HOUSE OF ASSEMBLY.

Tuesday, November 17, 1959.

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

QUESTIONS.

RAILWAY FREIGHT LOSSES.

Mr. O'HALLORAN—Has the Minister of Works any information from the Minister of Railways in reply to a question I asked last Thursday as to which type of traffic—intrastate or interstate—caused the greater loss of freight to the railways during the last 12 months?

The Hon. G. G. PEARSON—I regret that I have not obtained the information the Leader seeks.

FRUIT FLY CAMPAIGN.

Mr. KING—Has the Minister of Agriculture anything to report about a meeting he had with the Ministers of other States in connection with fruit fly? Will he at some future date be able to give statistics on occurrences of fruit fly found in road blocks and any other information that may be of interest to members interested in the campaign?

The Hon. D. N. BROOKMAN—I cannot give a very detailed report. Representatives of all States except Queensland, which sent an apology, attended the conference yesterday, and all agreed that further action was needed. The general basis of a scheme was considered. Everybody at the conference agreed that road blocks were most important as a means of controlling fruit fly and, consequently, a fairly comprehensive scheme for road blocks was considered. The details have not been finalized, and at this stage the various representatives are referring the matter to their Governments. In the meantime South Australia has two 24-hour road blocks operating permanently, one at Ceduna and one at Yamba near Renmark. The number of occasions on which fruit fly has been found at these road blocks could easily be obtained. I have not the figure with me, but it would be 20 or 30, and I could give the dates on which fruit fly was discovered and the types of fly identified as a result. I hope that any further improvements to the present set-up will be brought forward as early as possible, as I am keen to see that anything that can be done for the coming harvest will be done.

PARINGA PARK SCHOOL FIRE.

Mr. FRANK WALSH—My question relates to a fire that occurred at the Paringa Park primary school over the weekend, and I want it understood that I am not reflecting on some portions of a press report, which I believe relate to matters that are *sub judice*. I express my sympathy with the Minister of Education and with the parents and friends, who have done much work in that area. The press article stated:—

> Firemen from Adelaide and Glenelg under Chief Fire Officer Mr. H. H. Patton were hampered when they found covers protecting the hydrants to be jammed.

Will the Minister of Works have this matter investigated immediately by his department, not only in this area, but anywhere where there are portable buildings and timber frame temporary homes, to ensure that hydrants will be free in an emergency?

The Hon. G. G. PEARSON—I read the press reports relating to the fire to which the honourable member referred and noted several aspects, but missed the report that the fire hydrants were difficult of access. I will seek a report on that matter and on the circumstances surrounding the occurrence of the fire. Apparently there were some possible reasons for the fire that would indicate that the structure of the building was not at fault. I think the matter raised by the honourable member is important, and I will have it investigated.

NARACOORTE SEWERAGE SYSTEM.

Mr. HARDING—My question concerns the disposal of effluent from conveniences at Naracoorte, some of which, I understand, have been connected to the present sewerage system for some time. Will the Minister of Works obtain a report from the health authorities and officers of the Engineering and Water Supply Department at present stationed at Naracoorte about this problem, and endeavour to ascertain when the outlets from the public conveniences, hotels, restaurants and other business premises will be connected to the sewerage system?

The Hon. G. G. PEARSON—From memory, and from the latest reports I have received, the work of installing the town sewerage system at Naracoorte is proceeding satisfactorily and I think that it is ahead of the department's schedule, but I am unable to say when any individual premises may be connected. That would depend firstly on the construction of mains and services to the frontages of the buildings or to points where

such services could be connected. In the absence of any specific information as to which premises he refers to, I am unable to give a detailed reply. I understand that the department is connecting dwelling houses and other premises as rapidly as possible, and that, pending completion of the treatment works, at least some buildings can be connected. If the honourable member will mention, perhaps in a letter, any premises he has in mind, I will obtain a specific reply as to when it is estimated that those buildings can be connected. I realize that public buildings and other buildings such as residentials, hotels, etc., would seek their connections at the earliest possible moment, and if the honourable member will list those I will refer those cases to the department for more detailed information.

HALBURY STOCKYARDS.

Mr. HALL—Has the Minister of Works, representing the Minister of Railways, the report promised on the condition of the stockyards at Halbury?

The Hon. G. G. PEARSON—My colleague, the Minister of Railways, advises me that at present there are several portions of the stockyards at Halbury contained only by "ringlock" fencing which is not in good repair, and an order has been issued for the replacement of these portions with timber rails suitably spaced for preventing the escape of sheep.

WHYALLA TECHNICAL HIGH SCHOOL.

Mr. LOVEDAY—Approaches have been made to the Education Department since 1953 regarding the setting up of a Leaving Honours class at the Whyalla technical high school, and this year there has been some correspondence on the subject seeking a definite answer. Attention has been drawn to the fact that it is believed that Whyalla is the only town, outside of Adelaide, in which young men regularly begin and complete courses in tertiary technical education, and an early reply is desired so that parents can decide whether their children will remain at school an additional year or seek employment, and in order to arrange for boarding if the child must proceed to Adelaide. Can the Minister say whether a Leaving Honours class will be established at the Whyalla technical high school in 1960?

The Hon. B. PATTINSON—I regret that I am not in a position to give a final decision. I have received correspondence from the chairman of the Whyalla technical high school council, and I have had discussions with the Director of Education, the Deputy Director and the Superintendent of Technical Schools and received detailed reports and recommendations on this matter. There is, naturally, some divergence of opinion expressed by those very responsible officers, and I am inclined to think that there is much merit in both the conflicting contentions, but there are very great difficulties in the way of acceding to the request of the Whyalla technical high school council. I hope to be in a position to give the honourable member a definite answer in a week or so, but I doubt whether it will be possible to establish a class there next year. As soon as I am able I will reply to the letter and also inform the honourable member.

SUPPLY OF SEED WHEAT.

Mr. SHANNON—As the season progresses our fears regarding it are becoming more and more realized. The late crops will be badly hit, and we will obviously be in trouble with the supply of seed wheat for many farmers who are having total failures this year. I recently asked a question about the provision of a suitable variety of seed wheat for those farmers who would be without any, and I also pointed out that we should make certain that we did not do the wrong thing and export wheat, and then have to import a variety of seed wheat not suitable for South Australia. Has the Minister of Agriculture any further report?

The Hon. D. N. BROOKMAN—Knowing that many farmers will need to buy seed wheat next season, the Department of Agriculture is now preparing a list of farmers who are prepared to sell wheat for seed, and is asking those farmers to notify the department so that that list can be published. The department is not, of course, able to accept responsibility for the quality of the seed, but every endeavour will be made to see that the seed is good. The department points out that, although it must be bought by private arrangement, the Wheat Board must be notified before the transaction can take place. On the other hand, I am informed by the Wheat Board that, although the board does not normally sell seed, it will on this occasion supply f.a.q. wheat to growers who cannot obtain the seed through the private arrangements I have mentioned.

Mr. Shannon—Does the board assure the buyer of the variety of seed he is to be given?

The Hon. D. N. BROOKMAN—I am not sure what the Wheat Board will guarantee. The department is asking for full particulars as to variety in order to make this list available, but the Wheat Board, which normally

does not sell seed, has stated that it will do so and is asking growers to contact the board with the idea of the board's supplying f.a.q. wheat. The board has not told me that it will be able to guarantee anything more than that. Those are two activities I know of at present.

Mr. HEASLIP—Under the Wheat Board legislation wheatgrowers are not permitted to sell any type of wheat to one another. I understand the board is making available from wheat stacks seed wheat for farmers, but once wheat is in the stack it becomes mixed, and if the farmers take seed wheat from the stacks they will get wheat that will mature a fortnight ahead of other wheat, hard and semi-hard wheat, and possibly half a dozen different types of wheat. If the legislation concerning the exchange or sale of seed wheat between the farmers could be lifted during the coming harvest to enable farmers to exchange or buy and sell to one another their seed wheat, they could get pure wheat instead of wheat from these stacks.

Mr. Hambour—Can't they do that now?

Mr. HEASLIP—Not legally. Some do it but they know that they are breaking the law. Many other farmers would do it if they could do it legally. Can the Minister say whether it is possible to suspend the relevant legislation for the present season to enable farmers to get seed wheat on which the Department of Agriculture has spent a lot of money to keep it pure?

The Hon. D. N. BROOKMAN—As the honourable member knows, the Wheat Board has been established under legislation which has been passed by the Parliament of South Australia and the Parliaments of other States and I do not think we can expect to amend the Act in any way to meet this contingency. On the other hand, as I understand it, the Wheat Board has never sold seed wheat before. I think it always encourages the private sale of seed wheat and insists that buyers apply to the board for permits. I think the honourable member asks whether it can be done without having to apply to the board for a permit. I do not mind putting that request to the board, although I think I can anticipate the answer. At the moment if farmers can secure seed wheat privately the board prefers them to do it that way and to apply for permission, but if it is impossible to obtain it privately the board says it is prepared to sell them f.a.q. wheat.

VANDALISM AT SCHOOLS.

Mr. FRED WALSH—I think that the Education Department, the Minister, and the public generally are becoming more and more concerned at the frequent acts of vandalism perpetrated in schools, and while I appreciate the difficulty in tracing the offenders there must be some way in which these acts can be prevented. Last year I suggested that temporary caretakers be appointed. Apart from the recent serious incident at Paringa Park school, some minor acts of vandalism have resulted in damage to school buildings and equipment, and something should be done to prevent that. Can the Minister of Education say whether the department has considered the appointment of local residents as caretakers of primary schools in a casual capacity, and if not, will he consider it?

The Hon. B. PATTINSON—Yes. I have given much consideration to this matter and have had long discussions with representatives of the Teachers Institute and the School Committees Association and with the Director of Education and departmental officers, but the cost of instituting such a system on a widespread scale would be prohibitive at present. The department simply could not afford it. However, from the beginning of next year we will endeavour to institute the system in a few of the larger primary schools on a test or pilot basis to see how it works out from the point of view of protection and efficiency and to ascertain how the costs compare with the present cost of cleaning schools. I do not know whether they will be on a full-time or part-time basis, but in a few of the larger schools the caretakers will be on a full-time basis and will be drawn from local residents: the honourable member probably has part-time work in mind. On the other hand, I do not think it would be possible to provide protection against all the types of vandalism that are occurring in and near our schools. Could we have someone on duty 24 hours of the day? I realize it is something we shall have to consider for the future because the cost of these acts of vandalism is prohibitive in terms of money and, what is immensely more important, in terms of manpower. I am informed that to restore the classroom that was wantonly burned down last Sunday it will take an expert gang of five men over a month of their valuable time: they are experts from the Finsbury division of the Architect-in-Chief's Department. We have a tremendous leeway to make up in our school building programme and the Minister of Works and I deplore the

fact that the valuable time of expert men will be taken up when they could be used to far greater advantage in building new classrooms.

FERRY CHARGES FOR AMBULANCES.

Mr. HAMBOUR—Has the Minister of Works a reply to the question I asked concerning the free transport of ambulances on River Murray ferries?

The Hon. G. G. PEARSON—My colleague, the Minister of Roads, advises that following the recent enquiry into the ferry service across the river, it is anticipated that new regulations will be shortly drawn up and the Government will give favourable consideration to free travel for ambulances upon the ferries.

CONCESSION FARES FOR COUNTRY PENSIONERS.

Mr. HUGHES—Recently, in reply to a question by the Leader of the Opposition, the Premier said that country pensioners could obtain the same concession fares as pensioners living in the metropolitan area whilst they were in Adelaide. In my district we have a regular train service five days a week between Moonta, Wallaroo, Kadina, Bute and Paskeville, with a restricted service over the week-end. For five days a week four trains operate daily between Moonta, Wallaroo and Kadina; one train daily, both ways, between Wallaroo, Kadina and Paskeville; and one train daily, both ways, between Wallaroo, Kadina and Bute. Will the Minister of Lands, who is in charge of the House in the absence of the Premier, ask him to examine the position to see whether concession fares can be granted to country pensioners travelling between stations in their respective districts similar to those granted to pensioners in the metropolitan area?

The Hon. C. S. HINCKS—Yes, I will do that.

CLAPHAM RAILWAY BRIDGE.

Mr. MILLHOUSE—Has the Minister of Works a reply to the question I asked on October 27 concerning the widening of the Clapham railway bridge?

The Hon. G. G. PEARSON—My colleague, the Minister of Roads, states that as Springbank Road is a district road, the bridge over the railway line is primarily the responsibility of the Corporation of Mitcham. However, as was the case with the reconstruction of the road, traffic volume warrants some departmental assistance. Although it is known that the bridge is substandard and in need of reconstruction, funds for this year are fully committed, but consideration will be given to its inclusion in next year's programme.

Mr. MILLHOUSE—In his reply, the Minister of Roads said that in his opinion the traffic volume warranted some departmental assistance in the reconstruction of the bridge. As that is rather vague will the Minister of Works ask his colleague what assistance is envisaged and, if it is financial, what proportion of the cost of the reinstatement of that bridge the department is prepared to pay?

The Hon. G. G. PEARSON—Yes. I suggest, however, that the honourable member refer to the usual practice regarding arrangements made between the Highways and Local Government Department and local council concerning such matters. At this stage the Minister will probably be unable to give a firm reply. It would depend, if it follows the usual pattern, upon recommendations made by the district engineer to the Commissioner of Highways as to what, in his opinion, the degree of assistance should be. I do not want to commit the Minister, but I know that that happens in similar circumstances. I should think that when next year's Estimates are being prepared the Minister would have before him recommendations from the district engineer submitted through the Commissioner of Highways dealing with this matter.

ELECTRICITY FOR MONARTO SOUTH COTTAGES.

Mr. BYWATERS—Has the Minister of Works a reply to my recent question regarding the provision of electricity to the railway cottages at Monarto South?

The Hon. G. G. PEARSON—My colleague, the Minister of Railways, advises me that there are a number of similar projects in hand but the work of connecting the railway cottages at Monarto South with electric power will be completed this financial year.

SOUTH PARA FIRE FIGHTING UNIT.

Mr. LAUCKE—During the construction of the South Para reservoir two fire fighting units were stationed there under the direction of the Engineering and Water Supply Department. Those units have been a wonderful aid in the control of fires in the Barossa Council area and representations were made to the Engineer-in-Chief for the retention of at least one of these units at South Para but, unfortunately, he was unable to accede to the request. In view of this, and bearing in mind that re-afforestation is being undertaken at South

Para and that a large part of the South Para and Barossa waterworks reserves is the responsibility of the Woods and Forests Department, will the Minister of Forests consider providing a fire unit for the protection of reserves under the control of the Forester at Mount Crawford?

The Hon. D. N. BROOKMAN—I will consider this matter.

PORT PIRIE HIGH SCHOOL LAND.

Mr. McKEE—On August 13 I asked the Minister of Education a question about departmental negotiations for the purchase of some land adjoining the Port Pirie high school and the Minister informed me that the Property Officer was going to Port Pirie on August 19 to discuss the matter. Has the Minister anything to report?

The Hon. B. PATTINSON—On the spur of the moment I cannot give a detailed report. I know that two senior departmental officers visited the school and had discussions and that negotiations are in progress at present, but at the moment I do not know how far they have progressed. I will bring myself up to date and let the honourable member have a report later this week.

EARTH EXCAVATIONS: SAFETY MEASURES.

Mr. LAWN—An accident occurred yesterday at the corner of Currie Street and West Terrace where earth excavation work is taking place. I have seen many excavations where the workmen have been down many feet and I have always felt that the earth should be boarded up because if an accident occurs there is little hope of the workmen surviving. Yesterday the workman survived only because someone noticed the cave-in and, with assistance, acted immediately. Can the Minister of Education say whether there is legislation permitting the Minister of Industry to promulgate regulations, or to take other action, making it necessary when a man is working at a certain depth—I would not suggest it for a depth of 3ft.—for the excavation to be boarded up? If the Minister has the power will he issue the necessary regulations, but, if not, will he bring the matter before Cabinet with a view to having the necessary legislation passed?

The Hon. B. PATTINSON—I shall be pleased to refer the matter to the Minister of Industry and let the honourable member have a considered reply.

DULWICH POLICE STATION CLOSING.

Mrs. STEELE—Has the Minister representing the Premier a reply to the question I asked on October 27 regarding the future of the Dulwich police station?

The Hon. C. S. HINCKS—I have a lengthy reply, which I ask leave to have inserted in *Hansard* without its being read.

Leave granted.

DULWICH POLICE STATION CLOSING.

For some time past it has been recognized that many "one-man" police stations in the metropolitan area have little justification for their continued existence, and that the public could be better served by the combination of strategically situated stations manned on a 24 hour basis working in conjunction with more extensive mobile patrols operating in the surrounding areas. Due to the fact that police officers are allowed two rest days weekly, it follows that these stations are only manned for five days a week. The officer is required to be on duty for 8 hours for each of those days, and as much of his working time must necessarily be spent away from the station in serving summonses and attending to extraneous inquiries, members of the public calling at these stations, more often than not, find that the resident officer is absent on other duties in his district. To save the public the inconvenience of calling at stations during the absence of the officer in charge, it has been found more practicable to establish centralized stations manned on an "around the clock" basis where the public can always be assured of the presence of a police officer to attend to their requirements. The use of mobile patrols in an area guarantees the ready availability of police services and ensures more effective use of our manpower. It has been amply demonstrated that a police officer patrolling in a radio-equipped vehicle is able to render far greater service to the community than is possible if he is engaged on purely station duties.

The principles of centralization and mobility are obviously incompatible with the maintenance of "one man" stations, and if this department is to be organized in conformity with modern policing methods, it is inevitable that many of the smaller "one man" stations must be closed to provide the manpower to make our over-all policing scheme fully effective and give adequate service to the public generally, instead of to a few in particular. Before any station is closed, however, careful consideration is given to the policing needs of the neighbourhood and the volume of police work passing through that station. For some time past it has been known that the Dulwich police station has outlived its usefulness, and a recent examination conducted into all aspects of this station clearly proves that the retention of these premises as a police station cannot be justified. The services of the officer in charge would be more gainfully employed by posting him to the Norwood police station, where a 24 hour, seven days per week service is provided, or attaching him to one of the mobile

patrols operating in the area. An investigation has been conducted into the points appearing in the *Hansard* report dated October 22, 1959, relating to this station, and it would appear that the importance of some of the subjects mentioned in the letter from the Glenside, Glenunga, and Frewville Progress Association have been somewhat exaggerated. The inquiry revealed that very few aged folk called at the station for the purpose of obtaining signatures to pension papers, and in fact the officer in charge could not recall the last occasion that anybody called at the station for this purpose. In any case the signature of a justice of the peace, a bank manager, a postmaster and in some instances a householder is all that is required for the purpose of certifying pension papers.

During the course of the investigation it was found that the gun licences issued from this station did not average two a week, but here again as the issue of gun licences is principally the responsibility of the Department of Agriculture, this argument could not be accepted as a reason for keeping this station open. It is very seldom that anybody calls at Dulwich for the purpose of registering a birth, and for the month of October only one birth was registered at this station. It is true that some people have found it convenient to report accidents at the Dulwich Police Station, but it was noted that the number reported averaged somewhere in the vicinity of one every two days. However, as the persons concerned usually possess a motor vehicle, they would be occasioned very little inconvenience by having to report their accidents at Burnside, Norwood, Parkside, Marryatville or at police headquarters in Adelaide. Dulwich is a particularly quiet station from a police point of view and there has been nobody arrested and lodged in the station cells since 1954. The occasion prior to that was in 1952. For the year ended 31st December, 1958, no person had been reported for any offence whatsoever in the Dulwich Police District by the officer in charge. These factors are no doubt a tribute to the efficiency of the mobile policing system. It can be seen, therefore, that there is very little actual police work performed at this station and that the greater part of the officer's time is devoted to the performance of extraneous duties for other Government and semi-Government departments. This station has not yet been officially closed, but the officer in charge has been utilized on some occasions to relieve at the Norwood Police Station. I am confident that this station could be closed without adversely affecting the interests of the residents in the Dulwich area, which is reasonably close to Norwood, Parkside, and Marryatville Police Stations, and a separate report will be submitted to you on this question in the near future.

TEXTBOOKS IN SCHOOLS.

Mr. CLARK—On November 10 I raised with the Minister of Education the possibility of varying a departmental instruction appearing recently in the *Education Gazette* so as to allow the use of highly recommended textbooks for social studies in grade IV next year. Since asking the question I have seen a copy of another social studies book recently written by the headmaster of the Burnside school, Mr. Gill, and it appears to be an excellent textbook for South Australian schools. Has the Minister any further information on this matter?

The Hon. B. PATTINSON—I have considered the representations to me by the honourable member, and also had a discussion with the president of the Teachers Institute (Mr. Golding), and the immediate past president (Mr. Davis). I have also conferred at considerable length with the Director of Education on this matter and have now received his report. As it is of considerable importance to the public and a large number of teachers I will read it in full. It is as follows:—

As you pointed out in your reply, the reasons for the instruction which was published on page 308 of the *Education Gazette* for October, instructing heads of primary schools not to make the change in the textbooks used in the various grades of their school, in 1960, was because the Primary Curriculum Board is undertaking a full scale revision of the course of instruction and of the books recommended for use in each grade, in each subject. Pending the completion of this revision, it was thought desirable that changes in the textbooks used in each school should not be introduced. In other words, it was merely a standstill arrangement to cover the interim period before the new course of instruction was completed. Shortly after you had approved of this instruction, however, an advance copy of book IV of the series *Social Studies through Activities* was received in this office and was reviewed on page 322 of the *Gazette*. This review was supplied by Mr. W. T. Westgarth, who is presumably a member of the Standing Committee for Professional Affairs of the Headmasters Association of the South Australian Institute of Teachers. It is pointed out in the foreword to the book that this committee examined the book in detail during its preparation and made suggestions for alterations and amendments. It also stated that this committee checked the manuscript. This book is really an adaptation of a Western Australian book and is edited by Mr. C. Eakins, formerly headmaster of the Western Australian Correspondence School, and Mr. A. E. Williams. It is stated that the book is set up and printed by Carroll's Proprietary Limited of Hay Street, Perth. The retail price is 6s. 9d. In the last few weeks another book entitled *South Australia from Pioneers to Television*, has also been produced. The author is C. W. C. Gill, Master of Method at the Burnside Practising School, and is published by Rigby at a cost of 4s. 9d. There are a number of errors in the first of these two books.

The second book has been checked for accuracy of fact as well as for spelling and punctuation. Apart from some awkwardness of style and looseness of expression, there is a misleading diagram on page 55. However, it is probably true that the use of either of these books would be an advance on the book that has been in use until recently. As these two books have come to our notice since the instruction was issued it may be reasonable to give permission for their use. Accordingly, I recommended that—

(*a*) I should be authorized to issue an instruction to inspectors of schools and to heads of schools, drawing attention to these two books and stating that either book may be used if desired, provided, in the case of the smaller schools (Classes IV, V and VI) the concurrence of the district inspector should be obtained.

(*b*) Mr. Clark should be informed accordingly.

I have approved the Director's recommendation, and action on those lines will be taken immediately.

GOVERNMENT GUARANTEE TO INDUSTRY.

Mr. RICHES—During the debate on the Estimates I asked the Treasurer about a payment of £1,481 last year under a guarantee under the Industries Development Act. There had been no line on the Estimates previously, and there was no provision this year. The Treasurer undertook to obtain an explanation. Has the Acting Leader of the Government that information?

The Hon. C. S. HINCKS—I have obtained the following reply from the Under Treasurer:—

The amount of £1,481 spent last year represented a payment made to a bank pursuant to a guarantee given by the Treasurer under the Industries Development Act. The guarantee was given in 1947 and was for an amount of £2,000. The company was not successful and decided in 1958 that it could not carry on. The assets of the company were sold and applied in reduction of the company's indebtedness to the bank and the balance required to extinguish the bank loan was provided by the honourable the Treasurer in accordance with the guarantee. No amount is provided in this year's Estimates as it is not anticipated that the honourable the Treasurer will be required to meet any similar obligations under guarantees arranged pursuant to this legislation.

LAMEROO AREA SCHOOL DRAINAGE.

Mr. NANKIVELL—Has the Minister of Works a reply to a matter I raised last week, when I drew attention to what appeared to be a lack of liaison between the Architect-in-Chief's Department and the District Council of Lameroo over the disposal of drainage water at the Lameroo area school?

The Hon. G. G. PEARSON—The honourable member raised this matter with me and I inquired to ascertain the problems involved. The drainage of school grounds, which is carried out to a great extent in country schools, automatically involves the delivery of drainage water on to the adjoining street or road. About 12 months ago a case occurred in the metropolitan area where, unwittingly, a problem of some magnitude was created by the delivery of such water, but this was rectified by the co-operation of the corporation officers with the Department of Works. At that time an instruction was given that, where school drainage might affect the drainage scheme for the town, corporation or district council, the departmental officers would consult local authorities in working out a drainage scheme. In the case of Lameroo School, a scheme was prepared and was subjected to the scrutiny of the school committee and other people interested, who suggested various changes as to the method to be adopted, but after considerable discussion the original plan proposed by the Architect-in-Chief was, by and large, decided upon. I think it is correct to say that the district council was not quite up-to-date with regard to the proposals. Following on the honourable member's very wise investigation into the matter, an officer of the department went to Lameroo and discussed the matter with officers of the district council, with the result that an amicable arrangement was made as to the method to be adopted and the method of sharing the costs of the scheme.

TANTANOOLA SCHOOL ELECTRICITY SUPPLY.

Mr. CORCORAN—My question deals with the supply of electricity to the school residence and school at Tantanoola, about which, I understand, there has been some delay. Has the Minister of Works any information on this matter?

The Hon. G. G. PEARSON—Yes, the original approval for the wiring of the Tantanoola School was given some months ago and, so far as I was aware, the work had been put in hand. However, I discovered, on investigating the matter subsequent to the honourable member's inquiry, that several additions to the original scheme were requested, among them being the wiring and connecting of additional classrooms isolated from the main school

block and residence, which required the laying of mains under the playing fields. Another extra was an electric pump to supply water to an overhead tank to supply conveniences in lieu of the windmill that had been proposed, and the wiring of toilet blocks and the outside public address system. Investigations of these things took some time, but I am pleased to say that the matter has been finalized, that I have approved the expenditure on the work, and that tenders will be called this week. I shall have a letter prepared for the honourable member to confirm the foregoing comments.

TRANSPORT OF HANDICAPPED CHILDREN.

Mr. O'HALLORAN—Will the Minister of Education state whether arrangements have been finalized to provide transport for handicapped children to various suitable schools in the metropolitan area? This matter has been discussed over a certain period and I think the Minister hoped the facility would be available at the beginning of the next school year. Has he anything to report and, if so, can he indicate what routes will be taken?

The Hon. B. PATTINSON—I had hoped that the system would be instituted in the last term of this year, but I did not receive the committee's report in time. I have now received a report. The committee has asked to see me to discuss some aspects of it, and I hope to do so within the next week or fortnight and to arrive at some finality on the report and recommendation. I not only hope, but am confident, that some scheme will operate as from the beginning of next year, even if it is not all that the parents of the children may desire.

DRAINAGE OF CHAFFEY IRRIGATION AREA.

Mr. KING—I understand that for some time tests have been taken concerning the water table and the need to drain the Chaffey Irrigation Area, and as the settlers are becoming rather concerned about the matter, will the Minister of Lands obtain a report as to when the matter will be referred to the Public Works Committee?

The Hon. C. S. HINCKS—I will seek that information for the honourable member.

WEEKLY RAIL TICKETS.

Mr. FRANK WALSH—Has the Minister of Works a further reply concerning the possibility of weekly rail tickets being used on certain services on Sunday evening?

The Hon. G. G. PEARSON—My colleague, the Minister of Railways, states that the last train from North Gawler on Sunday evenings leaves at 9.38 p.m. and arrives Tube Mills at approximately 10.20 p.m., and five-day weekly tickets would be available for use on this train in view of the reply given to the honourable member on November 3, 1959.

STUART ROYAL COMMISSION REPORT.

Mr. JENKINS—Is the Minister of Lands, representing the Premier, in a position to say when the report of the Royal Commission in the Stuart case will be made available?

The Hon. C. S. HINCKS—I have no information on that matter.

ADVERTISING BY STORES.

Mr. HUTCHENS—On October 20, I addressed a question to the Premier which followed on a question I had asked earlier this session regarding the advertising by stores of goods that were not available at the prices advertised. In his reply the Premier stated:—

After the honourable member complained previously, an officer of the Prices Department investigated and found that there were substantial grounds for the complaint, as the items advertised were not freely available for sale. In fact, in some instances I think it was doubtful whether they had been available for sale at all. I will have the matter further investigated.

Has the Minister of Lands, representing the Premier, any further information in the matter?

The Hon. C. S. HINCKS—The Prices Commissioner reports:—

Following the query raised in the House by the member for Hindmarsh concerning an advertisement offering a bedroom suite for sale at 29 guineas, inquiries have been made and it was ascertained that this suite was freely available at the date of the advertisement and a number were still available several days later. The seller's purchase price was checked with manufacturers' invoices and was below the advertised price of 29 guineas. Whilst the suite is by no means of superior standard, it could hardly be expected at the price as it is common knowledge that prices of first-class bedroom suites range from approximately 60 to 150 guineas. However, for those people who desired to buy, investigations have disclosed that the suite was available and that the low price included only a nominal profit margin. Since the first complaint was lodged there has been a decided improvement in that whereas furniture previously advertised was not available, the company is now making sure that items advertised are available. The company is obviously aware that its activities are under close scrutiny.

POLDA BASIN ON EYRE PENINSULA.

Mr. BOCKELBERG—Some years ago a survey was made of the Polda Basin on Eyre Peninsula. Can the Minister of Works say whether there is sufficient water in that basin to augment the present supplies for central and upper Eyre Peninsula?

The Hon. G. G. PEARSON—The investigation into the possibilities of this basin goes back a long time. From my own knowledge, the investigations carried out produced results that did not encourage the department to proceed with a scheme to augment the Eyre Peninsula water supply system. I have not yet had an opportunity to look into the whole history of the investigation, and to determine just how far the quantities and the quality of the water there fell short of the necessary requirements, but I am familiar with the basin, having passed it many times over the years, and I think that the department decided not to investigate further for the reasons that (*a*) the supply was limited, and (*b*) it was in an area somewhat remote from the existing trunk main system, and an area that was not closely settled or ever likely to be closely settled. However, if the honourable member would repeat his question, perhaps in a week or so when I have had time to go back into the history of the matter, I could indicate whether any useful purpose could be served in re-opening the negotiations in view of the increasing requirements of water on Eyre Peninsula generally.

SALE OF AUSTRALIAN VISUAL EDUCATION BOOKS.

Mr. LOVEDAY—I have been approached by a person who purchased from the Australian Visual Education Proprietary Limited 25 volumes called the *Australian Children's Pictorial Social Studies*, costing 10 guineas with 30 pages in each volume. I imagine that those volumes are worth about 2s. each. The claim is made that these books are the product of years of accumulated teaching experience in Australian schools. These volumes are set out crudely in similar form to comic strip books and are on poor paper. The salesman connected with this sale said that the material was sufficient to cover the students' work to the Leaving standard. This type of sale is being made to women while their husbands are at work. In addition, there is a certificate supposedly covering the family for five years for any questions they would like to ask to assist the student. Has the Minister had an opportunity to examine these books; can he say whether the Education Department collaborated with this firm in any way to enable the firm to have its material based on the departmental social studies curriculum; and will he examine the claims made by the company and its salesmen and issue a statement regarding those claims and the value of the books from the Education Department's viewpoint?

The Hon. B. PATTINSON—I have never seen or heard of the books described by the honourable member, but I am sure that, if the claims of the publishers are correct, most of my problems in education will be solved. The matter having been brought to my notice, if I can procure copies of the books I will have them examined and obtain a critical report from experienced officers of the department.

WAR SERVICE LAND SETTLEMENT.

Mr. HARDING—Has the Minister of Lands a reply to my question of last week concerning the disposal of war service land settlement surplus plant? I asked the Minister whether he would ascertain when the sale would be conducted. Can he also indicate when it is expected that land at Fairview, Drury and Botts Estate will be gazetted and open for application?

The Hon. C. S. HINCKS—In regard to surplus lands, several areas in the South-East have been reported as surplus to war service settlement requirements mainly in the Reedy Creek, Hundred of Spence and Canunda Commonage areas. It has been recommended, however, that this land should not be disposed of until it is certain that it will not be required for aggregation with any existing holdings which might prove inadequate. I expect that at the end of this month or early next month Daws Estate and other areas will be gazetted as open for application. In regard to the sale of plant, the preliminary work of marshalling and taking stock of plant in the South-East has been completed. Lists are at present being reviewed to select the items that will be retained for departmental use. It is expected that the final list will be submitted to the Supply and Tender Board for disposal at about the beginning of December. The actual date of offer to the public for sale will be determined by the board after the requirements of other departments have been ascertained.

BULL'S CREEK AND PROSPECT HILL LAND.

Mr. STOTT—Has the Minister of Lands a reply to the question I asked on November 12 regarding land at Bull's Creek and Prospect Hill?

The Hon. C. S. HINCKS—Over the years some members, including the member for the district (Mr. Jenkins), have inquired about this area. A proclamation was published in the *Government Gazette* on the 5th instant closing the Kyeema Prison Camp situated on section 552, Hundred of Kuitpo, as from December 31, 1959. The area will not be vacated until the end of the year, and, if not then required for any other Government purpose, will be available for disposal under the Crown Lands Act. Section 92, Hundred of Kuitpo, which adjoins the prison camp is Crown land and has been withheld from offer for some time until a decision has been reached regarding the disposal of the camp. As a matter of interest, the late Hon. Norman Brookman inquired about this area in 1946-47, and in 1954 my colleague, the Minister of Agriculture, made similar inquiries.

SAFETY RAMP ON MEASDAYS HILL.

Mr. SHANNON—Has the Minister of Works a reply to the question I asked recently regarding the safety ramp on Measdays Hill?

The Hon. G. G. PEARSON—My colleague, the Minister of Roads, informs me that investigations show that there is no place between Crafers and the Mountain Hut at which a correctly designed safety ramp could be constructed without the runaway having to cross the two lanes of traffic travelling in the opposite direction. At the site below Measdays there is insufficient length and rise to bring a heavy vehicle to a stop if it was travelling out of control at a high speed, but this runoff could assist if the out of control speed was comparatively low. Investigations to give maximum effectiveness of this ramp are in hand at present.

WAITING TIME FOR TRUST HOMES.

Mr. LAWN—Has the Minister of Lands a reply to my question of October 27 concerning the waiting time for Housing Trust rental homes?

The Hon. C. S. HINCKS—The chairman of the Housing Trust reports as follows:—

In the circumstances such as those referred to by Mr. Lawn, it is the practice of the South Australian Housing Trust to ask the deserted wife to lodge a fresh application, firstly, to have an application in the name of the deserted wife in place of the application lodged by the husband and, secondly, to bring the particulars in the application up to date. The trust usually gives the deserted wife's application the same seniority as that of the husband's application. The application of the husband of the deserted wife referred to by Mr. Lawn, was made to the trust in 1956, and the recent application of the wife is being regarded by the trust as if made at that time.

OUTER HARBOUR TO WAYVILLE TRAIN.

Mr. RYAN—Recently I have had complaints about the discontinuance of a special rail service from Outer Harbour to Wayville catering for trotting patrons. Will the Minister of Works ascertain from the Minister of Railways why this service has been discontinued?

The Hon. G. G. PEARSON—Yes.

HUMBUG SCRUB RESERVE.

Mr. CLARK—Has the Minister of Lands a reply to my question concerning the establishment of a flora and fauna reserve near Humbug Scrub?

The Hon. C. S. HINCKS—On November 12 the honourable member and the member for Barossa (Mr. Laucke) asked similar questions about the same area. All lands in the locality are freehold or held under lease and the department is not, therefore, in a position to dedicate any area for such purposes. However, any offer of an area as a reserve will be considered on its merits.

UMEEWARRA MISSION STATION.

Mr. RICHES—Early this year the Minister of Works visited the Umeewarra Mission with me and later, in reply to a question, said that he would ask the Architect-in-Chief to look for a building for the mission or to report on what could be done to remedy a bad state of affairs there. Has he received a report and, if not, as the position is getting worse, will he ask the department to treat this matter as urgent?

The Hon. G. G. PEARSON—I asked the Architect-in-Chief to investigate the position to see if he could find a suitable building. He reported that there was none within a reasonable distance of the mission and that he would be involved in high costs for transport and removal. I requested him to delay the matter and to ascertain whether or not a better building could be secured or whether a building could be placed in a position at a lesser cost. I asked him also to prepare an estimate of the cost of renovating the existing building when a new building was placed in position. The matter has not been forgotten, but it has been delayed for the reasons I have outlined.

WINE INDUSTRY PETITIONS.

Mr. HAMBOUR—Recently five petitions were presented to the House on behalf of South Australian grapegrowers complaining about the disparity in prices received for grapes and prices charged for wine. In view of the recent disturbance in the wine industry and the fact that the Premier has stated that the Prices Commissioner (Mr. Murphy) will inquire into the matter, will the Minister of Agriculture confer with the Premier and ask him whether Mr. Murphy could consider the petitions whilst investigating the recent disturbance?

The Hon. D. N. BROOKMAN—A question was asked about the petitions last week and I cannot give any additional information at this stage. The petitions are being closely examined and as soon as the whole matter has been assessed the Government will make a decision. I assure the honourable member that it is very much in the mind of the Government. A fairly long time has elapsed since the representations were lodged because I am anxious to give a considered reply to the whole matter.

NAILSWORTH GIRLS TECHNICAL SCHOOL.

Mr. JENNINGS—My question relates to the one asked last week by the member for Torrens regarding the Nailsworth Girls Technical School. The Minister of Education knows that both Mr. Coumbe and I have spoken to him about this matter over a long period and we have been told that there will be a new Nailsworth Girls Technical School, but we would like further information. Where will it be situated, when will it be completed, and will the suggestions made by Mr. Coumbe and me be considered?

The Hon. B. PATTINSON—The honourable member and Mr. Coumbe, and representatives of the high school council, have made it increasingly apparent during the last couple of years that there has been rapid development in the area and a need for the new girls technical high school. I had hoped that the proposal would be referred to the Public Works Committee last year for inclusion in the large list of works reported on by that committee and included in the current Loan programme, but unfortunately it was not possible to secure a large and suitable area of land. From various sources I endeavoured to purchase land, and to see if any area of Government land was available, but at the time none was. However, only last week the Government authorized me to purchase 18 acres of land with a frontage to Grand Junction Road. As I said last week, the erection of a new school on this site will relieve the pressure on the existing Nailsworth Girls Technical High School and will provide educational facilities for a large number of girls in the newer areas farther north. The school will be suitably named the Gepps Cross Girls Technical High School.

MARRYATVILLE SCHOOL INFANT DEPARTMENT.

Mr. DUNSTAN—In this year's Estimates there was provision for the building of an infant department at the Marryatville School in Dankel Avenue in my district, but up to the present there does not appear to have been any activity there. Can the Minister of Education say when the project will be commenced?

The Hon. B. PATTINSON—All I can say is that it is hoped it will be commenced as soon as possible. I had hoped that it would be commenced a long time before this. As the honourable member is aware—and he has referred forcibly to the great leeway in the Education Department building programme—I join with him in desiring this school building to be erected as soon as possible, but so many more urgent buildings are crowding in. The Norwood Boys High School is one of a number of secondary schools that are becoming increasingly urgent, and consequently some other schools, such as this infant school, have to take second place. I shall endeavour to give a considered reply as soon as possible. It is not that I have no sympathy in this matter for I have inspected the site and consider the work urgent and desirable. Nothing has been done only because other urgent matters have come into the picture.

BARMERA COURTHOUSE AND POLICE STATION.

Mr. KING—Will the Minister of Works obtain a report from his department on when the work on the Barmera courthouse and police station is likely to be commenced?

The Hon. G. G. PEARSON—Yes. I will get the latest information.

TREATMENT OF CASUALTY CASES.

Mr. HUTCHENS—Has the Minister of Lands, representing the Premier, a reply to the question I asked on October 29 regarding the admission of children to the casualty section of the Queen Elizabeth Hospital?

The Hon. C. S. HINCKS—The Administrator of the Queen Elizabeth Hospital reports as follows:—

The policy at this hospital in regard to the treatment of children is that no child is turned away. Children are seen in the casualty department and given treatment there. If it is considered that admission is necessary then the patient is transferred to the Adelaide Children's Hospital. If it is considered that it might be prejudicial to the child's condition for the journey to be made to Adelaide the child is admitted here, even though the hospital is equipped to deal with adult rather than child patients. The number of children being brought by their parents to the casualty department is increasing, and this is indicative of their confidence in the manner in which the children are received and the efficacy of the treatment given. Furthermore, it is also indicative of the fact that the hospital is beginning to play its role of providing a full hospital service to the western area of the city.

TARPEENA ELECTRICITY SUPPLY.

Mr. HARDING—Has the Minister of Lands a reply to the question I asked the Premier on November 5 regarding a supply of electricity for the township of Tarpeena?

The Hon. C. S. HINCKS—The chairman of the Electricity Trust reports:—

The trust will commence the extension to Tarpeena in the near future. It is expected that power will be available by the end of June next, provided the work is not held up by anything now unforeseen.

MILK PRICES AND LICENCES.

Mr. BYWATERS (on notice)—

1. What is the price per gallon of milk paid to licensed producers in the metropolitan producing district?

2. What price is allowed to licensed treatment plant operators?

3. What price is allowed to milk vendors?

4. Is it necessary to be a member of the Master Retail Milk Vendors' Association to obtain a licence as a vendor of milk in the metropolitan area?

The Hon. D. N. BROOKMAN—The replies are:—

1. The price paid, pursuant to the regulations, to every holder of a milk producer's licence (whether the holder is inside or outside the metropolitan producing district) is 3s. 2¾d. per gallon for milk produced and sold for human consumption as whole milk in the metropolitan area, and 2s. 10d. per gallon for milk which is used for the production of cream sold as sweet cream within the metropolitan area.

2. and 3. It is suggested that reference be made to Milk Prices Regulations 1957 and a varying regulation dated November 18, 1957. These regulations are too long to be read here. They do not specify licensed treatment plant operators as such but set out the prices to be paid to vendors other than the holders of milk producers' licences by retail vendors and schools. However, in general, the margin allowed vendors who hold milk treatment plant licences is 1s. 1¼d. per gallon on bulk milk and 1s. 7¼d. per gallon on bottled milk, and the margin allowed retail vendors for milk to be delivered by them direct to customers' premises is 1s. 6d. per gallon (bottled or in bulk).

4. No.

PUBLIC WORKS COMMITTEE REPORTS.

The SPEAKER laid on the table final reports by the Parliamentary Standing Committee on Public Works, together with minutes of evidence, on:

Augmentation of Metropolitan Water Supply (Temporary Pumping Units).

Grand Junction Road Trunk Water Main.

The Hon. G. G. PEARSON (Minister of Works)—I move—

That the reports be printed.

I express the appreciation of the Government and my department for the promptitude with which the Public Works Committee has dealt with these emergency matters and with other similar matters referred to it at short notice. I know that in order to do so the committee has sat a number of times at considerable inconvenience to its members.

Motion carried.

COMPULSORY ACQUISITION OF LAND ACT AMENDMENT BILL.

Read a third time and passed.

VERMIN ACT AMENDMENT BILL.

Read a third time and passed.

LOCAL COURTS ACT AMENDMENT BILL.

Received from the Legislative Council and read a first time.

SAVINGS BANK OF SOUTH AUSTRALIA ACT AMENDMENT BILL.

Returned from the Legislative Council without amendment.

WRONGS ACT AMENDMENT BILL.

Second reading.

The Hon. B. PATTINSON (Minister of Education)—I move—

That this Bill be now read a second time.

Representations have been made both by the Law Society of South Australia Incorporated and by the Municipal Tramways Trust drawing attention to certain anomalies in the Wrongs Act, 1936-1958, which have given rise to difficulties in the enforcement and recovery of contribution between tort-feasors for damage arising from torts committed by them. These representations have been examined by the Parliamentary Draftsman who is of the opinion that the anomalies arise from ambiguity in the wording of sections 25 and 26a of the principal Act and from situations which were apparently not envisaged at the time those sections were enacted. The object of this Bill is to remove those anomalies and difficulties. Section 25 of the principal Act deals generally with the rights of one tort-feasor liable in respect of any damage arising from a tort committed by him to recover contribution from a co-tort-feasor liable in respect of the same damage. So far as material the section (the wording of which follows the language of section 6 (1) of the corresponding English Act—the Law Reform (Married Women and Tort-feasors) Act, 1935) provides as follows:—

25. Where damage is suffered by any person as a result of a tort . . .

(*a*) . . . .

(*b*) . . . .

(*c*) any tort-feasor liable in respect of that damage may recover contribution from any other tort-feasor who is, or would if sued have been, liable in respect of the same damage, whether as a joint tort-feasor or otherwise . . .

The passage "any other tort-feasor who is, or would if sued have been, liable" in the passage just quoted has been the subject of differing judicial opinions both in England and in this State, but the weight of those opinions seems to favour a construction of that passage as contemplating only two classes of tort-feasors from whom contribution can be recovered under that provision, namely—

(i) those who have been sued and held liable by judgment in the suit, and

(ii) those who have not been sued, but would, if sued, be held liable.

Such a construction could work hardship on a claimant tort-feasor in a case where the tort-feasor from whom he seeks contribution, though capable of being held liable if sued by the victim of the tort at a particular time, has a good defence (*e.g.*, under a special Act which requires the action to be brought within a shorter period of time than that required by the Limitation of Actions Act or by reason of his having been released from his liability) if sued at some other time, in which case he would not be in either of those two classes, being neither a tort-feasor who has been sued and held liable nor one who has not been sued but would, if sued, have been held liable.

Paragraph (*a*) of clause 3 seeks to remove this hardship by substituting for the words "if sued" in that passage the words "at any time" so that paragraph (*c*) of section 25 of the principal Act, when amended, would then read—

(*c*) any tort-feasor liable in respect of that damage may recover contribution from any other tort-feasor who is, or would at any time have been, liable in respect of the same damage, . . .

The interpretation of the words "any tort-feasor liable in respect of that damage" in the above passage has also given rise to much argument as to whether the right to recover contribution crystallises only when the tort-feasor's liability has been determined by a judgment in an action founded on the tort.

Such an interpretation works hardship on a tort-feasor seeking to recover contribution from, or to be indemnified by, a co-tort-feasor to whom a defence (*e.g.*, under a special Act prescribing a shorter period of limitation referred to earlier) might become available by reason of time running against the claimant tort-feasor until his liability is determined by the judgment. This hardship is sought to be removed by subparagraph (i) of the new paragraph (*ca*) inserted by clause 3 (*b*). The paragraph also preserves the rights of a tort-feasor, who has settled a plaintiff's claim out of court, to maintain a claim for contribution or indemnity from a co-tort-feasor. The onus of proving his liability and the reasonableness of the settlement would still fall upon the tort-feasor seeking contribution or indemnity, but it is considered that in many cases costs of unnecessary court proceedings could thus be eliminated.

Subparagraph (ii) of the new paragraph will preserve a tort-feasor's right to contribution from a tort-feasor from whom contribution is being or could be claimed (who, for the sake of convenience, is referred to in that paragraph as a "third party") notwithstanding that the person who suffered the damage has released the third party from his liability for that or any part of that damage.

Subparagraph (iii) is intended to meet the situation where one of two or more tort-feasors is entitled under a special Act to receive notice of action before action is brought against him by the person who has suffered the injury. As the law now stands, if in such a case the plaintiff fails to give a proper notice to the tort-feasor who is entitled to that notice, the other tort-feasor or tort-feasors have no right to recover contribution or indemnity from him and their right to recover contribution or indemnity could well depend upon the whim of the plaintiff—*i.e.*, upon whether or not he chooses to give the notice. The right to contribution in such case is preserved by subparagraph (iii) of the new paragraph notwithstanding that the victim of the tort has not given the third party the requisite notice of his claim in respect of the damage, but the right to contribution is subject:—

(*a*) to the claimant tort-feasor giving the third party full particulars of the claim as soon as he himself receives written notice thereof from the victim, or

(*b*) if the claimant tort-feasor fails to give such particulars, to the court being satisfied that the failure was due to the claimant's absence from the State, or other reasonable cause or that the third party has not been prejudiced.

Similarly, subparagraph (iv) of the new paragraph preserves the right to contribution notwithstanding that the time within which the victim of the tort could have commenced action against the third party has expired, but that right again is made subject to the claimant tort-feasor commencing proceedings for such contribution within one year after receiving written notice of the victim's claim against him or within one year after settlement of that claim (whichever is earlier) or within such further time as the court may allow.

In a decision of the Full Court of the Supreme Court of this State in the case of Hall *v.* Bonnett, reported in 1956 S.A.S.R. at p. 10, it was held, *inter alia*, that section 25 (c) of the principal Act as enacted did not so bind the Crown as to subject the Crown or an agent of the Crown to the statutory liability for contribution as a joint tort-feasor created by that section. It is considered that this decision could give rise to hardship both on persons suffering damage as a result of a tort committed by the Crown or an instrumentality of the Crown and on other tort-feasors who would be liable for the same damage. Subparagraph (v) of the new paragraph (*ca*) inserted by clause 3 (*b*) preserves the right to contribution notwithstanding that the third party is the Crown or an instrumentality of the Crown.

It will be seen that the new paragraph (*ca*) inserted by clause 3 (*b*) is made applicable only where the claimant tort-feasor becomes liable for the damage arising from the tort in question on or after the coming into operation of this Bill when passed and it will not apply in respect of any liability incurred prior to that event.

Clause 3 (*c*) is a consequential amendment. Clause 3 (*d*) is an interpretation measure which interprets the expressions "third party" and "plaintiff" as used in the new paragraph (*ca*) inserted by clause 3 (*b*).

Section 70d of the Road Traffic Act confers rights to obtain judgment from an insurer or nominal defendant in respect of death or bodily injury caused by negligence on the part of the driver of a motor vehicle, and section 26a of the Wrongs Act provides that an insurer or nominal defendant who has been properly sued under section 70d of the Road Traffic Act shall be deemed to be a tort-feasor if the insured person or (as the case may be) the driver was a tort-feasor in relation to that death or bodily injury. The Municipal Tramways Trust has rightly pointed out that the effect of section 26a is that the insurer or nominal defendant can be proceeded against as a co-tort-feasor for recovery of contribution only if that insurer or nominal defendant had been "properly sued" by the person who suffered the damage. If that person, therefore, failed to sue the insurer or nominal defendant the latter could not be deemed to be a tort-feasor, and a joint tort-feasor liable in respect of that damage would have no right to recover contribution from that insurer or nominal defendant. The trust has sought an amendment of section 26a of the Wrongs Act to remove this anomaly by substitution of the words "is referred to in" for the words "has been properly sued under" and clause 4 gives effect to this proposal.

Clause 5 enacts and inserts in the principal Act a new section 31 which provides that after the coming into operation of this Bill the provisions of Parts II and III of the principal Act shall for all purposes be construed as applying to, and binding, the Crown and instrumentalities of the Crown. The Bill is

essentially a measure of important and necessary law reform, a draft of which has been seen and approved by Mr. D. Hogarth, Q.C., President of the Law Society, who was instrumental in the submission of the proposals to the Government.

Mr. DUNSTAN secured the adjournment of the debate.

MOTOR VEHICLES BILL.

Adjourned debate on second reading.

(Continued from November 10. Page 1505.)

Mr. O'HALLORAN (Leader of the Opposition)—If this Bill passes it will be the second instalment of legislation to be introduced this session for the purpose of consolidating and, in some instances, amending the law relating to traffic control and the control of motor vehicles generally. As the Bill announces in its title, it is for an Act to consolidate and amend certain enactments relating to the registration of motor vehicles, drivers' licences, and third-party motor insurance, and for other purposes. The other Bill to which I refer in passing is the Road Traffic Bill now before the Committee.

This Bill, I think, generally simplifies the law relating to the registration of motor vehicles, the issue of drivers' licences and other things, and I pay a tribute to Sir Edgar Bean who has been responsible for its drafting. He has taken the relevant parts of the old Road Traffic Act that deal with these subjects and has put them into the present Bill in a form that is more easily understandable to the people who are called upon from time to time to know what is contained in this law. Some new principles are involved, as the Treasurer said in his second reading speech, although most of them should not meet with any great hostility from the House.

The most important is the complete exclusion of horse-drawn vehicles from the provisions of the law. I agree with that entirely, and I do so with some regret as it more or less signifies the complete end of the horse and buggy era. That is all very well while things are going as smoothly internationally as they are today, but the time may come—I certainly trust it never will—when supplies of oil required for production and distribution in Australia may be cut off as a result of some overseas disturbance. If that day should unhappily come we shall have reason to rue the passing of the horse, but I think it is idle for me or anyone else to lament the passing of Dobbin; unfortunately, Dobbin's demise seems to be real and permanent.

The next provision relates to the tightening up of the definition of "primary producer." The Bill provides a more simple definition and makes it clear that share-farmers working under a proper agreement shall be entitled to concessional registration on their vehicles under the primary producers' section. It also extends the concessional registration of farmers' tractors, when they are used for carting produce to the nearest railway station, port or packing shed, from the present limit of 15 miles to a new limit of 25 miles. It also provides that trailer bins which are used for the purpose of conveying bulk wheat shall be classed as farm implements and, therefore, shall not be subject to registration and tax under the Act.

I agree with the provisions under which concessions are granted to primary producers, who I believe are entitled to them. I think I can speak for members on this side of the House when I say that. However, I am perturbed at an aspect of these concessional registrations. I have spoken on this matter before and I thought that the Government might have taken the opportunity presented by this legislation to have suggested to Sir Edgar Bean that some limit be imposed on the use of primary producers' trucks in carrying produce to the metropolitan area, in particular, and carrying general freight back from the metropolitan area. They are really commercial vehicles when used for these purposes, and I thought some limit would have been placed upon the use of those vehicles registered at half rate so that they would be used for the purpose for which this concession was primarily granted, namely, to carry produce and whatever is required to be carried around and about the farms and to the nearest railway station or port.

If it is proper that the provision regarding tractors should be limited to 25 miles, then I suggest that the use of these vehicles subject to concessional registration should also be subject to some limit. I am not suggesting they should be subjected to a 25 mile limit, nor am I suggesting what the limit should be, because I think that could be determined after somebody examined the position. However, sooner or later we will have to face this problem. Every year less and less wool is being carried by rail to the metropolitan markets for sale. As honourable members well

know, wool is a lucrative freight out of which the Railways Department should be able to expect to make a profit to compensate it for carrying the farmers' wheat, superphosphate, and other requisites at very low rates indeed. In fact, when one looks at the rate for the cartage of superphosphate one must realize that this freight cannot be even payable, much less profitable, to the railways.

Another clause of the Bill provides for the registration of interstate hauliers' vehicles that are not already registered in some other State. For the privilege of being registered under this law and being allowed to drive without let or hindrance on the roads that the taxpayers of South Australia have provided them with, they are to be charged a whole 20s. a year. One pound! I think it is ludicrous. Before dealing further with that matter, I should like to put one point to the Minister on which I require information, namely, whether in addition to registering these vehicles for £1 a year the owners or whoever are responsible must insure them against third party risk. That matter may be dealt with in the Bill, but I have not been able to discover it and I suggest that, if those vehicles are not already covered by third party insurance, they should be.

I think we should have taken this opportunity of doing something both about the vehicles that I first referred to and the interstate hauliers. On Thursday last the Treasurer very adroitly dodged questions I put to him about the unfair competition with the railways which had been mentioned by the Railways Commissioner in his report presented to Parliament on Tuesday last. If we examine his remarks we may assess whether some action should have been taken in this legislation. He said:—

> Merchandise carried by rail last financial year was 236,000,000 net ton miles, representing a loss of 22 per cent or the equivalent of a loss of earnings of £1,200,000 for the year.

Those are astounding figures which must cause all honourable members to consider the position. The Commissioner went on to say:—

> The traffic has been lost to ancillary road carriers and interstate road hauliers in that order.

We have the word of the Commissioner that the competition from intrastate ancillary vehicles is more serious and more damaging to the railways than is the competition from interstate hauliers. There is no doubt about the competency of the South Australian Parliament to deal with the activities of intrastate hauliers. The Commissioner further stated:—

> The contribution by the State Government towards greater costs not covered by higher freight and passenger charges was increased from £3,500,000 to £3,850,000 in the last financial year.

Of course, this annual contribution towards railway losses may continue. It is part of the price we pay for the Government's stubborn stupidity in refusing to tackle this question of unfair road competition with the railways. I am not suggesting, nor have I ever suggested, that road transport has not its proper place in the transport field in the community, but I object when we deliberately subsidize road transport, thereby increasing the losses of our railways—which again we have to subsidize out of the taxpayers' funds, in order to make good the deficiency.

We have gone along in that bright and airy way for many years, and it may be wise to remind members that the railways represent a very important economic unit in South Australia. For instance, the total debt structure of the railways as at June 30 was £52,836,104, and the annual interest bill was £1,971,427. We therefore have a considerable financial interest in our railways. It is said by some critics that the railways don't pay and won't pay because of the high wages awarded to railway men, but I give that statement the lie direct. Railwaymen in this State, in my opinion, are not paid according to their competency and the responsibility of the duties they have to undertake hour after hour, day after day, week in and week out. There is no doubt, either, about the competency of the management of the railways. The Auditor-General in his last report paid a high compliment to the working staff under the management of the railways for reducing operating costs under most difficult conditions. The charge that has from time to time been levelled and used in an attempt to justify this uneconomic competition falls completely to the ground.

I can give a few illustrations of where something could be looked into regarding this unfair competition. For instance, it is a wellknown fact that many of these road vehicles are driven by owner-drivers who observe no hours in their particular calling. Others are driven by employees who are not permitted to work the regular standard hours consistent with road safety, hours which their employers should be compelled to provide, and who should be paid at overtime rates. Honourable members are apparently willing to allow the Government to go on ignoring this huge economic structure

known as the South Australian Railways Department, with its very large debt, and interest debt, which have to be repaid by somebody, because they say it is necessary to enable our industries to compete with industries in other States. No competition exists with the intrastate section, and in most instances where wool, particularly, is brought down by road it would be cheaper for the producer to send it by rail unless, of course—and this is the nigger in the woodpile—he can evade the law by purchasing goods in town and taking them back to his own district for distribution there.

I have cited the position in my own electorate, where some large stations produce very considerable quantities of wool, some of them over 1,000 bales per annum. Those people have no shortage of finance to purchase any type of vehicle they desire to purchase. However, they they do not send wool to Adelaide by road, but take it to the nearest rail siding and send it by rail because they realize it is more economic to do so. I believe that much of this cartage by road is due to the sin of pride—keeping up with the Joneses: "The bloke next door carts his by road, so I must do the same." I am not opposed to primary producers getting concessions, and I favour the additional concessions they will derive from this Bill, but we should ensure that the concessions are used for the purposes for which they were primarily designed.

I would like to know why section 7c of the Act has been omitted from this Bill. This was an amendment I had inserted in the Act in 1945 for the purpose of exempting dam-sinking machinery from the payment of fees when being moved from place to place outside hundreds. Section 7c. states:—

(1) The Registrar may at his discretion, without fee, grant to any person a permit permitting that person or any person authorized by him to drive on any route specified in the permit, no part of which route is within any hundred, a motor vehicle being—

(*a*) mobile machinery and plant used for excavating and cleaning dams;

(*b*) a trailer used for carrying any machinery and plant used for excavating and cleaning dams;

(*c*) a tractor used for drawing any such machinery and plant or for drawing a trailer conveying any such machinery and plant;

(*d*) a caravan or other like vehicle used as living accommodation for persons operating any such machinery and plant,

on a journey from a place where such machinery and plant has been used for excavating or cleaning a dam to another place where it is intended to be so used.

(2) A vehicle may be driven pursuant to a permit granted under this section, without registration or insurance.

(3) Any such permit shall be subject to such conditions as the Registrar inserts therein.

(4) A person who contravenes any condition of a permit granted under this section shall be guilty of an offence and liable to a fine not exceeding twenty-five pounds.

(5) In this section "dams" means excavations in which water is stored or intended to be stored.

That was an extremely useful provision because a considerable number of dam-sinking plants are used in the back country. It was not intended that the concession should apply to plants travelling on roads inside hundreds.

Mr. Hutchens—They travel mainly on unmade roads.

Mr. O'HALLORAN—Yes, but under the existing law any track through pastoral country which is open to the public is classified as a road and therefore it is an offence to drive a vehicle thereon without registration or insurance. This section has worked well. It is being realized more and more by pastoralists in the back country that the maintenance of their dams and the creation of new dams is important to their industry because the tendency is to subdivide larger paddocks and, of course, paddocks must have water to be effective. In some places it is impossible to get adequate supplies of suitable quality underground water and the provision of dams is essential. I see no reason why these plants should be subjected to registration and insurance when, since 1945, they have been exempt. In the final analysis this will be a burden on primary producers and it will be heavier on those living further out. The Premier said some time ago that the further out one lived the harder it was for him to get things done. It is inexplicable why this section should be deleted, particularly as under clause 31 of the Bill boring plants are not subject to registration or insurance. Why boring plants should be registered free and half rates should be charged for dam-sinking plants is beyond my understanding and should be explained.

I am concerned about the provision of standard penalties. In many clauses penalties of £50 or £25 are provided: there is no minimum or maximum. I realize that under the Justices Act the court has power to reduce penalties, but I think it would be wiser to provide a minimum and a maximum penalty. Some courts

may be obsessed with the idea that because Parliament provided a fine of £50 they should impose a fine of £50, whilst other courts, more conversant with the law, may impose a lesser penalty. I am also concerned about clause 92, which states:—

(1) This section and sections 93, 94, 95, and 96, apply to suspensions and disqualifications imposed under this or any other Act.
(2) While a licence is suspended it shall be of no force or effect.
(3) While a person is disqualified from holding and obtaining a licence, any licence held or obtained by that person shall be of no force or effect.
(4) The Registrar shall not issue a licence to any person who is so disqualified.
(5) A person shall not drive a motor vehicle on a road while his licence is suspended or while he is disqualified from holding and obtaining a licence.
Penalty: Imprisonment for six months.

I know that it is a serious offence for a person to defy the law by driving his vehicle after he has been disqualified from holding a licence, but I think there should be degrees of punishment.

Mr. Millhouse—Don't forget that in that case the insurance would probably not be effective on the vehicle and that makes it a far more serious offence.

Mr. O'HALLORAN—I have already admitted that it is a serious offence, but to sentence a man who defies the law to six months' gaol does not improve the position regarding insurance. I think a substantial fine for a first offence would be sufficient. I take the same view of imprisonment as I took of hanging last week. I do not like hanging and I do not like imprisonment except as a last resort because there are people who, if they had not gone to gaol for their first offence, might have become decent, law-abiding, law-fearing citizens, but, once having had the taint of gaol attached to them, have slipped further down the hill. I do not think we should prescribe gaol for a first offence. However, that is a matter that can be debated in Committee. When the Premier introduced the Bill he obviously did not want to go into the ramifications of the 145 clauses contained in it and he said:—

In the preparation of a Bill of this kind a number of verbal alterations are necessarily made in the course of re-arranging and clarifying the provisions. It would not be possible to explain every one of these changes without wearying members with interminable detail, which would add little to an understanding of the substance of the Bill. If, however, any member has any question or doubt about the effect of any alteration in language or otherwise I would be very pleased to obtain a full report on it for him.

In Committee I will seek further information about a number of clauses and if the replies are satisfactory I will support the Bill.

Mr. HEASLIP (Rocky River)—The introduction of this Bill is a good move because it divorces many matters from the Road Traffic Act. I think it modernizes the legislation. The Leader of the Opposition said that we had come to the end of the horse and buggy days and that we could have a calamity in the future if fuel were not available for motor vehicles, and then we might be sorry that we had done away with the horse and buggy. Sentiment is all right, but we must progress. We shall never keep pace with our competitors if we continue with horse and buggy methods. Mr. O'Halloran said he was not opposed to primary producers getting concessions but that he was perturbed at the granting of half registration fees for vehicles of primary producers. This concession was introduced when wheatgrowers were in difficulties in 1930. To retain it will not do anybody any harm; in fact, it will help the industry. If costs of production can be reduced consumers will reap a benefit. Even if primary producers have to pay full registration fees they will cart their wool by road. The more a vehicle can be used the lower is the cost per mile.

Mr. O'Halloran—Some people get a motor vehicle for the sole purpose of carting their wool by road.

Mr. HEASLIP—I do not know whether that has been done.

Mr. O'Halloran—I do.

Mr. HEASLIP—A primary producer must have a motor truck. It may cost him about £2,000 and the more it is used over the year the less costly is his production of wheat. He also uses the truck for carting his wool to Adelaide. Once the truck is loaded it does not take much longer to bring the wool to Adelaide than to the nearest railway siding, and it gets to Adelaide more quickly than by rail and with less handling. At the railway siding he must unload the wool himself but at Adelaide the wool is unloaded for him; consequently, the wool is delivered more cheaply by him in Adelaide than it can be done by the railways. I cart my wool by road. It pays me to do so, whether or not I have anything to take back to the farm. The cartage of wool by road is an economic proposition for the primary producer.

Mr. Riches—How is the saving to the primary producer passed on to the consumer?

Mr. HEASLIP—The cheaper goods are produced the cheaper they can be sold.

Mr. Riches—Has the cost of the cartage any effect on the profits of the primary producer?

Mr. HEASLIP—Yes.

Mr. O'Halloran—I thought an auction determined the sale price of wool.

Mr. HEASLIP—That is so. The price of wheat is determined after taking into account a number of cost factors. It is fixed by a tribunal and the wheatgrower knows the price he will get for his wheat. The cheaper goods can be produced the cheaper they can be sold.

Mr. Riches—I agree, and I think it applies to petrol, too.

Mr. HEASLIP—I agree. If it can be shown that we can deliver petrol more cheaply let us do it, but first we must show that the system we have now of delivering petrol is not the cheapest. The cartage of wool by road is nothing new. In 1953 I pointed out that the railways would lose much of the business of carrying wool, which at that time was most profitable to the railways. What I prophesied then has happened. The railways would not compete with the opposition. It still charged freight rates that were too high. The primary producers should not be expected to pay the high rates demanded. All country hotels pay full registration fees on their motor vehicles and cart their liquor by road, because losses occur in rail transport, and by road deliveries are made more quickly. It pays the hotels to deliver their liquor by road.

As an illustration of what happens, last week-end an Adelaide firm broke a piece of machinery weighing eight tons. As a replacement could not be obtained in South Australia an order was placed in Sydney at 9 a.m. on the Saturday. The piece of machinery left at 1.30 p.m. and it was delivered to the Adelaide factory at 7 a.m. on Monday. If this firm had patronized the railways a fortnight would have elapsed before the piece of machinery arrived in Adelaide. It may have cost more to get the machinery here by road, but there was no hold up in production. It is useless to bolster up our railways when in many instances the running of services is uneconomic. Mr. O'Halloran said that wheat was being carted at uneconomic rates. I have pointed out myself that the primary producers can cart their wheat by road more cheaply than they can have it carted by rail.

Clause 5 of the Bill brings into the definition of "primary producer" the sharefarmer and enables him to get the concession registration fee on his motor vehicle. In the past many sharefarmers, although primary producers, did not own land and could not get the concession. Clause 12 puts into force something I endeavoured last session to bring about; that is, to include trailer bins as farm implements. This is no concession except that it makes it possible legally to transport farm machinery that could not be moved legally before. Last year I had a trailer bin delivered at Gladstone, the nearest railway station, but the policeman would not allow me to move it because it was not regarded as farm machinery. It was ultimately moved illegally, and this has been done in many instances when these bins have been moved from one part of a property to another across a roadway. If there had been an accident on the roadway legal action could have been taken, the costs of which would have ruined some farmers.

I agree with the Leader of the Opposition, who complained about the exclusion of dam-sinking machinery. Most of this is used in rural areas and usually travels over paddocks, not over roads. A half fee will now be payable, whereas no fee has been payable in the past. I do not know why this has been imposed, particularly as clause 31 provides that any motor vehicle consisting of mobile machinery and plant used for boring for water shall be registered without fee. A modern boring plant is mounted on a trailer and can travel at very good speeds; sometimes it travels 100 miles in 24 hours. This equipment travels on bitumen roads from one part of the State to another, and can do much harm to our main roads. Although no registration fee will be payable on these vehicles that use the roads to a large extent, half registration fees will be payable on dam-sinking machinery, and I do not agree with this.

I do not favour imprisoning anyone for six months for a first offence under clause 92, as that offence may be trivial. The driver could be driving without any danger to anyone, yet he could be apprehended and imprisoned for six months, which I do not think is equitable or right. Some worthy persons may be imprisoned under this clause and thereby become charges on the State. I think there should be some discretion for a magistrate to decide whether to impose a fine. This penalty is hard and fast, and I do not favour it.

The amendment relating to primary producers' discs is a good provision. Primary producers have had to attend police stations and obtain the policeman's signature each year even though they have not changed their addresses and they have been using the same motor vehicle, but the Bill makes this unnecessary and this is therefore another good amendment. Generally speaking, I believe the legislation is progressive and, with certain reservations I will mention in Committee, I support the second reading.

Mr. LAWN (Adelaide)—I do not intend to discuss this Bill at length, but wish to speak only about a few clauses. With regard to clause 12, I totally disagree with the remarks of the member for Rocky River (Mr. Heaslip), and I will give reasons for my disagreement. I do not know that the honourable member will not change his opinion. Clause 12 (1) provides:—

A tractor may be driven without registration or insurance on roads within twenty-five miles of a farm occupied by the owner of the tractor on journeys to or from that farm for all or any of the following purposes—

It then sets out those purposes, including the driving of farm implements. Subclause 3 provides:—

A farm implement may without registration or insurance be drawn by a tractor or other motor vehicle on roads within twenty-five miles of a farm occupied by the owner of such tractor or motor vehicle.

I totally disagree with that. I do not disagree with having a reduced registration fee and insurance, but I disagree completely with having these vehicles completely free from registration and insurance. Every vehicle should be registered and insured.

Mr. Heaslip—That vehicle may be used only for one hour in 12 months.

Mr. LAWN—I do not care if it is or not, but it should be insured. Let us see what this Bill provides for secondary industry. The member for Rocky River suggested that having some registration fee may increase the cost of primary produce. That is his statement—although I do not think it really is his opinion—put up to support the people he represents to get them free registration. However, if he means it, I ask him whether, if a £1 or 5s. registration fee on the farm implements mentioned will mean increased costs that will be passed on to the community, will not the same apply to secondary industry? It must. What does the Bill provide with regard to secondary industry? Clause 17 provides:—

(1) The Registrar may in his discretion upon payment of a fee grant to any person a permit permitting any motor vehicle specified in the permit and ordinarily used on land other than roads to be driven along a road on one or more journeys between such places and at such times as are specified in the permit.

(2) The fee for such a permit shall be fixed by the Registrar and shall be not less than five shillings and not more than one-twelfth of the registration fee for a year for the vehicle concerned.

(3) Any such permit may contain provisions exempting any person from the duty to comply in respect of the vehicle with any specified provisions of this Act or any other Act relating to road traffic.

Clause 12 gives to primary producers free registration and no insurance.

Mr. Heaslip—Under certain conditions only.

Mr. LAWN—I put that wrongly. For vehicles travelling within an area of 25 miles, it gives free registration and no insurance. These vehicles can go on public roads and draw farm implements, and are completely free from registration and insurance charges. I can name secondary industries that have two or three factories a few miles apart. Normally, their vehicles are driven within their own plants and do not use the roads but, if they want to go from factory to factory, they will have to apply to the Registrar and have their vehicles registered. The Registrar will fix a fee of not less than 5s. and not more than one-twelfth of the full fee. Why should not this be applied to primary producers?

Mr. Hall—You are talking of costs.

Mr. LAWN—I said there should be a charge, and I have instanced a 5s. minimum. I do not oppose clause 17 if it means that by virtue of the registration the vehicle will be insured, and I take it that it will because the clause does not exempt these vehicles from insurance. I do not mind if the Bill provides a 5s. minimum for primary producers' tractors and implements using the road, and I do not object to the 25 mile limit, but I object to there being no insurance and no registration. I do not object to a reduced fee, and I think clause 17 should apply to primary producers.

Mr. Hall—It would be unwise to take uninsured traffic on to the road.

Mr. LAWN—I do not know whether the interjection means anything or not. I am not discussing the advisability or otherwise of taking a vehicle on to the road, but I am concerned about anyone who may be involved in an accident with an uninsured vehicle, as that person may find it extremely difficult to obtain compensation. He may obtain judgment, but

may have extreme difficulty in obtaining the amount awarded by the court. There should be no discrimination between those covered by clauses 12 and 17. If it is right for a primary producer to use the roads for up to 25 miles for a tractor drawing farm implements, surely there should be no objection to some firm having freedom of the road when drawing vehicles between its plants. These vehicles would not travel 25 miles; in some cases the factories are only two miles apart. In one instance they are less than one mile apart. In another instance the vehicles owned by a firm have to travel only between Keswick and Mile End, which is practically only crossing the Anzac Highway. That firm has another plant at Finsbury which still is not 25 miles away. The vehicles of another firm I have in mind would travel less than eight miles between plants. I oppose clause 12 as I think the vehicles mentioned should be treated similarly to those dealt with by clause 17, and should be covered by insurance.

I now come to the contentious clause 33, which provides for a registration fee of £1 for interstate transports. I maintain that this fee is totally inadequate. Those interstate hauliers can use our roads in South Australia upon payment of a fee of £1, and I ask members to compare that with the provision in clause 39 relating to incapacitated ex-servicemen. Clause 39 provides:—

If the Registrar is satisfied by such evidence as he requires that—

(*a*) a motor vehicle is owned by a person who has been a member of a naval, military or air force of Her Majesty; and

(*b*) the owner, as a result of his service in a naval, military, or air force, is totally and permanently incapacitated, or is blind, or has lost a leg or foot, or receives under the laws of the Commonwealth relating to repatriation a pension at the rate for total incapacity, or a pension granted by reason of impairment of his locomotion at a rate not less than 75 per cent of the rate for total incapacity; and

(*c*) that motor vehicle will, during the period for which it sought to be registered be wholly or mainly used for transport of the owner,

the registration fee for that motor vehicle shall be one-third of the amount prescribed by section 29 of this Act.

We have the opportunity of discussing this matter with the object of looking to the future, and I urge that the fee for the interstate hauliers should be much greater than that provided. There is no comparison between those road hauliers and our incapacitated ex-servicemen and women. I am not objecting to clause 39, and I would not disagree if that registration fee of one-third was reduced, but I disagree entirely with the amount provided under clause 33 for interstate hauliers, and I believe that the fee for those people should be considerably increased.

Mr. Hambour—But can you collect more than £1?

Mr. LAWN—Yes. Victoria and New South Wales have Acts that have been upheld by the High Court, and if this Government is sincere it also could legislate in the same way.

Mr. Hambour—It would not be a registration fee; it would be a charge.

Mr. LAWN—No, I believe that the States I have mentioned have overcome all the difficulties in that respect, and that their Acts provide for a registration fee. I think it also involves bringing into line our own intrastate vehicles, and possibly the reason this Government does not wish to legislate along the lines of Victoria and New South Wales is that it does not wish to raise the fee for intrastate vehicles. I cannot speak for this Government, but this Government has not done what Victoria and New South Wales have done. Those States tried more than once, but eventually their Acts were upheld by the High Court, and they can now fix a registration fee for the interstate road hauliers using their roads. I see no reason why we should not do likewise. It is a grave anomaly when these people can bring these big road transports here and damage our roads much more than would a motor car in the case of transportation of incapacitated ex-servicemen or women, and I earnestly put to the House that we should provide a much greater fee for the interstate hauliers and, if necessary, examine the New South Wales and Victorian Acts.

I am also gravely concerned with the question of insurance for these interstate road transports. I have examined this Bill, and am not satisfied that this matter is fully covered. Clause 103 says:—

A person shall not drive a motor vehicle on a road unless a policy of insurance complying with this Part is in force in relation to that vehicle. Penalty: Not less than £20 and not more than £100, and disqualification from holding and obtaining a driver's licence for not less than three months and not more than 12 months.

I should like the Minister to tell me in his reply whether that clause covers interstate road hauliers. Clause 129 refers to insurance by visiting motorists, but I do not think that provision would cover road hauliers. That clause provides:—

The Registrar shall not grant a certificate of temporary registration of a motor vehicle to a person visiting the State unless an insurance policy is in force under which persons who drive that vehicle in the State are, in his opinion, adequately insured against any liability which may be incurred by them in respect of the death of or bodily injury to any person caused by or arising out of the use of that motor vehicle in the State.

I think it is clear from the interpretation clause on page 2 of the Bill that clause 129 does not apply to interstate road hauliers. Clause 143 provides:—

The Governor may make regulations . . . providing for the temporary registration or exemption from registration of motor vehicles which are registered by authorities outside the State or bear general identification numbers issued by such authorities, and are temporarily in the State.

Those are the only references I can find in the Bill that would give a lead on the registration and insurance of interstate transports. The Leader stated that the Bill did not provide for third party insurance of interstate road hauliers. I think there should be such a provision. It is the duty of this Parliament to safeguard the rights of the citizens of this State, in the event of their being injured in this State as a result of an accident involving these interstate transports. The people of this State have sufficient confidence in this Parliament to feel that in the event of an accident all vehicles are compulsorily insured. This Act may provide the necessary authority to compel interstate hauliers to take out third party insurance, but, as I stated, the Leader seems to think the Bill does not include that provision, and I therefore ask the Minister to make it quite clear in his reply whether or not this provision is included.

I ask the Government to consider the other matters I have mentioned, namely, the anomaly between primary and secondary industry, and the other anomaly regarding the registration fee for interstate road hauliers compared with the fee payable by incapacitated ex-servicemen and women. The latter have rendered this country a great service, and they are not tearing up the roads and costing the taxpayer money to repair those roads, yet we ask them to pay one-third of the normal fee whereas the interstate haulier pays only £1. The third point I ask the Government to consider is the provision for third party insurance for interstate road hauliers. I support the Bill at this juncture.

Mr. SHANNON (Onkaparinga)—This Bill, with its many clauses and variety of matters, falls into the category of a Committee Bill and can best be dealt with in that way. I pay a tribute to Sir Edgar Bean, firstly for accepting the responsibility of performing a very arduous task in dividing the Road Traffic Act into these two major sections and also consolidating each of these sections of the road traffic code. Most of us who have had experience of Sir Edgar over many years realize that this is one department in which he is an expert. Whenever Sir Edgar was approached to explain any query he was able to do so in a few minutes. Unfortunately, we have not the pleasure of having him with us today, but we have the result of his labours before us now.

The Leader and the member for Rocky River (Mr. Heaslip) are at some variance in their approach to the primary producer, but I do not find any great difficulty in this matter. Over a long period of years we have accepted the principle of granting concession rates to the primary producer. In fact, we have done better than that for producers who reside, for instance, in the far north and on Kangaroo Island. There were no objections when the concession was originally proposed. Members opposite are not unacquainted with the problems of primary prodution: in fact, some know as much as Government members. There has been no serious abuse of this privilege. It was envisaged when the concession was provided that some land owners would bring their produce to the markets in their own vehicles. If a producer has not an all-the-year-round use for the vehicle in which he brings his produce to market he would be better off if he engaged a private carrier or used the railways, but there are some real individualists who like to transport their own goods. However, there are certain primary producers who would carry a heavy burden of additional costs were it not for the concession rate, particularly market gardeners and fruitgrowers. In my district the railways are not suitably sited for the carriage of much of the produce nor are the time schedules harnessed for the purpose. I do not think members would dream of providing one section of primary producers with a concession and not other sections.

I do not like the risks that are being taken with uninsured vehicles on roadways. All vehicles should have third party insurance coverage. That would preclude the possibility of the injured party not being able to secure damages. The Bill proposes certain exemptions. It is obvious that there is no third party risk in respect of Government utilities or the Municipal Tramways Trust because the injured party would be able to recover on a just claim. However, other exemptions are provided in respect of primary producers' vehicles and implements that can move along roads for distances of 25 miles. Many of these vehicles are power driven. If a vehicle runs out of petrol and the farmer has to return to his farm to get petrol that vehicle could be stationary in a most inappropriate place on the road and another road-user, through no fault of his own, could be involved in an accident with it and might possibly be unable to recover for his injuries, particularly if the stationary vehicle were owned by a sharefarmer or a farmer who would be embarrassed by a heavy claim. The New South Wales Government undertakes third party insurance and it has been obliged to charge almost double the rates applying in South Australia because of its experiences with third party insurance. Some of the courts have awarded big amounts as damages to severely injured persons. I do not think we need worry about the registration of vehicles that are exempted in the Bill, but it would not be onerous for owners to take out third party insurance. I have no doubt that the insurers will determine a formula to provide for reasonable charges because after all there is such competition in this field that if one company charged £2 10s. a year and another £1 5s. I know which would get the business. The general public are entitled to know that whatever happens on the highway or the byway they have the right to recover for injury by means of third party insurance.

The Leader of the Opposition referred to the need for water conservation in country areas and he queried the deletion of section 7c of the principal Act which was inserted, by an amendment of his, in 1945. There is no problem quite so urgent at present as water conservation and I have framed an amendment to clause 31 to meet the position. I propose to add, after the word "water" in clause 31—

The SPEAKER—Order! That may be appropriate for the Committee stages.

Mr. SHANNON—I agree, Mr. Speaker. There is some idea in the public mind that the number of road accidents has some relation to the age at which a person can secure a driver's licence. I am not sure whether any alteration to the law increasing the minimum age to 17 years or 18 years would have a great bearing on the accident rate.

Mr. Ralston—It would cause a lot of hardship.

Mr. SHANNON—I will deal with that later. There is a belief in the public mind that the increasing of the minimum age from 16 to 18 years would result in a decline in the accident rate.

Mr. Millhouse—A recent Gallup poll finding reveals that the majority of people in Australia favour that.

Mr. SHANNON—The general public feel that 16 years is too young. I have found that younger folk are more cautious on the roads than people in their late-teens or early twenties, who are more inclined to show-off than the younger folk of 16. Some people will disagree with this view, but they must prove that the age at which a licence is granted has a bearing on the number of road accidents. I do not know how they can do that. If they have any figures I will listen, but generally they have no statistics to prove their point because figures are hard to obtain. Even if we fix 20 as the age I do not think our accident ratio will be materially affected. I do not think it will reduce by 1 per cent the number of vehicles on the roads and many young and capable drivers will be unable to get a licence. If we materially alter the age at which a licence can be granted there will be a great disadvantage in some families because of the calling of the father and the mother not being interested in driving. The family will be hamstrung if the teenage child, although capable of driving a motor vehicle, is not allowed to do so. It must be a great advantage to have a second person in a family licensed to drive.

The son of a farmer should be licensed at no later than 16. I know of a boy who drove his father's tractor when he was only seven. That may have been unusual, but in the economy of farm operations it is an advantage if a youth of 16 is allowed to drive the farm motor vehicles. There will be hardship if the youth has to wait until he is 18 or 19. Many matters in the Bill can be more appropriately dealt with in Committee and I shall have further comments to make then.

Mr. RALSTON (Mount Gambier)—I commend Sir Edgar Bean for separating matters of registration of motor vehicles from the other matters in the Road Traffic Act. There is no mention in the Bill that the Government intends to make the services of the Motor Vehicles Department available in country centres. The lower South-East is about 300 miles from Adelaide and it would be advantageous to have a branch there. The number of vehicles on the roads will continue to increase and the time is coming when branches of the department must be established in the northern and southern parts of the State. I make no mention of a place in the north, but in the south I suggest a branch at Mount Gambier to serve all the South-East. Motorists in Victoria can renew their registrations at the police station nearest to their place of residence, which is an effective and convenient way to deal with the matter. I doubt whether our Government will go that far but the establishment of branches of the department in at least two country cities would be a great help, and would show an appreciation of the policy of decentralization. In his second reading explanation the Treasurer said:—

Another important matter in the interpretation section is a declaration in subclause (4) of clause 5 that the Bill applies to vehicles engaged in interstate trade so far as the Constitution permits. A subsequent clause provides that vehicles engaged solely in interstate trade will be entitled to registration at an annual fee of £1.

The use of the word "entitled" indicates that the motorist can register if he wishes to do so. I should like those responsible for the legal interpretation of our laws to say why, if an interstate motorist can be charged £1, he cannot be charged the same fee as other motorists. He uses the road in the same way and I hope that in Committee this matter will be dealt with further. The Treasurer also said:—

The High Court has held that we cannot charge these vehicles the normal registration fees imposed on other vehicles. But the court has not held that we cannot require them to carry number plates and registration labels.

I understand it has been said that if a vehicle is not registered in another State it will be registered here, but I cannot see how a vehicle owned by a resident of another State and not registered there can be registered here. I believe, however, that the time is coming when a motor vehicle travelling in the various States must be registered in as least one State. I have seen on our roads vehicles with no registration disc or number plates. I hope they were insured for if one of them were concerned in an accident and someone injured responsibility for damages might be denied. If a vehicle with no number plates and registration disc for any other part of Australia uses our roads it should be registered here. I support the second reading.

Mr. DUNSTAN (Norwood)—I support the second reading but there are one or two matters in this Bill which I regard as unsatisfactory and which I hope can be dealt with in more detail in Committee. I refer particularly to the third party insurance provisions. Clause 116 deals with a claim against a nominal defendant where the vehicle is not identified, and says:—

Where—

(*a*) the driver of a motor vehicle has caused death or bodily injury by negligence in the use of that vehicle; and

(*b*) the identity of the vehicle cannot after due inquiry and search be ascertained; and

(*c*) a person who could have obtained a judgment in respect of that death or bodily injury against the driver has, as soon as possible after he knew that the identity of the vehicle could not be ascertained, given to the Treasurer notice of a claim under this section and a short statement of the grounds thereof,

that person may recover by action against a nominal defendant to be named by the Treasurer the amount of the judgment which in the circumstances he could have recovered against the driver.

It has been held that only if one follows a certain course of action can one succeed in establishing a claim against a nominal defendant, and the provisions are read very stringently indeed by the courts. Let me examine some of the things the courts have found. Where a man has been so badly injured that he has been in hospital for some considerable period and in consequence has not been able to consult a lawyer very quickly, but has consulted a lawyer as soon as he has got out of hospital, it has nevertheless been found that he has not made due inquiry and search and has not given due notice as soon as possible.

Mr. Millhouse—I think the problem is there, but what would you do to make it a little less stringent?

Mr. DUNSTAN—I think it would be better to say, "As soon as is reasonably practicable," rather than "as soon as possible." I think if you establish a standard of what the reasonable man would have done in the circumstances,

not what could possibly have been done or would have been done by somebody who exercised the most extraordinary diligence, that would be a far better standard to go on. The second thing that worries me is that it has been found in two recent local court cases that notice can be given too soon. This is an extraordinary situation. His Honor Mr. Justice Reed in the Supreme Court—and this statement was *obiter,* not part of the ratio of his decision—said it may be that, if a man gave his notice before he made due search and inquiry and as soon as he knew there was any likelihood of action so that the nominal defendant could never say he had not been given notice of the impending claim, that was giving notice too soon. The Local Court found this was so and that, where it was proved that the notice had been given before due inquiry and search had been made—that is, as soon as the man knew that it was likely that he could not find out what the vehicle was that had injured him —and he applied to the police for a report on the situation and had them make inquiries, but before he got the reply he gave his notice for the appointment of the nominal defendant, that was giving notice too soon, and he had to wait until he got some replies to inquiries before he gave notice. Consequently, his action failed, and this was held in two cases in the Local Court about which I was informed by my friends in the profession.

Mr. Quirke—You would need much luck to get the middle distance.

Mr. DUNSTAN—Exactly. If you do not, you have no action. This appears to me to be placing far too stringent a set of requirements upon anyone who has been injured by an unknown vehicle in this way, and I feel that the Committee should act in this matter.

Mr. Millhouse—Another problem arises out of it. The Bill provides for a nominal defendant. What about the question of a nominal third party if the person wants to bring in an unknown third party?

Mr. DUNSTAN—I have not given much consideration to that.

Mr. Millhouse—I do not think there is any provision in the Bill or in the Act for it.

Mr. DUNSTAN—No, I think that is right, but I think it is covered in the Wrongs Act Amendment Bill that is before the House. That is my impression, gained from going through the Minister's second reading speech. The other matter to which I wish to refer is contained in clause 122 (4). Under clause 122 a man claiming indemnity against a third party insurance company is required to give notice to the company immediately of the fact of the accident, the time and place at which it occurred, the circumstances, the name and address of any person killed or injured, and the names of any witnesses of the accident. Penalites are provided in that clause for anyone who does not comply with it, but subclause (4) provides:—

> If an insured person fails to comply with a requirement of this section the insurer may recover from him all money paid and costs incurred by the insurer in relation to any claim arising out of the accident in respect of which such failure occurred.

The insurer may do that even in those cases where he has in no way been prejudiced by the fact that the insured person has not immediately given notice of the claim. There are cases where the insured person gets into some confusion about his insurance policies. I have found that the average person does not always apprehend the difference between a comprehensive policy and an Act liability policy, and obviously the person concerned says that he is insured by some company and gives notice to that company, but does not realize that he is covered for Act liability by another company to which he should give notice. Even if the insurance company was not prejudiced in any way by the fact that notice was not given immediately, it may recover the whole of the amount paid out and costs against the insured person. I think that is unjust. I believe we should provide that the basis of claim by the insurance company should be a claim for damages, not a claim for all the money paid and costs incurred, because the insurance company in case of prejudice may not expend all the moneys paid or costs incurred.

Mr. Millhouse—It is difficult to assess how much a company has paid.

Mr. DUNSTAN—True, but the courts have had other difficult matters to assess and should be able to assess the damage and arrive at some figure rather than give the company an arbitrary right to recover the whole amount. I suggest that the basis of the claim should be that if the insured person fails to comply with the section the insurer should have a right of action for damages against the insured person in cases where the insurer proves that he has been prejudiced by a failure to comply with the section. Nobody could say that that is unfair to the insurer, but there are some insurance companies in South Australia that

apply this section rigidly. The member for Mitcham (Mr. Millhouse) may know one or two of them, as they have become well-known to the legal profession. Not all companies adopt this attitude, but some do, and in those circumstances considerable hardship occurs to people who ought not, from anything they have done or from prejudice they have caused, be forced to be without effective indemnity. I hope that the House, when this Bill goes to the Committee, will have a look at that matter to see whether something should not be done on that score.

Mr. Quirke—Have you anything to say about uninsured vehicles?

Mr. DUNSTAN—I personally do not like any vehicle being on the road uninsured.

Mr. Quirke—In one part of the Bill some vehicles are allowed on the road unregistered and uninsured.

Mr. DUNSTAN—I am sorry that I overlooked speaking to that matter. I do not like uninsured vehicles being on the road in any circumstances, except those owned by such authorities as can carry their own insurance.

Mr. Quirke—The Bill gives primary producers a concession in that way, thus allowing them to have unregistered and uninsured vehicles on the road.

Mr. DUNSTAN—That would be unfortunate for the person involved. With these reservations, I support the second reading but, if something is not done about the Bill in Committee, I do not think it is likely that I shall support the third reading.

Mr. LAUCKE (Barossa)—I feel that this Bill reflects the genius of Sir Edgar Bean in the presentation of legislation in a form and clarity of language that will render it readily understandable to the layman. One need not be a lawyer to follow the meaning and intention of the law when enunciated in such clear and concise terms as appear in the Bill. I pay a tribute to Sir Edgar for the fine public spirit he continues to evince. He has rendered our State outstanding service over the years. His continued interest and assistance reflect, I feel, an inspiring and exemplary spirit of service. Service such as his, given when he could well be enjoying freedom from onerous duties, to which freedom he is justly entitled, mark him as one of the most selfless and greatest of South Australians in our history.

I welcome this consolidating and amending Bill as the first step in the general revision, simplification and consolidation of our traffic laws. It is a step in the right direction. In the main, the Bill embraces matters pertaining to the administration within the Motor Vehicles Department with respect to registration, licensing of drivers, and third party insurance. In the matter of registration of vehicles, I am pleased to see the continuation of concessional fees to primary producers. I regard these not as any great concession, but as a fair allowance to people who do not use the roads as heavily as do commercial users generally. I have heard in this House condemnation of the usage of trucks and motor vehicles generally by farmers registering at half rates and that they are using their vehicles for purposes for which this Act was not intended, but I know that in wheat deliveries under my own control or direction, three-quarters of wheat receivals come to us, not in farmers' vehicles, but in the vehicles of carriers who contract with the farmers for the delivery of wheat. True, some farmers carry wool on their trucks and return to their farms with certain goods that they require. However, in my experience the farmer is not making unfair use of a concession, particularly when he is carting wheat.

Mr. O'Halloran—That work is too hard.

Mr. LAUCKE—It is certainly hard work, but with modern machines and ease of loading it is not the onerous job it was some years ago. Three-quarters of the wheat receivals now come from licensed carriers, and not from farmers' own vehicles.

I am pleased to note that in this legislation there is to be a £1 registration fee for interstate transports when those vehicles are not registered in another State. It is a pity we cannot charge a greater fee for these road users, but I somehow feel that in keeping our transport costs down we are doing our State's economy more good than seeking to obtain through registration fees a given revenue from these transports. I have in mind, too, that we receive in our petrol tax reimbursements more money through the greater activity of road hauliers. Our railways are an integral part of our transport system, and they have done a magnificent work in developing our State and will do so for generations to come, but I consider that we should not impede the free transport of goods to and from our State by restricting road transport unduly. This State is very vulnerable to trade arising from its manufactures if it is heavily burdened with

high transport costs. I should like to see the time when the railways will compete so keenly with road transport as to win back much of the business now going to road hauliers.

It is good to see the provision regarding registration labels and number plates. As it is now, there are no means of identifying trucks for the purpose of accosting drivers for speeding or overloading, but these number plates and labels will enable better control of moving traffic. I am pleased to see that the freedom from registration of fire fighting vehicles is to be extended to cover vehicles that are used in training fire-fighters or preparing firebreaks. I am also pleased to see that in future motor ambulances operated by a district council or municipal body or non-profit-making organization will be automatically granted free registration.

It is also gratifying to note that in future primary producers will not need to go to the local police station to make declarations prior to receiving primary producers' registration concessions, which has for many years been a bone of contention in country areas. Many producers have had to go miles from the farm to declare something that they have to declare to the Registrar on the specified form in any case. This will save much time and inconvenience to farmers who hitherto have had to go to police stations to effect their registrations.

I am very disturbed to note that it is not obligatory on all road users to have third party cover when going out on to public roads. The outlay to the insured person is so light, yet it covers a liability which could be very serious. It also ensures for the injured party, in the event of the insured person not being able to meet a claim, a recompense which would not be available to that person if no insurance was in force. I think it is a vital need that where we provide for exemption from insurance, the individual person should see that he carries a third party insurance cover for his own protection, and more particularly for the protection of a third party, because otherwise it could react against his own interests. I have pleasure in supporting the Bill.

Mr. BYWATERS (Murray)—Several points have been covered by previous speakers, and reference has been made to the sterling efforts of Sir Edgar Bean in preparing this Bill and to his work in the past. I agree entirely with those remarks. I feel that I should also pay a tribute to the Registrar of Motor Vehicles (Mr. Kay), who, because of his age, can render much service to this State in the future. Frequently, a man reaches the top position when he is almost at the stage of retirement, but in this instance Mr. Kay has many years of service to the State ahead of him. I like the diligent way this officer has approached the whole question of road traffic. He has put forward many constructive ideas in the preparation of this Bill, and I feel sure that Sir Edgar Bean would be first to recognize the asset Mr. Kay has been in that regard.

As other members have stated, there is some cause for concern in this Bill because some motor vehicles will be allowed on the road without third party insurance. This, to my mind, is not an advantage to the primary producer or to whoever is placing a vehicle on the road. It is certainly an advantage for him not to have to pay any registration fee, but it is a distinct disadvantage to him to be without third party insurance. An accident could take place and someone be fatally injured, and the owner of the vehicle could be entirely liable. I think that all vehicles on the road should have some form of insurance to protect people, and I therefore consider that the Bill should be amended to provide that a form of third party insurance covers all vehicles that go on the road.

Reference has also been made to interstate vehicles which are at present using our roads without paying any registration fee. A clause has been inserted in the Bill to provide for the payment of a registration fee of £1 for those vehicles, but it is not obligatory on the interstate haulier to register his motor vehicle, because the clause merely states:—

> If the owner of a motor vehicle applies for registration of that vehicle and pays a fee of £1 . . . the Registrar shall in consideration of the fee so paid register that vehicle for 12 months.

What would be the position if the owner did not apply? I think this should be a matter of compulsion, and in this case I agree with the member for Adelaide (Mr. Lawn) who said that other States have been able to provide for this registration fee and we also could do it. We know that the intrastate vehicle has been brought in to clearly come within section 92 of the Commonwealth Constitution; this has worked quite satisfactorily in the eastern States and has been upheld by law, and I think that this is only right and that it should be adopted similarly in this State. If they can do it in Victoria and New South Wales

without any hardship to the intrastate carrier, I feel we can do it here.

Some concessions are made in another direction in the case of intrastate motor vehicles, but where interstate vehicles are coming in, using our roads, and breaking them up with their heavy loads, they should pay a fee. I think all people feel that the Constitution provision regarding free trade was never meant to apply to people that way. Those hauliers have adopted the attitude that it does, and have cashed in on what was not foreseen when the Constitution was drafted.

This Act at one time covered horse-drawn vehicles, but with the need for an overhaul of the legislation and the gradual lessening of the number of horse drawn vehicles, these have now been removed from the operation of the Act and they will not now have to register. That is keeping abreast of the times. Section 92 of the Constitution when drawn up had no thought whatsoever of interstate hauliers taking advantage of the situation, but because of the difficulty that has arisen in altering the Constitution over the years, we find that it is now a stumbling block and these interstate hauliers are cashing in and taking advantage of the situation. Other States have been able to overcome this difficulty, and we should take a leaf out of their book and profit thereby. I trust that, later, some appropriate action can be taken in this matter. I do not expect it to be taken now, for I do not think that clause 33 will help the situation one iota, because the interstate haulier is going to wipe his hands of this and forget all about it. Very few of those hauliers will come in to be registered, and I therefore feel that clause 33 will not have the desired result.

Much has been said about the primary producers' registration concession. I represent a primary-producing area, and I favour the concession to primary producers provided it is not abused. Unfortunately, there have been cases of abuse of this provision, and as a result there has been adverse criticism of the primary producers from time to time, which spoils it for the genuine people. I feel that that could quite easily be overcome by limiting the number of vehicles on which a primary producer can claim half-rate concession. I do not think that any primary producer needs more than two vehicles in running his farm. We know that abuses have occurred when members of the family have used a utility instead of a motor car in order to qualify for the concession fee. This practice is criticized not only in this House but in other places. Instances of abuse have been referred to me, and I therefore feel that some provision should limit the number of vehicles on which a primary producer may claim half registration fee. I appreciate the fact that the method of applying for a primary producers' half registration fee has been made much more simple.

[*Sitting suspended from* 6 *to* 7.30 *p.m.*]

Mr. BYWATERS—I agree with the provision of half registration fees to primary producers but feel there should be a limit to the number of vehicles covered by the concession. I support the provision making it more simple for people to get this concession. In the past every year the primary producer has had to go to a police station and sign an affidavit. The proposal will overcome the complications and assist those living some distance from a police station and it will also relieve police officers of much work. A person will only have to prove that he is a primary producer to secure the concession. I was pleased to hear the Treasurer say:—

> The rules as to cancellations and transfers of registration are set out in clauses 55 to 62. Some amendments of the law are proposed in these clauses. At present there is no general right for a registered owner to surrender the registration of his vehicle at any time and obtain a refund. However, there is no reason why people should not be allowed to surrender registrations freely so long as proper precautions are taken to destroy the registration label which is the ordinary indication to police that a vehicle is registered.

In the past it has taken a long time to cancel the registration of a vehicle. I once purchased a motor vehicle with the object of transferring its top to another vehicle. After doing that I applied to a police officer to have the registration cancelled but he would not cancel the registration, although the vehicle was in a poor condition, because it was roadworthy. I pointed out that he had the right to destroy the registration, but he would not do so. Eventually I wrecked the vehicle until it was not roadworthy but the police officer said that I could put it together again. I support the proposal to simplify the procedure for the cancellation of registration.

In the past it has taken a couple of months for a person to get a refund of registration money when a registration has been cancelled. However, due to the efficient administration of the senior officers of the department—and I specifically mention Mr. Kay—it will not take so long in future. One cannot owe the department money for any time, but in the past the

department owed money on refunds for up to two months.

I agree with the proposal to put the onus of transferring the registration of a vehicle on the purchaser. In the past the owner had the onus of ensuring that the transfer was effected. When a person sold a vehicle he filled in his section of the form and the purchaser filled in his section and took it in to the department and had the transfer effected. However, the onus was on the seller. During the war I sold an old vehicle but when the purchaser went to the Liquid Fuel Control Board he was told that because it was a utility he could not get fuel for it. He scrounged fuel until the registration ran out and then sold the utility, which was to be wrecked. However, the new purchaser used the vehicle when it was unregistered and uninsured because his own vehicle was out of order and he was seen driving it into a township. The registration number was taken and the vehicle was traced back to me because the man I had sold it to had not transferred the registration. I was liable because the onus was on me. However, the proposed provision will remedy the situation. I support the second reading and will have more to say in Committee.

Mr. QUIRKE (Burra)—In the past, in connection with the half rate for primary producer vehicles, I have endeavoured to have that concession applied to beekeepers, some of whom have what is virtually a small workshop built on to a vehicle It may have an extractor plant and other machinery associated with beekeeping. It is a useful vehicle that is driven from stand to stand and it remains stationary while the apiarist has his bees in one locality. It is not used on the roads as a commercial vehicle and for most of the year it is off the road and jacked up when the apiarist is not working his swarms of bees. As a primary producer's vehicle it has no rival because it is a miniature workshop on wheels and consideration should be given to providing half rates for it.

Although I do not disagree with them I am concerned with the provisions that allow a farmer to drive a tractor with an implement attached to it within a radius of 25 miles or a greater distance to a workshop without the vehicle carrying insurance. Big machines operate today, such as harvesters with power take-off drawn by a tractor. It could be a 12ft. cut. The comb is on the off-side, but the grain box and various driving gear are on the near-side, as is the tractor. Overall, it could easily cover 18ft. To transport that machine along any road would be a hazardous operation. Such machinery is not insured, and in the event of an accident on the road a third party could be in dire strife. Many farmers insure their tractors for transport on the road, whereas others do not. In the interests of the farmers themselves, there should be compulsory insurance, which would not cost more than 30s. a year to cover the implements which could be drawn behind a tractor. For them to be completely free is wrong and against the best interests of those whom we are trying to help.

I have much to do with interstate hauliers and frankly, in the main, they are not the pirates they are made out to be. All whom I know are prepared to meet a fair and reasonable charge if section 92 of the Commonwealth Constitution, or whatever is the obstacle, can be overcome. In New South Wales they have a heavy road tax and I do not think the weight of that tax is justified as it operates there, because it applies to all types of roads. A man with a big sheep transport travelling from South Australia to New South Wales or into Queensland has to travel over shocking roads. They are only tracks, but the owners of the vehicles are called upon to pay the road tax on those roads.

It must be admitted that some hauliers are competing against the railways. The winery with which I am connected transports much wine to Sydney by road. Assuming that it went by rail, it would be transported *via* Broken Hill. The winery at Clare is within 200 yards of the railway siding. We have large tanks which, when full, weigh five tons. Our vehicles would take the tanks to the railway, where they would be lifted into a truck and then transported to Terowie, where they would be transshipped to a train going to Broken Hill where they would be transshipped again. On arrival at Sydney they would have to be taken off the railway trucks and then to the cellars, or the contents would be pumped into tanks on another motor vehicle. Under road transport, the tanks are pumped full at the winery and pumped out again at their destination. Some road hauliers have vehicles with fixed tanks, called tanker trucks, and are permanently engaged in this work, and undertake to deliver to Sydney as I have described. They give a magnificent service, one with which the railways cannot hope to compete. Are we to drive them off the roads? The same also applies to many other items.

We must realize that business cannot be forced on to the railways by prohibitive conditions. I like to see the railways progress, but as a State we shall always have to pay for losses on the railways. Under modern conditions there are many phases in which the railways cannot compete. They have done remarkably well in recent years and made all kinds of alterations to their schedule. If there is any conceivable way in which they can meet any obstacle you are up against, they will give really good service, but often it cannot be given.

The road hauliers are willing to pay something for the use of our roads and do not want to wear them out without contributing toward their upkeep. There must be some way out of this difficulty whereby they can contribute something. While we have half registration rates for certain primary producers' vehicles, the same conditions could apply to the type of vehicle used by apiarists that I have already mentioned. Even if farmers do not have to register farm implements transported by road, it should be compulsory for third party insurance to be taken out in the interests not only of the farmers, but also of the third party. It would cost so little that this provision should be included in the Bill.

Mr. Harding—Would you suggest a maximum width for machinery travelling on the roads?

Mr. QUIRKE—It would be difficult to provide for that because that would mean that machines would have to be altered at the place of manufacture. Machines are of varying widths, and I do not think it would be practicable. I do not think it is likely that a width would be more than 20 feet. I do not think it is necessary to have restrictions in this matter because they would prove cumbersome.

Mr. JENKINS (Stirling)—Sir Edgar Bean, in close collaboration with Mr. Kay (Registrar of Motor Vehicles) and other senior officers, has put together a masterpiece of draftsmanship in this Bill and I commend him for it. I agree that it is an advantage to have a separate Act containing the provisions administered by the Motor Vehicles Department. It will make the position more simple and acceptable. The Bill repeals the whole of Part III of the Road Traffic Act which provides for the licensing of horse-drawn vehicles. This deletion is a sign of the times and indicates that we have moved into the age of motor vehicles. In this age the licensing of horse-drawn vehicles returns very little revenue and is therefore not necessary. Clause 5 contains interpretations and makes the definition of "primary producer" much clearer than it is in the present Act. It takes care of share-farmers and others who earn a living as a principal or partner. Clause 12, among other things, enables farmers' unregistered tractors to be used on roads within 25 miles of the farm for drawing farm implements. Much has been said on this matter. The increase in the distance to 25 miles is a concession and will be acceptable to farmers. I agree with other speakers that there is no need to register these vehicles, but they should be covered by third party insurance.

This morning on my way to Adelaide from Victor Harbour I saw when approaching Tapley's Hill Road a tractor drawing a harvesting implement nearly 20ft. wide. It stretched from the fence alignment on the left-hand side of the road to well over the crown. The farmer was conscious of the danger, for about 50 or 60 yards ahead there was a utility with a red flag giving a warning. Coming from behind the tractor there was much traffic, and there could easily have been an accident. When the implement came to a post or a culvert on the side of the road it had to be moved inwards and then covered practically the whole of the road. This presented a dangerous situation. Suggestions by members about third party insurance are wise.

Mr. O'Halloran referred to section 31, which provides that a vehicle with machinery and plant for boring operations for water shall be registered without a fee, but clause 37 provides for a vehicle with machinery for cleaning and excavation work on dams being registered at half fee, whereas I think that there should be no fee. I tried to ascertain the reason for the disparity, but had difficulty in doing so. This afternoon I looked for Dr. Wynes, the Parliamentary Draftsman, but he was engaged on another matter. I then rang for Sir Edgar Bean, but could not get him. I rang the Assistant Parliamentary Draftsman and he could not tell me. Eventually Mr. Kay told me that he did not think the Act had been altered. Tonight I was able to contact Sir Edgar Bean, who told me that the Act had not been altered. He did not know the reason for the disparity, but suggested that perhaps in the past people who operated boring plants approached the Government for a concession, whereas the other people had not. This is a matter that might be dealt with in Committee. I support the second reading.

Mr. HAMBOUR (Light)—I believe that this Bill will be well received and I do not intend to deal with it in detail. Today Mr. O'Halloran referred to competition for road transport. Parliament should be more realistic in its approach to this matter. Every member must admit that road transport is here to stay, whether we like it or not, or how well we legislate. If the railways hope to regain some of their lost revenue they must give value in all services and not only in some. I suggest that the Railways Commissioner seriously consider reducing some freight rates and possibly increasing others. It has been said that wool is carted by road to Adelaide to the detriment of railway revenue. One member said that 30 per cent of the wool produced is carried by road. I am surprised that the percentage is not greater. The cost of bringing a five-ton truckload of wool from my district to Adelaide by rail is £17 5s. At the highways rate of 1s. 6d. a mile, which is considered a reasonable and not a profitable rate, the cost of bringing the same quantity of wool to Adelaide is £10 4s. Of course, there is the depreciation on the motor vehicle, but on the day's work the producer saves £7 1s.

Mr. O'Halloran had much to say about road competition. I am not criticizing what the Leader said, but maintain that it does set up a severe competition for the railways, which the railways are unable to meet.

Mr. Shannon—Unable or unwilling?

Mr. HAMBOUR—Let us see how willing they are. For the same distance, for wool they charge 11s. 6d. a bale, with roughly six bales to the ton, which comes to 69s., but they cart superphosphate for less than 15s. a ton. To get the trade and benefit the producer, whatever the reason may be, they cart superphosphate for less than 15s. a ton, yet they charge 69s. to cart wool, and they wonder why they are losing the wool trade. One does not need to be an economist to understand why.

Mr. Shannon—If you were the Railways Commissioner would you hire out a truck and let the hirer put what he liked in it?

Mr. HAMBOUR—If I were the Railways Commissioner, I should get the business.

Mr. Shannon—You would not worry about what he put in the truck, provided he did not overload it.

Mr. HAMBOUR—Turning, to wheat, from Minnipa to Thevenard, 127 miles, the charge is 36s. a ton, compared with 69s. a ton for wool for 68 miles. From Naracoorte to Adelaide, 240 miles, it is 45s. a ton, and from Balaklava to Adelaide, 65 miles, it is 28s. a ton. So these different rates are in operation. My point is that the Railways Department wonders why it is losing the 69s. a ton wool trade.

The SPEAKER—Order! I do not think this is a railways Bill. Is the honourable member making a passing reference to it?

Mr. HAMBOUR—I have nearly finished on that if the House will bear with me for a moment, but I am linking my remarks with registration. The Leader of the Opposition dealt with this question at length and I listened with interest to what he said. I am certain that the registration fee of primary producers, whatever it was, would not benefit the South Australian railways. It is a concession to the primary producers and I think that if it were nil, half or double today it would still not add to the revenue of the South Australian railways.

Mr. O'Halloran—It would add to the revenue that goes to the roads.

Mr. HAMBOUR—It adds to the revenue of the State very little. The primary producer contributes good and plenty in every other way to the economy of the State without being penalized on registration. I support the Bill.

Mr. KING secured the adjournment of the debate.

MILLICENT AND BEACHPORT RAILWAY DISCONTINUANCE BILL.

Adjourned debate on second reading.

(Continued from October 28. Page 1301.)

Mr. O'HALLORAN (Leader of the Opposition)—I feel that I shall be able to endow this Bill with my blessing without occupying too much time. As honourable members learned from the Minister's explanation on second reading a short time ago, the Mount Gambier to Beachport railway line was authorized in 1876. It was completed shortly afterwards. I understand it was a line begun at Beachport and ending at Mount Gambier, because then Beachport was visualized as being a port and an outlet for the produce that would be grown along the line. We have heard much about deep sea ports and portable ports but this seems to strike the death knell of Beachport as any kind of port.

The Transport Control Board recommended that the line be closed in September, 1956, and the Public Works Standing Committee endorsed this recommendation on August 30, 1956. Some doubt was felt, however, whether the closing of this line and the pulling up of the tracks and fixtures would interfere with the Uniform Gauge Agreement, and the opinion of

the Commonwealth was sought on the matter. The Commonwealth Government agreed that to permit the Railways Commissioner to dispose of this section of the line from Millicent to Beachport would not be an infringement of the Uniform Gauge Agreement. Now we are asked to pass a Bill that will finally enable the Railways Commissioner to dispose of the line and all the appurtenances thereto between Millicent and Beachport, and then the original authorization will be changed in name to the Millicent to Mount Gambier Railway. I support the second reading.

Mr. CORCORAN (Millicent)—The mere pulling up of the rails would not obviate the necessity of constructing a broad gauge railway later if it were found necessary. I assume that it is not intended to dispose of the land on which the line has run. Beachport now has no road or rail transport: it is slipping back. The people there are tolerant because they have never raised a voice to indicate their opposition to the closing of the road or their need of a good highway. I do not know the feelings of the Beachport or Millicent councils but my opinion is that Beachport should be linked with Millicent by a properly constructed and graded bitumen road, *via* Rendelsham and Southend, thus cutting off approximately 10 miles to give the people of Beachport who desire to go to Millicent 10 miles less to travel, and during the summer providing a seaside resort at Southend for the people of Millicent. It is up to the Government to assist the local government bodies by constructing the road as I have indicated. I have no objection to the old rails being pulled up because they serve no purpose and they may as well be sold. We thought perhaps they should stay there because of the possibility that a port would be established, but it seems that that is not likely at present. I hope that the Government and the councils concerned will wake up to the needs of the people and provide the road I have suggested. I support the second reading.

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

WANDILO AND GLENCOE RAILWAY (DISCONTINUANCE) BILL.

Adjourned debate on second reading.

(Continued from October 28. Page 1302.)

Mr. O'HALLORAN (Leader of the Opposition)—This Bill is based on similar principles to that which we have just passed except that the railway in question in this Bill is of more recent vintage. According to my notes, this line was authorized in 1903 and was closed on July 1, 1957, by order of the Transport Control Board supported by a report of the Parliamentary Standing Committee on Public Works dated May 2, 1957. I think all I need say about this line is that it was originally built to serve the valuable purchase settlement area established following the subdivision of the Glencoe Estate, and it served a useful purpose for many years. I understand that the advent of road transport has removed the necessity for the railway and the obvious thing to do is to treat it in the same way as the Millicent to Beachport railway dealt with in another Bill; namely, to allow the Railways Commissioner to salvage as much of the material as possible and to get as much as he can either by pulling it up and selling it in sections or by selling it *in situ*. It is interesting to compare the capital cost of this railway with today's costs. This line is approximately 9 miles long, and the total cost of building it was £11,500.

Mr. Shannon—It makes your mouth water.

Mr. O'HALLORAN—Yes, when you think that in 1903 it was possible to construct 9 miles of railway at a little over £1,000 a mile. Whatever has happened in recent years, I would expect that this line, in addition to serving a useful purpose in fostering soldier settlement, has paid for itself. Like others, it is something to be remembered, but its passing no-one will regret. I support the second reading.

Mr. HARDING (Victoria)—I also support this Bill for the discontinuance of this 3ft. 6in. line, which is 9 miles 10 chains in length. The cost of broadening the line under the agreement with the Commonwealth would have been £224,000. In 1910, 5,929 tons was carried over this line, and in 1955 freight fell to 4,265 tons. In 1910, 3,577 tons of livestock was carried compared with 333 tons in 1955, so it is evident that the line has served its purpose. I am not concerned about its closing but I am concerned about the state of the road between Glencoe and Kalangadoo. Glencoe is a prosperous and fertile district surrounded by pines, with a terrific fire menace, and the nearest railhead has been cut off because of the state of this road. It is not an all-weather road nor is it in good condition because of the carrying of pine timber during a wet winter from the burnt-out area caused by the Wandilo fire. After the timber was

carried over this road it became almost impassable.

In Glencoe are two cheese factories and two timber mills which should be relying on a good road to the railhead at Kalangadoo, but they do not have one. The shortest route to Mount Gambier from Kalangadoo is *via* Glencoe, but it is useless to take a census of traffic over that road now because the extra 10 miles that must be covered on the alternative route is nothing for modern transport. I should like to read a reply from the Minister of Roads, through the Minister of Works, to my question on whether any assurance had been given to the producers in the Glencoe district that there would be an all weather road established and maintained for the railhead at Kalangadoo. That reply was as follows:—

My colleague, the Minister of Roads, states that he believes that the only assurance given was that funds would be provided to improve the road to a higher standard, with a view to sealing when additional funds permit. This policy has been maintained. Funds have been provided to both the District Councils of Tantanoola and Penola during the current year: (*a*) for the district council of Tantanoola to complete its section, approximately 6½ miles, to a good open surface standard in preparation for ultimate sealing, and (*b*) to the District Council of Penola for maintenance purposes only. Before this section can be constructed to a standard, land acquisition is necessary, and a survey for this purpose will be commenced as soon as practicable.

I hope that the people of Glencoe will soon have an all weather road so that they can truck their cheese and other goods from Kalangadoo. I support the Bill.

Mr. CORCORAN (Millicent)—I remember that in the early development of Glencoe the Glencoe-Wandilo line was well patronized by the people of Glencoe and played an important part in the development of the district. No doubt that line has paid for itself over and over again, and the people of the district need not worry about retaining the reserve on which the railway runs, as it will never be needed again.

Mr. O'Halloran—There was some suggestion of an atomic power station being established there.

Mr. CORCORAN—That may be so. I support the member for Victoria's remarks, because I think it was more or less understood that when the railway line was removed the people of Glencoe would be provided with a good road from Glencoe East to Kalangadoo. It is the Government's responsibility to provide that road, irrespective of what promises were made, and that is an obligation that should be carried out as soon as reasonably possible. Obviously, there was no need for the railway and it would have been an absurdity to talk about broadening the gauge. I agree with the member for Victoria that this road is a necessity, and I support the people of Glencoe in any attitude they may adopt regarding the establishment of a good road from Glencoe East to Kalangadoo. I have much pleasure in supporting the Bill.

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

NURSES' REGISTRATION ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from November 12. Page 1600.)

Mr. O'HALLORAN (Leader of the Opposition)—This Bill has come from another place where it was discussed and passed with a small amendment which effected an improvement, and I therefore see no reason to unduly delay the House in discussing it. It provides for the training and registration of what are known as nurse aides who have been employed in hospitals for some time but who previously have had no status. Those aides have acquired a status in at least four other States as a result of legislation passed in those States during the last three years or so.

Briefly, the Bill provides that those adults who have been engaged in minor nursing duties in hospitals for five years prior to the passing of this Bill shall be permitted to register as nurse aides provided they can pass an examination set by the Nurses Board. It also provides for the training of young girls who for various reasons cannot enter the nursing profession in the normal way. For those entrants 12 months' training is provided and there is another 12 months of nursing under supervision, after which time they can become registered as nurse aides.

The period of their original training is understood to begin at about the age of 17 years, so that when the period of nursing under supervision ends at 19 years of age they are able to pass the necessary examination and go on and be fully trained as nurses under the Nurses Registration Act. I can see no danger of this legislation interfering in any way with or reducing the status of that very fine body of women who comprise the nursing services of the State. Far from hampering their activities this Bill provides them with

help, particularly when our increasing population and the increased demand for hospital services, characteristic of our times, has brought about an acute shortage of trained nurses. Chronically ill people not requiring the services of fully-trained nurses can be cared for by nurse aides, thus enabling the trained staffs to attend the more difficult cases of which there are all too many nowadays in comparison with the number of nurses available. I support the second reading.

Mrs. STEELE (Burnside)—There are few of us who have been fortunate enough not to have been in hospital at some time or another, and who have not been treated by members of the nursing profession, whether they have been fully-trained nurses or what we now call nurse aides or nurse assistants. Early this century nurses were subjected to long hours and received little pay—certainly not commensurate with the work they did—and they performed hard and menial tasks. This Bill brings South Australia into line with all other States, except Queensland, and establishes the status for nurse aides. It has the effect of building up our staffs, which are always in need of fresh reinforcements, and it will help many private hospitals which would find it difficult to carry on were it not for the availability of these women who have, for a variety of reasons, not been able to complete their training. While there are 2,237 trained certificated nurses in our hospitals there are almost as many nurse aides or nurse attendants—2,081—and we must be grateful to these people who fill such an important role in our hospitals.

The name "voluntary aide" or "nurse assistant" was first established in Australia in 1916 during the First World War. They performed most valuable work in World War I and in peace time, between the two World Wars, the Australian Red Cross and the Order of St. John were encouraged to build up bodies of these women who were prepared to be trained in first-aid and home nursing. Nurse aides, which are now being given a definite status in our civilian hospitals, have, as V.A.D.'s., been used in army hospitals for a long time and none of us needs to be reminded of the extremely valuable part they played in the last war, especially after the Japanese came into the Pacific war in 1941. Official sanction was given for V.A.D.'s to be employed on a paid basis, and this was most important. These aides were then incorporated into the A.A.M.W.S.

None of us needs to be reminded that Florence Nightingale established the first school for the training of nurses in 1860. Before then the sick were tended after a fashion: little was expected of the nurses who looked after them in hospitals and the nurses' limited art was gained by experience and little attempt was made to educate or train women who went into this profession. In fact, when Florence Nightingale established her hospital training school it was considered sufficient for the trainees to have one year's training. Because of the advent of antiseptic surgery, first practised by Lord Lister, and the stringent demands of this rapidly advancing science, the standards of nursing were improved and the training course was eventually lengthened to three to four years.

In these days the emphasis is on nurses specializing in various avenues. We have nurses skilled in nursing medical cases and others who are adept in hospital operating theatres. This has the effect of leaving the less important duties to nurse aides and these women are increasing in numbers. It was at the end of the last century, or the beginning of this, that the nurses organized to secure better education and better training until now the nursing profession has attained a high standard. The first hospital in Australia was established in New South Wales in 1816 and the nurses then were male and female good conduct convicts. Not surprisingly their behaviour was not entirely satisfactory and the Board of Governors of the Sydney Hospital at which these people were employed decided to establish a school for the training of nurses and this was done six years after Florence Nightingale established her school at St. Thomas' Hospital in London. I support the Bill, but wonder who is the authority to set the examinations these women will have to pass to attain the status of nurse aide.

Mr. Hambour—The Nurses' Registration Board.

Mrs. STEELE—When they qualify, who will fix their rate of remuneration? At the moment they are being paid under an agreement between the hospitals and the Public Service Commissioner and the present rate on a 40-hour week basis for a nurse attendant under 19 years of age—and whether they work as little as 40 hours is questionable—is £19 12s. 6d. a fortnight. I wonder whether this Bill will continue this arrangement, or whether these nurse aides will come under some award. I feel that the Bill is a step in the right direction, because many girls have not attained a particularly high educational standard and

cannot come up to the standard set for entry into a public hospital to undertake full training, and other girls are too young to begin training in a public or teaching hospital. Some girls join the Red Cross blood bank service in order to get training up to the time they are accepted by the hospitals. I have much pleasure in supporting the Bill.

Mr. HAMBOUR (Light)—There is very little in the Bill with which one can disagree, but much could be included to improve it. I agree with Mrs. Steele in her admiration of the nursing profession and believe that everyone holds the profession in high regard because of the service given to the community. This Bill will give status to a small section of the nursing profession, although I doubt whether a nurse aide will be classified as being included in the profession. It is provided that women over 30 years who have given five years' service before they can qualify to become a nurse aide; and yet a little further on the Bill provides that a girl of 17 can start as a nurse attendant and by 19, if she passes the examination fixed by the Nurses Registration Board, she becomes a nurse aide. I cannot see why a person at 30 needs five years' service before she can be accepted without an examination, whereas a girl at 19 can become a nurse aide. Mrs. Steele doubts whether any nurse works as little as 40 hours a week. I believe that nurses' pay is based on a 40-hour week, with an additional eight hours being paid for at the rate of time and a half. So, it is not a question of the number of hours they work.

Some time ago I spoke on the question of the nursing profession and expressed concern at the lack of nurses in this State, particularly trained nurses. Anyone who has had experience with hospitals will endorse the statement that there is a shortage of trained nurses. At that time I advocated that a probationer be allowed to start training at the age of 16 years. This would have increased the nursing potential by more than one-third, because the girls who register today on the average give less than two and half years of service before they leave the profession to marry or for some other purpose. We have the Nurses Registration Board at an all-Australian conference accepting a lower standard for nurses; and yet the argument used by the board against my proposition was that it would lower the standard of nursing. I cannot see that it would if a girl were physically and mentally stable and anxious to undertake the nursing profession.

We have girls at 16 years who, in the main, are asked to assist in nursing patients. Girls of 16 are still accepted as attendants, but cannot start even as nurse aides until they reach 17. The Nurses Registration Board in the main comprises members of the medical profession. They talk about the high standards of this profession. I said that the profession here has as high a standard as anywhere in the world, and I do not believe that age is essential to a high standard. If a girl can qualify and is anxious to undertake the work, she should be accepted. I believe that nurses should nurse the patients and not do the doctor's work, which they are asked to do in many institutions.

I am afraid that this Bill will not result in relieving the shortage of nursing staffs. If that is its intention, I am sure it will fail. It simply gives recognition to a certain class of girls who are helping today. They deserve the recognition, but the Nurses Registration Board is responsible to see that we get sufficient nurses; and until it reduces the age to 16 as I have suggested then we shall lose many girls from school who will go into other walks of life. Now, these girls have to wait a year or a year and a half before they can start nurse training, and many undertake other employment and so are lost to the nursing profession. I ask that the Minister of Health take up with the board the question of admitting girls to the profession at the age of 16. I am sure that this would result in hospitals getting more qualified nurses, and this would apply especially to country hospitals, which have great difficulty in getting sufficient nursing staff.

I was invited to address the Nurses Registration Board, but what is the use when we have men and women on that board who have already made up their minds. They say they want to set a standard and not to lower the standard of the nursing profession, and so will not agree to the admission of girls at 16. It is possibly the academic side on which these girls fail, but in my opinion that is not particularly important to the nursing profession. What is important is that they should understand the patients and know what to do. I believe that we should accept girls of 16 years of age who are stable physically, mentally, and emotionally. I have said that a girl could become a trained nurse at 20, but I have been told that that is not an age of responsibility. Of course, I do not accept that. Until we change the present position we shall have a shortage of nurses. Attempts

have been made to bring nurses from Great Britain but those attempts have not proved successful. The Government should bring pressure to bear on the Nurses Registration Board to enable girls to start training at 16. I believe that girls of that age are full of understanding and in the nursing profession they would be wide in their outlook and physically able to stand up to the work. I ask that the Government, and the Minister of Health in particular, will seriously consider this matter.

Mr. BYWATERS (Murray)—I support the Bill, which will be a benefit to the nursing profession. I wholeheartedly support Mr. Hambour's remarks. He has a wide knowledge of the subject. I have had young ladies who have completed their high school training come to me wanting to enter the nursing profession. They have set their heart and soul on doing so but have not been able to at 16 years of age. Because of that they have taken positions elsewhere and have been lost to the nursing profession. Girls should have the opportunity to start their training at 16. I realize that not all girls are stable at 16 but there could be ways to meet the position, and even if they were only nurse aides at 16 they would not be lost to the profession.

Mr. Hambour—Two country conferences supported the entrance of girls at 16, but the board would not agree.

Mr. BYWATERS—I know that the girls are lost to the profession because they cannot enter at that age. It would be a help if they could enter in a theoretical sort of way. Nursing is a noble profession and many girls anxious to enter it do not because they cannot enter at 16. I suggest that the matter be considered later. The remarks made here and of responsible people outside should be considered by the board.

Mr. COUMBE (Torrens)—I support the second reading of this Bill, which appears to have unanimous support of the House. It has a threefold purpose. One is to recognize certain personnel now working in some hospitals and to give them status. Another is to relieve a grave shortage in many hospitals, and a third is to assist trained nurses in the attention to minor duties. When we remember the many ways in which a nurse aide can assist we can appreciate the benefits that must accrue from this Bill. It provides useful avenues of employment for girls who do not wish to, or cannot through certain circumstances, undertake a full training course. This may be of special interest to country people. I know the position in some of the metropolitan hospitals. In North Adelaide large hospitals, some of a religious nature, welcome this Bill. I believe the Children's Hospital would provide an avenue for the training of these girls. Some may not stay in the profession for many years, but the training they get would prove useful to them later.

The important thing to remember is the status of trained nurses. This Bill sets out ways in which young girls can become nurse aides. After that they could continue their training and become fully trained nurses. The status of the trained nurses should be protected. The Bill does not impair it in any way. In some States after a girl has completed her training she can transfer to another State. Perhaps now nurse aides will have the same opportunity. Some of us remember the wonderful job many of these girls did in the services during the war. I remember with gratitude the attention given me by some very attractive nurse aides when I was in army hospitals. An interesting thing about the wording of this Bill is the fact that it refers to "persons" and not girls or women. It would therefore appear that the way is clear for nurse aides to be trained as assistants to some of our male nurses in hospitals. That may not be so, but that is how I interpret it because the word "person" is used. The Bill says "a person may be trained" and "a person may be registered." The Bill seems to have the unanimous support of the House and I shall not delay it but reaffirm that it has my support.

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

BIRTHS AND DEATHS REGISTRATION ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from November 12. Page 1600.)

Mr. LOVEDAY (Whyalla)—A good deal has been done in recent years to streamline our respective entries into and exits from the world so it seems appropriate that the methods of recording these entries and exits should also be streamlined. The purpose of this Bill is to effect administrative savings in procedure and to relieve police officers of some of their duties in connection with the registration of births and deaths. In looking back on the amendments to the Act that have preceded this Bill, I notice that the original Act of 1937 was amended in 1940, 1942 and 1947 and

it occurred to me that, when one was endeavouring to follow the amendments proposed in this Bill, it would have been much easier if the Act had been consolidated, and I suggest that should be done.

Clause 4 relating to the registration of births is one providing relief to police officers in their work as district registrars and assistant district registrars. The principal Act provides that the person by whom the particulars are furnished shall record or cause to be recorded the information in the information statement in the presence of a district registrar or an assistant district registrar. The removal of the words "in the presence of a district registrar or an assistant district registrar of the district in which the child is born" means that the informant can give information by filling in the form and sending it on to either of those persons. That appears to be a desirable improvement on past procedure because police officers now have multifarious duties and it appears to be quite unnecessary that the person concerned should have to fill in this form in the presence of these officers. On examining clause 6, relating to the registration where the birth has not been registered within the prescribed period, I find a situation which is somewhat puzzling. I hope it will be dealt with in Committee and explained more thoroughly by the Minister. Clause 6 proposes to insert after the words "date of birth" the words "by the principal registrar or by a district registrar." In the principal Act provision is made for the birth to be registered within a period of six months from the date of the birth upon the direction of the principal registrar. The amendment provides that the registration may be made with the principal registrar or the district registrar, but the assistant registrar is omitted. Elsewhere in the Bill and in the principal Act the assistant registrar is able to effect registration. I suggest that requires some consideration because, obviously, if there were no objection that would be a further simplification of the Act and obviously the Bill is designed to achieve maximum simplicity.

That comment applies also to clause 9, which relates to the same procedure as clause 6, except that it refers to deaths instead of births. Here again the assistant registrar is not mentioned. Yet in the principal Act in other sections he is mentioned as being able to do this particular work. I suggest that these two clauses need more attention to see whether further simplification cannot be achieved by including the assistant registrar in these two clauses.

Some clauses are purely consequential. Clause 10 is designed to make it possible that, when notification of the coroner's verdict is given to the Principal Registrar instead of a district registrar, the registration can be expedited. Clause 10 also has a new subclause that will permit the registration of the death and the issue of the cremation permit in cases where the coroner's investigation into the cause of death is complete but no verdict has been given. That is a desirable amendment that will further simplify procedure.

In clause 11 the duties of the district and assistant district registrars are imposed on the Principal Registrar as well, giving a broader scope in that instance. A new section 32a, enacted by clause 12, gives legal force to the necessary administrative practice of withholding the registration of death in the absence of the certificate of a medical practitioner who attended the last illness of the deceased person. It is a machinery Bill purely on the question of simplification of procedure to assist in reducing administrative expenses and the duties of the police in connection with this work. I support the Bill.

Bill read a second time.

In Committee.

Clause 1 passed.

Clause 2—"Commencement of this Act."

Progress reported; Committee to sit again.

ADJOURNMENT.

At 9.14 p.m. the House adjourned until Wednesday, November 18, at 2 p.m.