain nearby. The mud near the old shore lines is deep and too treacherous to walk on except near the island. It is drying out quickly so that it will soon be quite easy to get to the island dry shod. Today rubber knee boots are required because of the sloshy mud and the shallow drainage waters.

I fear that the ibis, who are now busy rearing their young, will shun the locality eventually, not so much because of foxes, but because of the change due to the lack of water. Their isolated island is no longer an island. Man's visits to the area will also cause disturbances to their one-time quiet. I therefore consider that a fence, as suggested by Mr. Corcoran, M.P., would be useless.

This is not a criticism of the suggestion made by Mr. Corcoran that this be done as an interim matter; the Chief Inspector prefers this Bill as a further modification. The report continues:—

Unless the Government can see its way clear to dig a wide moat around the northern portion of the "island," thus making the one-time island an island again, I recommend that it be made an offence for any unauthorized person to go on the area now used as a breeding ground. This prohibition could not be enforced under any of the provisions of the Animals and Birds Protection Act.

After examining this matter, the Government decided to have a Bill drafted to cover it. The Parliamentary Draftsman has reported on the Bill as follows:—

This Bill is for the purpose of providing more adequate protection for the ibis, which live on a piece of land formerly an island in Lake Bonney, but now connected with the

shore. This land is a closed area within the meaning of the Animals and Birds Protection Act; that is to say, the birds therein are wholly protected. But it is not an offence for the general public to trespass on this land. The Bill provides that the Governor may declare the whole or any part of a closed area under the Animals and Birds Protection Act to be a prohibited area. While any area is a prohibited area within the meaning of any such proclamation, it will be an offence to enter or remain on it except with the permission of the Minister, in the case of Crown lands, or of the occupier in the case of other lands.

This Bill will give power to prohibit entry to closed areas—that is, areas closed under this Act.

Mr. CORCORAN secured the adjournment of the debate.

STATUTES AMENDMENT (LONG SERVICE LEAVE) BILL.

Returned from the Legislative Council without amendment.

INDUSTRIES DEVELOPMENT ACT AMENDMENT BILL.

Returned from the Legislative Council without amendment.

WORKMEN'S COMPENSATION ACT AMENDMENT BILL.

Returned from the Legislative Council without amendment.

BENEFIT ASSOCIATIONS BILL.

The Legislative Council intimated that it had agreed to the House of Assembly's amendments.

DAIRY INDUSTRY ACT AMENDMENT BILL.

The Hon. D. N. BROOKMAN (Minister of Agriculture), having obtained leave, introduced a Bill for an Act to amend the Dairy Industry Act, 1928-1957. Read a first time.

The Hon. D. N. BROOKMAN—I move—

That this Bill be now read a second time.

I again apologize to members for not having copies of my explanation, but I had insufficient time to prepare them, so I have taken this action to have the Bill before members as soon as possible. The Bill refers to the substance known as filled milk. The Australian Agricultural Council decided at its last meeting that each State would bring in legislation to prevent the manufacture and sale of filled milk, and this Bill is South Australia's contribution to the agreement. Filled milk has been known for many years, but little was produced until towards the end of 1957. Since then its growth has been very rapid in several countries, and if this continues, the effect on the dairying industries of those countries, and particularly Australia, could be most important, so it warrants careful study. Filled milk is made from the non-fat milk solids, either of liquid or powder origin, with which vegetable fat has been incorporated in approximately the same quantity as the butterfat removed from the original fresh milk, with or without the addition of vitamins. Coconut oil is generally used, but other kinds of vegetable fat, such as cotton seed, corn oil, palm kernel oil, ground nut oil, may be used and even specially treated whale oil. Filled milk is being produced in the following forms—evaporated (unsweetened condensed), sweetened condensed, powder, and liquid for consumption in the same way as whole fresh milk.

Filled milk is being sold freely in many countries. A survey carried out in the Phillippines in November, 1957, only one month after evaporated filled milk had been introduced on the market, disclosed that it was already used in more than half the households, mainly because it was cheaper than the natural product. Of the people interviewed 86 per cent did not realize that "Darigold" and "Liberty" evaporated filled milk—which were on sale—were filled milk. I have copies of the advertisements relating to these products which are completely misleading. One of the posters refers to the product as "quality milk from the finest American dairy herds."

This product could be a serious competitor with milk. That is the view of the Agricultural Council. The dairy industry is, in some respects, already hard-pressed and serious competition from an imitation could vitally affect it. Each State has decided to introduce legislation to prevent its sale and manufacture. I point out, however, that to my knowledge no move has been made to sell or manufacture this product in South Australia, so that this legislation will not adversely affect any person.

Mr. O'Halloran—Is it being manufactured elsewhere in Australia?

The Hon. D. N. BROOKMAN—Not that I know of at the moment, although I have heard talk.

Mr. O'Halloran—Are the other States introducing similar legislation?

The Hon. D. N. BROOKMAN—I should think it unlikely that all other States have passed such legislation because the council meeting was only held on October 9. South

Australia has taken prompt action to carry out the council's agreement. The Parliamentary Draftsman's report on this Bill is as follows:—

This is a Bill to amend the Dairy Industry Act for the purpose of preventing the sale and manufacture of "filled milk," that is, milk from which the butterfat has been abstracted and in which vegetable oil has been substituted. The effect of the Bill is to make it an offence to manufacture or sell any liquid which is a colourable imitation of milk and contains any substance not derived from the lacteal secretion of the cow.

To summarize the position, filled milk is a product that could seriously compete with milk, particularly as it is an imitation milk, and the dairy industry could be hard-pressed if such an industry were established and large quantities of its products sold.

Mr. O'HALLORAN secured the adjournment of the debate.

ROAD TRAFFIC ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from November 6. Page 1623.)

Mr. O'HALLORAN (Leader of the Opposition)—In general these amendments are reasonable as they have been found necessary from experience and from a study of the inadequacy of existing legislation. Almost every year an amending Bill is introduced and sometimes two and this I think is due somewhat to the fact that such legislation is introduced towards the close of a session giving members little opportunity to study it thoroughly. I know that the State Traffic Committee considers all aspects of road traffic generally and recommends what laws should be implemented to effectively control it but there are many facets of the problem with which the committee would not be familiar unless they were brought to its notice by the police force or some other body.

Members are continually faced with problems submitted by constituents as to what should be done about different forms of road traffic and I believe that if a Bill of this nature were introduced earlier these problems could be mentioned and could be considered by the State Traffic Committee and, if necessary, incorporated in the legislation.

Clause 3 of this Bill amends section 7 of the principal Act relating to the registration of motor vehicles by extending the use of unregistered vehicles for firefighting purposes. These vehicles, which are kept on properties, are not subject to registration in the normal course of events. As a matter of fact, they are not subject to registration if used entirely for firefighting but it is now proposed to extend the exemption to enable them to be used for training fire fighters and for other matters incidental to the control of fires. I entirely agree with this proposal.

Clause 4 amends section 9 of the Act concerning motor tractors and it relates to circumstances under which tractors are used to haul trailers for the purpose of conveying produce from the place of production to the point of marketing or to the place where it is to be processed. I imagine this would apply mainly in the cultivated areas along the River Murray where small tractors are used for cultivating gardens and for conveying the production to the packing sheds or to the point where it is to be sold. Of course, the provision could apply in other areas and it is worthy of consideration. I have not a copy of the Act with me but I believe there is provision that where unregistered motor tractors are used on roads they must be fitted with pneumatic tyres, but there is no provision in this Bill that these tractors must be so fitted.

Clause 5 redrafts the provision relating to excessive speed outside of municipalities and increases the limit from 40 to 50 m.p.h. Members will recall that not long ago I raised this question in the House after there had been an abnormal toll on the roads when 20 persons were killed in September. As a matter of fact, in the early part of that month fatal accidents averaged one a day. The Premier promised that the question of what should or could be done to improve the situation would be referred to the State Traffic Committee and I assume that the proposals in the Bill are the result of consideration by the committee. At first glance it would appear that the law is being relaxed because formerly the speed limit was 40 miles an hour. If an accident occurred and a prosecution was launched the court had to take into consideration the circumstances, but it was *prima facie* evidence that the driver had driven dangerously. The limit is being extended to 50 miles an hour, but now a person who is charged will have the onus of satisfying the court that in view of all the circumstances he was not travelling at a dangerous speed. I am in a dilemma on this question because I lean to a hard and fast rule that on country roads the speed limit should be 60 miles an hour. However, hard and fast speed limits are not elastic enough, and a limit of 60 miles an hour would allow a speed that might be dangerous in certain circumstances.

The Hon. G. G. Pearson—That is the whole problem.

Mr. O'HALLORAN—Exactly, so I am inclined to give the proposal a trial, as it will tighten up the law and make it easier to secure convictions. Clause 7 places interfering with a vehicle in the same category as unlawfully using it, and this is a necessary provision. The penalty for using a vehicle without the owner's consent is not as severe as it should be. People sometimes take valuable motor cars, run them around the country and damage them greatly, but when taken before the court they are charged with using the vehicle without the owner's consent and in many cases are released on what is only a nominal fine. The State Traffic Committee should examine this matter and bring down recommendations to provide heavier penalties for this prevalent offence. Clause 9 concerns the liability of insurers, but who will ensure that the insurer has notice of the fact that a judgment has been asked for? I assume that this difficulty can be overcome by the co-operation of various bodies in the other States. I believe the proposal that the insurer, in a case of cancellation of an insurance policy, will have to obtain the consent of the Registrar and give 21 days' notice before the policy can be cancelled is a wise provision.

It is not necessary to alter greatly the law regarding traffic lights at junctions, but there should be a stricter observance of the law, and I doubt whether the police force is sufficiently vigilant on this matter. I often see motorists beating the traffic lights in King William Street. Some are caught, but I have never seen any reference in the newspapers to prosecutions. Much confusion is caused at the King William Street-North Terrace intersection when pedestrians try to get from one side of North Terrace to the other. Motorists making a lefthand turn often try to get through pedestrians. Traffic is prevented from making righthand turns in King William Street during busy periods, and we should consider the advisability of preventing motorists from making lefthand turns in those periods so as to give the unfortunate pedestrian a chance.

Mr. Geoffrey Clarke—That is often watched by the police now.

Mr. O'HALLORAN—Then they should watch it more closely. I believe the Bill improves the law regarding zebra crossings. Motorists can hardly be blamed if they do not realize they are approaching a pedestrian crossing, which should be marked properly. Perhaps the markings used in other countries, such as in San Francisco, should be adopted. In that city "Walk" signs are displayed to control pedestrians, and lights are provided to control motorists. The provision regarding stopping on bridges puzzles me, for I wonder whether it is necessary for a motorist to stop on a bridge to pick up or let out passengers. The State Traffic Committee should consider whether this provision is necessary, and whether we should allow any vehicle to stop on a bridge except in the case of a breakdown. Most bridges are much narrower than the roads approaching them, and if motorists stop on a bridge they create a traffic hazard. Many of the provisions of the Bill are experimental, but I am prepared to give them a trial. I support the second reading.

Mr. LAUCKE (Barossa)—The most important provision is that relating to the speed limit outside municipalities and townships. The heavy toll on the roads in deaths and crippling, and subsequent distress and suffering, cannot be viewed lightly. I have been endeavouring to ascertain from road accident statistics what is the root cause of most accidents, and I have concluded that speed of itself, although a contributing factor in many cases, is not the major cause, particularly in country areas. The most important cause is human failure, and this boils down to the importance of individual responsibility in varying situations and conditions. During the year ended June 30, 1957, there were 13,189 accidents, and they resulted in 185 deaths and 3,944 injuries. The number of accidents increased by 5.2 per cent on the previous year, the number of deaths by 10.7 per cent, and the number of injuries by 6.3 per cent. Those figures give cause for concern, and they show that about two persons were killed and 45 were injured per 10,000 of population.

Mr. Corcoran—Do you think enough attention is given to policing the Act?

Mr. LAUCKE—Policing would assist to some extent, but road users must realize they have responsibilities. They should be educated to realize that motor cars can cause death or injury. Of the total number of 13,189 accidents in the year ended June 30, 1957, 2,288 were the result of inattentive driving; 2,708 were caused by not giving right of way; 694 by not keeping to the left; and 890 were the result of excessive speed. Those figures show that 7.2 per cent of the accidents were the result of excessive speed, and 45.9 per cent were the result of factors other than speed directly. They were caused by factors

such as negligence, and I do not think that a blanket limit on speed will reduce accidents greatly. Such a limit will put all responsible, law-abiding drivers in the same category as the irresponsible and reckless. It seems that any motorist exceeding 50 miles an hour will be liable to prosecution, notwithstanding the conditions and circumstances, and I do not like such a provision. It will encourage a race of rear-vision-mirror drivers and make law-breakers out of normally law-abiding citizens. I view with the greatest diffidence the first paragraph of proposed new section 43, which states:—

Any person who drives a motor vehicle on any road outside a municipality, town or township at a greater speed than 50 miles per hour shall be guilty of an offence.

Mr. Quirke—Read the rest of it.

Mr. LAUCKE—I will soon, but I emphasize that any person driving at a greater speed than 50 miles an hour will be guilty of an offence. As to whether there would be a realistic viewing by a constable of the excess of 50 miles an hour being reasonable in the terms of the next paragraph of the section would depend entirely on the discretion of the constable. The second paragraph states:—

Provided that it shall be a defence to a charge under this section if the defendant satisfied the court that having regard to the nature, condition and use of the road upon which the offence is alleged to have been committed, and the amount of traffic which at the time was on the road or reasonably likely to come on to it, the nature and condition of the vehicle, and all other relevant circumstances, the speed at which he was travelling was not unreasonable.

Unless there is a clarification of the first paragraph the careful driver on an open country road could be stopped and charged with a breach of the law.

Mr. Geoffrey Clarke—It is on the open country roads that most of the fatalities occur.

Mr. LAUCKE—The 1957 report of the Police Commissioner shows that in that year on straight roads there were 6,141 accidents. From personal observance I know that most accidents on country roads occur at week-ends and at holiday times when people come from other areas. It is proposed to have a blanket of 50 miles an hour. Therefore, if a driver travels at one mile over 50 miles an hour he commits an offence. The constable will have the discretion to say yea or nay about the matter, and then the driver will be charged.

Mr. Geoffrey Clarke—The court will decide the matter.

Mr. LAUCKE—Why take to the court men and women who could prove that they were not driving contrary to the provisions of the legislation? I want to see that first paragraph clarified. We should include words that differentiate between the reckless driver, who should be prosecuted, and the careful driver who, although exceeding 50 miles an hour, is not a menace either to himself or other road users.

Mr. Loveday—Do you think a maximum speed should be fixed?

Mr. LAUCKE—No. Conditions govern what is a reasonable speed. I do not think that 50 miles an hour, under certain conditions, on an open country road is an excessive speed.

Mr. Geoffrey Clarke—The court will take a sensible view of the matter.

Mr. LAUCKE—Why take to the court men and women who are not lawbreakers? I hope that new section 43 will be altered so as to prevent people from being apprehended simply because they have exceeded a speed of 50 miles an hour. I support the proposal to give greater freedom to owners of vehicles who allow them to be used for firefighting purposes. Training exercises can now be carried out with unregistered vehicles and this will be of great assistance to those energetic folk who are on the job in times of crisis. The proposal to bring the speed limit through country towns into line with the 35 miles an hour allowed in built-up areas is reasonable. I favour reasonable freedom of movement on country roads, but I am opposed to excessive speed through country towns. Greater stress should be placed on the importance of not exceeding 35 miles an hour. Some people pass through country towns at a greater speed without having any regard for the safety of people. I am pleased that greater penalties are to be imposed for the unlawful use of motor vehicles. In the past we have used kid gloves in handling motor vehicle thieves. A motor vehicle is an important asset to a family and to a businessman and we should do all we can to prevent theft. There should be greater respect for the property of other people and the penalties proposed for car thieving will be a deterrent to lawbreakers.

I support the proposal to limit the height of loads on lorries, and I agree with the proposal to compel notification to be sent to the Registrar on the cancellation of a third party insurance policy. I would like to see future legislation prohibit parking of heavy vehicles near the brow of a hill in the country. It is dangerous to pass over the brow and to be suddenly confronted by a parked heavy vehicle and possibly another

vehicle approaching. I would also like consideration to be given to providing for adequate lighting on heavy transports parked on roadsides. If we cannot have that, we should provide run-offs so that the vehicles can be parked without danger to other people. With the exception of my questioning of the first paragraph of proposed new section 43, I support the Bill.

Mr. MILLHOUSE (Mitcham)—I speak on the second reading only to mention the matter of speeding. I agree with Mr. Laucke's remarks on the other clauses. In Committee I shall oppose the speeding provision. Annually we tinker with the Road Traffic Act, often on the recommendation of the State Traffic Committee. I often feel that we put in the Act too many tinpot offences and that we should consider taking them out and relying on section 120, which deals with driving without due care. Its terms cover all the other minor offences mentioned in the Act. It reads:—

If any person drives or rides any vehicle or animal or walks on a road without due care or attention or without reasonable consideration for other persons using the road, he shall be guilty of an offence.

That is sufficient to cover what is mentioned in proposed new section 43. I draw attention to another general principle. Any law which cannot be enforced and which is generally broken is a bad law because it tends to bring the whole body of the law into disrepute. In 1955 we made it an offence for a person when approaching a railway crossing to drive a vehicle at a speed exceeding 20 miles an hour within 50 yards of the railway line. It is almost impossible to police that because of the difficulty of checking a decreasing speed. I have never known a prosecution to be launched, and I have fairly generally ignored the section, as I think most other members have done. That is the type of section that becomes a dead letter from the time it is inserted—it is ignored, and therefore is a bad provision. I am certain the provision of a speed limit of 50 m.p.h. is in the same category. I believe this was a unanimous recommendation of the State Traffic Committee, but unfortunately we have not had the advantage of hearing the reasons upon which the committee came to its decision.

Mr. Geoffrey Clarke—The Premier gave them in his second reading speech.

Mr. MILLHOUSE—I have looked at the second reading speech, but no reasons appear in it for fixing this speed.

Mr. Stott—There is no logic in it either.

Mr. MILLHOUSE—None at all. It is said that it is hard to get a conviction under section 43, which is so. It is also suggested that by raising the speed limit by five miles an hour and placing a heavy onus on the defendant it will be easier to get a conviction. Surely that is no reason for fixing on a speed limit. Perhaps we will hear the chairman of the State Traffic Committee on the reasons for fixing this speed limit: the second reading speech does not give them. My honest opinion is that a speed limit of 50 m.p.h. will be fairly generally ignored. I should think everyone in this House, when driving in the country, travels at over 50 m.p.h. That is a general practice in this State, in other States, and all over the world.

Mr. Corcoran—But the driver will have the responsibility of showing it is not a dangerous speed.

Mr. MILLHOUSE—That is so, but people generally drive over that speed in the country, and I do not think that is responsible for serious accidents on the highways. An accident a person would have at the speed permitted by this Bill would be just as bad as an accident at 60 m.p.h. I am not prepared to support this clause, because I think for the reasons I have given that it is an unnecessary provision, and I should like to know from the chairman of the State Traffic Committee why 50 m.p.h. was fixed. My main objection is that the provision will be fairly generally ignored, and such a law is better left off the Statute Book.

Mr. Loveday—Is it correct that there is a similar law in Victoria?

Mr. MILLHOUSE—It may be, but we do not have to follow other States.

Mr. Quirke—It is generally ignored in Victoria.

Mr. MILLHOUSE—I have no doubt that it is. I have spoken on the second reading only to indicate that unless I get further information I intend to oppose this clause.

Mr. KING (Chaffey)—I support particularly clause 4, relating to the registration of tractors, in which the radius of operation is increased to 15 miles, and the word "town" is replaced by "place." In effect, this will enable producers in my area, who have been in some doubt as to their position, to deliver fruit to canneries and pickup points. In fact, this amendment follows representations I made to the Premier on behalf of people in my district. Clause 5, which provides for a speed limit of 50 m.p.h., is a contentious provision.

From what I can see, the wording of the clause is similar to the wording of section 43, except that the onus of proof is thrown on the driver. I assure the House that people in my district, who, because they live 150 miles from the city, are great road users, consider this speed limit is quite unjustified. There is some confusion about the operation of this provision in that they regard it as an absolute upper limit; they do not understand that they will only be obliged to prove they were not driving dangerously. Section 43, the wording of which is exactly the same as that of this clause, provides that it is *prima facie* evidence of speed if it is proved that a driver is travelling at over 40 m.p.h. This clause will change that speed to 50 m.p.h., and will put the driver in the position of having to prove he was not driving dangerously. The member for Mitcham (Mr. Millhouse) pointed out that section 120 referred to careless driving. I draw attention to section 121 (1) which provides:—

If any person drives or rides any vehicle or animal on a road recklessly or at a speed or in a manner which is dangerous to the public he shall be guilty of an offence.

I was once charged under that section, so I know it is effective. It is not disregarded as it was 25 years ago. I was not driving at a great speed, but at a speed that was considered too high in the circumstances. I do not think the onus should be on the motorist to prove that in the circumstances he was not driving dangerously. I think the Income Tax Act is one of the few Acts in which the onus of proof is on the defendant. Under that legislation, he is adjudged guilty and has to try to clear himself. It is bad in principle to declare a person guilty of an offence, because he must lose time and go to expense to prove that what he was doing was reasonable. We have had experience of raids by traffic police on motorists, which are perhaps necessary after a succession of accidents. I do not think anything has been produced in this debate that will convince me that this is a good provision. Most people who drive at an excessive speed on country roads and get into trouble are unfortunately paying a high penalty for their carelessness.

I do not think a monetary penalty for driving dangerously or at an excessive speed is the right way to deal with this matter. I agree with what Mr. Millhouse said on this aspect. If people were in continual fear of losing their licences because of doing stupid things, that would be a greater deterrent than a monetary penalty, and would be fairer in its operation. It is not only speed that causes the trouble; accidents can usually be traced back to some quirk in the makeup of the person concerned. I do not suppose it is possible to have drivers psychoanalysed before granting them licences, but if they knew they were likely to lose their licences for certain offences, they would be far more careful than they are. Such action was taken in one American State, where practically every driving conviction for excessive speed meant the loss of the driving licence for at least a month. It was claimed that convictions dropped by up to 50 per cent immediately, so apparently people regard their licences as being of great value. More use could be made of such a penalty as a deterrent.

The question of zebra crossings is a vexed one. The Premier pointed out that they sometimes defeat their object and cause accidents they have set out to avoid. On the North Road, where there is an alleged zebra crossing, I have pulled up to allow children to pass only to find someone else has passed at an excessive speed, and only because of their great agility have the people concerned escaped death. An accident occurred under these circumstances some time ago on North Terrace, when a woman was killed.

Mr. Geoffrey Clarke—That was not at a zebra crossing.

Mr. KING—But it occurred under similar circumstances. I am satisfied that the present system of zebra crossings is unsatisfactory. The majority of people, if not frequent users of the road, do not know they exist, so they unwittingly break the law, and could contribute to nasty accidents. Clause 17 refers to stopping on bridges. I think its provisions are a necessary alteration to the Act, because people who stop on bridges or narrow passageways constitute a great traffic menace. I think it was the member for Barossa (Mr. Laucke) who said that people will insist on stopping on hills, which they often do to have a clear view on both sides, not realizing they are restricting the vision of people approaching from each direction. I think statistics would show that nasty accidents have been caused by this practice. On the road between Waikerie and Blanchetown there are some places where, if a vehicle stopped under these circumstances, it would be easy for approaching vehicles to be placed in dangerous situations. I think it would be a good idea for the State Traffic Committee to examine the section and see whether provision could be made to cover the circumstances I have mentioned. I realize that section 129 makes it an offence to overtake a

vehicle proceeding in the same direction if the road is not clearly visible to the driver of the overtaking vehicle; but an observance of this section is difficult in these circumstances. I think the Bill is a contribution to improving the operations of road traffic, which will continue to increase. I am not convinced that clause 5 will achieve its object. It may result in a few convictions, but as a deterrent I do not think it will be worth while. I believe we shall have to seek some other form of deterrent that has a personal application to the driver to make people realize their responsibilities. I support the second reading.

Mr. GEOFFREY CLARKE (Burnside)—I feel I should indicate the position of the State Traffic Committee in these matters. The committee does not customarily initiate inquiries or make recommendations. It is not a statutory but an advisory committee, set up to advise the Government. It is representative of practically every body in the community concerned with motoring and it considers matters referred to it by the Government. It does not of its own volition bring forward matters to recommend changes in the Act. It is the unanimous view of the committee that sooner or later—and sooner for preference—the Road Traffic Act should be re-written, not because it has many deficiencies compared with traffic legislation in other parts of the world, but because it needs re-sorting and re-classifying and the relevant paragraphs put in better order. Quite recently the *New York State Vehicle and Traffic Law,* which I have in my possession, was read by a magistrate who deals with many traffic cases and he hold me that in most respects our legislation was abreast of the times.

In reply to the member for Chaffey (Mr. King) I draw attention to an excellent booklet recently published by the Royal Automobile Association stressing the responsibility of drivers. I commend a document issued by the Roman Catholic bishops of Australia drawing attention to the obligation in conscience of observing traffic laws. Whilst Parliament does not imply that it fixes penalties for offences that are obligations in conscience, nevertheless there is such an obligation for people to observe the traffic laws because they vitally concern the preservation of life and property.

Statistics reveal that the largest percentage of accidents occur in country areas and by far the largest number result from excessive speed. The State Traffic Committee, in response to a suggestion by the Leader of the Opposition, was asked by the Government to recommend whether or not there should be a speed limit. The committee was unanimously opposed to fixing a statutory limit for speed because it was felt that whatever that limit might be it would become the minimum rather than the maximum speed. Members of the committee have wide experience and some are familiar with the traffic laws in other parts of the world. It is rather interesting to note how New York State deals with this problem. Its law is infinitely more harsh than the provision we contemplate. The *New York State Vehicle and Traffic Law,* in relation to speed limits, provides:—

No person shall operate a motor vehicle or a motor cycle upon a public highway at such a speed as to endanger life, limb or property of any person, nor at a rate of speed greater than will permit such person to bring the vehicle to a stop without injury to another or his property.

One has automatically committed a breach of the safety laws if his vehicle is not brought to a stop before it causes damage or injury to any person or property. It also provides a specific speed limit. The law states:—

A rate of speed by a motor vehicle or motor cycle on any public highway in excess of 50 miles an hour for a distance of one-fourth of a mile, except where greater speed is permitted by the State traffic commission, shall be unlawful. Absence of signs erected pursuant to the provisions of section 95c of this article on any state highway outside of cities or incorporated villages shall be presumptive evidence that the State traffic commission has not fixed a maximum speed greater than 50 miles per hour.

In other words, 50 miles an hour is the absolute limit except on highways where a higher speed may be permitted because there are no turn-offs, crossings or intersections and they are built only for traffic travelling in one direction. The State Traffic Committee considered having a variable *prima facie* limit which would be invoked in cases of excessive speed. That could be the next stage this House might consider if it is found, as the Leader of the Opposition suggests, after an experimental period that this legislation does not fit the case. In this respect the Californian Vehicle Code states:—

The department (that is, the Motor Vehicles Department) may determine and declare a *prima facie* speed limit of 30, 35, 40, 45 or 50 miles per hour, whichever is found most appropriate to facilitate the orderly moving of traffic and is reasonably safe, which declared *prima facie* speed limit shall be effective when appropriate signs giving notice thereof are erected on said highway.

Many of these laws are common to a number of States of the United States of America.

Mr. Millhouse—But by no means all of them. I travelled at 80 miles an hour in New Mexico and no-one said "Boo."

Mr. GEOFFREY CLARKE—Higher speeds are permitted only on highways which are so designated. In California the maximum *prima facie* speed is 50 miles an hour and New York State fixes 50 as the absolute speed limit. I have quoted these two States of America, which are geographically remote from each other, to illustrate that 50 miles an hour is a reasonable figure with wide acceptance in other parts of the world.

There is often criticism in this House of the differences in legislation between the States. Victoria has fixed a 50 mile an hour speed limit in somewhat similar terms to this. There is considerable traffic between Victoria and South Australia and on the grounds of uniformity it seems that 50 is a good limit. If one is not to have a limit such as this—which is *prima facie* evidence of excessive speed—one has two alternatives: firstly, to have no limit at all, which I think would not generally be favoured; secondly to have a fixed limit, which the State Traffic Committee rejected unanimously. That committee comprises representatives of many different organizations, such as road transport owners, transport users, insurance companies, and the National Safety Council, the Registrar of Motor Vehicles, the Commissioner of Police, local government authorities and several others, all of whom looked at this from many different angles. They rejected an absolute limit and suggested 50 miles per hour with the proviso contained in the Bill.

I think the reason given by the Premier that it will be possible to obtain convictions for excessive speed is the real reason and the only reason why we are doing something in this respect. Many matters contained in this Bill were not suggested by the State Traffic Committee, simply because the committee was not asked to make recommendations upon them. My opinion is that speed is undoubtedly the biggest killer. If it meant that speed was, in practice, controlled at 50 miles per hour, I, who like to travel a little faster than that, would feel that I ought to observe it if it meant a saving of life and limb. The State Traffic Committee has not recommended an absolute speed limit, but I think the clause as drafted will meet the case.

In due course, with the permission of the House, I will introduce a slight addition to clause 15 which deals with devices that may be used to tow a disabled vehicle without the need for a driver in that vehicle. At present the practice is that, unless a vehicle is towed by another vehicle which has a crane that can lift the front or back wheels off the ground, it must be steered by a person.

The SPEAKER—The honourable member cannot discuss his proposed amendment.

Mr. GEOFFREY CLARKE—I am discussing what this clause now permits. It enables the Registrar to approve of a device which enables one vehicle to tow another without the need for a driver in the towed vehicle. If a vehicle were driven at 50 miles per hour when towing a vehicle which did not have a driver to steer that vehicle, there could be a possibility of danger. It would seem to me that some addition could be made to the clause to prevent that possibility.

I suggest that honourable members who may have supported the Bill with some reservation on the clause regarding the speed limit should, in colloquial language, give it a go. The public is greatly concerned at the ever-rising road toll and, although in this State, by comparison with the other States, we have a very favourable accident and death rate, it is certainly too high.

Mr. O'Halloran—It is not so very favourable at the moment.

Mr. GEOFFREY CLARKE—Our accident rate, based on the usual statistics of fatalities per 10,000 vehicles registered, is comparatively low, and until recently was the next to lowest, if not the lowest, in the Commonwealth. In fact it is one of the lowest fatality rates in the world. Much is said at times about the courtesy of English motorists, and I agree with that, but their fatality rate is 50 per cent higher than the fatality rate in South Australia. The other States, with the sole exception of Tasmania, have a very much higher fatality rate than South Australia. The fatality rate in South Australia is seven per 10,000 vehicles, and the Australian rate is between nine and 10 per 10,000 vehicles. Although our rate is low by comparison it is still too high, and if a reasonable remedy is suggested which may tend to reduce that rate I think we should try it. The Act can be amended again next year if it is thought that this remedy does not fill the bill, but in the meantime I commend this clause to members, and unless they can find some useful alternative to it I suggest that it be passed and, if necessary, looked at again next year.

Mr. COUMBE (Torrens)—Many useful amendments are proposed to this Act. Most of

the controversy so far appears to have revolved around the vexed question of a speed limit in the country, whether it should be 50 miles per hour or whether there should be no limit. At this stage I have yet to be convinced that there is a real need for a speed limit at all.

I intend to deal at this stage only with the subject of pedestrian crossings. I have asked questions in this House on numerous occasions, but so far I have received very little satisfaction. The subject of pedestrian crossings was first introduced in an amendment to the Act in 1955. This provided that local government authorities could, with the approval of the Highways Commissioner, install pedestrian crossings, or, as they are commonly called, zebra crossings. A regulation laid down the types of crossings and the type of marking and lighting that had to be installed at those crossings. Since that date two crossings have been installed, one on the South Road near Black Forest and the other on the Main North Road at Nailsworth. These crossings are correctly marked and lit for 24 hours of the day by special overhead lights.

I say quite frankly that these crossings today are more dangerous as they are than if they were not there at all. I have suggested to the Government and to the committee that more adequate warning signs be devised and installed at these crossings. I have repeatedly seen, and had numerous reports given to me of, very near accidents and fatalities, particularly at the Nailsworth crossing with which I am more familiar. A courteous motorist on approaching the crossing and knowing his obligation under the Act will slow down and sometimes stop to avoid a pedestrian, but the careless or unknowing motorist coming behind him will often swerve out past him and can very likely knock down a pedestrian who mistakenly thinks that he can get across quite safely. These crossings can be a death-trap in their present form.

I have suggested in the past that the motorist cannot be entirely blamed for an accident which occurs, because he has no adequate warning that he is approaching a pedestrian crossing. Take the case of a motorist coming from the northern parts of the State, having travelled hundreds of miles down the Main North Road and then reaching the vicinity of Nailsworth: he passes literally dozens of "no parking" signs, "bus stop" signs, "limited area parking" signs and a host of others on the side of the road. He can obviously miss and does miss the crossed legs sign, which is the standard sign to indicate a pedestrian crossing. He cannot help but overlook that sign. Admittedly there is an approach sign which says "pedestrian crossing ahead," but to many motorists that does not mean a thing. The motorist may be thinking it is just one of those crossings which have a couple of lines drawn across the road near a school, for instance; he does not know he is approaching one of these authorized pedestrian crossings provided for in the Act. Therefore, motorists often unwittingly commit an offence. I have suggested repeatedly that in order to make these crossings safe and provide motorists with some means of knowing they are approaching them, special warning devices should be installed. On June 19 I asked the Premier a question on this matter, and he replied:—

I entirely agree with what the honourable member has said; a zebra crossing that is not marked by the necessary signs can be very dangerous. A zebra crossing gives the right of way to the pedestrian and requires the motorist to stop, which is a reversal of the usual order of things, and unless the motorist knows that a crossing is there in time for him to pull up a serious accident can occur. In Victoria flashing lights have been erected at zebra crossings that are distinctly visible to the motorist for at least 100 yards. I have seen those flashing lights working in Victoria and I thought they were effective.

That is the very thing I have been suggesting, and if members listen to me they will see what I have been driving at. The State Traffic Committee considered this question and brought down a report which the Minister of Works gave to the House in reply to a question I asked on July 24, which was four months ago. He said:—

The State Traffic Committee has furnished a lengthy report, which is available to the honourable member. The relevant extract states:—

The committee has given consideration to a proposal for the better marking of pedestrian or zebra crossings and recommends that the regulations under the Road Traffic Act be amended to provide for the following:—

1. That school crossings and pedestrian crossings be absolutely divorced and treated separately.
2. Where a pedestrian crossing is approved, it would be desirable to include in the regulations the provision of flashing yellow or amber globes, one to be placed at each side of the crossing.
3. Where practicable and essential, refuges be provided and additional yellow or amber globes installed.

I have asked on two or three occasions whether that report has been considered by Cabinet, and only last week I was advised that no consideration has yet been given to it. The

recommendation is on the lines of the Grote Street crossing that has been installed by the Adelaide City Council. It was based on the report made by Mr. Veale, the Town Clerk, after his return from overseas. Mr. Veale is an able engineer as well as being Town Clerk.

Mr. Hutchens—It is a good crossing too.

Mr. COUMBE—Yes, it is most effective. I have spent hours observing the working of the crossing. It is different from the type where pedestrians operate lights, and it is ideal because the motorist knows he is approaching a special type of crossing. At each corner of the Grote Street crossing there is a Belisha beacon, which consists of a pipe about 8ft. high surmounted by a round flashing globe. A pedestrian refuge has been placed in the centre of the road and this has a flashing light, too, to warn motorists. I have been advocating such crossings, and I ask the Government to give the State Traffic Committee's recommendations urgent consideration and come to a decision. Clause 14 allows regulations to be made for the control, marking and lighting of pedestrian crossings, so the Government will have the necessary powers. Paragraph (*b*) makes it clear that an authorized pedestrian crossing, as approved by the Highways Commissioner, will be called an uncontrolled pedestrian crossing. It will not be controlled by lights or the police, and motorists will have to observe the law regarding such crossings. They will have to slow down or stop to avoid a collision, but may proceed when pedestrians have passed out of the line of traffic. Those crossings will not come under the same provision as those provided for in paragraph (*c*), where push-button lights are installed that can be operated by pedestrians.

We should examine the reason for providing pedestrian crossings. In 12 months there will be five points with traffic lights within little more than two miles on the Main North Road. This is the main outlet from the city to the north of the State, and it has been described as the busiest road of its size in the metropolitan area. Pedestrians find it impossible to cross the road at peak periods. If they try to cross they are only trying to commit suicide. Some facilities must be given to pedestrians, but we must not unnecessarily impede traffic and cause bottlenecks. Pedestrian crossings with flashing lights that operate for 24 hours a day would not impede traffic nearly as much as standard traffic lights. I hope that in Committee the Government will say whether it has considered the State Traffic Committee's report that I referred to earlier. It has had four months to consider it, and I hope the Government will say whether it is prepared to make a decision and gazette the necessary regulations. I support the second reading.

Mr. STOTT (Ridley)—Some of the clauses in the Bill are highly desirable, particularly the one dealing with the registration of tractors. In connection with speeding, it appears to me that the State Traffic Committee has adopted a hit-and-miss attitude. Mr. Geoffrey Clarke referred to the laws in other countries and mentioned that the speed limit in New York was 50 miles an hour and that in California there were zones where certain speed limits applied. He did not say that New York is a much more densely populated area than California. In the United States when a driver approaches a country town he sees a large notice drawing attention to a speed limit of 45 miles an hour. As he gets closer to the town he sees one of 40 miles an hour. After he has passed through the town and he comes to the sign showing 45 miles an hour he knows that beyond it there is no speed limit, and that system works very well. The roads in the United States are much different from those in Australia. In some parts of that country there are three lane roads and it is an offence for a driver to move from one lane to another, except at the proper place. This is a deterrent to drivers and prevents accidents. On our Port Road and Anzac Highway we have lanes, yet accidents occur. They are caused mostly by what I term "weavers," because they weave in and out of the traffic. It should be an offence for a man to do this during peak hours when the traffic is dense.

The proposal is to have a speed limit of 50 miles an hour on country roads, but if a man were driving along the Sturt Highway after Truro he would have long stretches of a straight bitumen road on which it would be extremely difficult for him to keep below that speed, particularly if he were in a fairly heavy modern car. With the latest models 60 to 70 miles an hour is a good touring speed and on such a road there would be little danger. The Bill does not take into account the type of vehicle being driven or the condition of the road. A man is more likely to have an accident when driving a Morris Minor or a light Holden at over 50 miles an hour than driving a heavier type of car. I must drive a fairly heavy car when travelling around my district. With it I can travel 60 to 70 miles an hour without causing any trouble and I arrive at my destination in a

more relaxed condition than I would if I had been driving a lighter car; but under the Bill a traffic policeman could stop me and charge me with an offence because I was travelling at more than 50 m.p.h.. I could tell him that I had a reasonable excuse because I was driving a heavy car. I must go to the court to prove it, and I object to that. Why should I have to prove to a magistrate that I was not driving to the danger of anyone? Nobody should have to go to the court on a matter like that. A justice of the peace may be on the bench to hear the case. I have driven at 60 miles an hour and the onus is on me to prove that I was not driving dangerously. The constable in giving his evidence says "This man was driving at more than 50 miles an hour." In my defence I submit that I was not driving dangerously. Whom will the justice believe? The weight of evidence will be on the side of the constable because he represents the law.

Mr. Corcoran—How are we going to overcome that?

Mr. STOTT—Do as the member for Burnside suggests, "Give it a go." The clause reads:—

Provided that it shall be a defence to a charge under this section if the defendant satisfies the court that having regard to the nature condition and use of the road upon which the offence is alleged to have been committed. . . .

What is meant by "the nature condition and use of the road"?

Mr. Geoffrey Clarke—Whether the road is wide or narrow, whether it is a good or bad road, and the quantity of traffic.

Mr. STOTT—It would be impossible for the defendant to establish his defence under such a provision. Then the clause provides, "and the amount of traffic which at the time was on the road or reasonably likely to come on to it." What does that mean? The onus is on the driver to prove his innocence. The police constable would be anxious to obtain a conviction against him. There is always a reasonable chance of someone coming on to a road. For instance, a farmer may want to travel to the town on his recognized shopping day. There would be no hope of convincing the justice that there would be no traffic on the road on such a day, because there is always a reasonable chance of someone coming on the road. One would not have a hope of successfully using that section as a defence.

Mr. Geoffrey Clarke—You may be driving too fast.

Mr. STOTT—You would be driving too fast at 30 miles an hour if you could reasonably expect a person to enter the road at an intersection. It is bad law. Then the clause refers to "the nature and condition of the vehicle." What interpretation will the justices put on that? Would he take into account the difference between a high-powered vehicle and a smaller vehicle? The Traffic Committee or some other authority should consider this point, knowing that one is not so liable to cause an accident with a heavier type vehicle as with a lighter type. The clause includes these words, "and all other relevant circumstances, the speed at which he was travelling was not unreasonable." What does that mean? I do not know where I am. I also want to deal with the traffic laws applying in the United Kingdom. The member for Burnside referred to the courteous drivers there, but the percentage of accidents is higher than in Australia. Even if there were more courteous drivers, that does not prove that there would be fewer accidents. I ask leave to continue my remarks.

Leave granted; debate adjourned.

ADJOURNMENT.

At 5.34 p.m. the House adjourned until Tuesday, November 18, at 2 p.m.